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REPORTS

FROM

COMMISSIONERS:

TWENTY-FOUR VOLUMES.

—(15.)—

ELECTIONS (TOTNES BOROUGH).

Session

5 February — 21 *August* 1867.

VOL. XXIX.

1867.

REPORTS FROM COMMISSIONERS:

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TWENTY-FOUR VOLUMES:—CONTENTS OF THE

FIFTEENTH VOLUME.

N. B.—*THE* Figures *at the* beginning of the line, *correspond with the* N° *at the foot of each* Report; *and the* Figures *at the* end of the line, *refer to the* MS. Paging *of the Volumes arranged for The House of Commons.*

ELECTIONS (TOTNES BOROUGH).

[3776.] REPORT of the COMMISSIONERS appointed to inquire into the existence of CORRUPT PRACTICES at the LAST ELECTION, and on former similar occasions, for the BOROUGH of TOTNES; together with the MINUTES of EVIDENCE and APPENDIX - - p. 1

REPORT

OF

THE COMMISSIONERS

APPOINTED TO INQUIRE INTO

The Existence of Corrupt Practices at the last Election, and on former similar Occasions,

FOR

THE BOROUGH OF TOTNES;

TOGETHER WITH

THE MINUTES OF EVIDENCE

AND APPENDIX.

Presented to both Houses of Parliament by Command of Her Majesty.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1867.

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COMMISSION

TO INQUIRE INTO

THE EXISTENCE OF CORRUPT PRACTICES AT THE LAST ELECTION, AND ON FORMER SIMILAR OCCASIONS, FOR THE BOROUGH OF TOTNES.

VICTORIA R.

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.

To Our trusty and well-beloved Montague Bere, Esquire, Francis Davy Longe, Esquire, and Charles Edward Coleridge, Esquire, greeting:

Whereas the Lords Spiritual and Temporal, and Commons, of the United Kingdom of Great Britain and Ireland in Parliament assembled, have by a joint Address humbly represented unto Us that a Select Committee of the House of Commons, appointed to try a Petition complaining of an undue Election and Return for the Borough of Totnes, have reported to the House that it has been distinctly stated by some Witnesses, and the general tenor of the evidence given leads the Committee to believe, that a system of gross corruption prevailed at the last Election for the Borough of Totnes, and also on former similar occasions, and that there is reason to believe that corrupt practices have extensively prevailed in the said Borough, and have humbly prayed that We will be graciously pleased to cause inquiry to be made, pursuant to the provisions of the Act of Parliament passed in the Sixteenth Year of Our Reign, intituled "An Act to provide for more "effectual Inquiry into the Existence of Corrupt Practices at Elections for Members to "serve in Parliament," by the appointment of you, the said Montague Bere, Francis Davy Longe, and Charles Edward Coleridge, as Commissioners for the purposes of making inquiry into the existence of such corrupt practices:

Know ye, that We, in compliance with the Prayer of the said joint Address, have authorized and appointed, and do by these Presents in pursuance of the powers vested in Us by the said Act, authorize and appoint you, the said Montague Bere, Francis Davy Longe, and Charles Edward Coleridge, to be Commissioners for the purpose of making inquiry under the said Act into the existence of such corrupt practices in the said joint Address referred to.

Given at Our Court at Saint James's, the Sixteenth day of June One thousand eight hundred and sixty-six, in the Twenty-ninth Year of Our Reign.

By Her Majesty's Command,

G. GREY.

REPORT.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

We, the Commissioners appointed under Your Majesty's Royal Sign Manual to inquire into the existence of corrupt practices at the last election for the borough of Totnes, and also on former similar occasions, having carried out, as far as circumstances would permit, the inquiry which we were commanded to make, humbly submit this our Report to Your Majesty.

Considerable difficulties met us at the outset of our inquiry in consequence of the change made in the law by the Statute 26 & 27 Vict. c. 29. By that Act the power given to the Commissioners to refuse certificates of indemnity is restricted to the instances in which witnesses have refused to answer a question actually put to them, whereas under 15 & 16 Vict. c. 57. those persons only were entitled to certificates who answered the questions to the satisfaction of the Commissioners. Many of the witnesses to whom under the earlier Act we should have refused certificates are entitled to claim them under the present.

We had to deal at Totnes with every possible variety of falsehood and prevarication. Wilful perjury was confessedly committed on the examinations before us in several instances; contradictory statements on oath were continually made, and few witnesses without the pressure of cross-examination showed any disposition to tell the whole truth. In consequence of such reticence our inquiry was much prolonged, yet, after all, we cannot pretend to have discovered all the facts connected with the elections that have taken place in the borough.

Totnes is an ancient borough, having received by a charter of A.D. 1259 the privilege of returning two burgesses to Parliament. It was a town that never had any great or special trade, and since the stoppage of the manufacture of serge about A.D. 1835, when it suffered in common with the rest of South Devon, its inhabitants have consisted principally of small shopkeepers and persons engaged in agricultural pursuits. At the elections that took place during the years immediately preceding the passing of the Reform Bill little political feeling prevailed, the choice of representatives then depending on certain resident families engaged in trade or business who had influence in the borough. The constituency was at this time confined to freemen presided over by a mayor and 14 masters-councillors. The freemen were elected by the mayor and masters-councillors, who were themselves elected by the resident freemen (commorantes in villâ), while the Members of Parliament were chosen by the freemen whose names were on the roll, whether resident or non-resident.

At the time of the Reform Bill the boundaries of the borough, which had been the same as those of the manor of Great Totnes, were much enlarged, and those that were substituted, though drawn irregularly and from no fixed centre, took in that portion of the adjacent country on which most houses had been built. This portion contained the manor of Little Totnes, and also the manor of Bridgetown, which was divided from the town proper of Totnes by the river Dart. The owner of both these manors was the then Duke of Somerset, who thus for the first time acquired weight in the political affairs of the borough.

The area of the borough was by these means increased from about 60 acres to about 1,300 acres. The number of inhabitants in A.D. 1831, in the old borough, was 3,442. There were only 277 voters on the register for 1832, of whom 42 were freemen, 19 voted on qualifications for Bridgetown, and 156 on qualifications in Totnes parish. According to the census of 1861 the population of the present Parliamentary borough was 3,993, and the voters on the register of 1864 were 421; of these 6 were freemen, 85 voters for Bridgetown, and 330 voters for the parish of Totnes. Between 1832 and 1864 few new houses, however, had been built within the limit of the borough.

The parties acting in political matters in Totnes since the Reform Bill were three,—1st, that which attached itself to the Somerset influence; 2nd, independent Liberals who were opposed to any such influence; and, 3rd, the Conservatives.

In order to trace the political history of the borough we inquired into the general character of the elections from the Reform Bill until 1857. The earlier elections of 1832,

1834, and 1835 were admitted to have been conducted without any attempt at bribery on either side. The election of 1834, when Lord Seymour was for the first time returned, was a contest for the independence of the borough, 73 ultra Liberals supporting a candidate of their own. In the year 1837 suspicion of treating by the opening of the public houses first attached to the Conservative party. The open and determined purchase of votes did not begin until the election of 1839, when Mr. Blount on the Liberal and Mr. Baldwin on the Conservative side polled an equal number of votes, 142. All the impartial witnesses who remembered that election traced the subsequent corruption of the borough to it as the fountain head. The election was declared void upon a technical objection as to the validity of the notice by the decision of a Committee of the House of Commons. Mr. Blount did not again solicit the suffrages of the constituency; but in 1840 Mr. Baldwin again stood, and having been elected by a majority of seven over Mr. Guy Gisborne, continued to be member for Totnes till the year 1852, in conjunction with the present Duke of Somerset, then Lord Seymour. Mr. Baldwin came in without a contest in 1841, defeated Mr. Sampson Ricardo in 1847 by three votes, but was defeated himself in 1852 by 13 votes in favour of Mr. Mills.

Mr. Baldwin's uncontested return in 1841 was the result of an agreement between certain members of the two political parties, whereby the Somerset party undertook to support a Conservative candidate against the candidate brought forward by the independent Liberals, provided that the Conservatives would take care to secure Lord Seymour's seat. In the words of the Duke of Somerset, "The agreement was to the effect that if I "could find 12, not more than 14 persons, on my side who were willing to vote for the "Tories, they would give me 40 votes." The arrangement, in spite of strong dissatisfaction on the part of the independent Liberals, was acted upon in the elections of 1841 and 1847, at which latter election,—but for its existence and the interference of Mr. Michelmore, the Duke's agent,—Mr. Ricardo, an Independent Liberal, would have been returned. It seems to have been given up at the election of 1852.

Mr. Baldwin had been one of the members for Totnes before the Reform Bill, was well known to the constituency, and had bought the Gerston estate situated within the borough. He spent very large sums of money in his various contests, but we could not discover with any accuracy their amount. At these elections there is no doubt that no Conservative could have been elected for Totnes without bribery, and that no independent Liberal could be secure of the second seat without having recourse to the same means; while the witnesses on both sides admitted that there was no need for the Somerset candidate to spend any money illegally, and stated their belief that up to 1855 no money had ever been so spent.

In 1855 the then Duke of Somerset died, and Lord Seymour's succession to the peerage creating a vacancy in the borough, the Earl of Gifford as the ducal representative was elected without a contest. We had no proof of any corrupt practices having prevailed at this uncontested election; we have not, therefore, inquired into the details of preceding elections except where they throw light on the conduct of persons concerned in the elections of 1857, 1859, 1862, 1863, and 1865. After the election of the Earl of Gifford the disunion that up to that time had existed in the Liberal party became less, the two sections were brought nearer together, and agreed to work in concert for the furtherance of the Liberal cause. No unity in money arrangements existed, but the exercise of the Somerset interest in favour of the independent Liberal was clearly thought an equivalent for money to be spent by the latter. Although during the life of the Earl of Gifford money was not required to secure his seat, yet throughout the time that he represented Totnes considerable sums were spent in bribery on behalf of the independent Liberal candidate, and on the Earl of Gifford's death had to be further expended in order to protect the Somerset member who had hitherto been considered safe.

At the elections from 1857 to 1863 inclusive, the voters registered were of three descriptions,—

1. Freemen, who every year became fewer in number.
2. Householders occupying houses or premises of the actual value of 10*l.*
3. Persons qualified to vote on the occupation of land on which buildings stood.

The freemen, as far as we could judge from the character of those who voted at the election of 1865, were persons in a good position in the town. The second class was composed of the tradesmen and small shopkeepers resident in the town, with a few occupiers of 10*l.* houses who earned their livelihood as artisans or labourers. The majority of this class, if not themselves the tempters or bound to vote in any particular manner by allegiance to a landlord, were open to be bribed. The third class consisted principally of farmers and other persons who occupied the pasture lands within the borough. They were for the most part admitted to their holdings on the understanding that they should vote for the Liberal interest.

The power of creating votes was largely increased by the quantity of meadow land brought within the limits of the borough at the Reform Bill. Sheds of a better and more expensive character than had hitherto existed were erected on the different fields, and a manufactured 10*l.* qualification for "buildings with land" was thus obtained. This system of creating qualifications, though adopted by both sides, has added a larger number of votes to the Liberal interest, and is now only available to any extent to that party.

These were the only qualifications of voters until 1863, when a new method of manufacturing votes on altogether fictitious occupations sprang up. The plan had been in use in the neighbouring borough of Ashburton, and having been found to answer there was quickly transferred to Totnes. It cannot be better illustrated than by the following example:—Six persons of Liberal politics living at Dartmouth had their names placed on the rate book for the parish of Berry as the occupiers of some fields rented and occupied by the landlady of the Seymour Hotel. A resident in Totnes, the Liberal registration agent, was named manager, who prepared from time to time an account, in which were set out the earnings from the fields by the depasturing of cattle, horses, &c. thereon. As a matter of fact all the cattle and horses were the property of the landlady, and the six voters never even went there themselves, or placed any animals of their own upon the land. On the annual settlement of the accounts a dinner was given; after which dinner some one of the party was accustomed to go and cut a cabbage growing in a piece of garden, which forms a portion of the property, as an assertion of the joint occupation of the six voters. This system of manufacturing votes was tried by both parties, and by both parties successfully, until the over-anxiety of the Conservative party to fabricate votes in the end led to their own discomfiture. A company was formed, the object of which was to induce the surrounding clergy of Conservative politics to allow themselves to be made voters in the way above mentioned; but as they did not substantiate upon oath the qualification set up on their behalf, their names were struck off the list by the revising barrister. A subsequent and more extensive attempt was made by the Liberals in 1865 to register 46 voters whose qualifications were to be derived from the land at Gerston, a property which some years previously had passed into the Duke of Somerset's hands. A company was formed to work the land, a Mr. Elias Forde being the nominal tenant, who was guaranteed from loss by the sitting members. Owing, however, to a decision of the Court of Common Pleas this company has ceased to exist.

Such has been the character of the constituency in respect of qualification of voters; and we found that its morality in point of bribery had been such as might be expected. The evidence showed that not only the poorer voters, but many of the most influential persons in the town were willing either to receive bribes themselves, or to aid the interest of their party by offering bribes to others, or to throw every possible obstacle in the way of the discovery of bribery. We were told by a voter, Mr. John Yabbicom, who had been for nearly 30 years connected with banks at Totnes, that for the last 14 years he had, in opposition to his ordinary practice, purposely omitted to take the numbers of notes paid out of or into his bank at the time of an election, in order to prevent the notes being traced should it turn out that they had been used for the purposes of bribery.

We could not determine whether bribery at municipal preceded or followed that at parliamentary elections; but we found that as the practice increased at the latter, so the sums paid for votes at the former increased also. No municipal contest for some years back had taken place without sums of money having been illegally distributed, and the corruption proved to exist among the parliamentary voters extended also to those on the burgess roll. These corrupt practices were not checked by our inquiry, inasmuch as during the sitting of the Commission at Totnes a municipal election occurred, at which bribery is said to have prevailed.

While we were sitting John Heath, who had been the principal briber on the Conservative side since 1857, who, when examined as a witness before us, gave evidence the falsehood of which he afterwards admitted, who was accused by two witnesses of subornation of perjury, and who was under the imputation of being, with others, unable to account for the distribution of over 1,200*l.*, was not only re-elected a member of the town council, but was during the next week offered the mayoralty of the town.

Another obstacle met us in the death or absence of many of those whose testimony was necessary to clear up the dealings at different elections. Mr. Windeatt, one of the two legal advisers of the Liberal party, had died in December 1865; the other, Mr. Brooking Cuming, had become so weakened by a paralytic stroke that our examination of him even at his own house would, in the opinion of medical men, have endangered his life. Mr. Thomas Michelmore, for many years the agent of the Duke of Somerset, and the manager of the ducal party in the borough, had also died. Mr. William Webber, who had taken an important part in

monetary transactions, was dead also since 1865. N. J. Hill, a clerk of Mr. Cuming, and J. P. Searle, an active agent of the Liberals, had gone to America. The first three of these, in conjunction with Mr. Chaster, were the leading members of the Liberal party, and combined among themselves the Somerset and the independent interest; their absence, therefore, deprived us of the best sources of information with regard to their own party. Again, when we came to investigate the amounts of money spent on former occasions, we found that Mr. Dunn, the Conservative candidate in 1859, Mr. Mills and the Earl of Gifford, the Liberal members elected in 1857 and 1859, were dead, while Mr. Dent, and his financial agent, Mr. Mitchell, who had to do with the elections of 1862 and 1863, were in China, and could not be examined.

The leading persons on the Conservative side in 1857, the first election to which we propose to refer in any detail, were Mr. Bryett, Mr. T. C. Kellock, and Mr. Edmonds, practising attornies in Totnes, and Mr. Bentall, Mr. Bastard, Mr. Gill, resident merchant traders. The independent Liberals were managed by Mr. Windeatt, Mr. Cuming, and Mr. Charles Michelmore, all attornies, with Mr. Chaster, a tanner, Mr. T. Holman, a brewer, and others to assist in council, while the Somerset influence was directed by Mr. Thomas Michelmore, the Duke's steward.

At the general election in March 1857 thesitting members, the Earl of Gifford and Mr. Mills, were opposed by Mr. Mackenzie, an East India merchant, who had been down in 1855 to see what chance of success he might reasonably expect in the borough, and also by a Mr. Gregory. Money was illegally spent at this election by Mr. Mills. Little if any was so spent by the Conservatives, though a sum of 200*l.* sent down to Mr. Bentall by Mr. Mackenzie was never accounted for, and was transmitted in an indirect way at Mr. Bentall's request. Mr. Mackenzie informed us that he had always objected to bribery, and believed that none had taken place on his side. This belief is confirmed by Mr. Mackenzie's position on the poll, fewer votes having been recorded for him than for any Conservative candidate before or since. Any money that was spent unlawfully was no doubt distributed by the hands of non-residents whose names we could not procure, and without whom it was impossible, except by the confession of individual voters, to trace the several sums given; the list of persons acting as bribers and receiving bribes in 1857 is in consequence small, only eight admitting the receipt of bribes. It is, however, right to observe that the confusion in the minds of witnesses, who had received bribes almost as long as they could remember, was often so great that they seemed utterly unable to separate the events of one election from another.

The election took place on March 28, 1857, and resulted in the election of Mills and Gifford; the numbers being—Gifford 171, Mills 150, Mackenzie 118, Gregory 57.

At the next general election, in 1859, the sitting members were opposed by a Mr. Dunn as the Conservative candidate. This gentleman was a member of the firm of Brown, Dunn, Salmon, & Co., Australian merchants, and was supposed to have made a considerable fortune in one of the colonies. He was introduced to a deputation from Totnes, who had come up in search of a candidate, by Mr. Philip Rose, of the firm of Baxter, Rose, and Norton, who acted then as the general manager of the Conservative electioneering interest. Mr. Dunn went down to Totnes accompanied by his wife and brother-in-law, Captain Phipps, and by his solicitor, Mr. Cameron. 800*l.* was taken by Mr. Dunn in the first instance to Totnes. On more money being wanted, Mr. Cameron came up to London, and having procured a further sum of 1,200*l.*, paid it by cheques into the bank of Watts and Co. at Teignmouth, whence it was drawn as was required; whether anything more than the 2,000*l.* was spent we cannot discover. The portion used for bribery was principally distributed by a stranger of the name of Higgins, and some of it passed through the hands of another stranger called Snell. Both these distributors appear to have gone to the houses of the voters and to have paid the bribes themselves, not trusting entirely to persons of Totnes as their agents in the matter. What amount of money was spent, on the Liberal side, or how it was distributed, we are left to conjecture. There was an universal belief that bribery on their part was very prevalent at this election. The polling took place on April 30, 1859, and resulted in the return of the Earl of Gifford and Mr. Mills, the numbers respectively being as follows:—Gifford, 180; Mills, 152; Dunn, 135. We find that out of the 284 electors who voted at that election at least 58 were bribed, and at least 34 persons assisted in the corruption of the townsfolk by offering or administering bribes.

In 1861 Mr. Colleton Rennie, a Conservative, introduced to the constituency by one of the neighbouring landowners, took steps to obtain one seat from the Liberals for himself. He came and stayed for some time in or near Totnes, and held meetings, at which he suggested that the Liberal influence should be attacked at

the municipal elections. He further retained an agent, gave some land, which he had taken, for the purpose of manufacturing Conservative votes, and subscribed 150*l.* for the expense of registration. There is no doubt but that this money was in some part applied to the purchase of votes at the municipal elections. Mr. Rennie continued to take a direct interest in the borough for some time, but finding that his efforts to secure the seat would involve the outlay of a sum of 4,000*l.*, which was 2,000*l.* more than he was prepared to find, withdrew.

Towards the end of 1862, the Earl of Gifford being supposed to be at the point of death, arrangements were made on both sides for a contest. It seems to have been well recognized by both sections of the Liberal party that the Earl of Gifford was to be considered the Somerset and Mr. Mills the independent member, and that each vacancy was to be filled up on that understanding. Accordingly Mr. Alfred Seymour, a distant relative of the Duke, and now sitting member for Totnes, was mentioned by his Grace to the Liberal party, and accepted by them as the Somerset candidate. Meanwhile Mr. John Pender, a rich Manchester merchant, had been feeling his way with the view of becoming a future independent candidate. The sudden death of Mr. Mills in December 1862 changed the aspect of affairs. Mr. Alfred Seymour happening to be in the neighbourhood at the time came down at once to Totnes; Mr. MacDougall, a friend of Mr. Pender, came also by the same train. After a consultation of the Liberal party at the Seymour Hotel, Mr. A. Seymour was informed that this particular vacancy being created by the death of the independent member, the independent party preferred Mr. Pender to himself. He therefore left Totnes immediately. A deputation came up to London, had an interview with Mr. Pender, and learning that his political views coincided with their own, accepted him as their candidate, and gave him to understand that he would also have the Duke's interest. Before they returned to Totnes it was agreed that a sum of 1,200*l.* would be necessary for the election. Mr. Pender, "knowing perfectly well," as he said, "that it must go in bribery," but believing that "bribery had become part of the consti-"tutional system," undertook to supply it. Preparations for a contest had been also made by the Conservative party. A Mr. Mitchell, whose name has been mentioned above, had come to Totnes in September, and mentioned to the leading members of the Conservative party the wish of Mr. John Dent, a wealthy China merchant, to contest the borough on their behalf. A communication was made accordingly to Mr. Dent, and he consented to stand. As soon as it was ascertained by the Liberal party that he really intended to offer himself as a candidate, it became necessary that the money already promised by Mr. Pender should be actually brought to Totnes. Accordingly Mr. Jack, an accountant in Mr. Pender's employment, was sent from Totnes to London, where he arranged with a Mr. Wilkinson to pay the sum of 1,200*l.* to some attornies of the name of Green and Allin, who were to remit it to Mr. William Webber, a draper and a magistrate of the borough, while Mr. Jack himself took 200*l.* back with him to Totnes. The 1,200*l.* was remitted to Mr. Webber, and eventually came into the hands of Mr. Windeatt and Mr. Cuming. In consequence of Mr. Webber's and Mr. Windeatt's death and Mr. Cuming's disability, to which we have previously referred, we could not directly trace its passage.

Great expectations had been excited in Totnes by the antagonism of these two very wealthy merchants, and the requirements of the voters in consequence became very large. No sums, so far as we could discover, were actually distributed before the election, but in many instances promises were made which no doubt would have been fulfilled if there had been a contest. That money was liberally expended after the election is certain. Mr. Dent, however, found that he could not carry the election, and at midnight on the day of nomination, after a fruitless attempt to get Mr. Pender to pay 2,000*l.* for his withdrawal, and the Liberal party to consent to his being returned without opposition on the next vacancy, he resigned. The disappointment occasioned by his withdrawal was intense, the picture of that disappointment as drawn by the witnesses graphic,—women coming down with baskets to the Conservative hotel to carry away the sovereigns that were to be distributed, and loudly lamenting their misfortune when it was announced that there was to be no contest. The poll was, however, opened on the following day, when five votes were recorded for Mr. Dent, and 171 for Mr. Pender.

Mr. Pender supplied the sum of 1,400*l.* for this election with a full knowledge that such a sum could not, even in the event of a contest, be legally expended. Mr. Dent and Mr. Mitchell also brought with them a very large sum, amounting, at least to 3,000*l.* 1,000*l.* of this money was actually taken back to London by a Mr. Helms and paid back to Mr. Dent's agent.

After his election Mr. Pender, thinking that his expenses had been small, offered to, give the sum of 1,000*l.* to aid the charities of the town, and certainly himself expected

that this sum would come out of the 1,200*l.* held by Mr. Cuming. No account was however, rendered of the expenditure of this money, and on Mr. MacDougall, in March 1863, demanding, on the part of Mr. Pender, an account from Mr. Cuming, he was astonished to find that the whole of the sum of 1,200*l.* had been expended, or at all events was not forthcoming, and that not even the hotel bills or the election auditor's account had been paid out of it. 289*l.* of the 1,200*l.* was transferred to the account of Messrs. Thos. Michelmore and Son, and was placed to an account for registration expenses which they then opened with Mr. Alfred Seymour. The rest of the 1,200*l.* went in gifts to Liberal voters, or remained in the hands of the distributors, Mr. Windeatt and Mr. Cuming. No doubt this money was distributed among the Liberal party with the direct purpose of securing votes against the vacancy which the state of the Earl of Gifford's health showed to be imminent; Mr. Alfred Seymour thus derived advantage from the expenditure of Mr. Pender's money.

The Earl of Gifford died in January 1863, and immediately Mr. Alfred Seymour and Mr. Dent presented themselves as candidates. Mr. Seymour sent to Totnes the sum of 1,000*l.*, which was paid into the account of the Messrs. Michelmore with the National Provincial Bank.

We cannot accurately discover the amount brought down upon this occasion by Mr. Dent or his adviser, Mr. Mitchell. The only way by which the Conservative candidate could win the election was by the purchase of a number of votes in Bridgetown, tenants of small holdings under the Duke, who might, by the temptation of very large sums, be induced to brave the penalty of certain eviction from their holdings. Fifteen of these people were thus bought at prices varying from 60*l.* to 150*l.* a head, but they were not enough to turn the scale in Mr. Dent's favour.

The 1,000*l.* despatched to Totnes by Mr. Seymour, and the lingering influence of Mr. Pender's money was, however, not thought sufficient to secure the seat for the Liberals, and it was intimated some days before the election to Mr. Henry Danby Seymour, the present member for Poole, who had come to assist his brother, that a further sum of 500*l.* would be needed. Mr. Danby Seymour did not feel inclined to advance the amount himself, and Mr. Alfred Seymour was of course to be kept in ignorance. Mr. Danby Seymour came up to town, and having an impression on his mind of the existence of a fund out of which the demands of Liberal candidates might be supplied, went to Mr. Drake, of the firm of Bircham, Dalrymple, & Drake, who was the agent for the Liberal party in London. Mr. Drake, at the request of Mr. Danby Seymour, advanced the 500*l.* as a loan upon the written guarantee of an I. O. U. given him by Mr. Danby Seymour; who seems however to have regarded the I. O. U. merely as a receipt, and not to have expected to be called upon himself to repay it. Mr. Drake stated before us that he advanced the money on his own account, but from press of business for three whole years forgot to ask for the return of it. "I saw," said Mr. Drake on his examination, "that Mr. Alfred Seymour had given his evidence, and then "it occurred to me that there was 500*l.* that I had lent to Mr. Danby Seymour." The 500*l.* was not repaid until the 23rd of October 1866, and then by Mr. Alfred Seymour without interest.

This additional 500*l.* was sent down in the same way as the 1,200*l.* at Mr. Pender's election, and was paid into Messrs. Michelmore's account. It was clearly proved that a large portion of the 1,500*l.* which thus found its way into the borough was used for the purposes of bribery, that Mr. Alfred Seymour knew that the 1,000*l.* provided by him was more than would be required for the legal expenses of the election, and that Mr. H. Danby Seymour was also aware of the purpose to which the 500*l.* brought by him would be applied. 285*l.* was passed by Mr. A. Seymour in his subsequent account with Mr. Michelmore under the head of "Amount paid sundry parties." This sum in reality was spent in bribery, and Mr. Seymour paid the item not knowing what it was, and making no inquiries.

We have no direct evidence of the total sum of money illegally furnished by Mr. Dent, but we have proof that over 2,600*l* was directly spent by him in bribery, and that both Mr. Dent and Mr. Mitchell were cognizant of the way in which the money was being employed.

The poll took place on January 21st, 1863, and Mr. Seymour was elected by a majority of eight, the narrowest majority by which a ducal candidate ever was returned. At this election 95 voters were bribed and 54 persons acted as bribers.

Immediately after the election notices to quit were served on almost all the Somerset tenants who had voted against Mr. Seymour, and they were eventually turned out, care being taken by the other party to find other houses and fields for them within the borough. This refuge was easily found, Mr. Dent having become the tenant

of land the property of Mr. Phillips, of Broomborough, which could be applied to providing for those who were turned out. These evictions were brought to the knowledge of the Duke of Somerset, who, informed by his agent (himself guilty of bribery at the same election) that the evicted tenants were turned out because they had received bribes, made no further inquiries.

It was after this election that Mr. Pender asked Mr. Cuming for accounts of his money, and sent down Mr. MacDougall to inquire. Mr. MacDougall was met by Mr. Cuming with this observation, "Mr. Mills would never have asked any questions," and could get no account, though he was directly told that he could be shown the list of improper recipients, if he would not reveal its existence or contents to Mr. Pender. This conditional offer Mr. MacDougall declined.

Altogether Mr. Pender spent in consequence of his unopposed election 2,296*l.*, as he did not withdraw from his offer of 1,000*l.* for the charities of the town.

Until the end of 1863 the expenses of registration, as far as one Liberal member was concerned, had been paid by the late Duke of Somerset and by the present Duke. The accounts of these expenses were produced before us, and contained items applicable to and fairly to be included in such an account. At the end of this year, 1863, the Duke, having become the Lord-Lieutenant of Devonshire, determined, as he told us, to withdraw from any interference in the political affairs of the borough, because he did not wish to be mixed up with local disputes and questions. This determination he communicated to Mr. Michelmore, by whom it was represented to the independent Liberal party. From that time it seems to have been considered a settled thing that the choice of candidates was to be made without consultation with the Duke. The trouble of approving of candidates and the payment of 40*l.* a year to the registration seem to be all that the Duke really gave up, as the Somerset influence, in the absence of any specific directions by the Duke to his agent, was still exercised in the same way and manner as it had been of old. The registration expenses however were not to be under the same regulations as heretofore, and consequently we find Mr. Pender and Mr. Seymour each paying a sum of 250*l.* a year, nominally for the expenses of registration, but in reality for the charges entailed by illegal payments made by Mr. Michelmore. The accounts of these expenses were nominally kept by Mr. Chaster, to whom payments were made by Mr. Pender on his own behalf, and by Mr. Michelmore on behalf of Mr Seymour. In these accounts there was no mention of the illegal items alluded to; but in an account headed registration expenses, kept in Messrs. Michelmore's ledger, we find the following entries, which are certainly unconnected with the proper business of registration.

	£	*s.*	*d.*
J. Searle, for a year's rent, to prevent the Tories getting it	10	10	0
William Tozer, a loan	20	0	0
J. O. Tope, repairs at Diptford Cottage	0	10	0
Bindon, gift in sickness	0	5	0
John Amory, rent due	11	19	5
William Sloggett, cash	6	0	0
Robert Lake	20	0	0

It appeared that this voter, Robert Lake, had represented to Mr. Pender the fact of his having been offered money by the Conservatives in the election of 1862; that, according to Mr. Jeffery Michelmore's evidence (doubted, but only faintly contradicted by Mr. Pender), Mr. Pender had intimated a wish that Lake should be taken care of. In consequence of that wish when Lake came to pay his rent to the Duke and wanted a sum of 20*l.* to enable him to make it up, Mr. J. Michelmore presented him with a cheque for 20*l.* and charged it in the account for registration expenses.

As the direct interference of the Duke of Somerset with the political affairs of Totnes was supposed to cease with the year 1863, it may not be an unfit place to describe the influence possessed by him, or exercised by his agents, in the borough. The whole of the Somerset property within the borough has been worked for the manufacture of votes by the addition of buildings to land. The tenants admitted to the holdings (all of which are tenancies from year to year) have been admitted by the Duke's agent on the understanding, express or implied, that they were to vote at election times for the Somerset member at all events. This manufacturing of votes and this understanding with the tenants was known to and approved by the present Duke of Somerset. In his system of dealing with these persons the Duke's agent has had continually in view the strengthening of the political power of his employer. It does not appear that the Duke inquired into the manner in which his agents were using their influence over the ducal

tenantry. Bribery at Totnes began in a successful attempt on the part of the Conservatives to counteract by the purchase of votes the territorial influence of the Somerset party, and was kept alive by a series of similar attempts, which proved unsuccessful.

The dealing with the registration matters on the Conservative side was somewhat odd, as Mr. Rennie, though no longer a candidate for the representation, himself paid the registration expenses for the year 1863, while a prospective candidate, Mr. Macleay, paid those for 1864, which amounted to the large sum of 336*l.*

A regular agreement was made at the end of 1863 between the sitting members to subscribe each 1,000*l.* for the next election, Mr. Pender to be preferred to Mr. Seymour in the event of but one seat being within the reach of the Liberals, in which case two-thirds of the cost of the election were to be paid by Mr. Pender.

The Conservative party were not idle in the interval between the election of 1863 and the general election of 1865, but were constantly looking for fit persons to contest the borough on their behalf. Mr. Potter, the then chairman of the Great Western Railway, was applied to, but was deterred by the expenses he was informed he must necessarily incur; other candidates were sought, but unsuccessfully, and the general election of 1865 became imminent without any candidate having pledged himself to fight the Conservative battle.

Mr. Pender and Mr. Alfred Seymour being the sitting members, and intending to offer themselves for re-election, Conservative candidates must be found if those gentlemen were to be opposed. Without Conservative candidates no money would, at the coming election, be distributed at Totnes, and it became an absolute necessity for the Conservative party in the borough to find men ready and willing to come forward. Eligibility in the eyes of many of the Conservatives of Totnes meant plenty of money, and men with money were therefore sought for. Such, however, was the "expensive reputation" of the borough, that few persons could be discovered who would come down on the visionary chance of ousting the sitting members. Every gentleman proposed, even Mr. Macleay, who had already spent some money to assist the Conservative party in the registration courts, agreed with his legal adviser in demanding a requisition signed by voters, in numbers sufficient to carry the election, before he would offer himself. Accordingly a Mr. Robert Harris, who was then acting as a collector of rents for Mr. Rennie, and as the registration agent for the Conservative party, took upon himself the burden of getting up this requisition. A paper was drawn up and addressed to Mr. Macleay, asking him to become a candidate for the borough. The signatures of 168 voters were obtained to it by Mr. Harris, in many instances upon the suggestion that it was a requisition to Mr. Dent. Where Mr. Harris met with hesitation he intimated that the signer did not thereby pledge himself to vote for the invited candidate, but that if there were no contest then there would be no money spent. Mr. Macleay, looking at the borough through the clear-seeing eyes of his agent, Mr. Henry Smith, declined to contest its representation. The Conservatives, thus balked, were obliged to look about for another champion. Mr. Potter was again tried, but he would still have nothing to do with Totnes. In such a difficulty recourse was had to Mr. Spofforth, a partner in the firm of Messrs. Baxter, Rose, Norton, and Co., who informed us that he had had the management of the Conservative electioneering interest since 1853, and that all matters connected with the candidature and the management of seats were left to him. Mr. Spofforth was to look out for a candidate; and having promised to find one "of the commercial spirit they required," he discovered Mr. Kennard. This expression "commercial spirit" was explained by Mr. Spofforth in his evidence before us as applying to candidates engaged in trade or business. As, however, Totnes possessed no trade except that of the purchase and sale of votes, we have no doubt but that the true interpretation, and the one intended to be put on these words, was scarcely as harmless as that now suggested by him. This is the more probable as it is clear from his own letters and his own conversation that he was well aware before this of the corruption existing in the borough. Mr. Kennard visited Totnes, but after a conversation with Mr. Pender, with whom he was acquainted previously, he gave up all thought of standing. About this time Colonel Dawkins, for reasons which will be found in his evidence, was anxious to obtain a seat in Parliament. He consulted his solicitors, Messrs. Smith and Guscotte, of Essex Street, Strand, and then with Mr. Smith called on Mr. Spofforth, who having no other candidate for Totnes, and finding the Colonel ready to spend 2,000*l.*, agreed to recommend him for the borough. Mr. Spofforth accordingly introduced Colonel Dawkins to Mr. Edmonds and Mr. Harris as a fit candidate, mentioning also the Colonel's willingness to spend 2,000*l.* On examination before us Mr. Spofforth declared his belief that 2,000*l.* might be legally spent in Totnes. Colonel Dawkins therefore went down to Totnes on June 28, bringing with him to assist in the election Mr. Smith, his solicitor. The Colonel

engaged as his local agents Mr. T. C. Kellock and Mr. T. H. Edmonds, who had been commonly employed as the Conservative legal advisers. No money appears to have been taken down at this time, but after a short stay at Totnes Mr. Smith went up to London, and returned with 1,500 sovereigns for the purposes of the election; this sum he made over to Mr. Edmonds, who arranged for its distribution. It was however soon gone, and Mr. Smith having a power to supply money up to 5,000*l.*, drew two cheques, each for 1,000*l.*, which he presented to Mr. Edmonds. A subsequent cheque for 500*l.* was also used; these sums, together with sundry other payments, make up the sum of 4,559*l.* 16*s.* 8*d.* spent by Colonel Dawkins on his election. We find that a sum of over 3,700*l.* passed into the hands of persons engaged in directly bribing voters, and that 2,450*l.* has been accounted for as thus distributed, while of the remainder no account has been given to us. The persons who ought to give such account are Mr. Edmonds, Mr. J. Heath, and their inferior agents. It was alleged before us by John Heath, and considerable time was taken up in searching into the truth of the allegation, that this money had been in truth placed in the hands of an unknown stranger, and that he must account for the deficiency, but after considering all the evidence taken before us, the contradictory statements made, and the falsehoods told by John Heath and other of the witnesses, who swore to the existence of such a stranger, and the final avowal of two of these witnesses that they had invented the story of being paid by a stranger at John Heath's instigation, we much doubt whether there was any such person as the stranger at all, or if there were, whether had he been called he could have accounted for all the deficient money.

A second Conservative candidate was found in the person of Commander Pim, R.N., who was introduced to the constituency through Mr. C. Wescombe, the editor of a newspaper at Exeter. Warned in the strongest terms by Mr. Spofforth of the corruption of Totnes, he offered himself on purity principles. Although he did not rigidly adhere to those principles, inasmuch as he was privy to and ready to profit by the large illegal expenditure of the other Conservative candidate, he did not spend much money, a sum of 350*l.* including the whole of his expenditure.

There is no doubt that Colonel Dawkins was fully aware of the way in which his money was being spent, and that Mr. Smith, who originally brought down the gold and afterwards gave cheques for the amount required from time to time, well knew of the bribery that was being carried on. These cheques were handed by Mr. Edmonds to Mr. Thomas Creaser Kellock, an attorney, and at the time of our examination mayor of Totnes, who cashed one of 1,000*l.* at Torquay after banking hours, and another for the same amount at Totnes through the agency of Captain King, also after the bank was closed. The purpose for which this money was required was perfectly well known to the three persons employed in the transaction. In both instances Mr. Kellock gave his written guarantee to the bank as a security for the money obtained on Mr. Smith's cheques.

As soon as the Liberals became aware that an opposition was really intended money was needed for the contest. 2,000*l.* having been agreed upon in 1863, that sum had to be brought down to Totnes. Thereupon Mr. Chaster, a magistrate of the borough, of whom we have spoken above, after pressure by Mr. Pender, agreed to transmit certain securities to Mr. Pender's private secretary, Mr. Salmon, in London, who was directed to turn them into money, and to bring the money by train to Exeter. Mr. Chaster went to Exeter, met Mr. Salmon, received the 2,000*l.* in notes, brought it to Totnes, and handed the whole over to Mr. Windeatt. He afterwards, at Mr. Windeatt's request, changed 1,000*l.* or 2,000*l.* worth of notes into gold at the National Provincial bank, and gave the gold to Mr. Windeatt.

This money passed, by Mr. Windeatt's agency, into the hands of Mr. Thomas Holman and others, and was by them distributed among different voters in sums varying from 20*l.* to 100*l.* We were enabled to trace the payments of bribes to Liberal voters amounting altogether to 1,375*l.*; 290*l.* out of the 2,000*l.* was made over to Mr. Chaster for the purposes of the registration; but in consequence of Mr. Windeatt's death we cannot account for the expenditure of the remaining 335*l.*, which no doubt was either spent in bribery or remained in Mr. Windeatt's hands. Mr. Seymour advanced a further sum of 500*l.* towards the expenses of the election, and of that sum we find that about 150*l.* was spent in bribery through the agency of Mr. Jefferoy Michelmore, now the steward of the Duke of Somerset. Of this 500*l.* Mr. Seymour never received any account, and acquiesced in not receiving any, in view of the threatened petition.

The election took place on July 12, 1865, and at the close of the poll the numbers were, Pender, 210; Seymour, 204; Dawkins, 162; Pim, 147; this majority for the Liberal candidates clearly demonstrating that on the register of voters settled in

October 1864 no Conservative candidate had even a faint chance of success, and that the gentlemen who stood in the interest of that party were brought down for the one purpose of spending money in order to fill the pockets of the various classes of voters and other persons whose interest in an election was of a pecuniary nature.

The expenses of this election, as returned by the agents for election expenses, were as follows:—

	£	s.	d.		£	s.	d.
Pender - -	172	11	7	Seymour - -	117	18	4
Dawkins - -	279	7	6	Pim - - - -	216	10	6

It appears, however, that the provisions of 26 Vict. c. 29. were disobeyed in the most flagrant manner with respect to the accounts of all the candidates. Besides the hotel bills mentioned in the published accounts of Mr. Pender and Mr. Seymour, the further sum of 266*l.* for hotel expenses was paid by them to the landlady of the "Seymour" Hotel. The hotel bills sent in to Colonel Dawkins and Captain Pim by the landlord of the "Seven Stars," amounting respectively to 176*l.* 3*s.* and 110*l.* 3*s.*, were paid in full by their agents for election expenses. No such payments, however, figure in the published accounts, but in their stead items amounting to 77*l.* 12*s.* and 44*l.* 14*s.* "for carriage hire "and committee rooms" were substituted, at the suggestion it appears of Mr. Presswell, the town clerk.

Open house was kept at this as at former elections, both on and before the polling day, at both hotels,—by the Liberals at the "Seymour Arms," and by the Conservatives at the "Seven Stars,"—at the expense of the four candidates. A petition was threatened on the declaration of the poll, and as it was feared that the treating which had gone on at the "Seymour Arms" might vitiate the election of the Liberal members, it was thought well so to arrange the accounts kept in the books of the hotel as to present the appearance of entries having been made to each person of the refreshments supplied to him, although these refreshments had originally been charged to one account, headed "Pender and Seymour." Accordingly a Mr. Cross destroyed two pages in the day book containing the account, and substituted other pages containing the same items, but charged to different individuals. Mr. Samuel Parnell, since that time appointed postmaster at Totnes, performed a similar operation upon the hotel ledger. These acts were done to prevent an objection to the return on account of treating from being available in case of a petition.

Mr. Pender having been unseated for attempting to bribe Robert Harris by the promise of a situation, we felt bound to inquire into the facts of that case, and having had the advantage of hearing Mr. Pender's evidence, an advantage denied to the Committee of the House of Commons, we are satisfied that Mr. Pender did not attempt to obtain Harris's vote by the offer of a situation. The length and character of the conversation with Harris, admitted by Mr. Pender, may have produced upon Harris's mind the impression that a situation might, after the election, be procured for him; but still we are clearly of opinion that Mr. Pender, by such a hint, if made, had no intention or expectation of influencing Harris's vote. From Harris's conduct before and after the election, especially from his asking Mr. Pender for the situation after voting against him, we doubt whether Harris ever did have the belief that Mr. Pender in any way attempted to procure his vote.

We think it right to notice specially the following transaction. The Rev. W. H. James, a clergyman of the Church of England, who had never voted in an election at Totnes, having borrowed some money from Mr. Edmonds, the Conservative attorney, on a note of hand and the deposit of some scrip six months before, received a communication from Mr. Edmonds very early on the morning of the election, requesting him as a favour "of the most deeply personal kind" not to vote against Colonel Dawkins. With this letter Mr. James and his wife hastened down to Mr. Pender, who sympathized with them in their indignation at Mr. Edmonds, and promised Mr. James the money, 233*l.*, on the understanding it was not to be used unless Mr. Edmonds pressed for it. On receipt of this promise Mr. James voted for Pender and Seymour. The money was paid over to him on the same morning by Mr. Pender himself. Although he had a balance of 1,873*l.* in one bank at Totnes and of 500*l.* in the other, Mr. Pender did not draw this money by his own cheque. Mr. John Bowden, a warm supporter of the Liberal party and a merchant of the place, drew a cheque of his own on the Devon and Cornwall bank, receiving in lieu thereof a cheque on the Manchester and Salford bank of a Mr. Heald, who was at Totnes as Mr. Pender's confidential friend, and paid the money so procured to Mr. Pender. No security, not even the transfer of the note of hand originally handed to Mr. Edmonds, was ever given for that money by Mr. James; a transfer of the scrip was mentioned, but the scrip in reality was never transferred. Whatever Mr. Pender's impression of the

transaction may now be, we cannot come to any but one conclusion, namely, that by the advance of this money he retained Mr. James's vote for the Liberal party.* Mr. Edmonds called up the money due to him on the 18th of the same month (about a week after the election), and received it from Mr. James upon the 24th.

At this election 92 persons were bribed and 66 acted as bribers. Of those bribed the majority in this as in former elections were voters who looked on an election as a certain time for getting money, and whose expectations were duly rewarded, although there was no doubt of the side on which they would vote; such men went in the borough by the name of "matter-of-course" men. A smaller number of voters allowed their votes to depend on the superiority of the temptation offered, and some few were able to obtain donations from both sides.

Of the 364 voters who voted at this election, 182 were implicated in bribery committed either then or at former elections; 95 voted on wholly fictitious or on manufactured "building with land" qualifications, 26 of the latter class having been already counted by us in the former. Of the remaining 133 many were bound to vote with their landlords, employers, or customers, and very few can be considered as bonâ fide independent voters.

Between December 1862 and August 1865 we have ascertained that 15,737*l.* 19*s.* 8*d.* had been paid in Totnes solely on account of matters connected with or resulting from elections, such as charities, expenses of registration and at hotels, fees to agents, bribery, &c. These payments were made by or on behalf of the sitting members, and by persons who were or were thinking of becoming candidates. 6,000*l.* at least must be added as supplied by Mr. Dent. So that in less than three years more than 21,000*l.* has been brought, on account of its representation, into Totnes, and has been distributed among its inhabitants, the greater portion for illegal objects.

A petition was presented against the return of the Liberal members and resulted in the unseating of Mr. Pender. We heard evidence on the question whether a compromise of that petition had been corruptly proposed or not, but could not discover that any definite offer of settlement had been made or listened to. One matter which occurred during the progress of the petition we think it right to state. Mr. Percy Salmon, a gentleman before mentioned, knowing many of Mr. Pender's electioneering secrets, was in danger of being subpœnaed by the petitioners; he was desirous not to be mixed up in the proceedings, and a suggestion was made to him by Mr. Drake that he should leave England in order to avoid the service of the subpœna; a suggestion with which, under the cover of weak health, he complied.

We think it right to report to Your Majesty that the following witnesses made statements on oath before us the falsehood of which was afterwards either acknowledged by themselves or made plain to us in the course of the subsequent enquiry. John Heath, sen., George Griffis, Thomas Blank, Henry Crawford, Richard Norrish, Thomas Gillham, William Satchwell, Robert Harris, Jubal Bartlett, Nicholas Manning, John S. Screach, jun., and Frederick Evens. Thomas Jacob Searle confessed himself guilty of subornation of perjury in trying to prevent witnesses from telling the truth before us; and John Heath, sen., was accused by two witnesses, and Samuel Parnell was also accused, of the same offence. We have not made out any schedule of persons treating or having been treated at the different elections into which we have inquired, because such a schedule would probably have contained the names of by far the greater part of the voters in the borough, and a large portion of those who had no votes.

We have also to report that one of the witnesses, John Sloggett Jenkins, having admitted to us that after the service of our summons upon him he had deliberately destroyed all the letters written to him by Mr. Pender, was fined by us 20*l.*, which sum has since been paid into Your Majesty's Court of Exchequer.

It remains now for us humbly to submit to Your Majesty the following conclusions:—

1. We find that at every election for the borough of Totnes since and including the election of 1857, corrupt practices have extensively prevailed.
2. We find, in respect of the election of 1857, that Thomas Mills was privy and consenting to the corrupt practices that prevailed at that election.
3. We find, in respect of the said election, that the persons named in Schedule A. to this our Report annexed committed corrupt practices and were guilty of acts of bribery in respect of the votes of other persons.
4. We find, in respect of the said election, that the persons named in Schedule B. to this our Report annexed committed corrupt practices and were guilty of bribery in respect of their own votes.

* Since the above portion of our Report was written we have received communications from Mr. James and Mr. Pender to the effect that this money has been repaid with interest on the 3rd of January instant.

5. We find, in respect of the election of 1859, that John Dunn and Thomas Mills were privy and assenting to the corrupt practices that prevailed at that election.
6. We find, in respect of the said election, that the persons named in Schedule C. to this our Report annexed committed corrupt practices and were guilty of acts of bribery in respect of the votes of other persons.
7. We find, in respect of the said election, that the persons named in Schedule D. to this our Report annexed committed corrupt practices and were guilty of bribery in respect of their own votes.
8. We find, in respect of the election of 1862, that John Pender and John Dent were privy and assenting to the corrupt practices that prevailed at that election.
9. We find, in respect of the said election, that the persons named in Schedule E. to this our Report annexed committed corrupt practices and were guilty of acts of bribery in respect of the votes of other persons.
10. We find, in respect of the said election, that the persons named in Schedule F. to this our Report annexed committed corrupt practices and were guilty of bribery in respect of their own votes.
11. We find, in respect of the election of 1863, that Alfred Seymour, M.P., and John Dent were privy and assenting to the corrupt practices that prevailed at that election.
12. We find, in respect of the said election, that the persons named in Schedule G. to this our Report annexed committed corrupt practices and were guilty of acts of bribery in respect of the votes of other persons.
13. We find, in respect of the said election, that the persons named in Schedule H. to this our Report annexed committed corrupt practices and were guilty of bribery in respect of their own votes.
14. We find, in respect of the election of 1865, that John Pender, Alfred Seymour, M.P., William Gregory Dawkins, and Bedford Pim were privy and assenting to the corrupt practices that prevailed at that election.
15. We find, in respect of the said election, that the persons named in Schedule I. to this our Report annexed committed corrupt practices and were guilty of acts of bribery in respect of the votes of other persons.
16. We find, in respect of the said election, that the persons named in Schedule K. to this our Report annexed committed corrupt practices and were guilty of bribery in respect of their own votes.

We subjoin a full statement of the evidence which has been taken before us, and which we beg leave to lay before Your Majesty.

All which we submit to Your Majesty's gracious consideration.

MONTAGUE BERE.
FRANCIS DAVY LONGE.
CHARLES EDWARD COLERIDGE.

January 29, 1867.

SCHEDULES.

1857.

SCHEDULE A.

Bribers.

Cuming, Francis Brooking.
Ford, George.
Holman, Thomas.
Light, John, jun.
Michelmore, Charles Frederick.
Mills, Thomas.
Newton, John.
Parnell, Samuel.
Webber, Charles.
Windeatt, William Fabyn.

SCHEDULE B.

Bribees.

Crawford, Henry.
Gillham, John.
Hilley, Samuel.
Light, John.
Pearce, John.
Satchwell, William.
Shillabeer, Samuel.
Shinner, William.

1859.

SCHEDULE C.

Bribers.

Baker, Edward.
Birch, —.
Bourne, Robert.
Bryett, Theodore.
Cameron, Dugald.
Coombes, Daniel.
Cuming, Francis Brooking.
Donnall, George Saule.
Dunn, John.
Edmonds, Thomas Hunt.
Evens, Evan.
Evens, George.
Evens, Frederick.
Harris, Robert.
Heath, John.
Heath, John, jun.
Higgins, —.
Hill, N. T.
Holman, Thomas.
Matthews, Richard.
Michelmore, Charles Frederick.
Michelmore, Sophia.
Michelmore, Jeffery.
Michelmore, Thomas.
Mills, Thomas.
Paige, Robert.
Parnell, Samuel.
Sawdye, W. H.
Searle, Thomas Jacob.
Shinner, Edward.
Snell, G. W.
Windeatt, William Fabyan.
Woodley, Edward.
Worthy, Thomas.

SCHEDULE D.

Bribees.

Allen, William.
Barter, James.
Bearne, John.
Blackler, Thomas.
Blank, Thomas.
Browne, John.
Clarke, James.
Corney, John.
Crocker, Reuben.
Dean, James.
Diggins, John.
Earle, Robert.
Elford, John.
Ellis, William.
Endle, John.
Farley, William.
Farley, William, jun.
Gillham, John.
Godfrey, John.
Goodman, Samuel.
Harris, John.
Hilley, Samuel.
Hill, S., Jun.
Huxham, John.
Knapman, William.
Light, John.
Light, John, jun.
Lombardini, Thomas.
Maddick, James.
Mitchell, Thomas.
Mingo, George.
Mogridge, Robert.
Morgan, Robert.
Norrish, Nicholas.
Pearce, John.
Pengilley, Richard.
Perrott, John.
Phillips, John Jerman.
Pyle, John.
Rogers, Thomas E.
Satchwell, William.
Screach, J. S.
Searle, John Parnell.
Searle, Thomas Jacob.
Sercombe, George.
Shillabeer, Samuel.
Shinner, William.
Shinner, Edward.
Southwood, John.
Stoyle, William.
Tarring, Richard Parnell.
Tope, Henry.
Turpin, Edward Randle.
Venning, Arthur.
Willcocks, William.
Willis, Edward.
Willis, Thomas.
Willis, William.

1862.

Schedule E.

Bribers.

Adams, William.
Baker, Edward.
Callard, T. Pedrick.
Cross, Richard.
Cuming, Francis Brooking.
Dennis, Thomas.
Dent, John.
Edmonds, Thomas Hunt.
Elliott, John.
Evens, Evan.
Evens, Frederick John.
Evens, George.
Godfrey, William.
Harris, Robert.
Heath, John.
Heath, John, jun.
Holman, Thomas.
Kinsman, Amelia.
Michelmore, Charles Frederick.
Michelmore, Jeffery.
Michelmore, Thomas.
Mitchell, John.
Mitchell, William Henry.
Niner, Philip Kelland.
Parnell, Samuel.
Pender, John.
Perrott, William.
Prout, James B.
Screach, John Sandford, jun.
Searle, Thomas Jacob.
Searle, John Parnell.
Shillabeer, Samuel.
Webber, William.
Webber, Mrs.
Windeatt, William Fabyan.
Willis, William John.
Woodley, Edward.
Worthy, Thomas.

Schedule F.

Bribees.

Briggs, John.
Clarke, James.
Coombes, Francis.
Crook, William.
Crawford, Henry.
Dean, James.
Diggins, John.
Drew, John.
Earle, William.
Edmonds, James.
Ellis, William.
Evens, Frederick John.
Farleigh, James P.
Ford, William.
Gillham, John.
Gillham, Thomas.
Godfrey, John.
Harris, Robert.
Hilley, Samuel.
Hill, Samuel, jun.
Kinsman, Thomas, jun.
Lake, Robert.
Light, John.
Mogridge, Robert.
Mugford, Thomas.
Nickells, John.
Pack, Thomas.
Pearce, John.
Pengilley, Richard.
Penny, George.
Pitts, Charles.
Raymond, James.
Satchwell, William.
Saunders, Samuel.
Searle, Thomas, sen.
Searle, Thomas Jacob.
Shillabeer, Samuel.
Sloggett, William.
Smaridge, Robert.
Stoyle, William.
Tope, Richard.
Turpin, Edward Randle.
Veasey, John Randle.
Venning, Arthur.
Willis, Edward.
Westaway, John.

1863.

Schedule G.

Bribers.

Allin, T. C.
Bennett, Joseph.
Bennett, Mrs. Joseph,
Bourne, Robert.
Cross, Richard.
Cuming, Francis B.
Dent, John.
Earle, Nicholas.
Edmonds, Thomas H.
Elliott, John.
Evens, Frederick John.
Evens, George.
Gill, Arthur.
Harris, Robert.
Heard, Samuel.
Heath, George.
Heath, John.
Heath, John, jun.
Helms, Henry.
Hill, Nicholas.
Holman, Thomas.
Knapman, John.
Light, John, jun.
Martin, Henry.
Matcham, Thomas.
Michelmore, Charles Frederick.
Michelmore, Jeffery.
Michelmore, Sophia.
Michelmore, Thomas.
Mitchell, George R.
Mitchell, William Henry.
Narramore, William Daniel.
Nichols, Samuel.
Norrish, Richard.
Parnell, John.
Parnell, Samuel.
Perrott, William.
Prout, James B.
Screach, John Sandford, jun.
Searle, John Parnell.
Searle, Thomas Jacob.
Searle, Thomas (of Torquay).
Seymour, Alfred, M.P.
Seymour, Henry Danby, M.P.
Shillabeer, Samuel.
Stillman, George.
Tozer, Stephen.
Tucker, John.
Webber, William.
Webber, Mrs. William.
Willis, William John.
Windeatt, William Fabyan.
Woodley, Edward.
Worthy, Thomas.

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Allen, William.
Angel, Edward.
Barter, James.
Bartlett, Jubal.
Bennett, Joseph.
Blackler, Thomas.
Blank, Thomas.
Bowden, Richard.
Briggs, John.
Byne, William.
Chapple, John F.
Clarke, James.

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Dean, James.
Diggins, John.
Dufort, Louis.
Earle, William.
Edmonds, James.
Elford, John.
Ellis, William.
Evens, Frederick.
Evens, George.
Farleigh, James.
Farley, John.
Farley, William.
Farley, William, jun.
Fitzpatrick, James.
Ford, William.
Gillham, John.
Godfrey, John.
Goodman, Samuel.
Griffis, George.
Hannaford, Joseph.
Hannaford, William.
Harris, Robert.
Hill, Samuel.
Hill, Samuel, jun.
Hilley, Samuel.
James, William E.
Kinsman, Thomas, jun.
Lake, Robert.
Light, John.
Lombardini, Thomas.
Lorimer, Robert.
Manning, David.
Marks, William.
Mitchell, William.
Mitchell, Thomas.
Mogridge, Robert.
Morgan, Robert.
Nickells, John.
Norrish, Nicholas.
Page, Thomas.
Pack, Thomas.
Pearce, John.
Pengilley, Richard.
Pengilley, William.
Penny, George.
Phillips, John Jerman.
Pitts, Charles.
Putt, John.
Raymond, James.
Reeve, William.
Rolstone, Samuel.
Sampson, John.
Satchwell, William.
Saunders, Samuel.
Sawdye, William Henry.
Searle, John Parnell.
Searle, Thomas Jacob.
Searle, Thomar, sen.
Sercombe, George.
Shillabeer, Samuel.
Shinner, Edward.
Shinner, William.
Sims, Samuel.
Sloggett, William, jun.
Smaridge, Robert.
Smith, Thomas.
Stone, George Robins.
Stoyle, William.
Tapper, Henry.
Tarring, Richard P.
Tilley, Richard.
Tope, Richard.
Tucker, John.
Tucker, John Thomas.
Turpin, Edward R.
Venning, Arthur.
Warren, James.
Westaway, John.
Williams, John.
Willis, Edward.
Willis, William John.
Woodley, Edward.

1865.

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Bribers.

Barnes, Ann.
Bartlett, Richard.
Bowden, Richard.
Chaster, John Webber.
Cuming, Francis B.
Daw, Charles James.
Dawkins, Col., William Gregory.
Edmonds, Thomas H.
Elliott, John.
Evans, Evan.
Evens, Frederick.
Evens, George.
Farley, William.
Fitze, George.
Fowle, George W.
Gillham, Mrs.
Godfrey, John.
Hare, Frederick.
Harris, Robert.
Harris, Richard.
Harvey, —
Hamlyn, John.
Heard, Samuel.
Heath, George.
Heath, John.
Heath, John, jun.
Heath, James.
Holman, Thomas.
King, John, Capt.
Kellock, Thomas Creaser.
Lind, Charles Henry.
Lizard, Edwin.
Lombardini, Jane.
Lorimer, Robert.
Marshall, Thomas.
Matcham, James.
Michelmore, Charles Frederick.
Michelmore, Henry.
Michelmore, Jeffery.
Michelmore, Thomas.
Michelmore, Sophia.
Mitchell, George R.
Narramore, William D.
Niner, Philip Kelland.
Parnell, John.
Parnell, Samuel.
Parrott, George.
Pack, John.
Pender, John.
Pengilley, George.
Pengilley, Charles B.
Pim, Bedford, Capt.
Saunders, Samuel.
Screach, J. Sandford.
Screach, J. Sandford, jun.
Searle, Thomas Jacob.
Seymour, Alfred, M.P.
Smith, Frederick.
Stone, George R.
Stoyle, George.
Tozer, Philip.
Turpin, George.
Willis, William John.
Windeatt, William Fabyan.
Worthy, Thomas.
Yabbicom, John.

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Bribees.

Angel, Edward.
Allen, William.
Allery, William.
Baker, Edward.
Barker, Joseph.
Bartlett, Jubal.
Blank, Thomas.
Bowden, Richard.
Browse, Nicholas.
Clarke, James.
Chapple, John F.
Coombes, Francis.
Crawford, Henry.
Dean, John.
Dennis, Thomas.
Diggins, John.
Drew, John.
Edmonds, James.
Endle, John.
Evens, Frederick.
Farley, John.
Foote, William.
Fowle, George West.
Gillham, John.
Gillham, Thomas.
Green, John Fox.
Griffis, George.
Godfrey, John.
Goodridge, William Henry.
Hannaford, Joseph.
Harris, Richard.
Heard, Samuel.
Hill, Samuel.
Hill, Samuel, jun.
Hilley, Samuel.
Jackson, Robert.
James, William Henry, Rev.
Johns, William Henry.
Kellow, William.
Lampen, Thomas, sen.
Light, John.
Lombardini, Thomas.
Lorimer, Robert.
Manning, David.
Marks, William.
Marks, Joseph.
Matcham, James.
Matcham, Thomas.
Mitchell, William.
Mogridge, Robert.
Mugford, Thomas.

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Pack, Thomas.
Pengilley, William.
Pengilley, Richard.
Perring, Thomas Shapter.
Phillips, John Jerman.
Pitts, Charles.
Please, George.
Potter, Thomas.
Putt, John.
Raymond, James.
Reeve, Samuel.
Reeve, William.
Richards, Henry.
Rogers, Thomas E.
Rolstone, Samuel.
Satchwell, William.
Saunders, Samuel.
Searle, John Parnell.
Searle, Thomas, sen.
Shillabeer, Samuel.
Shinner, Edward.
Shinner, William.
Sloggett, William.
Smaridge, Robert.
Smith, Thomas.
Stoyle, William.
Tapper, Henry.
Tarring, Richard P.
Tope, John Henry.
Tozer, John.
Tozer, Philip.
Tucker, William Henry.
Turpin, Edward R.
Vallance, William.
Venning, Arthur.
Watson, John.
Willis, Edward.
Wright, John.
Willis, William John.

SYNOPSIS OF THE PARLIAMENTARY REGISTER FROM 1832 TO 1865 INCLUDED.

Year.	Freemen.	Bridge Town.	Totnes Parish.	Total.
1832	42	19	156	217
1833	40	39	198	277
1834	39	39	181	259
1835	38	48	200	286
1836	36	50	233	319
1837	34	55	218	307
1838	32	54	226	312
1839	30	66	245	341
1840	30	66	295	391
1841	30	102	334	466
1842	29	100	295	424
1843	29	101	283	413
1844	23	102	286	411
1845	22	89	265	376
1846	23	97	258	378
1847	22	88	267	377
1848	22	90	259	371
1849	20	88	254	362
1850	19	85	260	364
1851	20	76	241	337
1852	19	71	224	314
1853	17	78	235	330
1854	17	72	236	325
1855	17	72	226	315
1856	16	68	231	315
1857	16	75	243	334
1858	14	75	252	341
1859	8	69	238	315
1860	8	75	248	331
1861	8	73	265	346
1862	7	82	268	357
1863	7	74	282	363
1864	6	85	330	421
1865	6*	90	299	395

* One died since the revision.

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MINUTES OF EVIDENCE

TAKEN BEFORE

MONTAGUE BERE, Esq., FRANCIS DAVY LONGE, Esq.,

AND

CHARLES EDWARD COLERIDGE, Esq.,

COMMISSIONERS APPOINTED TO INQUIRE

INTO

THE EXISTENCE OF BRIBERY AT THE LAST ELECTION OF MEMBERS TO SERVE IN PARLIAMENT FOR THE BOROUGH OF TOTNES, AND ON FORMER SIMILAR OCCASIONS.

At the Town Hall, Totnes.

CHARLES BOWEN, Esq. Secretary.

FIRST DAY.

Thursday, 23rd August 1866.

OPENING STATEMENT OF THE CHIEF COMMISSIONER, MONTAGUE BERE, Esq.

(*The Chief Commissioner.*) I have no doubt that all whom I address on the present occasion are aware, either from actual observation or current rumour, of the reason why we three gentlemen are met to-day; and in order that the reason for our meeting and the powers that we, as Commissioners, possess should be stated by some one possessing authority I will shortly give the reasons why we are here and shortly tell you what are the powers we possess.

It will be remembered that in the summer of last year there was a general election throughout England, and of course you had to elect two members for this borough. That election was contested and the two members John Pender and Alfred Seymour were returned. A petition was presented against that return on the ground of bribery and undue influence, and a Committee of the House of Commons sat to inquire into the allegations of the petition, and on the 22nd of March they came to four resolutions, of which the two following are important:—"That it has been "distinctly stated by some witnesses, and the general "tenor of the evidence given leads the Committee to "believe, that a system of gross corruption prevailed "at the last election for the borough of Totnes and "also on former similar occasions." 4th. "That "there is reason to believe that corrupt practices have "extensively prevailed in the said borough."

On the return of the Report to the House of Commons it was agreed that an address should be sent to the House of Lords in which the House of Lords were requested to join requesting Her Majesty to appoint a Commission by Act of Parliament to inquire into the elections at which corrupt practices were alleged to have existed, and with regard to which elections the Committee of the House of Commons had pronounced in their opinion that such corrupt practices had existed. That address was presented, and we three Commissioners are present to-day, having been appointed, under the Royal Sign Manual, as Commissioners to investigate the matter. We have power under the Act of Parliament which creates us to summon before us any persons whom we may think in our judgment able to give us any information whatsoever upon the subject matter of inquiry, and the words are as large as they well can be. We are authorized to inquire, by all such lawful means as to us shall appear best, with the view to the discovery of the truth. We shall inquire into the manner in which the election, in relation to which the House of Commons have reported, was conducted, and also go back to former elections until we find one election at which no corrupt practice prevailed. With regard to witnesses (and I wish those who are here to understand it) summonses left at the last well known place of residence is as good a service upon them as if presented to them personally, and if they disobey that summons and do not appear before us to answer all questions we shall put to them and give all the information upon the matter into which we have been selected to inquire, we can by putting certain powers in force compel their presence here, so that it would be of no use (and I wish those who hear me to under-

FIRST DAY.

Opening Statement.

23 Aug. 1866.

stand it), it would be simply delay with regard to the inquiry to attempt to leave the town of Totnes and go elsewhere. We have the power of adjourning for a certain time ourselves, and power by the consent of the Secretary of State to adjourn for an unlimited period ; so that if any person thinks by going away he will put an end to, or hinder for a lengthened period, this inquiry, I beg leave to inform him that he is very much mistaken. When the witnesses are called they will be examined on oath and any untrue answer made by them will subject them to the pains and penalties of perjury, and any refusal to answer will prevent our doing that, which if they do give proper answers we shall have the power and the inclination, to give a certificate to prevent any consequences which they might be subject to from the statements they might make with regard to their own conduct in this transaction, and if a person shall refuse to answer questions we have power to compel him, and I wish those present to understand that that power will be exercised to the fullest extent, if it be necessary. There have been a large number of summonses issued, and it was necessary that all people if possible who might be concerned should know that this inquiry was to take place from day to day, and witnesses will learn on the previous day who are required for the next day. At the end certificates will be issued to those who have properly given their answers. The police are bound to assist us here and throughout the county if we desire them.

There will be no witnesses examined to-day. When this inquiry was fixed for this particular day we were not informed that the County Court would sit here to-day. By the kindness of the authorities the County Court has been postponed for half an hour that the Commission might be formally opened and that I should make this preliminary statement. We shall now adjourn to the "Seymour Arms" and we shall commence the examination at 11 o'clock to-morrow, when the witnesses will please to attend.

SECOND DAY.

Friday, 24th August 1866.

THE COMMISSION WAS OPENED ON THE PREVIOUS DAY.

The Shorthand Writers sworn were,—JOSEPH NELSON CHERER, JOHN SIMPSON, WILLIAM AISH DAVIS, THOMAS STAYT, and HENRY GREGORY.

SECOND DAY.

Mr. J. Zwinger.

24 Aug. 1866.

MR. JAMES ZWINGER sworn and examined.

1. (*Mr. Bere.*) Are you one of the clerks of the Crown Office ?—I am.

2. Do you produce the poll books for the elections that have taken place in the borough of Totnes since 1847 ?—I do.

3. Is there anything else you produce ?—Nothing. I have got a list of them ; I had better hand them in.

4. Is it since 1847 that the poll books have been in your custody ?—Since 1844.

5. Can you give me the Act of Parliament ?—The 6th Victoria, chapter 18, section 93.

6. That Act, I believe, gave the custody of the poll books to the Clerk of the Crown ?—Yes.

7. You produce the poll books since that period ?—Yes.

8. Will you hand them in ?—Yes. (*The books were handed in.*)

Mr. G. Presswell.

MR. GEORGE PRESSWELL sworn and examined.

9. (*Mr. Bere.*) Are you town clerk at Totnes ?—Yes.

10. How long have you been in that position ?—About 28 or 29 years.

11. Have you been a solicitor practising in this borough for a considerable period ?—Yes.

12. How long ?—Upwards of 30 years.

13. Were you in practice before the Reform Bill ?—No.

14. Did you know the borough before the Reform Bill ?—Yes ; about 40 years.

15. At the time of the passing of the Reform Bill, can you tell us what the state of the borough was as to the voters ?—Yes : freemen about 70. Many of the freemen resided in different counties ; they were not all resident here.

16. Were those the only voters for the borough ?—Yes.

17. Had you any personal knowledge of any of the elections that took place before the Reform Bill ?—Yes ; two or three.

18. What elections were those ?—I must have the books to show it. (*After referring.*) The election when Mr. Courtenay, Lord Barnard, and Mr. Charles Barry Baldwin were the candidates.

19. What were their politics ?—They were all, what shall I call them ? Tories. At the present time Conservatives.

20. When was that election ?—On the 12th of June 1826.

21. Who were returned at that election ?—Mr. Courtenay and Lord Barnard.

22. Give us the numbers ?—Mr. Courtenay, 42 Lord Barnard, 37 ; and Mr. Baldwin, 21.

23. Were you yourself professionally concerned in that election ?—No.

24. Do you know whether any bribery took place at that election or not, from what you have heard ?—I believe not. At that time I was clerk. I served my clerkship with one of the aldermen of the borough, Mr. Taunton.

25. Was he Mr. Baldwin's agent ?—Yes.

26. Have you any means of knowing whether bribery was resorted to on Mr. Baldwin's behalf at that election ?—I was not a member of the corporation, and it was a close corporation. It consisted of three or four families and personal friends.

27. Will you give us the names of the three or four families ?—Farwell, Bentall, and Marshall, and Mr. Taunton, Mr. Toms, and other gentlemen. They formed a sort of third party. There were three parties at that time.

28. Tories, Whigs, and what ?—There was no difference in their politics ; it was a question of power in the borough at that time.

29. What was the next election after 1826 with

which you were acquainted?—The next election was when Mr. Courtenay took office. It was the 9th of June 1828.

30. What was the next election?—The next was in July 1830.

31. Was that a contested election?—Yes.

32. Who were the candidates?—Mr. Courtenay, Mr. Baldwin, and the Earl of Darlington. I may say that Lord Darlington was the same gentleman who was before Lord Barnard.

33. Who were successful in that case?—Mr. Courtenay and Mr. Baldwin.

34. What were the numbers?—Mr. Courtenay, 59; Mr. Baldwin, 46; and Lord Darlington, 28.

35. Had you anything to do with that election?—No.

36. Were you in the town at the time?—I was.

37. Can you account, either by your own opinion or from any information you received, the reason why, between 1826 and 1830, there was such a change in the numbers which Lord Darlington and Mr. Baldwin polled?—There was some unpleasantness between, I believe, the Farwell party, the Bentall party, the Marshall party, and some third or independent party, because not connected by family; and Mr. Baldwin and Mr. Courtenay were returned in consequence of this.

38. At that time, who were the persons who had influence in the borough as landowners?—I think at that time a gentleman called Wise had landed property here; tithes, and some lands. I am speaking of the old borough now.

39. Yes, confine yourself to that. Had the Duke of Somerset any property here at that time?—I believe I may say he had not.

40. Had the Duke of Cleveland?—No. The Duke of Cleveland had large properties in this neighbourhood, and, I think, in Somersetshire, and, I think, in Cornwall also. And Mr. Farwell, one of the Farwell family, was the solicitor. He was my predecessor.

41. Was Mr. George Farwell town clerk?—Yes.

42. Was he the agent of the Duke of Cleveland here?—Yes.

43. By whom was Mr. Wise's influence represented? By Bentalls?—No; he did not take part in the politics of the borough. He was one of the banking firm in Newton Abbot, and also in this town; but he resided at Newton Abbot.

44. Had you any reason to believe that bribery prevailed at the election in July 1830?—I have no reason to believe it.

45. You never heard of it?—No.

46. What was the next election?—The next was on the Reform Bill.

47. Was that under the old borough?—No; the next was the new.

48. Can you tell us what the voters of the old borough were before the passing of the Reform Bill?—Yes, I can. Perhaps I should say that it was not necessary that freemen should reside in the borough. They might reside anywhere they liked. Very often some were abroad, or in distant counties, and their friends took care to have them here. I have two maps showing the extent of the old borough.

49. Was the old borough all on the west side of the river; or was there any portion on the other side?—No.

50. This side of the river?—Yes.

51. Was the whole of the town of Totnes, as it at present exists, included in the old borough?—No, not all.

52. Can you give us any boundaries at all? Was the river one of the boundaries of the borough?—Yes.

53. The old borough?—To a certain extent; the borough commencing at the bridge. I should say that the present bridge is a modern one. The old one extended to here (*describing on the plan*). This line shows it. A line drawn on the west side of the mill race to the Polling Green, and from the Polling Green along the west southern end of the Town Marsh to a bound stone near Snail Mill by the pathway leading to Lake Garden through the house in the tan yard, on by the lower side of a field some time since thrown into a lawn belonging to the Highfield House where Mr. Kellock lives, then on to the bound stone opposite Quaker's Yard, then through the lower corner of the field behind the bound stone, on to the cistern trough in Cistern Street, then down through the property called Mount Pleasant, down across the Plymouth Road, where there is, I believe, now a bound stone. That is on the western side of the town, then towards Malt Mill and down on the north side by Whitley Brook. That brook runs to the Town Mill, the flour mill, and follows the course of the mill race easterly to under the first arch of old Totnes bridge.

54. What was the area comprised within those boundaries?—I should think about 60 acres.

55. What was the population of the old borough at that time?—That I cannot tell.

56. Near about?—Between three and four thousand.

57. At the time of the passing of the Reform Bill what alterations were made in the borough?—The whole of the parish of Totnes and the manor of Bridgetown which lies on the other side are within the borough. That shows the line of the land on the east side of the town (*referring*), The large map which I have behind is the tithe map of the parish of Totnes.

58. Who was the owner of the manor of Bridgetown at the time of the passing of the Reform Bill?—The late Duke of Somerset.

59. Had you anything to do with the settling of the boundaries of the new borough?—No.

60. Do you know what professional men were consulted upon the matter here?—No, I do not.

61. How far from the borough of Totness is the extreme point of old Bridgetown?—From the bridge at Totnes, nearly a mile. The milestone is a little beyond the furthest point to the eastward.

62. How much larger were the boundaries made by the making of the parish of Totnes a borough?—On that side or altogether?

63. On that side?—235 acres.

64. Does that include the 50 acres of the old borough, or exclusive?—Exclusive.

65. What was the area of the manor of Bridgetown?—I think I have said 235 acres.

66. I ask you the parish of Totnes only?—I thought you spoke of the other side.

67. No. I understand the manor of Bridgetown to be 235 acres?—Yes.

68. What is the size of the parish of Totnes altogether, including 50 or 60 acres of the old borough?—That would make up nearly 1,100 acres.

69. The parish of Totnes alone?—Yes.

70. To whom principally did the part of the parish of Totnes that was added belong, at the time it was so added?—Mr. Dacres Adams, and Mr. Wise, whose name I mentioned before, had many fields of land in Totnes parish at the time, and a gentleman called Bartlett.

71. Who was the principal landowner in the parish when the land was added?—I think Mr. Dacres Adams was the owner of the largest.

72. He was a Conservative was he not?—Yes.

73. And the Duke of Somerset a Liberal?—Yes.

74. What is the parish adjacent to the parish of Totnes on the north side?—Dartington.

75. How far is it from the parish of Dartington to the centre of Totnes, from the commencement of Dartington?—About 400 or 500 yards at the end of this land (*referring to map*).

76. If a circle were taken from the centre of the town of Totnes of a mile radius that would have included a large portion of the parish of Dartington, would it not?—It would.

77. Was Mr. Champernowne the owner of that?—Yes.

78. He was a Tory I believe?—Yes. But at that time I think Mr. Champernowne was a minor.

79. Can you tell us what quantity of population

SECOND DAY.

Mr. G. Presswell.

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was added by the extension of the borough ?—790 supposed to be, about that number. Perhaps I may say I have taken the census from 1860 and I think the population may be said to be about the same.

80. Of that 790 how many were inhabitants of Bridgetown ?—I am speaking of that.

81. Do you mean that 790 were added by Bridgetown only ?—That is the number I believe.

82. 790, not only in Bridgetown but the added parts of the parish of Totnes ?—I cannot answer that question. The added part of the borough of Totnes included suburbs round the houses outlying on the west, south, and Peter's Quay, and on the Plymouth Road.

83. How many persons should you say lived in the houses that were added ?—100 or 200.

84. There were 790 in the manor of Bridgetown only ?—I believe so.

85. (*Mr Longe.*) What is the most populous part of Totnes added ? On the other side of the stream you speak of ?—No, the western end.

86. Outside which boundary ?—Outside the western boundary there were not many.

87. (*Mr. Coleridge.*) I did not quite understand your answer. You told us Bridgetown was 235 acres added, 50 acres in the old borough, and then with what was added from the parish of Totnes would bring it up to 1,100 acres. Is the whole area 1,100 acres including Bridgetown, or only Totnes without Bridgetown ?—The whole area would bring it up to something like 1,500 acres.

88. How many voters in Bridgetown were added ? —At what time ?

89. At the time of the Reform Bill ?—19 the first year.

90. How many were added by taking in the parish in addition to the old borough, exclusive of Bridgetown ?—156.

91. How many voters were there before in the old borough ?—73 freemen.

92. How many were added exclusive of Bridgetown ?—156, and 42 freemen in different parts.

93. And 19 in Bridgetown ; bringing it up to something like 200 ?—217.

94. (*Mr. Bere.*) 156 voters, including householders, within the old borough ?—Yes.

95. (*Mr. Coleridge.*) Was the old borough identical in its boundaries with the municipal borough ?—The municipal borough you cannot say was created at that time.

96. Is the municipal borough at the present time identical in boundaries with the old borough ?—Now it is co-extensive with the parish of Totnes and the manor of Bridgetown.

97. The voters in Bridgetown voted at the municipal election here ?—Yes, it is co-extensive with the manor of Bridgetown and Totnes.

98. (*Mr. Longe.*) The municipal and parliamentary are the same ?—Yes.

99. (*Mr. Coleridge.*) In 1826 when Mr. Courtenay and Mr. Baldwin stood, what were Mr. Courtenay's politics ?—One of the old school ; a Tory.

100. Were they all three Tories ?—Yes.

101. After 1826 when was the first Liberal returned for the borough ?—After the Reform Bill, upon the Reform Bill.

102. (*Mr. Longe.*) Did you say 42 freemen were added with the Reform Bill ?—There were 42 registered ; perhaps some of them had died.

103. There were only 42 at the time of the Reform Bill ?—Yes.

104. There having been 70 at the election before ? —I guessed them at 70. There were gentlemen admitted to the freedom who never came to vote. When I said 70 I guessed them at 70. I find on the first registration after the Reform Bill there were only 42.

105. Were the boundaries of the municipal borough and the old borough identical ; I do not mean the present municipal borough, but the municipal borough before the passing of the Municipal Corporation Act ? —I may say there was no limit. Allow me to explain. I stated just now the limits as near as I could of the old borough ; that was called the Manor of Great Totnes. Householders at that time were not allowed to vote. The freemen were created by the mayor, masters, and councillors, sometimes called mayor and aldermen, but the title on the books is mayor and burgesses. They were distinguished.

106. (*Mr. Bere.*) They are masters and councillors ?—Yes.

107. How were they elected ?—They were elected by freemen as well as I recollect.

108. And did the election of mayor take place every year ?—Yes.

109. And the masters ?—No.

110. Were the masters elected for life ?—Yes.

111. How many were there ?—I think 14.

112. How many councillors ?—There were no councillors ; that was a title not known here.

113. But there were masters, mayor, and burgesses ? —The mayor and burgesses. The masters were sometimes called aldermen.

114. The persons who elected the freemen were the mayor and masters only ?—Yes.

115. How were the freemen elected ?—By the mayor and masters.

116. Was any public notice given when they were elected ?—Yes ; the town clerk issued a warrant and the meeting would be held in this hall and the freemen would be elected by a majority of the masters and councillors. Every mayor it was understood had the right of nominating a friend as a freeman.

117. Might he name any resident or non-resident ? —Yes.

118. (*Mr. Coleridge.*) Was there any limit to the number of freemen ?—No.

119. Unlimited ?—Yes ; it depended on the gentlemen who had power at the time in the corporation. They extended the number and elected their friends according to their strength in the council as far as they could agree.

120. (*Mr. Longe.*) Was there any particular qualification ?—No.

121. (*Mr. Coleridge.*) How was it done ; how often ?—It depended on who had the power at the time.

122. Did it require any notice ?—No.

123. Supposing there was a dissolution of Parliament, could they make a batch of freemen before the election ?—If they chose to do so.

124. Was it a habit to do so ?—No, they were jealous of each other ; there were three parties.

125. If they could have pulled together they would have swamped any election ?—Yes, certainly.

126. (*Mr. Bere.*) Do I understand you that there was no difference of politics, properly so called, between the three parties ; they were all Tories ?—I think I may say so, till perhaps latterly, there was a party called an independent party, and in making friends to strengthen their party they tried to get some freemen on the other side to go with them. They talked all sorts of things at the time and they kept as close as possible.

127. (*Mr. Longe.*) There was no Liberal party in the corporation ?—No ; there was a party called the independent party, and there was the Bentall party, and the Marshall party, I think.

128. (*Mr. Coleridge.*) How many freemen are there at the present time ?—Five.

129. How do you account for their having dropped to that number ?—The passing of the Reform Bill put a stop to all this.

130. Those that existed were on the register at the time of the passing of the Reform Bill ?—Yes.

131. They will gradually die out ?—Yes.

132. There is no succession ?—No.

133. (*Mr. Bere.*) Are you one ?—Yes.

134. There is no power of making freemen at all now ?—No.

135. Besides yourselves, give us the names of the other freemen ?—William Bentall.

136. What is he ?—A merchant.

137. Does he vote as freeman or householder?—As freeman.

138. Who else?—William Kellock, surgeon.

139. Does he vote as freeman or householder?—As freeman.

140. What is his qualification on the register?—He is also on the register as householder.

141. Do the freemen vote as freemen?—I may say we do; but we may go into either booth.

142. Who is the other?—George Presswell, myself, Mr. Sumpter in the navy, and Thomas Hore Taylor.

143. What is he?—No occupation; a gentleman.

144. Who was the returning officer before the Reform Bill?—Col. Farwell.

145. In what capacity was he returning officer?—As mayor of the borough.

146. The mayor of the borough was the returning officer?—Yes.

147. He is also now?—Yes.

148. Have you the register of voters after the Reform Bill?—Yes.

149. There were 42 freemen then left?—42 registered. There were more no doubt, but they did not send in any claim. If a gentleman had been on the register, or any freeman living at that time, they could have come within 10 miles of this borough and claimed to be on the register.

150. Seven, is not it?—Yes, seven, I made a mistake.

151. When was the first election after the Reform Bill?—The 4th December 1832.

152. Who were the candidates?—James Cornish, junior, Esq.

153. What were his politics?—Liberal; a Reformer; and Mr. Jasper Parrott.

154. He was a Liberal, was he not?—Yes; and the Earl of Boringdon.

155. He was a Conservative?—Yes.

156. Will you give us the numbers?—Mr. Cornish polled 127; Mr. Jasper Parrott 127; and Lord Boringdon 66.

157. According to that statement all the constituency did not vote then?—They did not.

158. Were you personally concerned in the election, as the agent of any one of the candidates?—No.

159. Did you assist in canvassing for any of them?—No.

160. At that election have you reason to believe that bribery prevailed?—Not the least.

161. At that time who were the predominant party in the corporation—the Liberals? I suppose there had become a Liberal party and a Tory party?—It was difficult to say at that time. Many gentlemen who had not moral courage before, at that time came out; many who before had run with the other party.

162. There was a great change?—There was a change altogether in the times and everything, and gentlemen who had an opportunity of recording their votes, naturally felt that they should support the men who had assisted in advocating the extension of the franchise.

163. Can you inform us whether there was a majority in the corporation at that time of Liberals?—Oh no, the other way.

164. A majority of Conservatives?—Yes.

165. Although there was a majority of Liberal voters, there was a majority of Conservatives in the council?—Yes. You should recollect that the Municipal Act had not passed then; there was no council till 1835.

166. Of the 66 who voted for Lord Boringdon, were the voters of the old borough freemen principally?—Some of them. I had the pleasure of recording my vote for Lord Boringdon.

167. You were yourself a freeman?—Yes, I was the last elected.

168. Can you tell how many freemen voted for Lord Boringdon?—No; I have not the poll book to refer to.

169. Who has the custody of the poll book?—I do not know. I do not think it exists. I have no recollection of ever having seen it.

170. Were not the poll books in your custody before they were transferred to the custody of the clerk of the Crown, as town clerk?—I cannot say it was. I have no recollection of ever having seen it.

171. Have you any of the poll books previous to 1847?—I do not know whether I have or not.

172. Will you be kind enough to look, and if you have, let us have them?—Yes.

173. (*Mr. Coleridge.*) How did the Bridgetown voters vote at that election of 1832; did any of those vote for Lord Boringdon?—I cannot say; I was not mixed up with taking the poll, I merely recorded my vote.

174. (*Mr. Bere.*) You were not town clerk?—No.

175. (*Mr. Coleridge.*) Is Bridgetown the Duke of Somerset's property?—Yes.

176. Did you hear how they went?—I expect a good many went for Lord Boringdon, but I cannot speak positively.

177. Do you know what proportion at all of the 19?—I have not the least idea.

178. (*Mr. Longe.*) Do you know whether any of the freemen voted for the Liberals?—I voted for Mr. Parrott; I was personally acquainted with him. There were three candidates.

179. (*Mr. Coleridge.*) Who were the members at the time of the Reform Bill?—Mr. Courtenay and Mr. Baldwin.

180. Did they vote against the bill?—Yes, I have no doubt they did.

181. (*Mr. Bere.*) I will ask a question upon that, was there any reason that you heard or knew of, why Mr. Baldwin and Mr. Courtenay did not present themselves as candidates after the Reform Bill?—They would not have got any support beyond their old friends.

182. They voted against the bill, and were not very popular with the newly created voters?—No.

183. Now give us the next election?—The 9th February 1834.

184. What were the number of voters upon the register?—259.

185. How made up?—Freemen, 39; voters in the manor of Bridgetown, 39; the parish of Totnes, 181.

186. How had the voters in Bridgetown risen from 19 to 39 in two years?—The Duke of Somerset, having the manor, all the land except two or three fields, which he subsequently purchased, naturally took an interest in his property, and encouraged the creation of votes, the same as any other gentleman would.

187. Were those votes created by the building of substantial houses, or the erection of buildings merely upon land?—I do not think buildings had commenced on that side at that time.

188. Do you mean houses?—No, not by the duke. There were three builders here who took leases for 60 years. There are two or three double villas on the south-west side built soon after or about that time, I cannot tell exactly.

189. Who were the builders?—Mr. Ponsford at that time.

190. Is he alive?—No.

191. Who else?—Mr. Rouswell.

192. Is he alive?—No.

193. Anybody else?—I am speaking of about that time.

194. I mean that time?—Since then there is a row of houses called Seymour Place, but I cannot remember who built them, I think Mr. Reeves.

195. Is he alive?—No.

196. Were Mr. Ponsford, Mr. Rouswell, and Mr. Reeves all Liberals?—I believe they were.

197. Three freemen had died since the former register?—Yes, probably died. They might have gone to reside at a great distance, and been objected to perhaps in the registration.

198. Have you got the actual number of voters

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there, or does your list have the same names twice over on the register, on several qualifications?—I have not examined the register so far back as to be able to say anything about it, but at the present time there are double entries.

199. Can you say, with regard to yourself, at the time you were a freeman, were you also on the register as a householder?—I believe I was on the register as a householder.

200. The number 259 would include your name twice over?—Yes.

201. The same with a great many other freemen?—Yes.

202. Can you tell at all how many resident freemen there were at that time, in 1834, who would be revised in the year 1833, the registration on which this election must have taken place. The freemen on the list having a double qualification. It would be only the resident freemen who would have a double qualification?—Do you want the names?

203. No.—32 out of 39.

204. Have you got the Bridgetown register here?—Yes.

205. Where these 32 voters (*referring to register*) as householders principally within the parish of Totnes?—Yes.

206. What was the qualification of those voters for the manor of Bridgetown, was it that of 10*l.* householders, or were there some 40*s.* freeholders?—No 40*s.* freeholders.

207. Were they all 10*l.* householders?—The register for Bridgetown that year does not set out the nature of the qualification. In my predecessor's time I believe they were all householders. There may have been one or two not, I cannot speak positively, but I believe all householders.

208. Now then, will you give us the candidates, the politics, and the number of votes that were polled at that election of February the 9th, 1834? It was a dissolution of Parliament in 1834, was it not?—No. Mr. Cornish accepted the Chiltern Hundreds, and then my Lord Seymour, the present Duke of Somerset, was a candidate, and Mr. Mayne, a gentleman of the western circuit.

209. What were their politics?—Lord Seymour a Liberal, and Mr. Mayne was said to be a Radical at that time.

210. What were the numbers polled?—Lord Seymour polled 153, and Mr. Mayne polled 73.

211. Do you know whether Lord Seymour had then just come of age?—He must have been of age some years, because, if I recollect rightly, his lordship sat for Oakhampton.

212. Before the Reform Bill?—Yes.

213. You have told us in 1832 some of the Bridgetown voters voted for Lord Boringdon?—I believe so.

214. Were they voters under the Duke of Somerset?—Most of them.

215. Did you hear any reason why these Bridgetown voters voted for Lord Boringdon, whether Lord Seymour used his influence for Lord Boringdon?—I cannot give an answer either way.

216. (*Mr. Coleridge.*) Who was supposed to have Lord Seymour's influence at that time? Was not it a matter pretty patent in the borough in 1832?—We did not hear anything of his lordship at that time.

217. Who had the Bridgetown influence in 1832?—I cannot answer that question; there were but 19 voters in 1832.

218. (*Mr. Bere.*) Who was steward to the Duke of Somerset in 1832 and agent?—Mr. Thomas Michelmore, lately deceased.

219. Who were agents for Mr. Cornish and Mr. Parrott?—Mr. Charles Michelmore; he died some years ago.

220. Was he the brother of Mr. Thomas Michelmore?—Cousin.

221. Were they in partnership?—No. Mr. Thomas Michelmore was not a solicitor, he was a land agent.

222. Who was the agent for the others?—Mr. Charles Edwards and the late Mr. Windeatt.

223. Had Mr. Parrott a solicitor?—The late Mr. Charles Michelmore and Mr. Windeatt. There were three solicitors, and they pulled together in the matter.

224. Were they related or connected with Mr. Thomas Michelmore?—Mr. Charles Michelmore was a cousin.

225. I suppose Mr. Thomas Michelmore and Mr. Charles Edwards were not related?—Mr. Thomas Michelmore and Mr. Charles were cousins.

226. Who was Lord Boringdon's agent?—I think Mr. George Farwell.

227. He was town clerk at the time?—Yes.

228. Did Mr. Thomas Michelmore take any part in Lord Boringdon's election, either for him or against him?—I think he did, but I cannot speak positively.

229. Was there any bribery at the election in February 1834, when Mr. Mayne and Lord Seymour were candidates?—No. Lord Seymour was supported by the principal part of the town; parties on both sides of the question supported him.

230. Who were the persons who voted for Mr. Mayne; the freemen?—Very few freemen. Amongst the 73 voters, or, as they called themselves, the "Seventy-third," there were some parties who advocated the charter, extreme Liberals.

231. Did they live in any particular part of the town, or scattered about?—They lived in various parts.

232. Did they go by any particular name?—They afterwards called themselves "the Seventy-third."

233. Who was their principal leader?—My friend, the late Mr. Windeatt.

234. He was one of the "Seventy-third?"—Yes.

235. Was he "Colonel?"—No; but there was a gentleman whom we called "Admiral" (Mr. Cuming), one of the "Seventy-third."

236. Was Mr. Windeatt Mr. Mayne's agent?—Mr. Windeatt was a very able, active man, and he acted in the election for Mr. Mayne. But I can hardly say that Mr. Mayne had any agents; he spent very little money at all amongst his agents. But I cannot say; I was not mixed up with it.

237. Who was Lord Seymour's agent?—Mr. Thomas Michelmore; he always took the responsibility, and he had legal assistance at the time.

238. And also Mr. Charles Michelmore?—No. Mr. Charles Michelmore afterwards supported and became an active man of Mr. Baldwin's, because Mr. Baldwin came again after that.

239. Who was Lord Seymour's agent at the time, his professional adviser?—There was no solicitor retained, but he was assisted in the registration by Mr. Taunton and one or two gentlemen also.

240. Are any of those gentlemen alive now?—Neither of them. Mr. Taunton and Mr. Windeatt assisted after a time. I may say that I assisted Mr. Thomas Michelmore gratuitously. I never accepted any fee from Lord Seymour for looking over the register for a few hours.

241. What are your politics?—It is very difficult to say. I supported the Conservative members, but I supported Lord Seymour from the time he came till he left.

242. But he was not a Conservative?—No, but he was a safe man.

243. That is all we have to ask you about the election of 1834, unless there is anything you can tell us more with regard to that?—No, I think not; it is a long time ago.

244. Give us the next election, the general election in the first place?—December 1834.

245. That was a general election?—Yes, and the candidates were——

246. Before you go into the candidates, what was the state of the register between 1833 and 1834?—I gave you the numbers just now.

247. That was the register of 1833, which affected the election of 1834. I want the register of 1834, on which the election of December was conducted?—Freemen, 39.

248. Still the same number of freemen?—Yes.

249. You gave us 39 before?—In 1833 it was 40.

250. Give us the figures on the register of 1833, when Lord Seymour and Mr. Mayne were the candidates?—Freemen, 40; Bridgetown parish, 39; Totnes parish, 198; total, 277.

251. Now give us 1834?—Freemen, 39; Bridgetown, 39; Totnes parish, 181.

252. Making 259?—Yes.

253. Out of that 259 there were 32 double voters; that is to say, 32 of those voters had two qualifications?—Yes; I made it that number by referring to the list.

254. Now give us the candidates, their politics, and the numbers they polled in December, 1834?—Mr. Jasper Parrott and Lord Seymour were the candidates.

255. Only those two?—Yes.

256. There was no opposition?—No.

257. And being no opposition, I suppose there was no bribery?—No.

258. (*Mr. Coleridge.*) Have there been any unopposed elections since that?—I think Lord Seymour has taken office on one or two occasions, but there was no opposition.

259. (*Mr. Bere.*) What was the next election?—April 1835. Lord Seymour became one of the Commissioners for the collection of the Exchequer, and he came down for re-election, but there was no opposition.

260. What was he, a Lord of the Treasury?—Yes.

261. Give us the next?—July 1837.

262. That was a general election?—Yes.

263. Was there a contest then?—Yes.

264. Who were the candidates?—Lord Seymour, Liberal, Mr. Parrott, and Sir Geo. P. Adams.

265. What was the number of voters on the register of 1836?—Freemen, 36; Bridgetown voters, 54; Totness parish, 233.

266. Total 319?—Yes.

267. How many of those had two qualifications?—I cannot answer that question, my attention has not been called to it.

268. You can answer me this question. Had any of those 32 freemen who had a double qualification in 1833 died or ceased to be resident?—Some had died, no doubt.

269. How many? What I want to know is, there were 36 freemen in 1833 and 32 who had double votes, twice entered on the register?—Yes.

270. How many of those 32 were still alive in 1836, as they would be, in all probability, on the register for the same double qualification?—I should say 29.

271. How had the voters increased in Bridgetown and in Totnes during those three years?—Under what circumstances?

272. Under what circumstances; for instance, there were 11 fresh voters in Bridgetown, how had they been created, as far as your memory goes?—I cannot tell you, but there was a little more interest in property to create what votes they could.

273. Had those builders whose names you gave us continued to build on the Bridgetown property?—No.

274. Then had 11 fresh houses been added?—I cannot say that they had. Perhaps some buildings had been added to the land, or something in that way.

275. Not fresh houses; it was not the erection of new houses, but the adding of buildings to land?—No, there were no new houses built. I think I may say, except a terrace called Seymour Terrace; about four or five or six new houses there, I believe, have been built within the last three or four years.

276. Do you know whether these 50 voters lived in the manor of Bridgetown?—They all lived within the manor of Bridgetown except one, a gentleman who had some buildings, I think, with land for his qualification, Mr. William Paige, the gentleman sitting here. Part of the boundary went through a farm yard, and I expect his qualification was made up of buildings and some land within the borough.

277. How do you account for that increase of voters in the parish of Totnes, who increased from 181 to 233 in the three years?—I expect that parties gave their attention to the registration to see what could be got upon the register as qualifications.

278. Did you act professionally at that election as agent for any of the candidates?—No, I never accepted a retainer, I have always refused it.

279. Who did? Was Mr. Thomas Michelmore still alive at that time?—At the time of the general election?

280. The general election of 1837?—I wish to correct what I have said about it. Yes, he was alive. Mr. Thomas Michelmore died within the last twelve months. At that general election Mr. Thomas Michelmore acted for Lord Seymour, and I took an active part for Mr. Parrott also.

281. Were you a paid agent for Mr. Parrott?—No. I never accepted of a retainer from any person.

282. Then who was for General Adams?—Mr. George Farwell.

283. Assisted by anybody at present alive?—No, not professionally, that I recollect; by many friends in the town and neighbourhood, of course they assisted, but I cannot recollect any person.

284. Now, what were the numbers polled on that occasion?—Lord Seymour, 192; Mr. Parrott, 159; and General Adams, 121.

285. Was General Adams a Conservative?—Yes.

286. Was he living at Bowden then?—Yes, which was the property of his brother, Mr. Dacres Adams.

287. Now, as far as that election is concerned, did you hear whether bribery prevailed or not?—I believe not.

288. Do you know on your own part what money was spent by Mr. Parrott?—Yes, I do, something about.

289. Just tell us?—I paid the bills for it, and my impression always has been that the expenses did not amount altogether to 80*l.*, paying everything.

290. Do you know what Lord Seymour spent at all about?—No.

291. I do not mean from your own actual knowledge, but did you ever hear at all any rumours of what he did spend at that election?—No; but if not out of order I will say that I do not think he spent a shilling beyond what was necessary and legal.

292. Have you the poll book of that election?—Of the year 1836?

293. The year 1837 it would be, the poll books?—I do not know that I have.

294. Can you tell how the Bridgetown voters voted, and did they vote for Mr. Parrott all of them?—I expect a great many of them; yes, I have no doubt they did. Lord Seymour was, I mean to say, always supported by a great portion of the Conservative party also.

295. Were you at that time a Conservative or Liberal?—I told you that I voted for Lord Seymour and Mr. Parrott.

296. Those were both Liberals, were not they?—Yes.

297. You were coming round?—Yes, I will tell you under what circumstances by and bye with pleasure, if you wish to know.

298. Was there an inducement held out to you to change?—No, Sir, not the least. I had thought of it for some time, for some years, and when they were getting up a party to turn Lord Derby out in 1859, I said, "If our men vote against him I won't support "them." I thought they were going on at that time all right, Lord Derby and his party, and that was my reason.

299. You do not know whether Lord Seymour spent any money, and Mr. Parrott spent 80*l.* Do you know whether General Adams spent any?—I have no reason to think that he did spend more than was necessary.

300. When was the next election?—The 18th July,

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1839, the writ was issued. Mr. Parrott accepted the Chiltern Hundreds and retired.

301. Mr. Parrott lived close by, did not he?—Yes, in the adjoining parish of Harberton.

302. What was he?—He was a country gentleman in the Commission of the Peace.

303. Had he a large property in the neighbourhood?—He had a very good estate at Harberton.

304. He accepted the Chiltern Hundreds, and there was an election on the 18th July, 1839?—Yes.

305. On what register did that election take place; was it the register of 1838?—That would be on the register of 1838.

306. Will you give us the numbers on the register?—Freemen, 32, Bridgetown, 54, and Totnes parish, 226.

307. 312 altogether?—Yes.

308. You see from 1836 to 1838 Totnes had decreased by seven votes. Do you know who those voters were?—No.

309. Had there been any contest in the registration courts at this time?—Yes; sometimes they have gone on here for three or four or five days.

310. Was it a political contest between Conservatives and Liberals as to who had votes?—Yes.

311. Who appeared for the Liberals on these occasions?—Mr. Windeatt.

312. Did you ever appear?—No, I have never attended, beyond delivering my vote. I have nothing to do with the register.

313. At that time, 1838, were you town clerk?—I was elected town clerk in that year.

314. May, 1838?—Yes.

315. Who used to appear as agent for the Conservatives?—I was about to answer further your question. Mr. Windeatt and Mr. Tucker, of Ashburton, I think, and Mr. Caunter, of Ashburton, on the part of Lord Seymour here, and some one else.

316. Do you know how those gentlemen were paid?—No, except by the candidates, or by the members for the time being most likely.

317. Did they appear jointly for both the Liberals, or did one appear for Lord Seymour and the other for Mr. Parrott?—They professed to have a separate interest, but in fact they always voted together and worked together.

318. Those are the gentlemen who appeared on behalf of the Liberals?—Yes.

319. Is Mr. Caunter alive?—Yes.

320. Who appeared on behalf of the Conservatives?—I cannot tell for the time if Mr. Arthur Abbott was in the town at that time. I do not recollect; I think he was in the town.

321. You think he appeared for the Conservatives?—He was retained and came down.

322. Was he not assisted by any solicitor resident in the town?—I think at that time Mr. Charles Edwards assisted on the Conservative side.

323. You said that Mr. Charles Michelmore changed. Did he change at that time and become a Conservative?—I think I may say he was always Conservative.

324. Always?—Yes; in fact, he supported Mr. Cornish and Mr. Parrott, because perhaps he felt he ought to have been admitted into the corporation, he was in fact, that was at a very late period, but in fact he was a Conservative.

325. Did Mr. Charles Michelmore appear at the registration in support of the Conservatives?—No.

326. He is dead is he not?—Yes.

327. Who were the candidates at that election of July 1839?—Mr. William Blount and Mr. Charles Barry Baldwin.

328. Was it an unopposed election?—No.

329. What were the numbers?—They polled 142 each.

330. There was a double return?—Yes.

331. There was a scrutiny in consequence of that before the House of Commons?—Yes.

332. Who was ultimately declared elected?—It was declared a void election.

333. On what ground?—The question I think was upon the insufficiency of the notice of the election. It was the practice at that election throughout the boroughs, and had been the practice previously, as I have been informed, to give four days, three days notice, one inclusive and the other exclusive. An objection was taken before the committee and it was contended by Mr. Baldwin's agent that there ought to have been three days clear notice.

334. And I believe that objection was upheld?—It was. Then I recollect talking to Mr. Campbell, who was at that time attorney-general, and Lord Seymour, and we talked about the notice, and Mr. Campbell said that he considered the notice was good, and I think he introduced a short Bill, in which you will find two sections to prevent any question hereafter, to settle it that three clear days notice should be given. You will find that short Act in before you.

335. Who is Mr. Blount?—Mr. Blount was a gentleman who had been called to the bar in early days.

336. Was he a stranger to Totnes?—No, he married a sister of the present Duke of Somerset.

337. He was a Liberal?—Yes.

338. And Mr. Barry Baldwin was a Conservative?—Yes.

339. At that election were you concerned for either of the candidates?—No.

340. Is there any gentleman now alive who was concerned for either of them?—I do not think there is.

341. Did Mr. Tucker of Ashburton come over to the election?—I have very little doubt that Mr. Tucker was over, but I cannot say positively.

342. At that election have you any reason to believe that there was any bribery?—I believe there was a great deal.

343. Do you know who was Mr. Blount's agent before the committee, and Mr. Baldwin's agent, the country agent first?—I think Mr. Coppock was the name.

344. Who was the country agent assisting him, Mr. Tucker?—He might have assisted, but I think Mr. Windeatt was.

345. And of Mr. Baldwin?—I think Mr. Charles Edwards was the actual agent here. Mr. George Farwell took an interest in it.

346. Do you know who the London agent was?—No, I do not.

347. Now do you know what sum of money was spent at that election by either candidate?—I have heard that Mr. Blount spent from 1,500*l.* to 2,000*l.*

348. And Mr. Baldwin?—I never heard, but I supposed that there was a great deal of money spent.

349. What do you mean by a great deal, 2000*l.*?—I dare say it was more. It might be more or less.

350. Is Mr. Baldwin alive?—No, dead.

351. Mr. Blount I believe is alive?—I do not know, I have not heard of Mr. Blount for some years. He was a very lively man, and I hope he is.

352. Did you vote at that election?—I did.

353. Whom did you vote for?—Mr. Blount.

354. He was a Liberal?—Yes.

355. How was that money spent. Was it spent in treating, or in individual bribery?—I suppose in treating and bribery also.

356. Did you hear how much they got a head for their votes at that election. It was a new thing to Totnes then?—The commencement of the campaign. I have heard various sums, I heard at one time, I am pretty confident at that election, but I heard that there was a club at a house in town, the "King William," and I think I heard that there were seven persons, and they took up 800*l.* for their votes.

357. Where was this club held?—I heard that they met at the "King William."

358. Where is that?—That is at the entrance to the road to the station from the town.

359. Do you know who the seven were?—No. I heard that there was a shoemaker called Screach, was one of them.

360. That was the old Mr. Screach?—Yes.

361. Anybody else?—No, only from hearsay.

362. Hearsay will be enough for our purpose?—I have no recollection.

363. (*Mr. Longe.*) Who did the seven vote for?—They were bought up by Mr. Baldwin.

364. (*Mr. Coleridge.*) Have you a copy of the petition in the matter of this election before the committee?—No, I had nothing to do with it.

365. Do you know whether there was any allegation of bribery in the petition?—I do not know; I never saw the petition.

366. Were you in the committee room at all during the hearing of the petition?—I was requested to keep out of the committee room.

367. You were up in London?—I was.

368. Do you know when you were up whether there were witnesses there as to bribery. Was there any inquiry as to bribery?—I do not know. I cannot say. There were many persons up, overseers and other persons.

369. But what sort of persons. Were there any voters up besides yourself?—There were several.

370. By this time you know pretty well the class of witnesses who are called up on an election petition; were there any of that class?—I cannot tell.

371. Was Mr. Screach there?—I do not know that he was.

372. Was the landlord of the "King William" there?—No, I have no recollection of seeing him.

373. (*Mr. Bere.*) I dare say you know the witnesses who were up before the committee this year. Were there any of the same persons who were up in 1839?—Well, I do not know who were the witnesses up this year.

374. Mr. Narramore?—He might have been born then.

375. Mr. Theodore Bryett?—No, he was not here at that time.

376. Mr. John Godfrey?—What is he?

377. I do not think he reveals his occupation. Mr. William Henry Phillips Bovey?—No; he has only been in the town three or four years.

378. Mr. Henry Jardine Presswell, who is he?—That is a son of mine in Calcutta.

379. Mr. Thomas Dennis?—I do not know.

380. Mr. Robert Harris?—No, he is a new man.

381. He was not up there then?—No.

382. Mr. Samuel Heard?—I expect he is a young man.

383. Mr. William Reeve?—What, the carpenter, I do not expect he was born at that time. The names you mention are young men.

384. (*Mr. Coleridge.*) Do not you know whether it was merely on the point of the notice, or whether they went into the general merits of the scrutiny?—I never saw the petition. I have no recollection of the contents of the petition. I kept out of the matter as well as I could.

385. And you never heard whether the petition contained any of those allegations now referred to?—No.

386. I suppose Mr. Tucker will be able to tell us about that?—Very likely, because Mr. Tucker received retainers from parties and attended the registrations.

387. Can you tell us of anybody else who would be likely to tell us the contents of that petition, any person likely to give us the information we want about the nature of that petition?—I think Mr. Joe Parkes, he is dead. Mr. Wyatt.

388. Was Mr. Wyatt his clerk at that time?—I think he was his clerk at that time.

389. (*Mr. Longe.*) Was Mr. Cuming here?—What year?

390. 1839 we are talking of?—No.

391. (*Mr. Coleridge.*) Did you say there were surveyors and that sort of witnesses up. What surveyor was there?—I do not think there was any surveyor there.

392. I thought I understood you to say there were surveyors and that sort of witnesses up on the petition in 1839?—No.

393. Can you recollect any witness except yourself who went up on the petition of 1839?—I really cannot at present; there were overseers at the time; there was a man called Williams an overseer.

394. Is he alive?—No, dead.

395. Is there anyone alive you can recollect?—Mr. Condy.

396. Mr. Blount was the general agent of the Duke of Somerset, was not he down here at that time?—He did attend to some of the late duke's property.

397. He was his agent up to the time of the late duke's death was not he?—Yes, I think he was.

398. Was he jointly agent with Mr. Festing?—I cannot understand.

399. Mr. Festing is one of the duke's agents?—Yes, he is the principal man.

400. Was not he the successor of Mr. Blount when there was some disagreement?—He might have been. I did not here of Mr. Festing's name till there was a dispute, after that, there was a question about a chapel being built on the other side, and a question about the consecration of it.

401. At this election was Mr. Blount the agent of the Duke of Somerset?—I think he had withdrawn shortly before that.

402. Had he the duke's interest at this election?—I always thought that very doubtful, I do not think that the present duke approved of his coming there, there was something wrong somewhere.

403. Was that after Mr. Blount's marriage to the duke's sister?—Yes, because I thought if he had had the duke's interest heartily he would have been returned.

404. (*Mr. Bere.*) What was the next election, this was declared void and what happened?—The writ was issued in April 1840.

405. Who were the candidates then?—Mr. Baldwin and Mr. Thomas Guy Gisborne.

406. Had the register changed or would his be on the register of 1839?—The 1839 register.

407. What would that be?—Freemen 30.

408. Bridgetown?—66.

409. And Totnes?—245.

410. Now what were the 12 votes that had been gained in Bridgetown between 1838 and 1839, do you remember?—No, but I expect from some management the number of voters had increased.

411. Was it a management by means of land and buildings added to it?—Yes.

412. We have heard that certain companies were established in Totnes. Were those established in 1840?—No.

413. A new land and building society?—No.

414. (*Mr. Coleridge.*) Were there 66 10*l.* houses at this time at Totnes without the addition of land?—No.

415. How many were there?—I can tell by looking at the register.

416. Never mind the names, tell us the number of people who actually voted on the rental of 10*l.* houses in Bridgetown, houses not houses or buildings and land?—41 houses.

417. 41 houses?—Houses and land.

418. Are there 41 10*l.* houses there?—Yes, that is what I am speaking of.

419. And the others would be land and buildings?—Yes.

420. (*Mr. Bere.*) Do you at all remember when the first vote was registered in Bridgetown for land and buildings only?—No, but I can turn to the register and give some information about it.

421. (*Mr. Coleridge.*) Had the houses of those 41 voters who voted on houses all sprung up since the Reform Bill in Bridgetown?—No.

422. Had the rent increased?—I mentioned just now I think about the two or three builders who had run up houses, Mr .Ponsford, Mr. Rouswell, and Mr. Reeves.

423. Had they all been building since the Reform Bill 10*l.* houses on which these voters vote since 1840?

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Mr. G. Presswell.

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—No, I expect that by some management a house which had let for 5*l*., 6*l*., or 7*l*., either by having something added to it or having it valued, or getting at it in some way for the purpose of the election, houses not considered worth 10*l*. year at a certain time, that is before the register, became of importance and the rent was raised.

424. They raised the rent for some occupation, do you know how it was made up?—Perhaps they had some garden or land to it.

425. Then you tell us that 41 people voted on 10*l*. houses, that is merely colorably 10*l*. and not the real value of the structure?—I do not say that they are colorable.

426. Many of them not being worth 10*l*. before you say were made up by adding something?—That is the only way I can account for it.

427. Then in reality they are not 10*l*. houses on which many of these votes were?—I cannot say that.

428. You say they were not worth it before?—That is the only way I can account.

429. I do not ask you to state a fact, but only to account for it?—Yes, I believe it was the case with the higher part of Bridgetown that a small orchard would be added to a house.

430. No rent would be paid on the orchard but on the house?—On both, 5*l*. or 6*l*. a piece, the orchard would be let to the same tenant and then make it 10*l*.

431. By increasing the accommodation to the tenants and not by new houses the votes would be obtained?—Just so.

432. (*Mr. Bere.*) How many houses were there in Bridgetown before the Reform Bill?—I cannot answer that question.

433. Can you give us an idea of how many?—No, but if you are acquainted with Bridgetown, bearing in mind that the terrace on the left is a modern building and on the site of some old cottages, and then behind the Seymour Hotel there are two or three double villas which are modern buildings, and a terrace of small houses called Seymour Terrace up the town.

434. We will get the information some other way.—But taking that you can form a view of what is the old part.

435. Mr. Baldwin was a Conservative and Mr. Guy Gisborne was a Liberal.—Yes.

436. And what number of votes did they respectively poll?—Mr. Baldwin polled 158 and Mr. Gisborne 151.

437. Had Mr. Gisborne the Duke of Somerset's support?—I believe he had to a great extent.

438. Who acted as the agents?—I think Mr. Edwards and Mr. Farwell and others for Mr. Baldwin and Mr. Windeatt.

439. Mr. Tucker for Mr. Guy Gisborne?—Yes.

440. For whom did you yourself vote?—I voted for Mr. Gisborne.

441. At that election have you reason to believe that bribery prevailed?—I believe that bribery did prevail.

442. To what extent?—I can hardly tell, I heard something to the effect that Mr. Gisborne had spent something like 1,200*l*.

443. He was not connected with Totnes in any way?—No.

444. He was the first stranger was not he?—He was a young man the son of Mr. Thomas Gisborne.

445. The member for Derby?—Yes.

446. (*Mr. Coleridge.*) Was there a petition for that election?—No.

447. (*Mr. Bere.*) How much did Mr. Baldwin spend?—I have no idea at all, a great deal of money.

448. As much as he had spent at the election before?—That I cannot tell.

449. Did you hear how much he had spent?—No.

450. You heard merely that a good deal of money had been spent?—Yes.

451. And spent in the same way by the bribery of individual voters?—Yes, spent in bribery.

452. Did you hear the names of any persons who were reported to have been bribed at that election who are alive now?—Well, I cannot say that I can answer that question.

453. Perhaps you will give them to us privately if we want them?—If you ask me you will understand that I do not care for any man. I will answer any question.

454. What was the next election?—The next is the 1st July 1841.

455. Who were the candidates then?—Again Lord Seymour and Mr. Baldwin.

456. That was an uncontested election?—There were two candidates besides.

457. Who were they?—The Honorable Edward Petre and Mr. Teed, a barrister.

458. Was Mr. Petre a Liberal?—Yes.

459. And Mr. Teed was a Conservative?—I think he was.

460. What was the register then in the year 1840,—it would be?—Freemen, 30; Bridgetown, 66; Totnes parish, 295.

461. There is an increase of 50 in Totnes parish in a year, how do you account for that?—I think about that time, or shortly before, Mr. Baldwin purchased an estate called Gerston about from 120 to 130 acres, and some building took place for the purpose of making votes in land.

462. Mr. Baldwin had taken a leaf out of the Bridgetown books?—No, I do not think so, he had that property before.

463. I mean he adopted the same system which had been adopted in Bridgetown; adding buildings to land to get the qualification was adopted on this estate of Gerston?—Undoubtedly.

464. Were all those 50 created in that way or most of them?—I will turn to the register, I find buildings to the number of 33 in that year.

465. Can you say were all those on the Gerston property?—I should say that some of them had been got up before.

466. How many?—I cannot tell you, I dare say on Mr. Adams's Bowden property he might have got up some buildings, I cannot tell.

467. Then what was the result of that election?—Then Mr. Petre and Mr. Teed resigned, they withdrew and Lord Seymour and Mr. Baldwin were returned.

468. When did Mr. Petre and Mr. Teed retire?—I think it must have been a day or two before the election.

469. (*Mr. Coleridge.*) Before the nomination?—Yes.

470. (*Mr. Bere.*) Had they been down for some time before?—Yes.

471. (*Mr. Coleridge.*) Had they been canvassing?—Mr. Petre was down and brought his solicitor, Mr. White.

472. (*Mr. Bere.*) What Mr. White was that?—I cannot say. He was a very respectable man, he was solicitor to Prince Albert.

473. White and Broughton was the firm, solicitors to William the Fourth?—It was said that he was solicitor to the Prince at that time, I do not know anything more of him. By Mr. White's advice he retired from that contest.

474. Who was with Mr. Teed?—Mr. Edwards and Mr. Farwell I suppose were employed.

475. Did Mr. Teed go out canvassing with Mr. Farwell?—I cannot answer that question.

476. Had they joint committee rooms?—I do not know, for I did not know Mr. Teed.

477. Had they joint handbills?—Yes.

478. "Vote for Baldwin and Teed," "Vote for "Seymour and Petre"?—There were handbills of addresses.

479. There were placards put up about the walls at the time of the election?—I have no recollection.

480. Do not you remember them?—I no not.

481. (*Mr. Coleridge.*) Had Lord Seymour and Mr. Petre joint committee rooms?—Oh, no. Lord Seymour always kept free and was perfectly independent, and his election was always safe.

482. (*Mr. Bere.*) Who was concerned for Mr. Petre here besides Mr. White, who was his legal adviser?—Mr. Windeatt.

483. Mr. Windeatt was also acting for Lord Seymour, was not he?—I cannot say that he was at that time.

484. Was Mr. Thomas Michelmore acting for Lord Seymour then?—Yes.

485. Did Mr. Petre canvass, and did you see him canvassing?—Yes. He did not move about much himself, for what I recollect of him he was a stout heavy man and did not canvass much.

486. Did he canvass you?—No. I do not know that I ever spoke a word to him.

487. Did you promise Mr. White your vote for Mr. Petre?—No.

488. Were you canvassed by anybody?—I do not recollect that I was. It was generally understood that it was not necessary to come to me.

489. Did you know, either from your own knowledge or hearsay, what made Mr. Petre and Mr. Teed retire?—I believe the voters would not promise; they looked out a great deal for money.

490. (*Mr. Coleridge.*) Was any money spent before they retired, do you know?—I cannot answer that question.

491. Was not there a general report?—No; I do not think so, I have not heard any.

492. (*Mr. Bere.*) Have you heard whether any of the voters had asked for payment for their votes before the retirement took place?—I believe from what I heard that a number of them stood out for money.

493. Will you give us the names of any persons who stood out at that time?—I heard of a man named Rogers.

494. Is he living or dead?—He is dead.

495. Will you give us the name of some man who is alive?—I heard of an old man who is living called Lampen.

496. (*Mr. Longe.*) What is he?—He is a basket maker, a very old man.

497. Where does he live?—He lives in Victoria Street, near Warland.

498. Do you know his Christian name?—He is called Thomas; I am not certain.

499. About what number of voters do you suppose stood out for money?—I cannot tell, I heard of some.

500. What number should you think?—30 or 40; I cannot tell.

501. That was the general feeling that they would not promise, and they stood out for it?—Yes.

502. (*Mr. Bere.*) Do you know how much they stood out for, each?—No.

503. Did they care how little they were paid?—I think they required a great deal.

504. Had they got up to 100*l.* a piece?—I do not know anything about them. I was not mixed up with them.

505. Can you give us the name of any other man living besides Lampen?—No, I cannot. I think the man Rogers asked me whether Mr. Petre was going to leave or not.

506. They began to get frightened, did they?—Not frightened, but I recollect my reply, "Who the "devil should stand for here and pay such a lot of "gluttons?"

507. (*Mr. Coleridge.*) Had their gluttony increased then?—It was notorious that year that they had stood out for their money.

508. Had they any gluttony at the "King William?"—That I do not know.

509. (*Mr. Bere.*) You have no doubt that there were a number stood out?—Not the least in the world.

510. And it was in consequence of their standing out for money that Mr. Petre and Mr. Teed resigned?—I believe as far as Mr. Petre is concerned. I never said Mr. Teed. I do not know him personally.

511. Had Mr. Baldwin spent any money before Mr. Petre retired?—I do not know.

512. How long had they been canvassing?—I cannot answer that question.

513. Had they had committee rooms opened, and public houses opened for some time?—I do not know those places.

514. You walk along the streets and know what is going on at an election time?—I understand there were committee rooms here and there.

515. And you see that there was a great deal of money spent in the borough before these two candidates retired, for some reason or other?—I believe so.

516. Was that done by Mr. Baldwin?—By all of them.

517. Lord Seymour included?—No, I said just now I do not think he ever spent a shilling beyond the legitimate expenses.

518. (*Mr. Coleridge.*) That is an opinion you have never changed in?—Certainly.

519. (*Mr. Longe.*) The landlord of the King William, was he a man who belonged to the club?—I think he was.

520. Was he head of the club?—I think the house was kept at that time by Gillhan.

521. Is he alive?—Yes, he was some time ago.

522. (*Mr. Bere.*) What is his christian name?—Samuel, I think.

523. Has he retired from the "King William" now, or is he still there?—He is living with his son at the Dartmouth Inn.

524. Where is that?—You know the square called the Plains; just a little to the right of that, the south-west corner.

525. Will you give us the next election?—That would be the general election, in July 1847.

526. What was the state of the register in 1846; who were the candidates first at that time?—Lord Seymour, Mr. Baldwin, and Mr. Samson Ricardo.

527. Was Mr. Samson Ricardo a Liberal?—Yes, he was.

528. What was the state of the register first?—Freemen, 23; Bridgetown, 97; Totnes parish, 258.

529. Had the same tactics been pursued in Bridgetown in 1841 to 1846 that there had been between 1839 to 1840?—Yes, in Bridgetown and Totnes also.

530. Bridgetown had increased, and Totnes had decreased?—Well, there is a difference of seven, but I cannot account for it.

531. It is more than that. It is 258 against 295?—Yes it is. I cannot tell why the numbers might have been cut down in the registration.

532. (*Mr. Coleridge.*) Do you know whether there has been much migration from the Totnes side over to the Bridgetown side, whether many of the inhabitants of Totnes have gone over to live at Bridgetown?—No.

533. I mean, have they kept pretty distinct the two populations?—They have. You very seldom hear of a Totnes man coming to Bridgetown to live.

534. Or of a Bridgetown man coming to Totnes to live?—Very seldom.

535. In fact they keep themselves distinct?—They do; you find some obliged to leave Bridgetown and come to Totnes to live.

536. Yes, but as a rule they keep their own distance?—Yes.

537. Now, what was the state of the poll at that election?—Lord Seymour, 280; Mr. Baldwin, 154; and Mr. Samson Ricardo, 151.

538. Give me the names of the agents?—Mr. Thomas Michelmore, who was the land agent, and it is very likely Mr. Condy.

539. Mr. Thomas Michelmore was for Lord Seymour?—Yes.

540. Who was for Mr. Baldwin, Mr. Edwards again?—Yes.

541. Who succeeded Mr. Edwards in his business here?—Mr. Bryett. They were partners for a time.

542. Was Mr. Bryett a partner of Mr. Edwards in 1847?—It was 1847 or 1848 that Mr. Bryett came here.

543. Did anybody come down for Mr. Samson

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Ricardo, or who was his agent here?—I do not at this moment recollect that he brought any person with him, or that he had any solicitor. I do not recollect, but Mr. Windeatt and Mr. Cuming, I think, Mr. Francis Brooking Cuming.

544. Is he the coroner?—Yes. He was then a young man, and Mr. Tucker was over.

545. At that election did bribery take place from what you heard?—No doubt about it.

546. Did you ever hear what sums were spent by either side?—I cannot say that I recollect anything about the sums.

547. I do not want the actual pounds, shillings, and pence?—I cannot tell.

548. Was it something like the same sort of sums that had been spent at the other elections?—Yes. I am inclined to think it was more.

549. Had the price got higher then?—I should think they were either higher or there were more.

550. There were not so many voters?—Perhaps more who expected to be paid than before.

551. Did you vote for Lord Seymour and Mr. Ricardo then?—Yes, I did.

552. Was Mr. Ricardo supposed to be a more advanced Liberal than Lord Seymour. I see some people plumped for him then?—For Mr. Ricardo?

553. For Mr. Ricardo?—Yes; that was some remains of the old Seventy-Third.

554. Did you know Peter Gillard and Nicholas Gidley?—Yes; Gillard, he is dead.

555. Is Gidley dead?—No, he is alive, a very infirm old man.

556. He was one of the Seventy-Third?—Yes.

557. Did the Admiral vote?—I have no doubt he did.

558. What was his name?—At this election?

559. Yes?—I do not know.

560. (*Mr. Coleridge.*) Did you take any part in this election?—No.

561. On either side?—I recorded my vote.

562. That was all?—Yes.

563. Do you recollect that the bribery oath was tendered on behalf of Mr. Baldwin to a voter at that election, a voter named William Calendar, a shoemaker?—I recollect the name very well.

564. Is he alive?—No, dead.

565. Do you recollect the bribery oath being tendered to and taken by him?—No; for this reason, I have always refused to take a part or have anything to do with the poll.

566. But you may have heard of it. I see it is the only case all through of the bribery oath being tendered. Was not that talked about?—May I trouble you to repeat the question?

567. Whether you do not recollect it being talked about that William Calendar had tendered to him and that he had taken the bribery oath?—I cannot say I do.

568. You do not recollect then that any bribery oath was tendered to any elector at that election?—I cannot speak of that election in particular, but I think the oath was administered to some persons at some elections.

569. But you do not recollect that particular one?—No.

570. (*Mr. Bere.*) Do you remember who was the mayor that year, the returning officer?—Mr. John Derry.

571. Is he alive?—Yes.

572. Have you any recollection of who was presiding in the booth; who was principal poll clerk?—No.

573. You said you had no doubt that bribery took place in the election of 1847, when Messrs. Baldwin and Ricardo contested the borough?—Yes.

574. Did you hear or know what sum was spent on either side on that occasion?—No; but I understood that money had been spent and my impression was that more had been spent at that election than at the previous one.

575. Was Mr. Baldwin at all connected with the borough?—In this way only, that he was the owner of a large estate at Gerston.

576. Upon his first introduction to you, before he bought Gerston, had he anything to do with the borough at all?—Yes, he had represented the borough many years previously to that under the old system; you will find that is so.

577. (*Mr. Coleridge.*) Do you know anything of the circumstances under which Mr. Ricardo came down to Totnes?—No.

578. Do not you know what brought him down here?—I suppose that he came down to get elected if he could, and that he was in fact sought out, or that he sought out the borough, just as gentlemen usually do when they want to get into Parliament.

578. Did he come down here under the auspices of Lord Seymour?—No, quite the other way; and if there had not been something wrong, he would have been returned.

580. May I ask you what you mean by "something wrong"?—I understood that there was a coalition on the part of the friends of Lord Seymour with the friends of Mr. Baldwin, and that there was a written understanding drawn up in writing signed by three or four friends of Lord Seymour and by three or four friends of Mr. Baldwin; I recollect that I once saw that memorandum.

581. Do you know what was the effect of that memorandum?—The effect of that memorandum was that they would support each others interests; it was only some four or five lines; I know it was shown to me.

582. That they would mutually support one another; was that it?—Yes.

583. And there were a great number of votes split on that occasion in furtherance of that agreement?—Yes.

584. There was a sort of mutuality between Gerston and Bridgetown?—Yes.

585. So that the care taken in the manipulation of one helped to assist the other?—Yes, I believe that was so.

586. Did you yourself support Lord Seymour at that time?—I supported Lord Seymour and Mr. Ricardo.

587. Then you in fact went for both the Liberals?—Yes, I voted for them.

588. Upon that occasion Lord Seymour and Mr. Ricardo were of the same opinion, or of the same politics, but were opposing each other; how was that?—As I think I said before, there was something wrong, or Mr. Ricardo would have been returned for the borough. It turned out afterwards that there had been a previous understanding between the friends of Lord Seymour and the friends of Mr. Baldwin that they would both act together.

589. But then Mr. Ricardo knew nothing of this and came down under the impression that those who voted for Lord Seymour would vote for him?—Just so.

590. And then he was what is vulgarly called put in the hole?—Yes.

591. And paid handsomely for it no doubt?—I dare say he spent a great deal of money.

592. Do you know how much money Mr. Ricardo spent?—I do not know, it was a larger sum than had been expended on previous occasions.

593. As much as 2,000*l.* was it?—I dare say it was.

594. And what did Lord Seymour spend on that occasion?—I do not know that he spent a shilling.

595. Then Lord Seymour enjoyed the advantage of Mr. Ricardo spending his money and was returned while Mr. Ricardo was turned out?—No, Lord Seymour had then considerable support from the Conservatives. There were a number who split for Lord Seymour who would have supported Mr. Baldwin. I believe Mr. Baldwin spent money on that occasion as well as Mr. Ricardo.

596. Supposing that two Liberals were to stand for the borough and to spend no money, according to you

the Liberals would stand no chance of being returned but Lord Seymour's seat would always be safe; is that your opinion. What did you mean by saying that if something had not gone wrong Mr. Ricardo would have been returned?—If the friends of Lord Seymour and the friends of Mr. Baldwin had not come to an agreement; there was a coalition between them.

597. You have called them "the friends" of Lord Seymour and "the friends" of Mr. Baldwin, can you give us the names of any of the persons who were parties to this memorandum on either side, take those on behalf of Lord Seymour first?—Mr. Thomas Michelmore who is dead.

598. And his son also?—His son was no party to that. There was another son, but he is quite a young man.

599. Can you give us the names of any others who were parties to that memorandum?—Mr. Cull was a party to that agreement, on behalf of Mr. Baldwin.

600. Is he now dead?—I believe so; he was a gentleman connected with Plymouth, I think.

601. Are those the only two names you can remember to that memorandum?—I think there were three or four on each side, but I cannot recollect the names.

602. (*Mr. Bere.*) Was Mr. Farwell's name to it?—That I cannot say.

603. Did Mr. Farwell split his vote?—That I do not know.

604. And Mr. Windeatt was acting for Mr. Ricardo?—Yes.

605. And he did not know of it?—No, none of us knew of it. I think I have stated that I voted for Mr. Ricardo and towards the close of the poll it was understood that there were some two or three votes which could be brought forward for Mr. Ricardo, but the late Mr. Michelmore said it was of no use doing so as there were some two or three which he had ready to go against us, and therefore it would be of no use. As I have stated there was a coalition between the friends of Lord Seymour and the friends of Mr. Baldwin.

606. But Lord Seymour's friends did not let Mr. Ricardo know of this in time to save his expenses?—It was not known to any of us.

607. Was Lord Seymour down here himself at that time?—It is very likely that he was; I do not know that he was.

608. Was the name of Mr. Bentall to that memorandum?—I do not know; I do not recollect.

609. Was the name of Mr. Gill to it?—I should say not; he was not a man in that position.

610. Was the name of Mr. Rouswell attached to it?—No.

611. Or that of Mr. Tracy?—Yes; his was one of the names; it was Mr. Tracy who showed me the paper. I dare say his name was there.

612. (*Mr. Coleridge.*) On whose behalf should you say that Mr. Tracy's name was there?—He was a Conservative in politics, but he rented land under the late duke for many years; he was a very respectable man, who had saved money on the estate.

613. And being a Conservative in politics, but renting land under the duke, he was what may have been considered a convenient go-between to carry out this very extraordinary arrangement?—Yes; it was in his own house that I saw it. I happened to be there upon private business, and he or his daughter showed it to me.

614. Is Miss Tracy now alive?—Yes, I think she is; and I think she is very likely to have the paper. She lives, I believe, somewhere near Torquay.

615. Her father is dead, I suppose?—Yes; he died many years ago.

616. (*Mr. Longe.*) You mentioned the name of Nicholas Gidley. Do you know where he lives?—He lives in Totnes; he is a very old man, and very infirm indeed.

617. Do you know the street in which he lives?—In Fore Street; he is well known by every one. He is a very nervous old man.

618. (*Mr. Coleridge.*) How long did this concord between the Liberal and the Conservative parties continue?—A short time; I have no idea at this moment when it dropped. I cannot tell you.

619. Under those peculiar circumstances did Mr. Ricardo petition?—No; I never heard of such a thing.

620. There was no scrutiny, or anything of that sort?—No; some of the parties were very angry. Mr. Ricardo's friends were very angry, and our friend Mr. Tucker was exceedingly angry. There were a good many of the Seventy-Third there whom I spoke of just now, and they pelted Lord Seymour with cabbage stumps, or something of that kind; they were very angry at Mr. Ricardo being defeated.

621. After all the money which he had spent in the town?—Yes; after the close of the poll.

622. There would be a natural sympathy with the man who had spent so large a sum of money?—Yes; I suppose so.

623. (*Mr. Bere.*) They thought the man who had preserved the borough from starvation was worthy of their gratitude?—I should think so.

624. You do not know how it was that Mr. Ricardo came down here at all?—I do not know.

625. Was he sent down here by the Reform Club, do you know?—No; those who were then most active in politics would know. They either sought him out, or it was done through some solicitors or other persons who might be looking out for a candidate.

626. They might have gone to the Reform Club, and have asked who would like to come down and stand for Totnes, and might have been told that Mr. Ricardo would come, and he was a man who would spend a great deal of money?—That is as likely as anything.

627. Now July 8th, 1852, was the next election. Who were the candidates then?—In March 1850 was the next election.

628. That was not contested?—No; Lord Seymour was then appointed the Chief Commissioner of the Woods and Forests; there was no opposition.

629. The next election was July 8th, 1852; what was done then. Who were the candidates?—Lord Seymour and Mr. Thomas Mills.

630. What had become of Mr. Baldwin?—He comes next; Mr. Baldwin.

631. Mr. Mills was a Liberal?—Yes.

632. What was the register in 1851?—Freemen, 20; Bridgetown, 76; Totnes parish, 241.

633. How do you account for the decrease in Bridgetown and Totnes since 1846, five years?—I cannot account for it.

634. The peculiar creation of voters had not gone on in either place during that period?—They had been doing their best, I suppose.

635. Were the houses unlet in any number then?—No; by and bye you will find there is a change of ownership in the lands.

636. Had any of those lands changed owners except the Gerston property since the time of the Reform Bill to any extent; the Bowden property is still in the same hands?—Yes; I think so. I cannot tell you the date when the Duke of Somerset bought Mr. Wise's property, the tithes, and some lands. I do not recollect when that transaction took place.

637. Was that before the year 1851?—Yes; it was long before that.

638. Will you give us the numbers on that occasion?—Lord Seymour, 263; Mills, 154; Baldwin, 141.

639. I suppose then that the memorandum had ceased to produce any effect?—Yes; I think so. It was thought worthless then; it was gone altogether.

640. And the two Liberals were returned?—Yes.

641. Who was Mr. Mills?—He was a private gentleman living in Hertfordshire.

642. Having no connection with Totnes whatever?—No, none.

643. And had he been sought for in the same way

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that Mr. Ricardo was sought for and found?—I believe he had.

644. Did he spend as much money as Mr. Ricardo had spent, or more?—I cannot tell; I have heard that he spent a great deal of money.

645. You have heard that there was a good deal of bribery at that election?—I have no doubt of it; I have heard so.

646. You mean individual bribery?—Yes.

647. Did you ever hear what the price was then?—I once heard of almost a fabulous price.

648. Prices which they might have asked. Do you know what they got?—I do not know; I have heard of 30*l.*, 50*l.*, 60*l.*, 70*l.*, and 80*l.* at least.

649. Do you remember the names of any persons who were said to have been bribed at that election?—I do not recollect any one.

650. Do you remember the names of any persons who voted for Lord Seymour and Mr. Baldwin in 1847 who voted for Lord Seymour and Mr. Mills in 1852?—I do not remember any.

651. How did you vote yourself?—I voted for Lord Seymour and Mr. Mills.

652. Were they the same solicitors or the same persons who were employed as agents?—Mr. Thomas Michelmore always represented Lord Seymour up to the time of his death.

653. And Mr. Mills was represented by Mr. Windeatt?—Yes; and Mr. Cuming and Mr. Tucker.

654. And Mr. Charles Edwards for Mr. Baldwin?—Yes; I think so.

655. And Mr. Farwell?—I believe so.

656. You took no part in it yourself at all?—No.

657. How did the Seventy-Third behave on that occasion?—They all dropped in then for Mr. Mills and they became reconciled to Lord Seymour, many of them; they went for Lord Seymour and Mills.

658. What was Mr. Mills, was he a banker?—I do not know whether he was engaged at any time as a banker. I think he had some connexion with the bank, or his brother had; Mr. Remington Mills was his brother.

659. Had he and Lord Seymour a joint committee room?—I cannot answer that question. I do not believe that Lord Seymour ever mixed up his committee with any one as regards its being a joint concern, or a joint committee room.

660. Cannot you tell us who formed Lord Seymour's committee in 1852?—I cannot recollect now.

661. Cannot you give us the names of any of the committee?—I think Captain Boardman proposed Lord Seymour.

662. Do you know who seconded him?—I cannot recollect; there are many persons here who were very active in all these matters.

663. Was Mr. Cuming on Lord Seymour's committee?—No; I do not know that he was. I cannot say.

664. (*Mr. Coleridge.*) Are you sure that Mr. Cary did not propose him?—Yes; Mr. Cary proposed him very often.

665. (*Mr. Bere.*) You mean the late Mr. Cary, of Follaton?—Yes; now I think of it I am reminded that Mr. Cary, I may say, always proposed Lord Seymour.

666. Was he not generally on his committee as well?—I do not know anything about the committee.

667. Had Mr. Mills any committee?—I do not know.

668. Cannot you give us the name of a single person who was on Mr. Mills's committee, or on Lord Seymour's committee?—I cannot say that they had committees.

669. Cannot you say who was the chairman of Mr. Mills's committee?—I do not know.

670. Was Mr. Condy on Mr. Mills's committee?—I cannot tell; he is a very likely gentleman to have been there. If he were on the committee I am sure he will say that he never saw me in the committee room.

671. Mr. Searle, was he on the committee of Lord Seymour or Mr. Mills?—I do not expect that he was; he is a very old gentleman.

672. He was not so old at that period?—He was not a likely man.

673. Mr. Thomas Michelmore the land agent?—He was the standing agent who managed matters for Lord Seymour.

674. Can you at all tell us what quantity of money was spent at that election?—No.

675. Nor who were then bribed?—No.

676. Nor who offered the bribe?—No.

677. But there were bribes offered and taken you have no doubt?—Not the least doubt.

678. (*Mr. Coleridge.*) Did Mr. Baldwin go on spending money at every election?—I dare say he did; at the last it was very low water with him.

679. Were there any subscriptions got up to assist him in his election?—I never heard of any.

680. (*Mr. Longe.*) How is it that you are so confident about this?—One does hear of these things. I have heard it stated that a great deal of money was spent, and when I have so heard it I have believed it, and have drawn my own conclusions that it was very probable.

681. (*Mr. Coleridge.*) You would not have believed it if they had said it about Lord Seymour? If the same thing had been said with regard to Lord Seymour you would not have believed it because you heard that it was going about?—No, I would not.

682. (*Mr. Longe.*) You heard it in conversation, I suppose in private society?—Yes, and in the open street. You cannot meet anyone in the street here without hearing of it from Monday morning till Saturday night.

683. But it must come from some one's mouth?—Yes; people will be talking of the news of the day in a small town like this, and no one man can meet another without hearing a vast deal about politics, and so on, even to quarrelling.

684. It is not a mere general matter; there must be something particular about it?—That does not follow. A person may say one man has spent a thousand pounds or two, and you believe it at the time.

685. (*Mr. Coleridge.*) I suppose a large sum of money spent to the extent of several thousand pounds unlooses a great many tongues, does it not?—No doubt of it.

686. And opens a great many public houses?—No doubt. I do not spend my evenings out.

687. But you would meet the people who had been there when they were in a humour to talk about it, and every one would have something to say about what was going on?—Yes, about the streets, and even in a railway carriage.

688. And no one would seem to be in the least ashamed of it?—I am sorry to say that they have got into such a state that many of them are not in the least ashamed of it.

689. And therefore it is that they speak out the more openly?—I never accepted a retainer, neither have I canvassed or taken the poll at the election. I have kept out of it as well as I can.

690. Did you ever hear from any individual person in 1852 that he was either offered or had accepted a bribe? I will not ask you their names?—No.

691. What you have heard has been mere general report?—From mere general report.

692. (*Mr. Longe.*) What sort of persons were those whom you got this general report from; who would be the persons with whom you were in conversation when you heard this?—I might have heard it from neighbours, or I might have heard it from men who were in my employ when they were at work.

693. Cannot you specify some particular person who may have spoken to you on the subject?—Not at this moment.

694. If there was a great deal of money spent at the election you would remember it?—I can only say that I have heard it.

695. (*Mr. Bere.*) As to the other elections, was there one between 1852 and 1857?—In October, 1855,

the late Duke of Somerset died, and the present duke went up to the House of Lords.

696. What happened then?—Then Earl Gifford came down as a candidate, and he was elected without opposition. There were two other candidates, the Honorable Mr. Buller and Mr. Mackenzie.

697. Mr. Buller was a Conservative, Lord Churston's eldest son?—Yes.

698. Who was Mr. Mackenzie?—He was a merchant in London.

699. What was he in politics?—A Conservative.

700. And Lord Gifford was a Liberal?—Yes.

701. How long before the day of nomination did Mr. Buller and Mr. Mackenzie retire?—I cannot recollect; I should say not above a day or two.

702. (*Mr. Coleridge.*) Did they go to the poll?—Neither of them; there was no opposition.

703. (*Mr. Bere.*) Who was Lord Gifford's agent, Mr. Windeatt?—No, Mr. Michelmore.

704. Then I suppose Lord Gifford had all the interest of the Duke of Somerset?—Yes.

705. And Mr. Thomas Michelmore managed the business for him?—Yes.

706. Before the election was there any threat of an opposition?—Yes.

707. Were they not both of them over here canvassing?—Yes, I believe so.

708. I mean Mr. Buller and Mr. Mackenzie?—Yes.

709. For how long?—Probably for ten days.

710. Mr. Buller's father lives at no great distance from Totnes?—Yes.

711. Mr. Mackenzie had no connexion with Totnes?—None whatever.

712. Was Mr. Mackenzie said to be a rich person?—I did not understand that he was very rich.

713. Who was Mr. Mackenzie's agent?—Mr. Charles Edwards, I think, was acting as his agent.

714. Had Mr. Buller and Mr. Mackenzie a joint committee room?—I cannot tell you; they frequented the same house, the "Stars."

715. I suppose Mr. John Heath would be likely to be a member of their committee?—I do not know, you might ask him.

716. (*Mr. Coleridge.*) As I understand you, there was only one seat vacant?—Only one.

717. And they were opposing one another up to a certain pitch?—It would seem so.

718. Did one retire before the other, or did they both retire together?—I cannot answer that question; they both retired before the polling day.

719. Do not you know that Mr. Buller issued an address, and then went away, leaving Mr. Mackenzie to contest the borough?—That might have been the case; I did not speak to either of them.

720. By whom was Mr. Mackenzie brought down here?—I cannot say. I suppose he was sought for, the same as the other men had been.

721. Had Mr. Barry Baldwin sent him down here?—That I do not know.

722. Had he the Gerston influence?—No.

723. (*Mr. Longe.*) By whom do you say he was sought for?—By the party men, perhaps by the solicitors.

724. You mean the people of the town, I suppose?—Yes.

725. (*Mr. Bere.*) Did a deputation go up from here to the Carlton Club to get a candidate?—I do not know that.

726. Did you hear that anyone went up?—I cannot say either way.

727. (*Mr. Coleridge.*) Do you know whether the Carlton Club candidate was Mr. Buller or Mr. Mackenzie?—I do not know that either was their candidate.

728. (*Mr. Bere.*) Did Mr. Mackenzie retire in consequence of its being found that he would have to pay too much money for the seat?—That I do not know.

729. Did you hear whether that was the reason?—I did not.

730. That the people who had stood out in 1841 would stand out again in 1855, or some of them?—There was no chance for a man who was standing against Lord Gifford, who was a good man, and who had come down in the duke's interest.

731. You did not hear a report that the men had been standing out for money?—Not at that time.

732. How many people are there in the town of Totnes, who, according to your idea, would take a bribe?—I cannot say.

733. Or how many would not?—No.

734. Would the majority have taken a bribe at that time?—I should say not; I should hope not. I do not know that of my own knowledge, but from those who have contested the borough.

735. From common rumour, how many should you suppose in Totnes would be likely to be influenced by money?—It is not in my power to answer that question. I cannot tell you.

736. (*Mr. Coleridge.*) It would be what may be called an unknown quantity?—I do not think that they know that themselves.

737. (*Mr. Bere.*) You mean not until the bribe is offered?—Yes; and after that you could not depend upon them.

738. (*Mr. Longe.*) In the election you have just spoken of they had no chance against Lord Gifford?—No, none.

739. But a requisition was signed to Mr. Mackenzie by persons in the town?—I cannot say that there was a requisition. I said he might have been sought after the same as the other men had been.

740. Do you know the names of the persons in that interest who might have sent for him?—I do not. I suppose that Mr. Edwards and other active men of that time might have done it.

741. Mr. Edwards was his agent?—I do not know that; he was on that side of the question. Those who are on that side meet and associate with those who are of the same colour, therefore I suppose they would meet together. I cannot say.

742. (*Mr. Bere.*) There was no election between 1855 and March 1857?—I believe not; there was a general election then.

743. Who were the candidates then?—Lord Gifford, Thomas Mills, J. T. Mackenzie, John Gregory.

744. What were Mr. Gregory's politics?—I think he was a Conservative.

745. Where did he come from?—From London, I think.

746. Was he a Carlton Club man?—I think I heard that he was an army agent.

747. Was he a candidate from the Carlton Club?—I do not know.

748. Had he and Mr. Mackenzie a joint committee room?—I do not know; they stopped at the same house, the "Stars."

749. Did they issue a joint address?—Not a joint one.

750. Did they canvass together?—I do not know. I never saw them together.

751. Who were the agents for these various people?—For Lord Gifford, Mr. Michelmore and Mr. Cuming.

752. And Mr. Tucker?—Yes. I think he was over at that election.

753. And for Mr. Mackenzie, Mr. Edwards?—Mr. Gregory and Mr. Mackenzie it is very likely had one person as agent, as they had one house.

754. Are you quite right about Mr. Edwards; he must have been dead I should have thought?—I cannot tell you when he died.

755. Cannot you remember whether in 1857 Mr. Edwards was the agent?—He might have been; I should say it is very likely.

756. Mr. Kellock, was he one of the agents?—It is very likely.

757. And Mr. Bryett, has he ever taken any part in the elections?—I do not think he took such an active part as some others.

758. Mr. Kellock and Mr. Edwards were the agents for the Conservative candidate in 1857?—I believe

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they were; I should have mentioned Mr. Kellock before but it did not occur to me.

759. What was the state of the register in 1857?—Freemen, 16; Bridgetown, 68; Totnes parish, 231.

760. Making a total of 315?—Yes.

761. What were the numbers; how did they vote?—Lord Gifford polled 171, Mr. Mills 150, Mr. Mackenzie 118, and Mr. Gregory 57.

762. At that election have you reason to believe that bribery prevailed?—No, I cannot say that it did either way. I do not think so.

763. Had you anything to do with that election at all?—Nothing.

764. Had Mr. Mackenzie spent any money in the town between October 1855 and March 1857?—Not to my knowledge.

765. In subscriptions to charities, or things of that sort?—I have no recollection of it; he might have done so.

766. Mr. Gregory had never been seen in Totnes you say when he came down there on this occasion?—I had never heard of him before myself.

767. You heard no other rumours as to the election of 1857?—I cannot say I did.

768. (*Mr. Coleridge.*) I suppose you had as much opportunity of hearing as any other what was going on?—Yes.

769. Do you mean that a sudden purity had come over the borough of Totnes in 1857?—I do not.

770. You do not know of any bribery?—No.

771. Do you say you believe there was no bribery?—I have no recollection.

772. Do you go as far as to say you believe the borough had become suddenly pure?—There might have been a great deal of bribery, I do not know.

773. You do not go further than to say you have not heard of it?—I should have a very different opinion.

774. You cannot associate four candidates at Totnes with a pure election?—No, I cannot.

775. (*Mr. Longe.*) You remember the conversation with regard to bribery at the 1855 election; you remember that better?—One hears of bribery at every election.

776. You draw a vast distinction between these two elections?—I was asked what I thought; and I look to the list and I see a certain number only polled; I cannot fancy the number, it is only a guess number, I cannot tell any particulars. It is not like the former elections between Baldwin and Blount, and Gisborne and Baldwin. Everybody believes—no doubt about it—that there was bribery. I was not mixed up in these matters. That is my impression, I cannot say there was bribery at that election spoken of. I cannot conceive of an election taking place here between four candidates without spending money in bribery.

777. (*Mr. Coleridge.*) The next election was April 1859. Can you give us the names of the candidates then?—Gifford, Mills, and John Dunn. Gifford polled 180, Mills 152, and Dunn 135.

778. Mr. Dunn was a Conservative?—Yes.

779. Where did he come from?—I understand he came from London.

780. It would appear in the same manner as Mackenzie and Gregory?—I have no doubt.

781. Was he a man of reputed wealth?—It was said he had a good deal of money, and that he came from Australia.

782. What is the register for 1858?—Freemen in 1858, 14; Bridgetown, 75; Totnes, 252.

783. Did they have the same agents as appeared on former occasions?—I believe so.

784. Mr. Kellock and Mr. Edmonds, were they agents for Mr. Dunn?—I believe they were.

785. Did you hear more rumours about bribery at this election than you had heard at the election of 1857?—Yes.

786. Of whom did you hear bribery alleged?—In a general way.

787. Mills and Dunn?—Yes, it was those two.

788. Did you hear what they spent?—No.

789. Was it more or less than had been spent before?—I cannot tell, a good deal was spent.

790. Was it the same sort of figure?—A great deal was spent.

791. Was it 2,000*l.* or 3,000*l.* on each side?—I dare say so.

792. On individual voters?—Perhaps more.

793. How did the Seventy-Third behave on that occasion?—I do not know. I do not go into the registration courts, and I cannot tell how they came out on the day of election.

794. How did the Bridgetown people vote?—They voted in Lord Seymour's interest, the duke's interest.

795. Did they split for Mills?—Yes, mostly.

796. Did any split for Gifford and Dunn?—Yes.

797. A good many?—Yes, very likely. I cannot tell their names; they are registered closely, and I cannot answer it.

798. Should you be very much surprised to hear that many had plumped for Dunn?—Not at all, I plumped for him.

799. You gave up your opinion on that occasion?—Not exactly.

800. You went the whole vote for Dunn upon that occasion?—Yes.

801. You did not like Lord Gifford?—I did not like him because he voted against Lord Derby, as I told Mr. Mills.

802. As a general rule you expect the Bridgetown people to go with what you call the Seymour interest?—Yes.

803. Do you know George Sercombe, an innkeeper of Bridgetown?—I have heard of the same name.

804. He voted for Dunn?—I do not know.

805. Do you know William Paige, a land agent?—Yes.

806. He did the same?—I do not know.

807. Do you know William Gillard, a surgeon at Bridgetown?—Yes.

808. He preferred Dunn?—Yes.

809. Was he a tenant of the duke's?—He was always on that side for many years; he was a medical man.

810. You have been a Conservative ever since 1859?—Yes, I voted that way to please myself you will understand.

811. Do you say there was much money going at that election of 1859?—I have no doubt of it.

812. On both sides?—Except Earl Gifford.

813. Speaking of the successor to Lord Seymour, he has all his interest, and does not require any extraneous aid?—No.

814. The second therefore you never considered in the same way as Lord Seymour's candidate, but one that should be left to the tender mercies of the town?—Yes.

815. Do you know at all what Mr. Dunn spent?—No.

816. Did you hear of any people convinced in the same way as you were convinced by Mr. Dunn?—Some did come and vote, but they had not moral courage to acknowledge it.

817. You were not surprised to find that want of moral courage?—I do not wish to be understood in that sense.

818. Do you think there are in the borough of Totnes any voters who take money on one side, and vote on the other?—I have heard of all sorts of things.

819. I suppose you have heard of taking money on both sides, and splitting their votes?—I have heard of all sorts of things.

820. (*Mr. Bere.*) Was there any election between the 30th April 1859 and December 10th 1862?—Mr. Mills died.

821. Who came down then?—Mr. John Pender and Mr. John Dent.

822. Will you give us the register of 1861 and 1862?—Seven, Freeman; 82, Bridgetown; parish of Totness, 268.

823. Can you tell me, had any of these land societies started at that time?—I do not think they had.

824. Was there not what is called the Gurston Building Society?—No.

825. You remember there was a great discussion before the revising barrister with regard to a certain number of voters, some in Bridgetown, and some in Totnes?—Yes.

826. Was the name of the company of voters whose votes were objected to in the parish of Totnes, the Gurston Land Company?—I can tell by looking at the Rules of Court.

827. You do not read the registration cases after they are decided?—Yes, in the court above. I have got them all here. I have the original rules.

828. Can you tell from that when they came into being?—Yes. Do you wish me to refer to the rules.

829. I only want to know the date when they were established, whether before 1862 or not?—I have the Order of Court in Michaelmas Term, 29th Vict.

830. That would not do; that is 1865?—About the names of the companies.

831. I wanted to know when they were established, when they began to have an effect upon the registration, can you tell, were these societies established before the registration of 1862 or not?—I cannot answer the question, they might have been formed.

832. Were they not in operation and getting votes before 1862?—I do not think they were, but I cannot answer positively.

833. Do you know who was Mr. Pender's agent. Mr. Windeatt?—Mr. Windeatt and Mr. Cuming.

834. Did Mr. Tucker make his appearance on the scene?—I think he was here, but he was an invalid for some time.

835. He has got a son, does that son live here?—Yes.

836. Now Mr. Dent's agent, who was he?—Mr. Kellock.

837. And Mr. Edmunds?—Yes, they were.

838. Mr. Dent went to the poll did he?—Yes, and polled 5.

839. How many did Mr. Pender poll?—171.

840. (*Mr. Coleridge.*) Five was all Mr. Pender left him?—I was one of the five certainly, I generally polled early. I was one of the five, and after I had returned from the poll, and was walking home I was told there was to be no contest, Mr. Dent would not go to the poll.

841. Did you have anything to do with Mr. Dent's election yourself?—No.

842. You had not been on the committee?—No.

843. Who were his committee upon that occasion? Do you remember, did you volunteer?—No, I saw him at the "Stars."

844. You went down to see him?—On the first morning he was going out canvassing I told him I was very glad to see him, and that he should have my vote.

845. How did you know him, he was a stranger to Totnes?—Everybody knew he was there.

846. Did everybody know where he had come from, from China?—Yes.

847. With a considerable quantity of money?—Yes.

848. And Mr. Pender from Manchester, with an equal sum or larger?—It was said that Mr. Pender paid income tax on 100,000*l.* a year.

849. How much did Mr. Dent pay?—And that Mr. Dent paid on a larger sum.

850. You never had two such candidates in the town?—We never had two such heavy guns.

851. (*Mr. Bere.*) Who was in the borough first, Manchester or China?—Mr. Pender came first.

852. Did a good deal of money fly about on the occasion?—Yes.

853. Did you hear what sum Mr. Pender spent?—No.

854. Did Mr. Dent ever communicate to you why he did not go to the poll?—I saw him once, and I told him that I had the pleasure of voting for him.

855. That you had voted for him?—Yes.

856. You proposed him did you not?—Oh no, I do not take such an active part as that.

857. Do you know from common report, what you heard?—I heard before that time there were so many gluttons. I do not know what they wanted in the shape of money.

858. You could not tell what shot they put in the heavy guns?—No.

859. (*Mr. Coleridge.*) You knew Mr. Pender had been connected with the Whitworth ordnance?—I recollect there was a question asked on the hustings about it.

860. (*Mr. Bere.*) As far as you know there was a good deal of money went about at that time?—I have heard of it.

861. Have you heard of any particular people who were attracted by the metal?—I cannot answer that question.

862. (*Mr. Longe.*) How long was Mr. Dent down before the election?—I think he was rather late in the field.

863. (*Mr. Coleridge.*) Were there many strangers about at the election whom you did not know before?—I cannot answer that.

864. Did you see many strange faces besides those of the two candidates?—I cannot recollect any in particular.

865. Did you see any stranger with Mr. Pender?—There was a Mr. Mitchell.

866. Who is he?—A gentleman who had been in China.

867. Has he gone back to China as well as Mr. Dent?—I do not know why he should have gone back to China.

868. (*Mr. Bere.*) Were there any strangers about with Mr. Pender?—I heard there was a Mr. McDougall, an eminent chemist.

869. Who else?—Mr. Moore.

870. Was there a Mr. Salmon?—I do not recollect.

871. Mr. Jack?—I have heard of such a name as that.

872. Was there any London solicitor down with him do you know?—With Mr. Pender?

873. Yes.—I do not know that.

874. Was there with Mr. Dent?—I do not know.

875. Was Mr. Dent at the "Seven Stars" and Mr. Pender at the "Seymour Arms"?—Yes.

876. Was Mr. Harrington at the "Seymour Arms" at that time?—Yes.

877. He is dead?—Yes.

878. (*Mr. Longe.*) This was a sudden election in 1862, the parties had not made any preparations beforehand?—That I cannot tell you, but I recollect Mr. Dent was late.

879. There was no requisition to Mr. Dent, he came into the town quite suddenly?—I do not know.

880. (*Mr. Bere.*) Were you consulted before Mr. Dent came down?—I do not think so.

881. Was he found in the same manner?—I dare say he was.

882. (*Mr. Coleridge.*) I think you told me you did not know any people who actually received money at that election?—I said so.

883. Do you know any people who gave money or distributed it?—I do not.

884. Have you heard any names; first of all, as to Mr. Pender, who have you heard was the distributor of Mr. Pender's liberality?—In what way.

885. Who have you heard of as dispensing it?—As charity.

886. Call it what you like, getting rid of Mr. Pender's money in the borough of Totnes. Who have you heard of as his agent, give us the names that you know of?—I cannot at this moment recollect.

887. Try and name some gentleman who assisted Mr. Pender?—If you give me some names I will say yes or no.

888. Was Mr. Charles Frederick Michelmore one?—I do not know.

889. Mr. Charles Pengilly?—I have no acquaintance with either.

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890. Did you ever hear that he had anything to do with spending Mr. Pender's money at the election of 1862?—Mr. Windeatt was concerned professionally for Mr. Pender, but I do not know that Mr. Windeatt had the distribution of any money whatever.

891. Mr. Chaster?—No.

892. Mr. Cuming?—I have heard nothing of him, he acted professionally.

893. You have no doubt Mr. Pender spent a large sum of money?—No doubt.

894. You do not believe he went about personally to do it himself somebody must have assisted him, there is no doubt about that?—I suppose if money had been spent it would have been spent by parties for him.

895. Have you not heard who some of those parties were?—I cannot say that I have. I do not say I should be justified in naming any person.

896. Was Mr. Jenkins one?—I have heard he was a friend of Mr. Pender.

897. Is he a resident in this place?—I am not on very intimate terms with Mr. Jenkins.

898. Is he a resident in this place?—Yes.

899. When did Mr. Pender of your knowledge first show his face in Totnes?—I do not know.

900. Had he been down long before this election in 1862?—He was here before Mr. Dent.

901. Only a week before the election?—Not so much.

902. What is Mr. Jenkins?—He has no particular occupation; he was I think the editor of a paper in Calcutta.

903. He was a stranger to the borough?—Oh, no.

904. How long has he lived here?—He might have been here three or four years.

905. He was only a friend of Mr. Pender for the election?—He was a supporter of Mr. Pender.

906. Nothing more than that?—No.

907. Have you heard who assisted Mr. Dent in distributing his money?—I cannot say that I have.

908. Have you heard no names mentioned in connexion with him in 1862, when, as you tell us there was a large sum of money spent on both sides?—I have said that I believe there was.

909. Have you any knowledge of any persons who you believe assisted Mr. Dent to get rid of his money?—If I were to name any persons I should not be justified without I had some fact to go upon. I might go round and point to many in this hall.

910. Did you hear of the name of Helms mentioned in connexion with Mr. Dent in the election of 1862?—Yes.

911. Did you see him down there with him?—He lived here in Totnes.

912. Was his name Henry Helms?—I think it was.

913. Do you know what has become of him?—I have not seen him some time.

914. Did he actually assist Mr. Dent in the election?—I believe he did, I understood he had been in Mr. Dent's service.

915. (*Mr. Bere.*) How was he in Mr. Dent's service if he was living in Totnes?—In China he had been in the service of the firm, and he had made sufficient money whilst he was in the service of the firm, and that enabled him to live here in independent circumstances.

916. Was he a native of Totnes?—In the adjoining parish.

917. How long had he been living in Totnes before Mr. Dent came down?—I cannot answer that question, I think he might have been here six, seven, or eight years. He had purchased a house in the Plymouth road.

918. He is not here now?—I do not know, I have not seen him.

919. (*Mr. Coleridge.*) John Heath was a great supporter of Mr. Dent was he?—Yes.

920. Did you hear of his assisting Mr. Dent to dispense this money?—No.

921. Nothing at all?—I have not heard that he dispensed it.

922. Do you know of Captain King?—Yes.

923. Who does he support?—He is a friend of Mr. Dent.

924. Did he go round canvassing?—Yes. I think I did see him.

925. (*Mr. Bere.*) Then comes the election of January 21st, 1863, Mr. Alfred Seymour and Mr. Dent were the candidates?—In January 1863 Lord Gifford died.

926. And on his death Mr. Alfred Seymour and Mr. Dent were the candidates were they not?—Alfred Seymour and Dent.

927. And Alfred Seymour had the Somerset influence?—I believe he had.

928. What did he poll on that occasion?—Seymour, 165; Dent, 157.

929. Who were Mr. Seymour's agents then; that was the time when people had regular election agents and their names were published in the newspapers?—I can produce those papers.

930. Who were the regularly appointed election agents?—Robert Coard Tucker.

931. For Alfred Seymour?—For Pender.

932. Was that the election of 1863?—This is the election of 1865.

933. I was asking about the election of 1863, and as to the regularly appointed agents under the Act of Parliament for election expenses?—I must make a search for those papers.

934. Will you let me have them to-morrow?—Yes. I searched for the files till very late last night, previous to that I had written a letter to Mr. Francis, who was the auditor under the Act of Parliament. I was reminded that it was likely he had got the papers and I wrote him a letter.

935. Was Mr. Francis the auditor in 1862?—The election auditor at that election.

936. 1862–63?—Yes.

937. Who was the election auditor in 1858?—Mr. Francis.

938. Had he always been election auditor?—Yes.

939. Was he Mr. Francis of Newton?—Yes, I could not find the accounts for those two elections 1862-63, and I thought that he might have them; under those circumstances I wrote him a letter, and he telegraphed to me "I have the accounts."

940. At the election between Mr. Seymour and Mr. Dent when they were candidates can you tell us who were their agents?—No.

941. Can you let us know to-morrow?—Yes.

942. At that election did a good deal of money pass and fly about?—No doubt of it.

943. Who spent the money upon that occasion, did they both spend money, as far as you have heard?—I have no doubt about it.

944. Did you vote for Dent?—I did.

945. Can you form any idea of the relative quantity of money spent, when you consider the former elections?—I can form an idea.

946. More or less?—I should think a great deal.

947. 5,000*l.* or 6,000*l.*?—I should not feel surprised if it should appear that such a sum had been expended, but I do not know.

948. Did you hear the names of any persons who had been engaged in giving or offering money or receiving?—No, I cannot answer that. I was certainly aware there were a number of active men always seen on each side, and they knew something about it.

949. Can you form an idea of how many were bribed at the election of 1863?—I cannot; it was a great number.

950. Did you hear of any particular way in which it was done, any story as to how it was done?—No. I have heard of a man being followed up by the parties on one side to-night and to-morrow night by the other side.

951. Visited at their houses?—Yes.

952. You have heard of the man in the moon at a good many places, did he make his appearance at

this election?—They were not so far off here as in some other places.

953. It was done in a more open way?—Yes.

954. As far as you know there was no man in the moon or secret agent of that kind in 1863?—No.

955. In 1865 you were not content with a man in the moon, but you had more, had you not, one on each side?—Is that last year?

956. Yes.—I know scarcely anything about last year; very little about it indeed.

957. Is that all that you know about the election of 1863?—Not exactly, I am bound to say.

958. Will you tell us?—I would rather be excused at present from saying much, unless you put to me any question.

959. As you have admitted, you do know something more, we shall be glad to hear what you do know, as it is important to hear?—I understood that there was a great deal of money spent on both sides.

960. That we have already learned from you, what else do you know? a good deal more you know about the 1863 election?—I do know something of a certain case.

961. What is that?—*That* I would be excused from saying anything about; let it stand over.

962. We must hear about it.—There was a lady in the case, therefore I do not like to do it.

963. That is what we expected; we were prepared to know about it. You can give it us. I will not ask you for the name of the lady, at least the circumstances without names first of all?—It was a sort of practical joke, and it might get me into an unpleasant position, which I do not wish to be in.

964. We will not have the name mentioned, I must ask you, I am afraid?—I understood that a friend of mine who voted on the other side, the Liberal side, expressed a wish that he would rather have nothing to do with the election, and would like to have some employment, and I said I dared say we could find a case for him.

965. Did you find a case for him?—Yes.

966. What was that?—To see a patient at a distance.

967. He was a surgeon then? did he go to see the patient?—I have no doubt about it.

968. Was there a patient?—No, there was not. The party was rather feverish and felt unpleasant, and we thought we would prescribe for him.

969. Did you bleed him?—No, I did not.

970. He went away and found no patient?—Found no patient.

971. When he came back the poll was closed?—Yes.

972. Is that the only occurrence?—That is the only one. It was a practical joke that one does not like to make enemies about.

973. (*Mr. Coleridge.*) Was it not something more than a practical joke; if there had been a majority of one it would have been more than a joke?—Yes, it would have been.

974. (*Mr. Bere.*) Is that all you know about 1862?—Yes, it is.

975. Now about 1865, give us the register of 1864?—Freeman, 6; Bridgetown, 85; Totnes parish, 330.

976. Now the societies begin to tell?—The companies.

977. Can you give us the names of the companies, and when they were established; we should like to have the list which probably you will be kind enough to make out?—This is the register. I should say I can only give information from the book, I do not know the parties.

978. What is the book?—The register book.

979. The register of voters?—Yes.

980. You cannot tell from that when the company was established?—I cannot.

981. One company was in existence before the register of 1864, but a larger company has been established since the register of 1864?—It might be so, but when I say I do not know, I have sat in the registration court 20 years, and I do not know how they come up, or the grounds upon which they seek to establish their votes.

982. Perhaps you have heard this at the register of 1864; the company, whose votes were objected to at the registration of 1865, was not in existence, do you know that the company creating votes had their votes in large numbers objected to in 1865; a case was sent to the superior court and the court decided in one case in favour of the votes and in another case against the votes?—Yes, by the original rules.

983. Give me the candidates and the poll-book of 1865?—Mr. Pender, Mr. Seymour, Col. Dawkins, and Mr. Pim.

984. What are the numbers?—Pender, 210; Seymour, 214; Dawkins, 162; Pim, 147.

985. There is no difference made in the manner of conducting the election of 1865 and the way in which previous elections had been conducted, as far as bribery was concerned, except that a good deal of money was spent?—It was fought with money in the usual way.

986. Do you know whom the money was supplied by?—No.

987. Did you hear?—No, I did not.

988. (*Mr. Coleridge.*) Did Mr. Alfred Seymour spend any money?—I do not think that he did.

989. He had the Seymour influence?—Yes.

990. He succeeded?—I do not suppose he spent a shilling.

991. (*Mr. Bere.*) Give us the agents at this election?—The agents were R. C. Tucker for Mr. Pender, for Seymour Mr. Henry Michelmore, but he did not act; the agent said you are to let Mr. Thomas Michelmore's son do it, that is Mr. Henry; for Colonel Dawkins Mr. William Hannaford.

992. Was Mr. Kellock an agent?—For Captain Pim, Mr. William Hamlyn.

993. What were the sums returned to you?—Mr. Pender returned at 172*l.* 11*s.* 7*d.*

994. Mr. Seymour?—117*l.* 18*s.* 4*d.*

995. Colonel Dawkins?—279*l.* 7*s.* 6*d.*

996. Captain Pim?—216*l.* 10*s.* 6*d.*

997. Have you got the items of those?—Yes.

998. Will you hand them in to the short-hand writer?—Yes.

(*The witness handed in the document, which was as follows:*)

Borough of Totnes.

Abstract of the account of all the election expenses incurred by or on behalf of each candidate, and paid as appears by the statements and vouchers delivered to me upon the election of two members to serve in Parliament for the borough, on the 12th day of July, 1865, published pursuant to the Act of Parliament, of the 26th of Victoria, cap. 29th:—

John Pender, Esq.,

Proportion of returning officer's expenses	16	17	5
Advocates' fees	21	0	0
Poll and committee clerks	4	4	0
Messengers	15	11	6
Advertising	45	9	9
Printing and stationery	23	13	7
Carriage hire	26	5	4
Cleaning the Guildhall and posting bills	2	4	0
Ringers	6	16	0
Agent for election expenses, fee for journeys, expenses, &c.	10	10	0
	£172	11	7

Robert C. Tucker,
Agent for election expenses on behalf of the said John Pender.

Alfred Seymour, Esq.,

Proportion of returning officer's expenses	16	17	5
Advocates' fees	11	10	0
Poll clerks	4	4	0
Messengers	8	1	0
Advertising	27	6	7
Printing and stationery	22	6	9
Carriage hire	20	4	10
Cleaning the Guildhall and posting bills	2	2	0
Agent for election expenses fee	5	5	0
	£117	18	4

SECOND DAY.

Mr. G. Presswell.

24 Aug. 1866.

The agent for election expenses, acting on behalf of Mr. Seymour, has not delivered to me "a detailed statement," nor any statement "signed," as required by the said Act.

Lieutenant-Colonel Dawkins.

Proportion of returning officer's expenses	15	4	10
Professional assistance	50	0	0
Committee rooms, &c.	31	10	0
Horse and carriage hire	46	2	0
Advertising, telegrams, and messengers	61	14	8
Reporting	4	4	0
Printing and stationery	30	7	6
Bill-poster	0	17	6
Poll and committee clerks	14	10	0
Messengers	3	13	6
Cleaning the Guildhall	1	3	6
Agent for election expenses fee	20	0	0
	£279	7	6

William Hannaford,
Agent for election expenses for Lieut.-Col. Dawkins.

Captain Pim, R.N., C.B.

Proportion of returning officer's expenses	15	4	10
Professional assistance	50	0	0
Committee rooms	16	16	0
Advertising	29	17	0
Printing and stationery	25	15	6
Poll and committee clerks	14	10	0
Messengers	2	2	0
Telegrams, porterage, &c.	16	14	0
Horse and carriage hire	27	18	0
Cleaning the Guildhall	1	3	6
Posting bills	0	14	0
Ringers	3	3	0
Agent for election expenses fee	12	12	6
	£216	10	6

Mr. Hamlyn,
Agent for election expenses for Captain Pim.

Given under my hand the 21st day of September, 1865.
John F. P. Phillips, Returning Officer.

999. You voted for Dawkins and Pender ?—Yes.

1000. (*Mr. Longe.*) There was another somewhat larger account for Col. Dawkins and Capt. Pim ?—No.

1001. Do you remember a requisition being sent up to Mr. Kennard ?—I have heard of it.

1002. (*Mr. Bere.*) You have not seen it ?—No.

1003. Mr. Kennard had no connexion with the borough ?—No.

1004. Nor had Col. Dawkins or Capt. Pim ?—No.

1005. You had heard nothing of them ?—No. I am not in the cabinet of party politics.

1006. (*Mr. Coleridge.*) Whom did you consider the Conservative cabinet ?—I do not know.

1007. Was Mr. Bastard one ?—I believe him to have been one.

1008. And Mr. Bentall ?—Yes.

1009. Mr. Evan Evens ?—I do not know, he might be.

1010. Mr. Gill ? — He used to be on the committee.

1011. Mr. John Heath ?—Yes.

1012. And a very active one ?—Yes.

1013. Mr. Kellock ?—Yes.

1014. He is a very active one too ?—He is.

1015. John Maye ?—I do not know.

1016. Mr. Nicholas Manning ?—I do not know.

1017. Who is Manning, tell us something about him ?—A retired farmer, one of the churchwardens, he stands about six feet three or four.

1018. He has taken to electioneering since he retired from farming ?—Most other men do, a man when he retires must have something to do with politics.

1019. That is the way he gets rid of his superabundant energy I suppose. Then there is John Heath, we have heard that he is a very energetic man ; and Mr. Oldrey, was he one of the Conservative party ?—Yes, he votes on that side.

1020. John Packe, is he on that side ?—Yes.

1021. Mr. John Willis ? — Yes, he votes on the Conservative side.

1022. Mr. A. S. Distin ?—Yes.

1023. Mr. E. D. Tucker ?—Yes.

1024. Mr. T. E. Owen ?—I do not think he was on the committee ; he is a man in full practice as a surgeon.

1025. He is generally on the Conservative committee ?—I do not know that he was on the committee.

1026. Then there is another, Mr. Frederick Kellock ?—He sometimes supports that party.

1027. (*Mr. Bere.*) Had the Liberals a committee ?—I do not know ; I did not trouble myself about that.

1028. Are you a member of the council ?—No, I am the town clerk.

1029. What number are there in the council ?—16.

1030. How many aldermen ?—Four.

1031. And twelve councillors ?—Yes.

1032. Are they elected in the usual way ?—By the burgesses.

1033. What are the majority of the council, Conservative or Liberal ?—Conservative now.

1034. How long has that been the case ?—Three or four years ; four or five years.

1035. You have had a good deal of experience in elections ; in your judgment has any bribery taken place in regard to those elections ?—No doubt there has.

1036. (*Mr. Longe.*) What is the price for a vote ?—I cannot say the price.

1037. Is it 5*s.* or 10*s.* ?—I have heard various prices.

Adjourned to to-morrow at 11 o'clock.

THIRD DAY.

THIRD DAY.

Mr. G. Presswell.

25 Aug. 1866.

Saturday, 25th August 1866.

Mr. George Presswell recalled and further examined.

1038. (*Mr. Bere.*) When we adjourned yesterday, you promised to bring the accounts of the agents of the expenses of the different elections. Have you got them here ?—I have.

1039. October 1855 will be the first. Who was Lord Gifford's agent for the election expenses then ?—I cannot inform you ; there was no opposition, and hardly any expenses incurred.

1040 March 30, 1857. Give us the agents of that —Lord Gifford, Thomas William Gray, of Exeter.

1041. He is an attorney at Exeter ?—Yes. For Mr. Mills, Mr. Robert Coard Tucker, solicitor of Ashburton ; for Mr. Mackenzie, Mr. George Farwell, solicitor, since dead ; for Mr. Gregory, Mr. George Farwell, the same.

1042. Now, in 1859 ?—For Earl Gifford, Thomas William Gray, of Exeter ; for Mr. Mills, Robert Coard Tucker, of Ashburton ; for Mr. Dunn, Mr. William Hannaford, of Totnes.

1043. In 1862 ?—For Mr. Pender, Robert Coard

Tucker, of Ashburton; for Mr. Dent, Mr. William Hannaford, whose name I have mentioned.

1044. In 1863?—For Mr. Seymour, Mr. Henry Michelmore, solicitor, Newton Abbot; for Mr. Dent, Mr. Hannaford, of Totnes.

1045. For Earl Gifford the same?—No; Earl Gifford died.

1046. Now we have them down to the next election, I think?—Yes.

1047. (*Mr. Coleridge.*) Bribery was supposed to exist at the election of 1859?—Yes, I believe it did.

1048. (*Mr. Bere.*) You were telling us yesterday that, at present, there was a Conservative majority in the municipal corporation of this borough?—Yes.

1049. And that majority began three or four years ago?—Yes.

1050. At the same time Liberal members have been returned for the borough?—Yes.

1051. What, in your opinion, is the reason of the difference, the Conservatives having the power in the town council, and the Liberals having the power in the borough proper?—The cause of it, or the difference?

1052. The cause of it?—I believe partly because the rates have been watched and attended, and the register has been worked.

1053. Which register do you mean?—The register of burgesses; the householders under the Municipal Act.

1054. The householders who are rated?—Yes.

1055. Do you mean there has been more care taken by the Conservatives with regard to the burgess roll than with regard to the register of voters?—No; they have been both, if I may say so, worked, but closer attention on the rating. When a man dwelt in a tenement, if his name has been properly entered in the rate book, he would be entitled to have his name continued on the book; but if he neglected his name, or the rates were not paid, or the requirements of the Act of Parliament were not complied with, he would be expunged.

1056. Can you tell me what number of electors are on the burgess roll?—I can, but I cannot at this moment.

1057. It is larger than the number on the register for the members?—I think it is; but I can get them in 10 minutes.

1058. Will you give us some information about the trade of Totnes? What was the trade when you first knew the town?—Much the same as at present. I should say at that time there was some business done in the serge trade.

1059. When did that serge trade leave Totnes? Did it remain at Totnes longer than other towns of Devonshire?—No, it ran out, I think, something like 10 years after.

1060. After what?—After I came here.

1061. That would be about 1833 or 1834?—1834.

1062. And from that time has Totnes had any special trade?—No.

1063. What is the occupation of the people principally who live in Totnes now?—There are about seven solicitors, about the same number, six or seven medical men, about six or seven clergymen, some gentlemen not having duties at present.

1064. You mean clergymen of the Church of England?—Yes, the Church of England; then there are dissenting ministers. There are small dissenting places of worship.

1065. What does the bulk of the population get their living from?—Shopkeepers principally.

1066. Agricultural labourers are there here?—There are some.

1067. I suppose they live in Bridgetown?—No; different parts of the town. Some are employed by the inhabitants, some in the adjoining seats to work there, and also on the other side of the bridge.

1068. There is no export or import trade here?—Yes; we have two coal merchants, at least two corn merchants, and there is a large trade done by these two merchants.

1069. What are their names?—Bowden and Company.

1070. (*Mr. Coleridge.*) Is there no timber trade here?—A small retail trade.

1071. Shipped down the Dart?—Yes.

1072. (*Mr. Bere.*) There is Bowden and Company; what is the other name?—Stranger and Company. They are both large cyder merchants and corn merchants; and there are, I think, four or five other cyder merchants. There is a great quantity of cyder made in this neighbourhood and sent away from this county.

1073. (*Mr. Coleridge.*) Are many people employed in the salmon fishery here?—There are a few. There are one or two boats only; one boat I think; perhaps three or four hands.

1074. (*Mr. Bere.*) I did not ask you yesterday (about the first question, probably, which I ought to have put), how long has Totnes possessed the privilege of returning members to Parliament?—I think it was incorporated in King John's reign. It is a very old borough.

1075. 1259, I am told. Do you know whether that was the date?—I cannot answer the question.

1076. Were the freemen constituted by charter?—Yes.

1077. Is the charter in existence?—I cannot say; I think it might be found. Whether the charter is about I do not know. I do not recollect having seen it. It was, I think, some 50 or 60 years before I knew anything of the borough that something happened to the archives in the church. It was by a thunderbolt or something, and the documents, some way or another, got into different hands. I heard a gentleman tell me once, Mr. Francis Bentall, a son of one of the Bentalls whose family I spoke of, he told me some years ago that he had more documents relating to the borough than we had in the council chamber; so I concluded that by some means he had got them.

1078. Have you seen a copy of the charter yourself?—I have no recollection of it.

1079. You do not know what the franchise was that was given by the charter?—Only from hearsay.

1080. (*Mr. Coleridge.*) You said in the beginning of your examination yesterday that the boundaries, as increased after the Reform Bill, of this borough were not such as they would have been if you had taken a circle round the town fairly?—No, they were not.

1081. Was any remonstrance made as to the boundaries they would have taken in, supposing the line was made fairly, any remonstrance made, or feeling expressed, about this taking in of Bridgetown?—I heard there was dissatisfaction, but I know nothing of it myself.

1082. You do not know whether any remonstrance was made at the time?—I do not believe any active steps were taken.

1083. No agitation in the borough about it?—I heard it spoken of at the time. It was remarked that the then Duke of Somerset had taken care to get included the extent of territory on that side of the water which he possessed; and that on the other side, below here, all the country was left excluded.

1084. Was the whole of the property of the Duke of Somerset, immediately near Totnes, included in the borough, or has he any property adjoining to Bridgetown not included in the borough?—No; the manor of Bridgetown is the only part of his estate included. He has very extensive lands in the parish beyond the boundaries of the manor.

1085. The manor of Bridgetown was taken in its integrity and added to the borough?—Yes.

1086. How much of Bridgetown would have been taken, supposing there was a radius taken fairly round; how much of the portion already taken, supposing a proper part of Dartington had been taken with it?—Where would you take the central point?

1087. From this hall, where we stand; suppose a fair circle had been drawn?—They could hardly have done it nearer, except with a pair of compasses, than

THIRD DAY.

Mr. G. Presswell.

25 Aug. 1866.

they have done. For it commences from the Race Marsh and away to Seymour's Hutch; that is in the turn of the river opposite to the north-east, and it extends up to Harberton and goes to the top of the hill and comes round to the river, not a perfect semi-circle.

1088. Does that circle take in the whole of Bridgetown?—Yes.

1089. Would it take in any portion not taken into the borough?—No.

1090. (*Mr. Bere.*) You told me the parish of Dartington is within 400 yards of this hall?—Yes.

1091. Then if a mile circle had been drawn you must have taken in half a mile of Dartington?—More, three-quarters, I think.

1092. If you had taken this town hall as a centre, and described a circle of a mile, would you have taken in the whole of the manor of Bridgetown to begin with?—No, it would have been more than a mile from this spot.

1093. You would not have taken in the whole of the manor of Bridgetown?—No.

1094. You would have taken in a large portion of Dartington not within the borough now?—Nearly a mile.

1095. And as to Harberton?—One mile would hardly reach that.

1096. Any other parish besides the parish of Dartington?—It would take in Little Hempston parish.

1097. You have got the burgess roll now?—Yes.

1098. Tell me the number of the electors?—The last election 479.

1099. That is a good deal earlier than your list; 421 is your last list. Can you tell me how many of the 421 on the parliamentary roll who vote for the borough of Totnes are included in the 479 who are on the burgess roll?—No; a great many are not on the burgess roll; they are gentlemen farmers living in the neighbourhood.

1100. And do not come within your municipal boundary?—They do not.

1101. Can you tell me what proportion of the 479 on the burgess roll are voters on the parliamentary roll?—I cannot.

1102. Can you give me, in your opinion, what the cause is for the difference in the state of parties in the council and the state of parties in the borough?—In the borough the burgess roll is made up by the householders, large and small. If a man has a small tenement to himself, if it is only a place for which he pays 3*l.*, and he can say he is a householder in the sense of the Act of Parliament, and if he pays his rates and taxes, he has a right to be on the list, but a great number of them are not on the parliamentary roll. Then as to the parliamentary roll there are, I can hardly say, but perhaps about 100 or more on the parliamentary roll who have nothing whatever in the town.

1103. (*Mr. Longe.*) There would be a great many in Bridgetown not burgesses?—Yes.

1104. And in the parish of Totnes also?—Yes.

1105. Would the burgess roll include what you call the working class as distinguished from the trades class?—Yes, a great many.

1106. The parliamentary list, would that include the working class?—Not so many.

1107. Would it any?—Yes.

1108. They would come under the denomination of working men as distinguished from tradesmen?—Yes, there are many small tradesmen.

1109. A man would go in society as a working man and not as a tradesman?—Yes.

1110. Not agricultural work?—Perhaps gardeners, carpenters, masons, and probably the better class of labourers.

1111. (*Mr. Bere.*) In your opinion what politics prevail among the householders who have a smaller holding than 10*l.* holding. Are the majority Conservative or Liberal?—I cannot form an opinion upon it. I do not come to the registration courts, and I do not canvass the electors, therefore I cannot give that information that a great many persons in the town who take an interest in the canvass or attend the courts can give.

1112. The constituency from which the Corporation are elected is a different constituency from that from which members of parliament are elected?—To a great extent.

1113. (*Mr. Longe.*) There are burgesses in Bridgetown?—Yes.

(*Mr. Bere.*) We are much obliged to you for the information you have given us, and the manner in which you have given it.

Mr. P. Condy.

Mr. Philip Condy sworn and examined.

1114. (*Mr. Bere.*) What are you?—A brewer.

1115. Living at Totnes?—Yes.

1116. How long have you been living in Totnes?—Since 1836.

1117. Did you come to reside in Totnes then?—Yes.

1118. As a brewer?—As an innkeeper first.

1119. What inn did you keep?—The "Lion" inn.

1120. Have you taken considerable interest in the politics of this borough since you came to reside here?—Yes, I may say I have; not very much at the very first, but I have taken an interest in them.

1121. On what side have you taken an interest?—On the Liberal side.

1122. In July, 1837, I believe, was the first election that took place after you came?—Yes.

1123. Did you take an active part in that election?—No.

1124. That was when Lord Seymour, Mr. Parrott, and General Adams were candidates?—I suppose I voted at that, but that is all I know about the matter.

1125. Did you hear any gossip at that election, any rumour about bribery having prevailed then?—I attended one or two meetings to which the candidates invited the electors after their canvass from time to time.

1126. I mean with regard to this election of 1837?—Yes; I went on two or three different occasions during that election, and I heard nothing about bribery then with one exception,—I recollect a man getting on a stool and telling the meeting that he had been offered 10*l.* for a horse and cart. That is all I heard of anything like bribery in Totnes. It was a man called Bartlett; he has been dead now many years.

1127. Did he mention the name of the person by whom the offer was made?—I do not think he did; if so I have forgotten it.

1128. (*Mr. Coleridge.*) What was his christian name?—I forget.

1129. Was he offered the bribe by the Liberals or the Conservatives?—I suppose by the Conservatives because it was a Liberal meeting.

1130. Was he the only person who had been tempted at that time as far as you know?—He was the only person I ever heard of who was tempted at that time.

1131. (*Mr. Longe.*) Whereabouts is the "Lion" inn?—It is at the top of the town near the old castle.

1132. (*Mr. Bere.*) Now the next election was the 28th July, 1839, when Mr. Blount and Mr. Barry Baldwin were candidates. You remember that election?—Yes.

1133. Did you take an interest in that on Mr. Blount's part?—Not much. I was an overseer when the list was made, and I had to go to London as an overseer on the scrutiny which was talked about.

1134. Do you remember the election?—Yes, I do.

1135. Were there rumours of bribery at that election?—I believe there were no rumours of bribery at that election, but there was a great deal of treating.

1136. Was your house one of the places which was

open?—No, the old assembly rooms were taken for the purpose of a meeting on behalf of Mr. Blount, and the different landlords were to supply the parties.

1137. Who were paid by Mr. Blount afterwards?—I presume so.

1138. What landlord was there besides you?—The first was the landlord, I recollect, of the Kingsbridge inn, whose name was Penny. I do not know whether he is alive now.

1139. (*Mr. Longe.*) Who paid you yourself?—I do not recollect; I was paid by the committee.

1140. How much?—I was paid the very last meeting the day of the election, and I provided about 3 cwt. of dressed meat for refreshments.

1141. How much were you paid?—My bill amounted to about 50*l.*, and I believe the rest amounted to 50*l.* in the long run generally.

1142. 50*l.* each?—Yes.

1143. Each day?—Yes; each landlord.

1144. Did a landlord supply more than one day?—No, I think not.

1145. Did Mr. Blount's agent pay you for that?—Yes.

1146. Was that Mr. Windeatt or Mr. Tucker, do you remember?—I suppose it was Mr. Windeatt; he was the principal agent.

1147. Used you to get paid cheques or cash?—I do not recollect at all.

1148. Had you an account at the bank then?—No.

1149. You do not remember how you were paid at that election?—No.

1150. You, as an overseer, went up on the scrutiny?—Yes.

1151. Do you remember whether the petition contained an allegation of bribery and treating?—I heard you ask the question yesterday, and from my recollection of it I thought the petition did contain that, but that was withdrawn mutually.

1152. Was there a double return made at that election?—Yes.

1153. Who petitioned, Mr. Baldwin or Mr. Blount?—I think Mr. Baldwin. I presume both did, I am not certain.

1154. It did contain allegations of bribery and treating, but those were withdrawn?—Yes. The principal thing relied on was the scrutiny of the voters.

1155. But no scrutiny did take place actually?—No.

1156. There was a preliminary objection which was considered fatal to the election?—Yes.

1157. (*Mr. Longe.*) Why were the allegations withdrawn, do you know?—No.

1158. You do not know that?—No, I was not in the secret.

1159. (*Mr. Bere.*) Had Mr. Blount a committee then?—I do not know.

1160. You were not a member of it?—No.

1161. I suppose you have been a member of the Liberal committee since that time?—No, I have not. I have been asked to meetings when they have consulted as to, for instance, whether we should have Mr. Pender or anyone else; when a candidate has been talked of.

1162. When Mr. Pender was mentioned to the Liberals, were other gentlemen mentioned too?—Oh, yes.

1163. Can you give us their names?—I do not know whether I can tell the whole of them, but I was invited to a meeting, I think at Mr. Windeatt's office, where he had something to communicate to us, and that was a day or two after Mr. Mills died, and this communication was to the effect that some gentleman had waited on Mr. Windeatt to say that a friend of his would be a very excellent man for Totnes; he was a Manchester man, and was desirous of getting into Parliament. There were seven or eight at that committee, and the Duke of Somerset's steward, Mr. Michelmore, was there, Mr. Cuming, Mr. Chaster, Mr. Holman; I forget any more. A few of the friends of the Liberals were called together and the question discussed.

1164. You say that other gentlemen were suggested, do you remember the names of the other gentlemen?—We had a meeting the next day, and I think by that time we had seven candidates.

1165. All equally good men?—Mr. Seymour came down in the meantime, and there was a Major Lyon I think, and Mr. Probyn, I think, came from Devizes; and there was a gentleman stopping at the "Seymour," and some gentleman who came from Plymouth; I do not know who he was, but we had pretty nearly decided on having Mr. Pender at that time.

1166. (*Mr. Coleridge.*) Do you recollect the nomination at this election when there was a double return?—Yes.

1167. Do you recollect in whose favour the show of hands was?—No. I should rather think for the Liberals; at that time they were very strong in the borough.

1168. At what time were the allegations of bribery withdrawn? Was it before the objection was taken in the committee room or afterwards?—Before, I believe.

1169. Had notice been given of the objection beforehand?—No. I was not a committee man.

1170. Did you know that a formal objection was going to be taken to the return for the borough before you actually heard of it in the House of Commons?—I do not think I did. I heard of it casually somewhere, it might be going up to London.

1171. Did you hear the opinion of the late Lord Campbell that it was a bad return?—I heard that for the first time yesterday in this room.

1172. You did not know it before?—No.

1173. You say there was bribery going on on both sides on that occasion?—It was said so.

1174. I suppose the reason of the allegations of bribery being withdrawn was that one side could not stand any cleaner than the other?—I daresay.

1175. Was that your opinion?—Yes, perhaps it was. I did not know there was much bribery. I did not hear of it at the time. I have since.

1176. Can you suggest any other reason for withdrawing the allegations from the petition except that?—No.

1177. (*Mr. Bere.*) Did not you hear that Mr. Baldwin had spent nearly 2,000*l.* at that election, and that Mr. Blount had spent 1,500*l.* or 2,000*l.*?—No, I did not know what they had spent.

1178. (*Mr. Coleridge.*) Do you recollect what the allegations of bribery were?—I never saw them. I did not take any particular interest. I was going up as overseer.

1179. (*Mr. Longe.*) You did not know anything about the club at the "King William?"—No.

1180. (*Mr. Bere.*) In 1840 did you take any interest in the election when Mr. Baldwin and Mr. Guy Gisborne stood?—That was the election subsequent to the scrutiny. I voted. I do not think I took much interest in that.

1181. Was your house open then?—No; I do not think there was anything like a meeting at my house, from my recollection. I do not know.

1182. Do you not know that at that election there was a good deal of bribery?—I daresay there was.

1183. You do not know personally yourself?—No.

1184. Did you hear of it at the time?—Common talk.

1185. Have you any doubt that a great deal of money was spent at that election?—No, I have no doubt of it.

1186. (*Mr. Longe.*) Where was Mr. Baldwin living at the time of that election?—At Torquay, I believe; I do not know whether he was or not; he did live at Torquay afterwards.

1187. Was he much in the town?—During the time of the election.

1188. But before that?—Yes, he had before that, because he purchased the Gerston estate and they were laying it out.

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1189. And then came that election?—Yes.

1190. (*Mr. Bere.*) Who is the owner of the Gerston estate now?—The Duke of Somerset, I believe.

1191. When did the duke buy that?—About four years ago, I should think.

1192. A good deal of money having been spent in 1839 and 1840, do you remember the election of July 1841, when Lord Seymour and Mr. Baldwin were returned unopposed?—Yes, I do. That was when Mr. Petre was here.

1193. Where did Mr. Petre stay?—At the "Sey-"mour," I believe.

1194. And Mr. Teed, was he here on the Conservative side?—Yes.

1195. They were here a day or two before the nomination?—Yes.

1196. Did Mr. Petre canvass you?—Yes; I believe Mr. Petre was at my house at a meeting one evening.

1197. What meeting was that? How long before the nomination?—Two or three days before the nomination.

1198. What passed at that meeting about the election?—I was the waiter at that time; at least I was attending to the waiting.

1199. You were in and out of the room?—I was in and out of the room, and heard nothing but the speeches. It was a general meeting, and anybody who was there would come in. Mr. Petre made a speech and then went away.

1200. Were you on Mr. Petre's committee?—No.

1201. Who was?—I do not know. One active man was Mr. Webber, and Mr. Windeatt perhaps.

1202. Was Mr. Windeatt there?—I do not know.

1203. Do not you recollect seeing him there?—No. Probably he might be there.

1204. How many men were there?—50 or 60.

1205. Have you a large room in your inn?—Tolerably large; it is my bedroom now.

1206. They met there?—Yes.

1207. And then Mr. Petre spoke, did he?—Yes.

1208. Was it to announce his retirement?—No.

1209. Did he express hopes then that he would succeed?—Yes. I recollect being at one meeting at the assembly rooms, where he made a speech also.

1210. How many days before the election was the meeting at your house?—I do not know. Two or three, I should think.

1211. But he retired before the nomination, did not he?—Yes, I presume the day before.

1212. When did you first hear that he was going to retire, and from whom?—I do not know from whom.

1213. Did you hear from himself?—No; he was gone, I think, the first I heard of his having retired.

1214. Did you hear that Mr. Teed retired because the Conservatives wanted too much for their votes, or what was the reason?—I do not know that I heard any reason, but perhaps I can give you some information on that. Lord Seymour called on me; and by the bye I had been told before by a member of Lord Seymour's committee that he thought our committee, as I call myself one of the Totnes Liberal committee, had not treated them fairly, as they had asked Lord Seymour's committee to assist them with funds, and they had no objection to do so, but they said, provided Lord Seymour and Mr. Petre could not both be carried, Lord Seymour thought he should have the priority, and I confessI thought so too, and I mentioned it to one or two of my friends when they came in next day for a glass of ale, and we were all of that opinion, and we took upon ourselves to go to Mr. Petre and tell him that we thought so.

1215. Then Lord Seymour had a committee?—Yes.

1216. And where did the committee sit; the "Sey-"mour Arms?"—Yes, I suppose so; it was Bridgetown.

1217. Was Mr. Thomas Michelmore a member of that committee?—Yes.

1218. And Mr. Holman?—Yes. The present Mr. Holman's father told me this.

1219. He was a member of Lord Seymour's committee?—Yes.

1220. Did those committee men act also for Mr. Petre?—No.

1221. You were on his committee?—No.

1222. You were on the committee of the Liberals?—No, I was not on any committee at all. We took it into our heads to go to Mr. Cuming, who was a leading man on Mr. Petre's side, to give us his promise.

1223. Was Mr. Petre a candidate of the "Seventy-"third?"—The "Seventy-third" was broken up at that time.

1224. Many of them were Conservatives at that time, were not they? Did not the remains of the "Seventy-third" constitute the nucleus of the Conservative party of Totnes?—No. Several were; they were broken up.

1225. Were they not distinct from Lord Seymour's party, the Liberal party?—No; they were very much of the same sentiment, and were wishing to act together, but they each had a separate committee.

1226. How many electors were there of what we call the Liberal section?—I do not know.

1227. You can tell us about?—About 320.

1228. I mean altogether, the gentlemen who acted with you all together?—Do you mean the committee?

1229. What you call the Liberal Association?—No. We were about in proportion, I should say, of 4 to 1 of what you would call the Seymour party properly.

1230. As many as 4 to 1?—I believe there were.

1231. In Totnes?—Yes.

1232. At that time if Lord Seymour and Mr. Petre had gone to the poll, would the chances have been that Mr. Petre would have been elected?—It was thought so.

1233. Was that opinion arrived at because Mr. Petre was spending money, and Lord Seymour was not?—No, I think not. I think for some cause or another Lord Seymour was unpopular, and got very few promises in Totnes at that time. I do not know why.

1234. Did Lord Seymour canvass you?—Yes, he stayed a quarter of an hour to explain this very point, about the promise that I was telling you of, he understanding that he should have the priority if the two were not returned.

1235. Between whom was the understanding?—It was an understanding that he wished to be come to. He wished an understanding should be come to, that, being a Liberal Association and his committee, he should have the priority of Liberal voters if Mr. Petre and he should not both be elected; and he said, "If I ask my friends to support Mr. Petre, I think I "am entitled to priority. If not, I shall ask my "friends to take care of themselves." I thought that very reasonable, because Mr. Petre was a new candidate.

1236. (*Mr. Longe.*) Was there some fear as to the Liberals splitting their votes?—Mr. Baldwin stood strong then, and either Mr. Seymour or Mr. Petre would have gone to the wall.

1237. We have been told that Lord Seymour always set his face against spending money, and you said you did not know the cause of his unpopularity at this time; was it that he did not spend money?—No; because he did not go heartily with the Liberal party of Totnes, professing Liberal principles, as they thought he should do more heartily than he did, to return two members. I do not mean with regard to bribery.

1238. (*Mr. Longe.*) I suppose the Liberal party had been weakened by the influence of Mr. Baldwin?—Yes, certainly. Just about that time, I think, a great effort was made to improve the position of the Conservative party here. A great many tradesmen who had been Liberal, and some whose names I have read of in the account of the reform holiday, and who wrote mottoes over their doors, had great influence round about the town, which was used to promote Conservative interests.

1239. (*Mr. Coleridge.*) At this 1841 election did

Mr. Baldwin spend as much as he had before ?—I am sure I do not know.

1240. Was it the general report that money was going the same as it had gone previously ?—I have heard such things as saying that Mr. Baldwin had not spent less than 2,000*l.* or 3,000*l.*

1241. That was in 1841 ?—Yes.

1242. Did Mr. Teed spend any money, or come in under Mr. Baldwin's wing ?—I think he came under Mr. Baldwin's wing. Some time before that four bullocks were brought into the town and given away, and they were called Baldwin and Teed's treat.

1243. Do you know who supplied the bullocks ?—No.

1244. You do not know who paid for them ?—No. I recollect seeing them going through the town with blue ribbons.

1245. Do you know of any money being spent ?—No, I do not know of anyone who has been paid, and I may say that I always took great care not to know it.

1246. When this report was going about that Mr. Baldwin had spent 2,000*l.* or 3,000*l.*, was it necessary for the Liberal party to counteract that influence ?—Yes.

1247. And you have heard some say they did counteract that influence ?—Not at that time.

1248. You took care not to ; but shortly afterwards, I suppose ?—Mr. Petre retired from the contest.

1249. Was no money spent before he retired ?—I do not know.

1250. You do not know whether any money was spent on the Liberal side ?—No.

1251. Only on the Conservative ?—I do not know on the Conservative ; I am giving impartial evidence. I do not know that there was.

1252. As far as you know, you heard Mr. Baldwin had spent money ?—Yes.

1253. (*Mr. Bere.*) Did you hear that 30 or 40 men were standing out for sums for their votes ?—I do not recollect that I did at that election.

1254. (*Mr. Longe.*) You say the Conservatives were very active, was that in Mr. Baldwin's interest personally, or was it politically ?—I think it was politically.

1255. A matter of political principles ?—Yes.

1256. Who were these Conservatives ; do you know any of the leading men who brought about this change ?—I mean the country gentry, and people of the town and neighbourhood generally. I do not know whom to name as taking more interest than any other. Mr. Bentall was one, and Mr. Adams another, the Conservative gentlemen of the town generally ; they were trying to promote their interests, as we were ours.

1257. (*Mr. Longe.*) That was the principal moving cause of the rise of the Conservative power ?—Yes, I think so. I think at the time Mr. Baldwin came into the borough there was a very great difference, bribery was never thought of. After Mr. Baldwin came here, Mr. Parrott, who was comparatively a poor man, and saw an expensive system was coming about, retired.

1258. He retired ?—To let in Mr. Blount to fight the battle with Mr. Baldwin ; he did not wait for the general election.

1259. Did Mr. Baldwin exercise any influence in any other way than direct bribery ? As a landlord did he ?—I do not think he did. I think there were efforts to make votes from the Gerston estate. While I was overseer I recollect that there was a batch of nine voters on one property, property rated at 90*l.*, buildings thrown in to a farm yard ; but one had not paid his rates, and another said, " You must go to the " agent, Tom Welch," and so on, so that the revising barrister said he would cut them off.

1260. (*Mr. Coleridge.*) Was there any paying up of rates shortly before the election ?—I dare say that has been done.

1261. Do you know it has been done, you have been overseer ?—I have heard it spoken of.

1262. Have you never known it to be done once since you were overseer ?—When I was overseer there was not so much going on as in the early part of political things.

1263. Do you recollect being extraordinarily fortunate in collecting rates shortly before an election ?—No, and I will tell you why. When I was overseer there was a new valuation of the parish going on, and four of us overseers had to pledge our own credit to the bank to draw as much as 500*l.* to pay the calls of the union, before we could get hold of the rate book to collect.

1264. So that you took very good care to get the rates ?—Yes ; at the end of the year we had nothing to do but to collect.

1265. Then there were about four rates in arrear ?—No, three, about.

1266. As I understand, it was your interest, as being made personally liable, made you use extra exertions to get the money ?—No, why I mentioned it was to show that I had no reason for recollecting people coming to pay up the rates.

1267. But you believe it has been done since ?—Yes, I think it has.

1268. Openly done in the vestry ?—Yes, I think it has.

1269. (*Mr. Bere.*) Was there any person politically interested with Mr. Baldwin as representing him at the time that you remember, and if so, who. You say he was not living here ?—I should say that Mr. Edwards was transacting his business at that time.

1270. Do you remember the election of 1847, when Lord Seymour, Mr. Baldwin, and Mr. Ricardo were the candidates ?—Yes.

1271. Mr. Ricardo was unknown in Totnes, and came down from London ?—Yes.

1272. Did he come down as the candidate of the Liberal association ?—I do not know how he came down.

1273. You knew nothing about his coming here ?—No.

1274. Who were the principal people on the Liberal side at that time ?—Much about the same, Mr. Cuming, Mr. Windeatt, Mr. Holman, and Mr. Trehayne, who lived in the town at that time, and Mr. Ferris.

1275. Did Lord Seymour bring Mr. Ricardo down, or was he brought down as an independent candidate ?—I believe he was an independent candidate.

1276. Do you know that he had an independent committee ?—Yes.

1277. Did he at all canvass with Lord Seymour ?—I do not think he did.

1278. At that election did you hear a good deal about bribery ?—Just the same as the year before.

1279. Did you hear that Mr. Ricardo had spent all the money on one side, and Mr. Baldwin on the other ?—The bribery was between those two.

1280. Did you hear what sum was spent ?—No.

1281. Did you hear of the understanding which had been come to between the Seymour party and the Baldwin party ?—I have heard it alleged many times, but I never believed it did occur until Mr. Presswell said so yesterday, and that he had seen the document.

1282. Do you believe if it had not been for that, Mr. Ricardo would have been seated as the member ?—When Mr. Teed went away, Lord Seymour had had some promises, and he said, " I shall canvass the " Conservatives for the second vote." I am afraid I am thinking of Mr. Petre's time.

1283. Do you know whether the Liberal association were then going to split their votes for Seymour and Ricardo ?—I do not know ; there was a strong feeling with some.

1284. You yourself split your vote for Seymour and Ricardo ?—Yes.

1285. Did you know Mr. Trehayne ?—He was one of the committee.

1286. On Mr. Ricardo's committee ?—Yes.

1287. Mr. Satchell ?—No.

1288. Mr. Green ?—No.

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1289. Were those three gentlemen members of the Liberal association?—I do not know that there was a Liberal association.

1290. Or whatsoever name you may choose to call it?—They were Liberal voters.

1291. Was Henry Scrivener another?—I do not recollect his name.

1292. Mr. Samuel Hill?—He has usually voted with the Seymour interest.

1293. Mr. John Payne?—I do not know; he is dead now.

1294. The understanding which Lord Seymour managed to obtain in the election of 1841 was not adhered to in 1847, by the Liberals who voted for Mr. Ricardo also giving a vote for Lord Seymour, all of them?—Not all of them.

1295. Then Lord Seymour canvassed the Conservatives to get their second vote?—Yes.

1296. Lord Seymour made this arrangement on the understanding with the Conservative party that he was to get the second vote?—I do not know whether he canvassed the Conservatives then or not; he was always considered to be perfectly safe.

1297. (*Mr. Coleridge.*) Was there not an understanding that Lord Seymour was to back up the other Liberal candidate as far as he could?—We thought he ought as he belonged to the Liberal party, and many of the voters were then earnest reformers.

1298. Do you know any instances of the Seymour influence being used to induce persons to vote against the other Liberal candidate?—No.

1299. You never heard of any active influence being used on behalf of Mr. Baldwin?—No.

1300. The memorandum we have been speaking of referred to 1847, then certain votes were given for Mr. Baldwin which otherwise would have been given for Mr. Ricardo?—Just so.

1301. What sum did you hear that Mr. Ricardo had spent at that election?—I do not know.

1302. Was it a good deal of money?—Yes, the election was carried on much in the same way as others.

1303. Do you know who managed it for Mr. Ricardo?—No.

1304. Had he any solicitor down here from London?—That I do not know.

1305. Did he stay at the "Seymour Arms"?—Yes.

1306. Did he canvass with Lord Seymour?—I think not.

1307. (*Mr. Bere.*) You remember Mr. Mills being introduced to the borough?—Yes.

1308. He was a stranger to Totnes, brought down in the same way as Mr. Ricardo?—Yes.

1309. He came down and spent money here?—Yes. I think there were two or three gentlemen went up to London and saw Mr. Mills, whether at the Reform Club or not I do not know.

1310. Who were those gentlemen?—I think I heard that Mr. Charles Webber went, I do not remember any one else.

1311. But you must have known them?—I do not recollect them now. I really do not know whether Mr. Ferris went up; he took a very active part in that election.

1312. Is he alive?—I presume so; he lives in London, he has left here some 10 or 12 years.

1313. So far as you know a deputation went here to the Reform Club?—They went up to see him; whether it was at the Reform Club or not I do not know.

1314. Did he stay at the "Seymour Arms?"—Yes.

1315. Did he have a separate committee from Lord Seymour's?—Yes.

1316. He was returned?—Yes.

1317. (*Mr. Longe.*) That was a great event in the town?—Yes.

1318. Do you not remember the sum that was then spent?—I dare say there was a good deal of money spent. I know nothing about the sum.

1319. Do you know the "King William?"—No.

1320. Were there other public houses?—No.

1321. (*Mr. Coleridge.*) That was the first time that two Liberals had been returned for Totnes?—Yes; after Mr. Baldwin came.

1322. I suppose Mr. Baldwin in the meantime had bought the Gerston estate?—Before he came.

1323. In spite of that he was turned out?—Yes.

1324. How do you account for that?—Opinions change; Mr. Baldwin's popularity was waning at that time.

1325. (*Mr. Bere.*) All his money was gone, was it not?—I do not know.

1326. (*Mr. Coleridge.*) Do not you think there must have been some operations on Mr. Mills' part to make him, a perfect stranger, turn out an old friend like Mr. Baldwin?—I can answer for myself, that I should have voted for the stranger instead of Mr. Baldwin, the one being a Liberal, the other a Tory; on that principle a number of Liberals voted.

1327. You are not a case in point; you were always Liberal. Can you understand those who had formerly voted for Mr. Baldwin suddenly turning round and voting for Mr. Mills?—I cannot, unless they were bought.

1328. It was a monetary influence?—Perhaps so.

1329. At first you thought that Liberal opinions were gaining ground in Totnes; that is not your deliberate opinion?—It might be so. At that time free trade principles were prevailing very much, and the Liberal feeling amongst independent people was running in that direction.

1330. Do you think that was sufficient without their being bought?—No, I do not.

1331. You thought you were treated a little hard by the Seymour party?—We thought so at one time.

1332. You agree with the others, I suppose, that Lord Seymour never spent any money at all?—I do not believe he did.

1333. (*Mr. Bere.*) At the election in 1852, did you hear that a large sum of money was found for Mr. Mills?—No; I know nothing about the monetary affairs at all.

1334. Did you not hear that he himself had not found the money; but that some gentlemen in the town of Totnes had found it for him?—I never heard that.

1335. When Lord Seymour became the Duke of Somerset Lord Gifford was elected without opposition?—Yes.

1336. Did Mr. Baldwin spend any money at the last election?—I dare say they did both.

1337. Did you hear whether the prices had gone up?—I do not think I did.

1338. What is the largest sum you have ever heard paid for a vote in Totnes?—I do not know that I have ever heard anything more than rumour.

1339. What rumour?—I have heard people talk of 40*l.* and 50*l.*, and so on; I cannot speak of anything within my own knowledge.

1340. (*Mr. Coleridge.*) You stand high in the corruption market?—Yes.

1341. They do not think of taking 2*l.* or 3*l.*?—No.

1342. (*Mr. Bere.*) In 1855 Mr. Mackenzie came down as a candidate, but he did not go to the poll?—No.

1343. Did you hear that that was because too much money was wanted?—No.

1344. Do you know anything of that election?—It is within my knowledge that there was a better understanding at that time between the Seymour interest and the Liberal interest in Totnes; and from the state of the register I do not believe that Mr. Mackenzie had the slightest chance against a man like Lord Gifford, who was a very promising man.

1345. How was he known in Totnes?—He was recommended by the Seymour interest.

1346. He was a greater favourite than Lord Seymour?—The people liked him very well when he was here; but we saw little of him, for he was ill a great part of the time.

1347. Did he do anything for the town?—I did not hear that he did.

1348. Not beyond the ordinary subscriptions to charities, and so on?—I do not know.

1349. What influence had Lord Seymour in particular?—I suppose from the duke's owning so much land round the neighbourhood. Before the votes were made I think the duke's interest in Totnes was not so great, to have an influence on the tradespeople, as was the Conservative interest.

1350. Now that the duke has the Gerston and Bridgetown properties he has got it all?—Not all.

1351. But it gives a greater preponderance to that side?—Yes; I do not know that there is any one there who would support Mr. Baldwin now that the vote making has dropped for a time.

1352. (*Mr. Coleridge.*) Do you know a Mr. Samuel Huxham?—Yes.

1353. He is the son of the rector?—He lives at the rectory.

1354. In 1852, do not you know that Mr. Huxham, the father of this gentleman, Mr. Charles Webber, and Mr. Joseph Ferris advanced several thousands of pounds to Mr. Mills to prosecute the election?—Now you have mentioned it, I have heard something of the reverend gentleman having been answerable for some money, but not to that extent.

1355. Do you know what sum they were answerable for?—No, I do not.

1356. What became of the money?—I dare say it was spent for the purposes of the election. I have no doubt about that.

1357. (*Mr. Bere.*) Was your house open in 1852?—No.

1358. Were the assembly rooms used as a place of meeting?—Yes.

1359. Did the landlords send the refreshments there?—None were sent there; I think that system has been dropped.

1360. They prefer the actual coin now?—Yes.

1361. When did the system of making votes begin at Totnes?—It began about 1838 or 1839.

1362. Where did it begin; on the Bridgetown estate?—I do not recollect; I think there must have been one or two in Gerston before.

1363. That is on the Totnes side?—Yes; whether there were on the Bridgetown side or not I do not know.

1364. Between 1832 and 1833 the voters in Bridgetown increased from 19 to 39. You did not know of that?—No.

1365. There was a very great increase in Bridgetown between 1841 and 1847; there being only 66 in 1841, in 1847 there were 97. The system had began to work in Bridgetown pretty strong at that time?—I dare say it had.

1366. You know it had?—Yes, I do. Perhaps the register was better looked after, and votes might have been added in that way. I dare say voters were being put on then wherever they could put them on.

1367. By taking a piece of land, or letting a farm out, say, of the value of 50*l.* a year, a person put certain buildings on it and got five people as tenants, each of the men getting a vote?—I do not think there was any instance of anything like a company until within the last few years. There was a large field, part of the marsh ground in Bridgetown parish which lets for 30*l.*; at one time there were three votes upon it; I believe now there are only two.

1368. What were the buildings put upon it?—Only a shed for cattle to go in.

1369. That was the common way in which votes were manufactured?—Yes.

1370. (*Mr. Coleridge.*) How many of those 90 voters would have a house worth 10*l.* a year?—Perhaps 30.

1371. Were there as many as 30 houses worth 10*l.* a year?—From 20 to 30. You can judge for yourselves if you look through the town. Bridgetown is the same now as it was then, with the exception of five new villas, which have been put up by the building society.

1372. You include those in the 10*l.* houses?—Yes; otherwise Bridgetown is the same now as it was 30 years ago.

1373. (*Mr. Bere.*) The great increase in Totnes was between 1840 and 1841; was that done in the same way?—I really do not know; I dare say it was done pretty well in the same way. There is a good deal of difference from one register to another as to whether it has been well worked or not. Sometimes it is neglected, sometimes it is not.

1374. Was that not done on the Gerston estate?—I dare say it was.

1375. My impression is that the votes were put on in 1840 and struck off the register in 1846, because they were not good votes?—Not because they were not good votes. The property might have changed hands, and the proper thing to be done as to the register might not have been attended to.

1376. Or the buildings might have been let down?—Yes.

1377. (*Mr. Coleridge.*) There was a wholesale massacre of the innocents at one time, was there not; a great many of them went away?—I do not know about that.

1378. How were the votes made on the Gerston property; in the same way, by dividing a field, or how?—Yes, they were.

1379. Tell us what you know about that, and why the votes were made there?—I believe during most of the period in Mr. Baldwin's time they were made in twos and threes. Since the duke has had it, it has been let in the same way until within the last two or three years, when they have been put into a company.

1380. After Mr. Baldwin's time that system was put in force at Bridgetown?—Yes; he was the first that I recollect who put nine on. They were fields on the Gerston estate, with a large building in the yard, which was let for 90*l.* or 95*l.* a year.

1381. Was it worth 90*l.* a year?—I presume so.

1382. He had nine votes there?—Yes.

1383. Where there had been but one vote before he got nine?—I do not know that there was any vote there before.

1384. (*Mr. Bere.*) Do you remember young Mr. Durant's vote being struck off?—I do not recollect being present.

1385. The election of 1857 was when Mr. Mackenzie came down?—Yes.

1386. And Mr. Gregory; they were the Conservative candidates?—Yes.

1387. Was there a good deal of money flying about then?—I do not think there was; I should not have thought so until I heard what came out yesterday, that any money at all had been spent at that election. The state of the poll was such that Mr. Mackenzie had no hope of being returned, and there was no occasion for money to have been spent.

1388. Was there any splitting of the Conservative votes with the Seymour interest?—I do not know how they polled.

1389. The numbers show 180 as against 57 for Mr. Gregory?—Mr. Gregory was put up for the purpose of taking some second votes which would have gone the other way.

1390. Did not Mr. Mills spend a great deal of money at that election?—I do not think so, there was no necessity for it.

1391. You were on his committee?—No.

1392. Where they the same gentlemen whom you mentioned before?—Yes, much about the same; they generally managed the election.

1393. In the election of 1847, when Mr. Ricardo was beaten, do you remember how the poll stood at 3 o'clock on the polling day?—Just before the close of the poll it stood within five I think.

1394. Was Mr. Baldwin two a head?—Mr. Baldwin was three a head at the close of the poll.

1395. Had the constituency been so carefully worked up that there were only five left to vote?—

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I was told that there were two who could have polled but they could not get them up in time for the election.

1396. Were not the five, Callender, the two Underhills, George Field, and Richard Cross?—As to the Underhills they were the parties spoken of by Mr. Presswell as having been compromised in the registration court.

1397. Had Cross and Field been voters in the Liberal interest up to that time?—Yes always.

1398. Did you not know of the transaction as to the Underhills, and Cross and Field?—Not until the other day.

1399. Did they not come to you at Fogwell's?—I never saw them there. I was told of it; they came in here in the morning to vote and Mr. Michelmore said they must not poll; if they did he had others who should vote against them.

1400. That was Cross and Field?—Yes.

1401. Were you not at Fogwell's house that day?—I might have been.

1402. Were you not on the committee?—I was not; I went with a carriage to meet a gentleman who had been sent for from London to come down by the express train, that was the most active thing I did.

1403. Who was that gentleman?—He was a Mr. Sampson who had gone away from here and lived in the neighbourhood of London. A person had been sent up to try and get him to come down and vote. That person had 5*l.* given to him to pay his expenses down, and the gentleman had promised to meet him at the railway station and come down by the express train; the gentleman did not come, but I do not think the man ever returned the 5*l.* I went with a carriage to meet him but he did not come.

1404. These five men whom I have just spoken of were Liberals were they not?—Yes.

1405. The two Underhills and Callender?—I do not think Callender was a Liberal; I do not recollect; he was formerly a Tory, I think; he has been dead now some time.

1406. Do you know a man named Thomas Stone?—Yes, I know his name.

1407. Do you remember his coming to Fogwell's to the committee-room on that day?—I did not see him.

1408. Are you quite certain of that?—I was very little in the room, I took no particularly active part.

1409. Did you not hear a proposal made that Callender and the two Underhill's should vote for Mr. Ricardo at half-past 3 o'clock on that day?—No, I do not believe that I did; I have no recollection of it.

1410. And that the reason why Callender was going to vote for Mr. Ricardo was that although he was a Tory he was to have 100*l.* for doing so?—No I did not.

1411. You did not hear the question asked whether Mr. Michelmore would not make Cross and Field vote for Mr. Baldwin?—I did not.

1412. (*Mr. Coleridge.*) You do not recollect Lord Seymour or his agent canvassing for Mr. Baldwin?—No, I do not believe that they ever did.

1413. Do you know Mr. John Perrott?—I do.

1414. In 1847 did Lord Seymour and his agents call on him and canvass him on behalf of Mr. Baldwin?—I do not know that they did.

1415. Have you ever heard of that?—I do not know that I have.

1416. You had better think of it, and see whether you cannot remember it; was there no scandal then current about the town regarding it; was it not said that it was a very strange thing that Lord Seymour and his agents should go about the town canvassing on the Conservative side?—I am sure I do not know. I think I remember something being said about Mr. Perrott's not voting.

1417. What was it that you then heard; will you tell us what you heard about Mr Perrott's not going to vote?—I heard that Mr. Perrott was not going to vote.

1418. Do you not know whether that was after the visit of Lord Seymour and his agents?—I do not know that of my own knowledge.

1419. Was he in the habit of voting do you know?—Yes, he was.

1420. How did he vote?—He voted for the Liberals.

1421. Did he vote in 1847, do you know?—I really do not know that, there was something said about his not voting.

1422. Was there not something else said about it at the time?—Not that I remember.

1423. There must have been something else said; you must have heard some reasons given?—I do not recollect what were the rumours of the day or what were the reasons that were assigned.

1424. If you recollect the fact at all, cannot you remember what it was that was said, there must have been something given as a reason for it?—I do not recollect the reasons that were given. You will easily be able to get at that.

1425. Do you know is Mr. John Perrott still alive?—Yes.

1426. In 1847 when Perrott was not going to vote do you not know that he eventually plumped for Lord Seymour?—I have forgotten it if I did know it.

1427. You do not know that instead of splitting his vote between Ricardo and Seymour or between Seymour and Baldwin he plumped for Lord Seymour?—From your mentioning it there may be something about it; but I really had quite forgotten it.

1428. Do you not recollect hearing Lord Seymour or his agents pressing him to vote for Baldwin, and he said he could not vote for Baldwin he had promised Ricardo, but he threw over Ricardo and voted for Seymour?—I do not recollect.

1429. Do you recollect some influence having induced him to throw over Ricardo and plump for Lord Seymour?—I did hear something of it.

1430. Did you hear what the influence was?—I did not.

1431. (*Mr. Bere.*) Mr. Mills came over those two times and then Mr. Dunn appears as a Conservative on the scene, did he spend a good deal of money in 1859?—I dare say he did.

1432. Mr. Mills, did he?—I dare say so.

1433. Do you know what the price was then?—No. There were no plumpers I believe.

1434. You did not hear anything of it?—No, nor do I personally know of it.

1435. I will ask this general question with regard to recent elections, the elections of 1862, 1863, and 1865 in all of which Mr. Pender has been a candidate, and twice Mr. Dent thas been a candidate, and at the last election on the Conservative side, and at the last election Col. Dawkins and Mr. Pender; from what you have heard have not very large sums of money been spent on both sides?—I believe there has from what I have heard.

1436. Have there not been a number of men whose voting is always uncertain, who have been influenced by the offer of bribes?—From what I have seen of the parliamentary proceedings I am led to believe so to a far greater extent than what I thought before.

1437. What number before this election of 1865?—I do not know of any number in particular. I know the number mentioned 50 to 75 is very much exaggerated.

1438. You do not think that now that is under the mark?—No, that is outside the mark now.

1439. What sort of class of men were they who took the bribes?—I know more from the report than I know else.

1440. You know from what you have heard what class of men they were, small shopkeepers and that class?—Yes, I think so, in many instances.

1441. In almost all instances were they not?—Yes I think so.

1442. (*Mr. Coleridge.*) You yourself have canvassed the borough more than once?—Once for a

municipal election, my own election for town councillor.

1443. (*Mr. Bere.*) You are a town councillor?—Yes.

1444. Did you find money expected for that too?—No, though I believe of late years something of that sort has crept in. 14 years ago I was elected and I found a custom for every labouring man to have half-a-crown for his day's work, and to spend something for a breakfast.

1445. What is the custom?—The year before last when I was a candidate also, I was told as much as 1*l.* a man was paid, that is 4*l.* for the four on one side was paid. I have reason to believe that a great deal of money was spent on one side. I did not take the trouble to canvass. I was particularly requested to take up a question in the town council on behalf of some water works that we had erected. I was told it was unnecessary to canvass having been in the council so long I had not reason to be afraid of not being elected.

1446. Do you consider that the corruption of Totnes originated in the municipal elections or in the elections to return members to Parliament, which do you believe was the origin of it?—They were pretty much simultaneous.

1447. We know that bribery had begun in 1839 for members of Parliament, and yet you say there was no bribery at municipal elections except this one three years ago, or except the half-crown a day?—Except the half-crown a day.

1448. Do you know when the bribery originally commenced in the municipal elections three or four years ago?—Within the last seven years.

1449. You say the bribery for members for Parliament commenced at the municipal elections?—I was alluding to the half-crown and the breakfast.

1450. It is both sides that bribed equally at the municipal elections?—I believe, lately, bribery has been far more on the Conservative side; I have every reason to believe it.

1451. Was that the reason of the majority of Conservatives in the council?—Yes, that is one. The principal is this, when soliciting in the committee room, and the list of polling came, many voted for the last four Conservatives who would have voted for me if it had not been for peculiar circumstances and influence and the advantage of this money.

1452. They believed you would be short coming?—They would have had nothing from me.

1453. If you had treated them as the other side they would have voted for you?—If there had not been any bribery at all, 20 or 30 would have voted for me.

1454. Do you know any of the voters, who voted at the municipal election against you as a Conservative member, who voted in the Parliamentary election for the Liberals?—No, not as a body, I do not suppose there were.

1455. You think they go pretty well together in municipal matters and political?—Yes.

1456. Is it your opinion, generally then, that the corruption of Totnes commenced as long as you have known it?—When I told you I heard of a man being offered a horse and cart, that was in 1837; that was the first thing I ever heard.

1457. To what cause do you attribute Totnes suddenly becoming corrupt?—I believe the principal thing that gave an impetus to it was when Mr. Baldwin came down here and bought an estate, and I think there was a reading room opened for whist parties, originally called Crockford's; at that time the political meetings were at the inn and were called Punch's meetings, and people began to think there was going to be a lot of money.

1458. You attribute the corruption of Totnes in the beginning to Mr. Baldwin?—I think that was it.

1459. And then continued on by both parties successively since?—Yes.

1460. Successfully?—And successfully.

1461. Have you any notion within 10,000*l.*, how much money has been given for corruption in Totnes within the last 15 years?—No, I cannot say.

1462. Think it over, and find how much Totnes benefited by having the privilege of returning two members to Parliament?—I have always argued that Totnes would be better without it.

1463. How much money do you think has gone to the good in the last 15 years owing to this privilege?—A couple of thousand pounds on an average of four elections.

1464. Do you say 10,000*l.* or 15,000*l.* is all the that benefit Totnes has got from this privilege within the last 15 years?—I do not know.

1465. Suppose I said 100,000*l.* within the last 15 years?—I do not know.

1466. Do you think 50,000*l.*?—I should think 50,000*l.* would be the outside of it.

1467. (*Mr. Bere.*) What do you think the effect has been of the Duke of Somerset having a large landed property outside of Totnes, and having Bridgetown, and being able by means of that to create votes, do you think that has been the cause of the party against whom he was acting having had recourse to bribery in order to maintain their position in the town?—No, I should not think that, I think the Duke of Somerset, as far as I am individually concerned, has been acceptable to the voters.

1468. I do not mean that, but the fact of a person who was a Liberal being able to command a very large quantity of Liberal votes, would that, in your judgment, render it necessary for the parties opposed to him to resort to unjustifiable means to get votes?—Perhaps it was so; but I think in two or three elections they have been resorted to in an unjustifiable way, because, seeing the majority at the last election the Tories were not justified in bringing two forward.

1469. Not to benefit the town of Totnes?—I should have been uncommonly glad if they had not.

1470. You would like to see Totnes disfranchised?—I should like to see it purer than it is.

1471. Do you know the expression "following "in the chains?"—That is meant to allude to the Duke of Somerset's influence, that he drives his tenants to the poll. I believe there is a great deal of bosh about it. I believe no great number have been turned out.

1472. Who is the Duke of Somerset's steward at the present time?—I believe Mr. Jeffery Michelmore; his father is dead.

1473. Mr. Jeffery Michelmore?—Yes.

1474. Mr. Tom Michelmore?—Was the steward.

1475. After the election did any who voted against the duke's influence not get turned out?—I have heard Mr. Jeffery Michelmore say that, "No tenant "who sold his vote for money shall remain on our "property."

1476. That is the purity principle?—Yes.

1477. (*Mr. Coleridge.*) If they voted on the Conservative side without receiving money, did they stay in?—Yes.

1478. Do you believe that?—I do not.

1479. You really consider that Mr. Michelmore must have an extensive knowledge of all those bribed and will be able to tell everything?—Put the question again.

1480. Mr. Michelmore says, if he knows they receive money for their votes he turns them out?—Yes.

1481. He must know them then?—If he has reason to believe.

1482. (*Mr. Longe.*) That would be conclusive evidence, any tenant voting for a Conservative would be conclusive evidence that he had been influenced?—Yes, if he had not been on that side before.

1483. I suppose by parity of reasoning anybody who voted on the Conservative side who had voted for you at the former election must have been bribed?—Yes.

1484. Do you know there have been many cases where tenants have been given notice to quit after an election?—Yes.

1485. You say it would be so thoroughly known

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Mr. P. Condy.

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that any tenant who gave a vote against the party would be bribed?—Yes.

1486. That would be sufficient evidence for Mr. Michelmore to act upon?—He would act upon his own judgment.

1487. That would be the natural consequence, that any tenant of the duke's voting for the other party would be supposed to be bribed?—There have been many voters living on the duke's property who have voted for the Conservatives who have never been molested. Capt. Rogers has lived in the duke's house and others.

1488. Give us a name or two?—Capt. Rogers, he was one.

1489. Was he a tenant of a Bridgetown house before the passing of the Reform Bill?—No.

1490. (*Mr. Bere.*) Do you suppose that Mr. Michelmore exercised the power of turning them out on suspecting them to be influenced by money. Do you think the duke ever knew anything about it?—I do not suppose he did.

1491. (*Mr. Coleridge.*) Do you know of the names of the different people who have been turned out by Mr. Michelmore since the last election, or since the election of 1863?—If you have any there that you can read I will tell you yes or no.

1492. Mr. John Tucker?—No, I do not recollect.

1493. Mr. Briggs, he was turned out?—Yes.

1494. William Harris?—I do not know him.

1495. Was he turned out?—I do not know.

1496. William Hannaford?—I do not know William Hannaford.

1497. Thomas Mitchell?—Yes.

1498. John Benwell?—It must have been a meadow taken from him.

1499. William Ellis?—Yes.

1500. James or John Willis?—I do not recollect.

1501. William Willis?—Yes.

1502. William Byne?—Yes.

1503. Robert Lake?—Yes.

1504. Did he vote against the duke?—I believe he did.

1505. And upon the assumption that he voted against the duke Mr. Michelmore conceived that he was bribed?—Yes.

1506. Those were all turned out?—Yes.

1507. Does the same system go on on the Gerston property?—I do not know.

1508. Then Mr. Baldwin has been mentioned, used he to turn out anybody on the Gerston property who voted against him?—I do not know.

1509. Mr. Turpin, was he one of those turned out of doors?—Yes.

1510. And Thomas Blackler?—I do not know.

1511. Robert Lake, was he turned out by the duke?—I do not know.

1512. Lewis John Oldreive, has he been turned out by the duke?—I do not know that he rented anything of the duke.

1513. William John Wakeham Bastard?—He lives in his own house.

1514. William Ash of Bridgetown, do you know anything about him?—His house is not the duke's house.

1515. May I take it as far as you know that several who voted against the duke in 1863 were turned out of their houses?—If they were supposed to have sold their votes for money.

1516. Is it not the fact that every single man who voted for Mr. Dent for 1863 (the Bridgetown electors) who was a tenant of the duke's, was turned out of his house?—I do not know a man. Captain Rogers was in the duke's house at the time.

1517. (*Mr. Longe.*) Were there no other persons of any position amongst these men?—I do not recollect, at the time.

1518. (*Mr. Bere.*) I have got the names of all who voted; George Griffis does he live in a house of his own?—He did live in a house of the duke's.

1519. Is he turned out of the land too?—I do not know. I suppose so.

1520. George Robins Stone, has he been turned out?—I do not know that he was in the duke's house.

1521. Was he in a house of his own?—I do not know who the house belonged to.

1522. Is there anything else you would like to tell us with regard to the borough?—No, I do not know that there is. On the note, I was invited to give any information I could about the municipal elections.

1523. What in your judgment has been the reason of the change in the municipal elections from the Liberals having the majority to the Conservatives having it?—I believe for the last seven or eight years the Liberal registration has been very much neglected; on the Conservative side the rating has been watched; people have been put on the rate and they have been kept on the rate in the registration court, and the majority was got in that way.

1524. Have you been present at a municipal registration?—Sometimes I have been, not much.

1525. Who did attend to it for the Liberals?—Mr. Brooking Cuming; then it was neglected, and Mr. Windeatt did it afterwards.

1526. Of late years has it been paid for by Mr. Pender?—I do not know.

1527. You have not heard of it?—No.

1528. (*Mr. Coleridge.*) I suppose this might have taken place. You do not suppose the Liberal registration has been neglected as regards the parliamentary return?—I do not think it has.

1529. How do you account for the Liberals neglecting one and not the other?—Mr. Cuming has been blamed by one party for having neglected it, and he has expressed himself that the list had gone back very much.

1530. Who has attended to it on the part of the parliamentary revision before the revising barrister?—Generally they have had an attorney from Plymouth.

1531. Who is that?—Mr. Edmonds; Mr. Beer and Mr. John Daw on the other side.

1532. He did not attend the municipal registration?—Two or three years ago I recollect his being there once.

1533. Did Mr. Edmonds and Mr. Beer attend at all at the municipal registration?—Two or three years ago; it was one year I do not know which.

1534. I do not suppose you neglected it?—It is only a day. The working it throughout the year is the thing. I was about to say with regard to those elections if I may throw out an idea some gentleman may take it up with regard to an alteration in the mode of voting. It is worth while to consider whether the principle adopted in the elections for guardians should not be pursued.

1535. What is the Conservative majority of the council at present?—We are only two out of 16. I recollect since we have been in the council we had one Conservative.

1536. (*Mr. Longe.*) In the good old times?—We did the best we could, for we made him mayor twice following.

1537. (*Mr. Bere.*) In your judgment has the influence of those 14 years been produced by fair means or improper means?—I think to a great extent by improper means. When Mr. Rennie came here as a candidate he laid it down that in order to win boroughs for the Conservative side you must go forward and win the municipal elections; and I believe that up to this time his advice has been well acted up to.

1538. (*Mr. Coleridge.*) It has not had an effect as regards the parliamentary elections yet?—No.

1539. (*Mr. Bere.*) It raised the demand?—What for?

1540. By the liberal stimulus given to the municipal elections it has increased the desire on the part of the voters at parliamentary elections?—No doubt it has.

Mr. WILLIAM BENTALL sworn and examined.

1541. (*Mr. Bere.*) What are you?—I am a wine and spirit merchant and a cider merchant.

1542. You have lived in Totnes many years?—All my life.

1543. And you know the condition of the borough since 1810?—I was a boy in 1810, but I remember a circumstance which occurred in 1810.

1544. With regard to the election?—With regard to the parliamentary representation on the 21st of September 1810, which was the mayor choosing day; the representative then who was considered the representative for the town died, that was Mr. William Adams of Bowden, it was reported in the hall that he was dead, that I remember.

1545. At that time were the freemen the only voters for the borough?—They were the only voters. I will endeavour to explain to you what was the nature of the charter under which we acted: it was a charter of Queen Elizabeth, and the corporation consisted of a mayor who was one of the masters and councillors; the masters were not separate from the councillors, but they were called masters and councillors. There were 14 masters and councillors, or aldermen as they were generally called, and an unlimited number of freemen. The freemen were elected by the mayor and masters and councillors and they had the power to elect as many as they pleased; and originally the masters and councillors were elected by the resident freemen, not as Mr. Presswell said by the freemen common, but only by what are called *commorantes in villâ*, and whenever a vacancy took place it rested with the mayor and the aldermen and resident burgesses and they elected another, but I must also say that the aldermen themselves having been elected to their seats did not lose their burgesships but still voted as burgesses.

1546. When a freeman was nominated and made by the mayor, and masters, and councillors, did it require a majority only in the council and the corporation, or was it a certain number of votes to be obtained for the man to be elected?—No, there were 14 aldermen; a court must consist of eight, a majority, and it could not be formed without eight being present as a majority of the whole body, and then the majority of the whole body being present, the majority of those present could elect a burgess; but I must also say you asked Mr. Presswell a question yesterday, whether it would be possible for the mayor and the majority of the aldermen to elect any number of freemen; they could do so, but those freemen would not vote for members of Parliament till they had been elected at least one year.

1547. Was that expressly mentioned in the charter?—I do not think it was expressly mentioned in the charter, but I believe there was a special Act of Parliament to prevent the making of faggot votes, and that affected not only the persons who were elected to the franchise, but also persons who purchased their franchise in the other boroughs where the qualification depended on tenure or freehold property, and so forth; and I believe a 40*s.* freeholder could not vote for members of Parliamemt (before the Reform Act) unless he were a holder for 12 months, or unless he inherited it from another person.

1548. Supposing that before the election of an alderman one was proposed as a fit person to become an alderman, was it possible for the majority of the aldermen present at a court to nominate a sufficient number of freemen to turn the election towards that person whom the majority wished to have in the court?—I do not know whether it was or not. That Act, I believe, was a special Act as regards members of Parliament; I never knew it acted on.

1549. You never knew it acted on?—I never knew it acted on.

1550. You know of elections from 1810 to the time of the passing of the Reform Bill; have you no reason to believe there was any bribery that took place at any of those elections?—I never heard of any. Some persons brought a charge against one gentleman who was a retired paymaster in the army, and who was very poor and had a very large family, and there was a subscription made amongst the other persons in the town to give him so much a year, but it was by no means considered as a bribe for his vote or anything of the sort, but it was thrown out whenever he did vote, "Yes, you are bribed," and so forth. That is the only instance I ever heard of.

1551. Who was that?—He was a Mr. Moore.

1552. As far as I understand Mr. Presswell, and I do not know whether you agree with him or not, there was no political contest, all the candidates were the same way of thinking?—Generally speaking;—I do not mean to say they always voted in Parliament in the same way, but it was quite as likely that a person who had Tory feelings would support the Whigs, and the Whigs would support the Tories in this town. Party feeling did not run high at all; it was who should return their members, and it went a great deal in that way.

1553. We have heard that there were three parties in the corporation?—The fact was this; that before the year 1812 the Duchess of Bolton, through her agent here, had been in the habit of returning one member. The last member so returned by her interest was Mr. Benjamin Hall, the father of the present Lord Llanover, and he continued to represent Totnes till 1802, when I must say that after the death of Mr. Adams, as soon as Parliament met and the writ was issued, Mr. Courtenay was elected without opposition. He was the brother-in-law of Mr. Adams, of Bowden, and there was not the slightest opposition; but at the general election of 1812, the Bolton interest nominated Mr. Anderton as a candidate; another party in the town composed of the Taylor family, and one or two others, proposed a Capt. Seymour; I do not know that he was any connexion of the present member, he was a captain in the navy; Mr. Courtenay was also a member, and Mr. Wise who held the property the Duke of Somerset now holds, or a great deal of the manor of Little Totnes and the tithes great and small, and a good deal of land, was another candidate; and Mr. Courtenay and Mr. Wise were elected and the Bolton candidate was thrown out and also Captain Seymour, who was at the bottom of the poll.

1554. The three parties, at that time, were—the party representing the Bolton interest, the party at the head of whom was the Taylor family, and the party at the head of whom was Mr. Adams?—Yes.

1555. (*Mr. Coleridge.*) What was the Bolton interest?—The last Duchess of Bolton had part of Little Hempson and a good deal in the neighbourhood, and her steward was formerly Mr. Lane, and afterwards Mr. Farwell. The Duke of Bolton had then two daughters, one of whom married the first Marquis, afterwards Duke of Cleveland, formerly Earl of Darlington. At her death the property was divided between her eldest son then Lord Barnard and Lady Sandwich.

1556. He is the Lord Barnard of whom Mr. Presswell spoke yesterday who stood twice for Totnes?—Yes; and he afterwards succeeded his father as Duke of Cleveland.

1557. We have heard of late years very little of the Cleveland property at all?—After the year 1812, shortly after the Duchess of Bolton died and the Farwell interest having lost the election, there appeared an end of their interest here; but still they had considerable influence in the borough, and some little time afterwards they put forward one who was also a friend of my family and of the Marshalls, and who was a man very well known in the political world, Mr. William Holmes, a whipper-in in the House of Commons; he remained here some time, and when the Farwells brought forward her brother-in-law, Mr. Dent and he continued member for Totnes.

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Mr. W. Bentall.

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1558. (*Mr. Bere.*) The party to which you and the family of the Marshalls belonged, was that the Adams party?—Yes.

1559. Either of those two parties by joining together could always return its member at pleasure?—Yes; in 1812 they did not.

1560. That is, the Bolton interest and the Farwell interest was defeated?—Yes.

1561. Did you find the same influence prevailed in the corporation as prevailed in the Parliamentary elections in the borough at the same time?—Certainly.

1562. (*Mr. Coleridge.*) How did the Duke of Somerset acquire the Bridgetown property?—It has been in the Seymour family for a great number of years.

1563. More than this century?—Oh dear, yes, very much.

1564. It was sold by the Pomeroys to the Seymours?—I really cannot pretend to say anything about that. The Pomeroys were attainted. I am not sure about it; but I must also mention what I do not think you seem to be aware of; that the property which Mr. Wise had in this parish of Totnes, which was sold to the Duke of Somerset, I believe was sold before the Reform Act, and the Duke of Somerset had not only the Bridgetown property but a great deal of property in Totnes, upon which he began to make votes by erecting linnies, and it is not only Bridgetown that gives him influence in the borough, but also this side of the river. He bought the castle first of all and the property connected with it.

1565. He could not make many votes out of that?—He could make some. He bought the Wise property and the rectory house where Mr. Huxham lives, and several fields there; he bought a great many fields in other parts of the parish that belonged to Mr. Wise. He bought the property called the Inglewood property and several fields, that gives him many votes.

1566. Votes which he has created?—Which he has created.

1567. By building on the land?—Yes; and other property besides, one from a Mr. Tooke, and another from Mr. Searle, and of many parties he has purchased in order to get as much land as he could in the parish; Mr. Presswell omitted to mention there are several other properties besides the Bowden property that are not all in the parish of Totnes, a great deal of it is in the parish of Ashburton and several others; one is Mr. Cary's property, and one, Broomborough, which formerly belonged to Mr. Rudd.

1568. Who is the owner of Broomborough?—Mr. Phillips.

1569. Who was the owner of it from the passing of the Reform Bill?—Mr. Rudd.

1570. At the time of the passing of the Reform Bill, do you remember the Boundary Commissioners coming down?—Yes.

1571. Did they come down to settle and examine the boundaries?—I do not think they troubled themselves much about the boundaries. There was a good deal of jobbing about the Boundary Act. I mention that with regard to this borough, but I know of several others precisely in the same way.

1572. At the time of the passing of the Reform Bill what in your judgment was the interest used to have the boundaries settled as they afterwards existed?—I cannot tell that, that was settled in London.

1573. But it was not settled by taking any centre and drawing a certain line at a fixed radius round it?—No; if you look out of this window straight down, you will see the property belonging to the Champernowne family, close under the windows here, which is not in the borough, and then, if you look over that, you will see on the other side of the river a number of small linnies built upon property that is in the borough, that is in another hundred.

1574. Suppose you are taking a radius of a mile from this place,—that portion of the parish of Dartington would have been included?—Yes; and a great deal of Little Hempson.

1575. Mr. Champernowne's was the manor?—Yes.

1576. Can you form any judgment as to the number of votes which would have been given by drawing a line in that way I have described in the parish of Dartington and Little Hempson?—It depends on whether the owners of the property acted in the same way as the Duke of Somerset did.

1577. The owners of the property might have created as many votes as they liked?—I cannot say so much.

1578. In proportion?—They would have been able to create a great many, but, still, consider that the Dartington property was not then belonging to the Champernownes, it belonged to the Duke of Somerset.

1579. Did it belong to the duke at the time of the Reform Bill?—I cannot say.

1580. Little Hempson, who does that belong to?—To the Duke of Cleveland, the late Lord Barnard, who was the member for Totnes, and at one time was opposed to his father in politics. His father was a Whig and his price for assisting the passing of the Reform Bill was a Marquisate and afterwards a Dukedom.

1581. Lord Barnard was a Conservative?—Yes; he had been member for Saltash, but he supported the Reform Act in the House of Lords though it disfranchised several of his own places in Cornwall, Camelford and Saltash.

1582. At the time the boundaries were fixed was there any agitation?—No; the Reform Act was carried by such a majority that Lord Grey's Government did just what they pleased.

1583. It was long after the registrations?—The only alteration was this, that in the first Bill they passed Totnes in Schedule A, but, upon the representations made, there were some commissioners who came down with regard to the taking of the boundaries, and they took not only the population but also the number of houses at a certain rental, and also the amount of assessed taxes which were paid by the inhabitants, and taking them and also the number of inhabitants which were added to the borough by including Bridgetown, in the borough, they raised the whole average above some other boroughs which were previously placed in Schedule B.

1584. You said Schedule A, do you mean that or Schedule B?—No, Schedule B, it was to have one member taken from it.

1585. At that time was there any resident population on the Dartington portion of the parish?—Not much.

1586. Were there a good many houses at Bridgetown at that time?—Yes.

1587. It was a large village?—There were many of the houses much smaller than many houses that have been built since.

1588. There was a population of 790 at Bridgetown and there were a good many houses?—Yes.

1589. It was not the only large village in the neighbourhood near to Totnes that could have been included in it, lying within a radius of a mile?—No.

1590. If you had taken a radius of a mile it would have had a smaller population within it than it ultimately could have got?—Oh no; a radius of a mile would have taken in Bridgetown.

1591. Would it have left out any of the parish of Totnes?—I do not think it would have left out a single dwelling house.

1592. If they had taken a radius of a mile in that way they would have got a larger population than by the arrangement they seem to have adopted; they would have included in that area a larger population than they ultimately did?—Yes.

1593. A great part of the manor of Bridgetown that was brought in had very few houses upon it?—Beyond the town of Bridgetown there are scarcely any, it is all fields.

1594. Do you remember the election since the Reform Bill, I believe the first election at which

Cornish and Parrott were elected was a singularly pure one?—I would correct something Mr. Presswell said yesterday upon that point. He said that Lord Boringdon was a Conservative. He was not a Conservative, but he was brought forward by the Duke of Somerset's agent, Mr. Blount, who canvassed for him.

1595. At that time was Mr. Blount the agent for the property here?—He was agent for the property in Totnes, and Mr. Michelmore was agent for the property in Bridgetown.

1596. That was the Mr. Blount who afterwards got in?—Yes; who married Lady Charlotte Seymour.

1597 Was Mr. Festing also agent for the Duke of Somerset?—I do not know.

1598. Mr. Blount had nothing to do with the property?—No; I believe it gave great offence to the duke and Lady Charlotte, and there was a coolness between him and the family, but I may also say I believe the reason Lord Seymour did not come forward was this, he was very unpopular at the time in the town, inasmuch as he opposed the Reform Bill when member for Okehampton.

1599. Okehampton is in Schedule A?—Yes; Lord Barnard was brought forward as a warming pan for him.

1600. (*Mr. Longe.*) Lord Barnard is a Conservative, I understand?—No, after he succeeded to the title of Lord Moray he was a member of the Whig administration.

1601. (*Mr. Bere.*) Then as to the election of 1837, the election at which Sir George Adams was a candidate?—I was the person who, it was said, offered the horse and cart.

1602. Sir George Adams, it was said?—No, it was I; I will tell you the whole of the facts. I canvassed without Sir George Adams, and called on a man of the name of John Hannaford, he was not at home, and we asked for his vote; his wife said he should come down and see me, and accordingly in the course of the evening he came down to see me. He began talking and said I wanted to see him; I began to suspect that he was sent down as a trap to me, and I believe he was, and I determined to let him go on a little and tickle him; I found he was acting as a carter for somebody, and had a very great inclination. I said I suppose you would like to drive a horse and cart, that is the thing that you mean; well he did, he said; I let him go on as far as I possibly could; I said, "I can say nothing about it, but you had better think a little of it"; he went on the strength of that and told the party that I had offered him a horse and cart, and they believed it, at least I suppose so, for I heard a great deal of it. I distinctly denied it to the chairman afterwards, and I deny it now.

1603. (*Mr. Coleridge.*) Had money been going on the other side?—No, Sir, there never was anything of the sort.

1604. I mean on the Liberal side?—No.

1605. On either side?—I never heard of any bribery or anything of the sort at the time.

1606. When do you put the commencement of bribery in Totnes?—I think that the first bribery to any extent, I do not know the extent of it, nor do I know of any of it, but from what I have heard I should think that the first time bribery took place was when Mr. Baldwin first contested the borough.

1607. Then both parties seem to be agreed that Mr. Baldwin is the origin of all the evil?—I think he was perfectly met by the other party.

1608. But he began it?—No, I do not know that he began it. The first time he was a candidate both parties bribed. No doubt about it; that is my belief.

1609. Who was the candidate who was against him?—My memory does not serve me there.

1610. Mr. Blount was in the Seymour interest which had always been able to return a member without any agency before?—Mr. Blount was the first person who contested the election with Mr. Baldwin; it was a single election.

1611. I suppose that Mr. Blount at that time had the Seymour interest?—He was not, I think, quite friendly with the Seymours.

1612. Not at that time?—No, I am not quite sure if he is still, and I do not think he was on very good terms with the Duke of Somerset's agent, for he interfered much more than Mr. Michelmore liked, and he had not so much influence as he thought he had; but I know that he exerted that interest very much, and I saw him drive one man to the poll.

1613. (*Mr. Bere.*) Did he send a good many more by the tempting bait of his golden magnet?—I cannot say whether he did or not. I had nothing to do with him.

1614. Was it not the fact that at that time Lord Seymour's tenants were left to do pretty much as they liked till it was found necessary to buy them on the one side or the other?—No, I believe the Seymour tenants were obliged to vote as Mr. Blount and Mr. Michelmore chose to let them.

1615. Do I understand you to say that Mr. Michelmore was not friendly with Mr. Blount?—No, perhaps not.

1616. Do you mean the tenants voted for Mr. Blount?—I do not know that they did, but they were as much afraid of Mr. Blount as of him.

1617. Since that period in respect to what Mr. Presswell has said, is there any reason to differ from him as to the extent which bribery has been carried on in the borough of Totnes?—I really know nothing about the extent to which it has been carried on.

1618. You never offered any?—No, I never did offer any; the only person that I ever canvassed or that I have ever had any reason to know received a bribe was an old man who used to work for me and Mr. Cuming, and while he worked for Mr. Cuming he used to give one vote to Mr. Cuming's friend and one vote to my friend, but it was not for years after all this took place that I learned he had been in the habit of taking a douceur from each party.

1619. Did you ever learn what the amount of the douceur was?—No.

1620. You have no reason to doubt that there has been a great deal of money spent?—I believe there has, I only know it from general hearsay.

1621. That is pretty consistent with regard to the fact that large sums of money have been spent?—I have every reason to believe it. I do not think so much would have been said about it without there was some truth in it.

1622. And Lord Seymour's influence has been increased by the purchases the Duke of Somerset has made?—It has been increased.

1623. That peculiar mode of creating votes, once began, it continued, and it has been continued up to this time?—I cannot say. The Duke of Somerset never attempted to make any before the Reform Bill.

1624. Mr. Blount was opposed in the municipal elections, and could not get a freeman nominated?—He had no influence, he had very little to say to the town; he seldom came here except for a very short time. The late duke spent very little money in the town, and more than that he had little or no influence with the persons who had power in the borough; the property gave none.

1625. The property gave no power in the borough?—No.

1626. How soon after the passing of the Reform Bill did the manufacture of votes begin?—I cannot tell; people began to feel their way, they began to read the Reform Bill and to see how the different feelings of the different classes were, and they found out that ever so small a building with land would give a vote, and they began to divide, and so forth.

1627. Can you form any idea at the present time what number of voters are voters on fictitious qualifications compared with those who vote for houses that they live in?—Now?

1628. Yes?—I really know so little of the register that I can hardly give an answer, but from what little I do know I think half of the present persons on the

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register are made voters in that manner, which I never considered was contemplated by the framers of the Act.

1629. (*Mr. Longe.*) Was the duke much in the town?—Very seldom.

1630. How is the town advantaged by him at all?—He bought a large house and gave it as a reading-room, and then he gives tickets to any person who chooses to go there and attend the reading-room. He has instituted a mechanics' institute.

1631. (*Mr. Bere.*) Free trade in thought?—Yes; there is another thing, talking about free trade it was said by Mr. Presswell yesterday that Peregrine Courtenay may be called a Tory of the old school, so far from being that he was a most decided free trader in corn; he also supported the Roman Catholic Relief Bill, and he was a follower of Canning and Huskisson, and not what we may call an old Tory.

1632. How long have you been a member of the corporation, since the Municipal Corporation Act?—I was elected the day after I was of age.

1633. That is of the old corporation?—Yes.

1634. Have you been a member ever since?—No. I was elected a freeman in January 1824, and I continued to be first freeman, and then alderman of the old corporation till the Municipal Corporation Act came into force. Since that I have been four times elected councillor and once alderman, and I am now an alderman.

1635. How many times have you been mayor?—Only once.

1636. (*Mr. Coleridge.*) How often can you be mayor?—As often as the council choose to elect me, but I believe you cannot be compelled to serve more than once.

1637. (*Mr. Bere.*) Unless there is nobody else?—Yes, I do not know that that is the case, but I have heard so.

1638. It is not until within the last three or four years that the Conservatives have had a majority?—Yes, they had.

1639. How long have they had a majority?—They had it many years ago, and lost it again.

1640. When was that, during Mr. Baldwin's time?—I will tell you in a moment. In the year 1848, Mr. George Farwell was elected mayor.

1641. What was the state of the party in the council then?—I can hardly tell. There was a majority on the Conservative side, or he would not have been elected.

1642. Mr. Condy said although there were 15 Liberals to one Conservative, they used their privilege by making the one Conservative mayor twice in succession; therefore it does not follow that because Mr. Farwell was made mayor that there was a majority of Conservatives?—But there was.

1643. (*Mr. Coleridge.*) When you were elected mayor the majority was on the other side?—I was elected unanimously.

1644. But there was a majority on the other side?—No.

1645. Not a majority of Liberals?—No, I think not.

1646. Just think a moment. What were the component parts of the council?—I cannot recollect. I recollect things better that occurred a longer time ago.

1647. Mr. Presswell had the same failing?—We recollect things that happened in our youth better than things that happened lately.

1648. (*Mr. Bere.*) You have heard the account that Mr. Condy gave of the reasons for the change in the constituent parts of the council?—I did not quite agree with what Mr. Condy said.

1649. Tell us in what you differ?—What did he say?

1650. He said he believed the introduction of the Conservative element, in its present great extent, into the council was owing to improper means?—I do not believe it. I believe it is owing to a general feeling among the lower classes who have votes for the council but not for the members of Parliament, that they had excluded men who had a fair right to represent them in the borough.

1651. Do you attribute to the different constituencies any improper influence?—I think there was a great deal of alteration in consequence of the manufacture of votes for the parliamentary election which had disqualified men for the municipal. They had thrown two or three tenures into one to make a parliamentary vote, and by that means disqualified some of the municipal ones.

1652. (*Mr. Coleridge.*) Then what we have heard is contrary to the fact, that they had split up one vote into a great many?—That is upon the tenure of land. A man renting one field of 30*l.* or 40*l.* a year, had it split up into three to make three parliamentary votes, but I am speaking now of the municipal voters where there was a household tenure, where three persons rented parts of a small house which gave a household tenure, they threw the whole into one, and made the others lodgers, and by that means gave a parliamentary vote, whereas they disqualified two for the municipal.

1653. (*Mr. Bere.*) Still your burgess roll contains many more names than the parliamentary roll?—Because a household tenure of 40*s.* a year will give a vote. If a man rents the smallest cottage in the world provided it is a house which he can call a house, it gives him a municipal vote.

1654. The class of electors that are let in to vote at the municipal elections are less accessible to the influence of a bribe than those for the parliamentary election?—I do not know that. I should think they are more. The lower the grade the more open they are to a bribe I should say.

1655. Have you found that bribery has been exercised at the municipal elections?—I do not know that it has. I have no reason to say it has.

1656. (*Mr. Coleridge.*) Have you anything to attribute to the Conservative influence becoming stronger in the lower orders?—I think they have become more Conservative.

1657. You think they are becoming more Conservative?—Yes.

1658. Whether in principle or from thinking that certain respectable people in the town ought to be elected?—Both.

1659. Do you mean from the personal influence that some people have got, or do you think the political feeling of the people is that way?—I think it is the general feeling, and the show of hands at all the recent elections have been given in favour of the Conservatives.

1660. You only mean elections for this borough?—Yes.

1661. They have all been in favour of the Conservatives?—At all the recent elections the show of hands was in favour of the Conservatives.

1662. You mean the voters in the borough with a parliamentary qualification are more Conservative than they were?—Yes; and more than that, although the show of hands has been mostly by persons in the town, a number of persons have been brought from a distance who have been the tenants of the Duke of Somerset and his agents, not only his tenants but Mr. Michelmore's tenants have been brought into the town (some of them Conservative, but still the majority have been of what is called the Liberal party), to vote and make a great show.

1663. Do you consider the poor class of people who have now the franchise are more Conservative than they were?—Yes.

1664. You think the lowering of the franchise would be rather a gain to the Conservatives?—Yes, if you lower the franchise the Conservatives would gain.

1665. Then you assume that the Conservatives (following out what you say) must have the most money, because you say you think the poor people are more likely to be bribed, and your hypothesis must be that the Conservatives should have the most

money ?—I believe independently of that the feeling of the lower classes is more Conservative.

1666. (*Mr. Longe.*) Is there any spirit of opposition against the influence of the duke ?—Everybody kicks against compulsion.

1667. (*Mr. Bere.*) What is compulsion ?—If you were to ask me, I do not pretend to know, but I believe many of the duke's tenants have been Tories till they became the duke's tenants. I mean Conservatives.

1668. (*Mr. Longe.*) What is your hypothesis as to how that is brought about. The duke himself is never here except at elections ?—I heard that the late Mr. Thomas Michelmore said if he lost the last election, it was as good as his place.

1669. (*Mr. Coleridge.*) That may have made him more zealous ?—Yes.

1670. (*Mr. Bere.*) And he may have resorted to things that the duke would not have allowed ?—I do not know.

1671. (*Mr. Coleridge.*) There is no suspicion of his bribing ?—No, I believe not. When the Duke of Somerset was Lord Seymour, he came to a person who worked very hard in the Conservative interest. There was a fear of his being thrown out. There was a split between him and the Liberal party in this town, and there was a fear of his being turned out altogether, and he came to us and said it was a great pity there should be anything like corruption in the borough, and he would be very glad if things could be arranged.

1672. Was that in 1847 ?—I cannot tell.

1673. About? Try and fasten your mind to it. Was it at the time that a certain arrangement was come to? Was it at the time that Samson Ricardo stood ?—I cannot say the year ; but it was at the time that the arrangement was come to between the Seymour interest and the Conservative interest, of which Mr. Thomas Tracy held the memorandum.

1674. (*Mr. Bere.*) Were you a party to the memorandum ?—No, I never saw it I heard of it, but I was no party to it. I always kept aloof from those things ; but this I can say, something occurred shortly after that when Mr. Buller came to canvass some of the electors. There was an offer communicated to many of the Conservative party, among the rest to Jeffery Edwards who was a strong Conservative and a cousin of Charles Edwards, and also a relation of Mr. Mitchelmore. We had an offer from the Liberal party of Totnes, that if we would oppose the re-election of Lord Seymour, who was then I believe about to take office, we should be allowed to return Mr. Buller for the time, and at the next general election we might throw over Mr. Baldwin or Mr. Buller, whichever we pleased, and we should return a Liberal whom they should nominate, for they were then opposed to the Seymour interest.

1675. (*Mr. Coleridge.*) Were you to have the return of one Conservative ?—We had the option of Mr. Baldwin or any one, and they would join us in electing Mr. Buller if we would join in turning out Lord Seymour, and they at the next general election were to return one with us, and we were to throw over either Mr. Buller or Mr. Baldwin as we chose ; and they would return a Liberal and a man of our choice to the exclusion of the Seymour interest altogether.

1676. Is Mr. Edwards alive ?—No.

1677. (*Mr. Bere.*) What became of the offer ?—I will tell you why I objected to it. I told Lord Seymour when he first canvassed me, I was enough of a Tory to consider that the heir to a Peerage was a very proper man to serve his apprenticeship in the House of Commons, and as long as I had a vote for two members for Totnes and the Duke of Somerset did not interfere with the second member, but allowed the town to return one keeping his own interest aloof, I would support him, or a member of his family as the other candidate. And, therefore, I told Lord Seymour that I would not be a party to any such arrangement, inasmuch as an arrangement had been made between Lord Seymour and the Conservative party, which Mr. Tracy had.

1678. (*Mr. Coleridge.*) Your objection to Lord Seymour's influence was lest he should interfere in favour of another Liberal candidate ?—Yes.

1679. You had no objection to his interfering with a Conservative candidate ?—I asked him to be neutral. We did not ask him to do anything more than let us fight our own battle without his men at all. Let us fight our opponents the ultra Liberal party, and we were ready to do so.

1680. Did you ever know any instance, as we have heard, in which Lord Seymour personally or by his agents, had canvassed in favour of the Conservative party ?—I never heard of it.

1681. You never knew, by Mr. Michelmore, of his having asked for votes to be split between him and a Conservative ?—No.

1682. You do not believe that story about Ricardo ?—The first time I heard of it was in this hall. As for believing it, I may believe it as much as you believe it. I never heard of it.

1683. It has not been common rumour ?—I never heard of such a thing.

1684. You never heard it thrown in Lord Seymour's teeth about his being lukewarm as to a second Liberal member ?—I think he acted up to the arrangement between the Conservatives and himself, which Mr. Tracy held. But now I must come to what I was saying about Mr. Jeffery Edwards. When the Liberal party found they could do nothing with us, they then went to the Seymour party.

1685. (*Mr. Bere.*) Can you tell us at all the terms of the arrangement. Was it an arrangement not to go beyond the one election, or a general arrangement for the peace of the borough in future ?—I never saw the document, nor knew the terms of it ; but the Duke of Somerset said to Samuel Hannaford in the Devon and Cornwall Bank—

1686. Is Mr. Hannaford alive ?—No ; he was a hard workman of the Conservative party, and the present Duke of Somerset said to Samuel Hannaford, "I consider it to be the basis of a future arrangement." But nothing was said in my presence, nor do I know who were the parties to the arrangement, nor the exact terms ; but the arrangement was in Mr. Tracy's hands.

1687. What was he ?—He was a respectable old gentleman, and had been a large tenant of the Duke of Somerset, and a strong Conservative in politics, but having a feeling of regard for the Seymour family was thought to be a proper person to hold this document.

1688. If that document is in existence, then it is probable Mrs. Tracy has it ?— Yes ; but I heard within these last three or four days, that she is very ill and probably not likely to recover.

1689. Was Jeffery Edwards a representative of the strong Liberal party ?—No ; he was a Conservative.

1690. Some one had come to him ?—Yes ; he said some one had come to him and given us an opportunity between the coming election and the general election of returning two members if we would join them in opposing the Seymour interest altogether.

1691. If the voters of different politics in the town had put their influence together they could have outweighed the influence of the Seymour interest in Totnes and Bridgetown altogether ?—Yes.

1692. What number of voters belonged to the Liberal party ?—I cannot say.

1693. Fifty or sixty ?—More than that ; but you must recollect at that time it was different.

1694. Is there a Liberal party and a Seymour party now ?—Yes, a strong one.

1695. Who represented that ?—There are two principal workmen ; one of them has died, and one has had an illness (Mr. Cuming), and he is not able to take an active part ; but there are other men of great respectability and position in the town.

1696. Who are they ?—Mr. Hodgson.

1697. Mr. Condy for another ?—Yes.

1698. Who else ?—Mr. Webber.

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1699. Mr. Charles Webber is alive?—Yes, he resides near the town. I saw him here this morning; and there is another active man whose principles I know are decidedly on that side of the question, but he is a tenant of the Duke of Somerset, that is Mr. Holman. And Mr. Chaster.

1700. Mr. Chaster and Mr. Holman are supporters of the Seymour interest?—Not except in politics. He is a tenant of the duke; and if he should give his vote to the duke it is upon his private opinion of the matter.

1701. (*Mr. Coleridge.*) There was an arrangement, as, with other great men, that the duke should have one seat, and the other should be left free?—Yes, that was my wish.

1702. (*Mr. Longe.*) Mr. Michelmore, you say, stated that it would be worth his place?—I do not know that he said so, but I have heard it said so. It was at the time when I took no active part. I happened to be returning officer at the time. I merely heard of it afterwards. It ran very close between Mr. Dent and Mr. Seymour, who was the Duke of Somerset's nominee.

1703. In 1863?—Yes; and I heard it was said by Tom Michelmore very late in the day. He was in a terrible fidget about it; that it was as much as his place was worth to lose the election. Whether he did say so or not I cannot say.

1704. That seemed to show the duke took a great deal of interest in it?—Yes.

1705. Have you had any particular case within your knowledge showing in what way the duke's influence as landlord was ever brought to bear?—I had very little to do with it.

1706. You used strong words; you said there were parties opposed to compulsion. Is that the general notion?—Yes, it is the notion that the duke's tenants are obliged to vote as he wishes.

1707. What is your own view? Some landlords are indifferent?—I know some of the Duke of Somerset's tenants have been Conservatives till they came to take the Duke of Somerset's property, and I have heard they have expressed feelings that although they voted one way they thought another.

1708. (*Mr. Coleridge.*) Have you heard that a large portion have been evicted because they took bribes?—I think you will find before the commission is over that a great many have been evicted who are incapable of taking bribes, and never did take bribes.

1709. (*Mr. Bere.*) Give me the name?—Mr. William Kellock, the surgeon, the father of our present mayor.

1710. Has he been evicted?—Yes.

1711. Where does he live?—Totnes.

1712. Let us have all those you can recollect?—John Heath. I do not know all of them.

1713. Mr. Heath is something more than an ordinary voter; he is an active man in the Conservative interest?—Yes. He has not always been so, but I believe he has been a person to stand out for his feelings, and he may have gone a little more that way.

1714. Was he a Liberal once?—Yes.

1715. When was he converted?—I do not know. His father and family were Conservatives, but he was at one time a Liberal.

1716. How long did that Liberality continue?—I do not know.

1717. (*Mr. Coleridge.*) How long a Liberal phase had he in his existence?—I believe as long as his father-in-law lived, but I cannot tell.

1718. (*Mr. Bere.*) Can you tell us anyone else, any other names?—There were several others, but I forget now who they were.

1719. Does Mr. Michelmore do what he likes with regard to those things, without the interference of the duke?—I do not know whether there is any power or not behind the scenes; I cannot tell, but he appears to do what he likes here.

1720. Did you here of any instance, when the Gerston property was in Mr. Baldwin's hands, of the same course being taken, that of evicting persons?—They only put persons in that they could depend on.

1721. They used the same means, but more discreetly than the Duke of Somerset?—Yes; Mr. Baldwin bought the property on purpose to make votes of it.

1722. Since the purchase of the property, has there been any change in the tenants?—One of the tenants, always on the Conservative side, the moment the duke bought it, turned over to the Liberals.

1723. What is his name?—Robert Earle.

1724. Is Mr. Michelmore agent for others?—I think for Lord Cranstoun and Sir Lydston Newman, but perhaps I may be wrong.

1725. Do you know of Mr. Michelmore letting farms to tenants, to those people who are supporters of the duke?—No; but he deals with tenants over whom he has control.

1726. Have Lord Cranstoun and Lord Macclesfield property in the borough?—Lord Macclesfield certainly has not; whether Lord Cranstoun has or not I do not know.

1727. Has Sir Lydston Newman any?—No, I do not think he has.

1728. Were you personally acquainted with Mr. Dunn and Mr. Dent?—I have had transactions with Mr. Dent, but I did not know him personally.

1729. As a China merchant?—Yes.

1730. Before he came here?—Yes, many years ago. That was in 1839 and 1840.

1731. You have had a great deal to do with the Conservative elections in the borough?—I have had a great deal to do with the Conservative interest, but not with the elections.

1732. When a candidate was wanted, were not you applied to to recommend one?—No; sometimes was introduced to them and asked the politics, and so forth, but never went into detail.

1733. When Mr. Dent came down here, were you consulted about his being brought down?—I was introduced to his friend Mr. Mitchell some little time before he was a candidate.

1734. Was Mr. Mills in a failing state of health for some time?—I never heard so.

1735. Was his death sudden, or had preparations been made in case of a vacancy?—There had been preparations made in case of a vacancy, but not for his death. It was expected that the vacancy would be by Lord Gifford.

1739. Was it in consequence of the vacancy that Mr. Dent was proposed as a candidate?—I dare say it was. I know I was sent for. No, I do not think I was sent for. I believe I happened to be going into the "Stars," when I met Mr. Heath, the landlord, and he introduced me to Mr. Mitchell as the friend of Mr. John Dent, who was coming here as a candidate.

1737. Before that you did not know Mr. Mitchell?—No.

1738. Knew nothing about his coming here?—No. When he mentioned John Dent, of the firm of Dent & Company, I knew who he was.

1739. Is that Dent, MacKillop, and Company?—No; Dent & Company. I happened to know something of the firm of MacKillop & Dent. The house of MacKillop were connected, so far as the Calcutta business was concerned, but I do not think MacKillop had anything to do with China.

1740. (*Mr. Bere.*) Had you heard anything of Mr. Dunn before he came here?—No; I thought it was rather an ominous name; it was Dunn, Brown, and Company.

1741. Did you look for anybody?—I never did.

1742. You were not consulted in the selection of the candidates yourself?—No. I must say this, having known Mr. Baldwin on the old corporation as a freeman of the borough, I met him on the road in a carriage and he hailed me. He spoke of Totnes, and said he was thinking of coming forward himself as a candidate.

1743. He had been a member before the Reform Bill?—Yes; and he asked me whether I thought he

had any chance, and I told him I heard that a property in the town was likely to be sold, Gerston, and I thought if he were in a condition to buy Gerston and improve it by making votes upon it he might have a very fair chance. He came and consulted me and asked me whom he should speak with. I said, "You "had better speak to Mr. Charles Michelmore, the "brother-in-law of the present owner," and he accordingly came to Totnes, went to Mr. Farwell, who was his solicitor, and they and Mr. Michelmore arranged the matters for the purchase of Gerston, and he came forward.

1744. What was Mr. Baldwin?—He was a barrister and an agent in Paris (he spent a good deal of time in Paris), for the French refugees in the time of the French war.

1745. (*Mr. Coleridge.*) He was a man of some age?—Yes.

1746. (*Mr. Bere.*) Was he a man of means?—Yes, he had a good property in Ireland, and at one time he was strongly urged to become a candidate for King's County in Ireland.

1747. He spent a good deal of money here, and troubled himself a good deal with Totnes?—Yes; but Gerston was not his own, it was bought with his wife's money.

1748. Do you happen to know where Mr. Mitchell is now, whether he is in India or China?—I do not know, but I heard he was in China, he and Mr. Dent.

1749. Was Mr. Farwell the legal adviser of the Conservative party till the time of his death?—He was a strong Conservative. But I do not think they depended much upon his advice; he was not a working man.

1750. Mr. Charles Edwards was?—Charles Michelmore and Charles Edwards. After Mr. Baldwin purchased the Gerston estate Charles Michelmore joined the Conservative party heartily.

1751. He had been a Liberal before?—He was never a Liberal. You might call him a Liberal because he was a liberal man, but had Conservative views, with the exception that he was opposed to the old family government of the borough, but after he had introduced his friends, Mr. Parrott and Mr. Cornish, he and Mr. Parrott quarrelled, and he joined the Conservatives.

1752. Mr. Charles Edwards and Mr. Charles Michelmore were the legal advisers of the Conservatives?—Yes.

1753. Are they both dead?—Yes.

1754. Who succeeded them?—Mr. Thomas Kellock succeeded Mr. Charles Michelmore. Mr. Charles Michelmore took Mr. Presswell into partnership not long before his death, and at his death his son Charles Frederick Michelmore succeeded him. They were in partnership a short time, but soon dissolved, and now they are quite distinct, but both solicitors.

1755. Mr. Kellock is one of the legal advisers of the Conservatives; is not Mr. Edmonds another?—Yes; Mr. Edmonds served his apprenticeship with Mr. Charles Michelmore.

1756. Did they represent the Conservatives in the registration courts?—We generally had Mr. Daw and Mr. Beer.

1757. That is before the barrister. The municipal registration was Mr. Edmonds?—I have never interfered with the municipal registration except when I was mayor.

1758. Who appeared before you?—Mr. Edmonds, of Plymouth.

1759. On the Liberal side?—On the Liberal side, and Mr. Beer on the Conservative.

1760. Then were not they assisted by a resident solicitor?—I think not; I am not quite sure. They must have been assisted both of them by the persons who gave them their briefs.

1761. Do you know who those were on either side?—I suppose Mr. Kellock and Mr. Edwards, but there were other working men on our side and others on the Liberal side.

1762. (*Mr. Longe.*) You never took any part in the original invitation to the candidates on the Conservative side; the introduction to the Conservative candidate?—Never. The only one I ever had anything to do with was Mr. Baldwin.

1763. You had not any connexion of that kind with any of the later ones?—No.

1764. Do you know with whom, as a general rule, they originated. It is generally originated in the town, is not it?—I do not know anyone in the town more than another. It was through Mr. Rennie, son of Sir John Rennie, that persons have been introduced.

1765. Are you at all aware, in mentioning it to any gentleman, what information was generally given?—No.

1766. Is he generally told how much it would cost him?—I do not think anybody would know about that.

1767. (*Mr. Bere.*) Do any of the candidates ask you what it would cost?—I know when Mr. Mackenzie came down he wanted to know what it would cost him, and we told him we could not say.

1768. (*Mr. Coleridge.*) You never stood yourself for the borough?—Oh, dear no.

1769. (*Mr. Longe.*) You remember some of these occasions when you heard of persons coming down, surely you must have heard some idea thrown out as to the probable cost?—They asked me as to the usual amount. This Mr. Mackenzie who has been spoken about, he was introduced by Mr. Malins, who made a long speech in this hall in his favour.

1770. Mr. Malins, the Queen's Counsel?—Yes.

1771. (*Mr. Coleridge.*) Has he been mixed up with elections here?—No, scarcely at all, and we found that Mr. Mackenzie, though he talked very strong Conservatism to us, went among the opposite party and talked Ultra-radicalism with them, and many of our side when they found this put home questions to him, and told him that they would not support him at all, and the consequence was that he made a very poor figure on the poll.

1772. Had Mr. Malins ever been asked to stand as a candidate for Totnes?—I do not know that he has.

1773. Probably he knew too much about it?—I do not know anything about what he knew. I know this, when he was down here on a visit, I showed him a book which I had then but which I have lost since, I am sorry to say, containing many maps of the different boroughs, and telling him that the Boundary Act was the greatest job I ever heard of in my life that was passed through Parliament in the time of Lord Grey's administration, by which all the Whig landowners had their property included to the exclusion of the Conservatives of that day.

1774. (*Mr. Longe.*) Totnes has never recovered since?—No, nor Dartmouth either; yes, Dartmouth has, because the person whose property was affected has turned round, and turned the scale the other way.

1775. (*Mr. Bere.*) Do you think, in a contest, from the opposition of the town interest to the country interest, independently of politics at all, if the Duke of Somerset were Conservative would the town be Conservative?—No doubt of that if he were Conservative, and if there were two members they would both be Conservative.

1776. You think they would be?—No doubt.

1777. If the same tactics were used?—Of the three interests in the town, the duke's interest, the Liberal interest in the town, and the Conservative interest in the town, the Conservative is very nearly equal to the other two.

1778. That is not my question. Suppose the duke's interest, being now Liberal, was Conservative, would not many of the people who are Conservatives be Liberals from pure opposition to the duke's interest?—No.

1779. Has not his interest more to do with their political feeling than their own deliberate conviction?—I do not know; I cannot tell. There are many people, certainly. One man who is dead said that nothing on earth could induce him to vote for

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Lord Seymour. That was when Lord Seymour was a candidate; he is not a Conservative.

1780. Is there anything else you would be glad to tell us?—No.

1781. Have I called attention to all you wish to say?—No, I think not. I have made some memoranda from which I wish to correct, perhaps I should say amplify, what Mr. Presswell said yesterday; I do not know that I have anything else.

1782. (*Mr. Coleridge.*) I should ask you this, after what you have heard from Mr. Condy, do you still maintain that there has been no bribery whatever on the Conservative side in the municipal elections the lastt en years?—I am not aware of any.

1783. You do not know of any at all?—No, I am not aware of any.

1784. I do not want your own knowledge, but whether you have heard generally?—I think it is probable there may have been; but I think I should have been called on if there had been.

1785. You paid the ordinary half-crown and breakfast, and all that?—I have been called on occasionally to pay some money for expenses, but that sum has always been very small.

1786. It is a great many years since you were first elected?—Yes.

1787. What sum of money used you to be called upon in those days to pay now and then, yearly, we will say?—I do not think I was called upon to pay much, only a few shillings.

1788. I will put it in another way. What is the amount you have been called upon to pay within the last five years? Has it increased?—No, I do not think it has.

1789. Or within the last ten years as against the ten before?—I was not in the council so many years ago.

1790. Have you been in the council the last six years?—Yes.

1791. What was the largest sum of money you have paid?—Never more than 5*l.*, that included everything.

1792. Have you paid that every year?—No, I do not think I have paid altogether for my expenses, taking the whole of it from the first to the last, 15*l.*

1793. (*Mr. Bere.*) Do you think that the corrupt taint that has been proved to have affected parliamentary elections here has not got into municipal elections?—I think not. I do not mean that small sums may not have been paid for a man's labour and so forth; but I do not think there has been that bribery which Mr. Condy alluded to.

1794. Do you think then that some, who ask for a large sum for their votes in case of a member of Parliament, at municipal elections require nothing at all?—Yes, I should think so.

1795. How do you account for that? Is it because they have been paid so much on the other?—I do not know.

1796. The political effect is the same; the municipal election is taken into consideration in the parliamentary?—No, I cannot tell.

1797. (*Mr. Coleridge.*) Have you ever heard of anyone being paid a large sum?—I never knew a single soul who took a farthing.

1798. Or paid it?—No.

1799. On either side of politics?—No.

1800. (*Mr. Bere.*) Are the people of Totnes pretty well to do in the world? I do not mean the small shopkeepers, but the upper class of people?—Those who are in business and trade are pretty comfortably off. There are many who have private fortunes of their own.

1801. Have you ever known an instance, on either the Conservative or the Liberal side, where a subscription has been got up to defray the expenses of candidates, where a subscription has been asked for in order to carry on a contest for a parliamentary election?—There may have been.

1802. Did you ever pay a single sixpence yourself towards an election?—Not towards an election, certainly.

1803. A parliamentary election, I mean?—No, not towards a parliamentary election; towards a registration.

1804. You have paid for that?—I have paid a share when there was no Conservative candidate in the field. I have subscribed something towards defraying the expenses of the registration, nothing more.

1805. Did you ever subscribe anything towards the election itself?—No.

Mr. P. Condy.

Mr. Philip Condy, recalled.

1806. (*Mr. Bere.*) In 1863 were you not cognizant of some money having been spent by Mr. Alfred Seymour?—In 1863?

1807. Yes?—No.

1808. In the contest with Mr. Dent?—No.

1809. Did Mr. Alfred Seymour obtain a sum of money from the Devon and Cornwall bank that year?—Not that I know anything at all about.

1810. Did not you become guarantee for that?—No, not for his election.

1811. Did he obtain a sum of money from the Devon and Cornwall bank, never mind what for?—I do not know that he did.

1812. Did you and Mr. Thomas Michelmore give a guarantee to the bank for any sum of money at that time?—I never gave a guarantee.

1813. Did you ever hear that anybody else had given one?—No.

1814. A guarantee for any sum of money in 1863?—No.

1815. Now, Mr. Condy!—Not to my recollection. I will tell you one thing I do recollect, which is perhaps the thing you are alluding to, or may have led to it, that before the contest commenced there were some outstanding debts, all our municipal bills, and I was asked if I would advance some money, and I did, and they gave me a note of hand for it, and I was paid afterwards.

1816. What amount was that?—40*l.* or 50*l.* It had been running three or four years; that was when our party was put to heavy expenses.

1817. (*Mr. Coleridge.*) There was no bribery on your side?—There was none that I knew of or had to do with.

1818. How was this money spent that you advanced?—For these breakfasts that I told you of. Whether there was any bribery in it or not, done by any agent, I do not know.

1819. How many breakfasts?—I do not know.

1820. One election?—Yes, one election.

1821. 50*l.* for a breakfast?—No, it was some running bills besides.

1822. (*Mr. Bere.*) That is money you advanced on your own account?—Yes.

1823. Where did you get that from? From the Devon and Cornwall Bank?—I do not bank at the Devon and Cornwall Bank.

1824. Then you did not get it from there?—If I gave a cheque, it was upon the National Provincial.

1825. Where did you get it from?—It might have been money that I had in the house.

1826. You must know whence you got the money?—I do not know if I had any in the house. I usually go to the bank once a week.

1827. Have you ever given a guarantee or any security to the Devon and Cornwall Bank for any sum of money?—No.

1828. Never?—Never that I believe.

1829. Have you ever promised by word of mouth to become security for any sum of money to the Devon and Cornwall Bank?—No, not to my recollection.

1830. You must recollect that; it is not an everyday affair, the giving of a promise of that kind?—No,

I do not recollect giving a promise. Do you mean to the bank or anyone in the bank ?

1831. To the bank, the manager, or anyone for the bank.—No, I do not recollect it. I am not evading the question or fencing with it.

1832. (*Mr. Coleridge.*) Did you ever lend any money to Mr. Alfred Seymour ?—No.

1833. Did you ever advance him any ?—No.

1834. (*Mr. Bere.*) Did you ever know the Devon and Cornwall Bank to advance money to Mr. Alfred Seymour ?—No. I beg to say that during Mr. Alfred Seymour's candidature I was never on any committee when that was done.

1835. You know a great deal can be done without being on a committee ?—Yes, so it can, but I know nothing about it.

1836. (*Mr. Coleridge.*) Had you ever any dealings with the Devon and Cornwall Bank in the way of business ?—No, only as connected with an annuity society.

1837. And they banked with the Devon and Cornwall Bank ?—Yes.

1838. Did that society ever advance any money to Mr. Alfred Seymour ?—No.

1839. What sort of account has this annuity society kept at the Devon and Cornwall Bank ?—Perhaps at that time we had a little running account, but now that we have a little extra money we put it out at interest.

1840. What amount had you at that time ?—I really do not know, but I can tell you in five minutes.

1841. No, about will do ?—40*l.* or 50*l.* it might have been. What was the date of the election ?

1842. January 20th, 1863.—That might have been just about the time that we got the interest from the people.

1843. And that might be money you paid into the Devon and Cornwall Bank ?—Yes.

1844. Were these running accounts that you paid off paid shortly before the election for the borough ?—I believe it was before Mr. Pender came.

1845. (*Mr. Bere.*) Was that before Mr. Mills died ?—No.

1846. (*Mr. Coleridge.*) Was the reason for paying them this, that there were several people dissatisfied that there had been these things outstanding ?—Yes.

1847. And they were probably voters ?—Some of them.

1848. Can you tell us who the persons were among whom that was distributed ?—One bill was John Sandford Screach's.

1849. What did Mr. Screach have ?—I do not know how much we owed him. I do not know the proportions of the bill.

1850. What had Mr. Screach been doing ?—He had provided a breakfast during election time. I never went into one of these houses.

1851. Is Mr. Screach opposed to you in politics ?—He had been with us up to that time.

1852. When did the conversion of Mr. Screach take place ?—I recollect him calling one day and saying, "I have never been paid my election bill, and if "it is not paid before another election comes I will "not vote for you any more."

1853. (*Mr. Bere.*) How much did you pay him ?—I do not know. I advanced the money but the bills never came to me.

1854. Whom did you give the money to ?—I gave the money to Mr. Cuming.

1855. Who besides Mr. Screach was paid any money ?—I dare say there was some due to the "New Inn," Mr. Gillham.

1856. Which way does Mr. Gillham vote ?—Our way.

1857. Mr. Screach is one of the converted men of Totnes ?—Yes.

1858. Mr. Gillham is not one of the converted men ?—No he is not.

1859. Who else ?—There were others who were creditors, where they had had breakfast.

1860. Mr. Screach and Mr. Gillham I suppose had voted for the Liberal party at the last municipal election before you paid this bill ?—Yes. There was a breakfast at their houses.

1861. And you anticipated that they would vote again for the parliamentary election ?—Yes.

1862. And if it had not come on I suppose there would not have been that press to advance the money ?—No, perhaps not.

1863. Who paid you ? — Mr. Charles Frederick Michelmore about two months afterwards.

Mr. Samuel Huxham sworn and examined.

Mr. S. Huxham.

1864. (*Mr. Bere.*) What are you ?—A wholesale grocer.

1865. How long have you lived in Totnes ?—All my life time.

1866. I must ask you how long that has been ?—40 years.

1867. I suppose you can speak to the political feeling and events of the borough for the last 30 years at any rate ?—I do not know anything about an election till Mr. Mills came ?

1868. Did he come as a friend of yours ?—No.

1869. You voted on the other side then ?—No, as a Liberal. In fact that was the first election that I was at home.

1870. You were away from Totnes ?—Yes.

1871. Mr. Mills came first of all in 1852, did not he ?—About that time as near as I can remember.

1872. Where did Mr. Mills come from ?—From Hertfordshire.

1873. How was it that he came to the borough ?—I cannot tell.

1874. Did not you form one of a deputation to invite him to it ?—No.

1875. Did not you know anything of him personally till he came ?—Not in the least.

1876. Were you on his committee ?—No.

1877. Were you on the Seymour committee ?—No, I was never on any committee at an election.

1878. You were never on any election committee at all ?—Never.

1879. Did you take considerable interest in Mr. Mills election ?—I never took any part in any election.

1880. You never canvassed in any shape or way, did you ?—No.

1881. Do you know whether your father took an interest ?—He was a warm politician.

1882. Did Mr. Mills spend a good deal of money in Totnes ?—He did.

1883. Did you hear about how the money was spent ?—Never.

1884. Do you know where he got that money from ?—I suppose it was his own.

1885. Are you certain about that ?—I have no doubt about it.

1886. Did you ever hear that your father advanced him money ?—Yes.

1887. How much did he advance him ?—I cannot tell.

1888. 100*l.* ?—I cannot tell you the amount.

1889. Several thousands ?—No, several hundreds I should think.

1890. Did Mr. Charles Webber and Mr. Joseph Ferris advance several hundreds too ?—I cannot tell.

1891. You know your father did ?—Certainly.

1892. Was he repaid ?—Yes, I believe so ; I have no doubt about it.

1893. Is your father dead ? — Yes, he is dead. Since the matter was mentioned I have made inquiries and looked into the accounts and cannot find it.

1894. You do not know from these accounts that the money was repaid ?—I have no doubt about it at all.

THIRD DAY.

Mr. S. Huxham.

25 Aug. 1866.

1895. Do you know whether that money was used for the purpose of influencing the election ?—It was spent for that ; there is no doubt about that.

1896. You have no doubt in the world about it ?—Not the least.

1897. Did you yourself vote for Seymour and Mills? —Yes.

1898. What was the next election you took an interest in ?—Every election after that I voted.

1899. Did you do more than vote ?—No.

1900. Did you ever accompany the Liberal candidates as a canvasser ?—Never.

1901. Did you go with them from time to time to give them the benefit of your advice ?—No.

1902. You did not take any very great interest in it ? —I am no electioneerer ; I support the party by my vote, but I could not go canvassing or anything of that sort.

1903. Why would you not ?—Because I do not like it. I do not think it necessary ; it is not my *forte*. I could not go amongst people asking them to vote. I do not think there is anyone in Totnes who will lay it to my charge that I have ever asked them for their vote in any shape or fashion.

1904. Were you ever a member of the council ?—No, I was not ; my father was.

1905. How do you account for the preponderance of Conservative politics in the council and of Liberal politics in the borough ?—Only that it is done in the same manner as all elections are carried on in Totnes, by money ; there is no doubt of that. I do not believe that amongst the burgesses there is any kind of feeling one way or the other, but that it is he who will give the most who gets elected ; there can be no doubt of that.

1906. Does the same thing prevail with regard to those who are on the parliamentary roll ?—Yes ; there can be no doubt of that. At the time of the last election my father was taken ill, the expenses that came in were rather heavy and I had to pay them ; I am alluding to the municipal election.

1907. What were the expenses ?—The expenses were between 40*l.* and 50*l.* ; he was only one of the four.

1908. I suppose Totnes is divided into wards, is it not ?—No, they all vote at one place, they are all in one ward.

1909. So that you have to use your influence upon the whole 479 ?—Yes, there are four candidates. I have no doubt that most of them are much alike, and that they have had a little assistance from the member into the bargain. I have had to pay my father's share, which has been between 40*l.* and 50*l.*

1910. (*Mr. Coleridge.*) Do you know how comes it that the Conservatives have managed to manipulate the elections so much better than the Liberals ?—I really cannot give any reason for it. It is all a matter of pounds, shillings, and pence in regard to the municipal elections as well as the others.

1911. Are you able to give any solution of it ?—Not the slightest.

1912. I suppose the Liberals devote their energies more to politics ?—There are plenty of politics on both sides.

1913. (*Mr. Bere.*) The Liberal candidate, having been successful, has had to pay as much as he would be inclined to pay in reference to the municipal matters ?—In the time of Mr. Mills he was very liberal with his money, whether with regard to political registration or any other matters.

1914. He would always let you have as much as you wanted ?—I do not say that he would let us have as much as we wanted ; he was a very rich man ; but if he had let us have as much as we wanted he would soon have been a very poor man.

1915. (*Mr. Coleridge.*) As much as you wanted would be, as was said yesterday, an unknown quantity ?—Yes.

1916. (*Mr. Bere.*) Were you ever consulted by the Liberal party as to whom they should have for a candidate ?—Yes, I was asked to become one of a deputation to wait upon Mr. Pender, but I declined.

1917. Was his name mentioned here originally, or do you know did it come from the Reform Club ?—I think it came from the Reform Club.

1918. It did not come from Lord Seymour, did it ? —No.

1919. Do you know who was Lord Gifford's agent. Was it Mr. Windeatt ?—It was Mr. Michelmore, the same person who had managed for Lord Seymour before.

1920. At the time that Mr. Pender came to Totnes as a candidate Lord Gifford was in a dying state, was he not ?—I believe he was.

1921. Had you not heard Mr. Pender's name from Lord Gifford's agent ?—No.

1922. Are you quite certain of that ?—Yes, I am quite certain of that. When the telegram came informing us that one of our members was dead we did not believe it was Mr. Mills, we thought most likely it was Lord Gifford.

1923. But was there not an election expected ? It was known that Lord Gifford was in a very weak state and was likely to die ?—There was no one fixed upon.

1924. Were their names canvassed ?—Mr. Pender's name was not mentioned to me. I was one of the first who was consulted, but that was not until after Mr. Mills' death.

1925. Who mentioned it to you, do you remember ? —It was mentionedto me first on the bridge by one or two parties who had come from the "Seymour Arms" Hotel.

1926. Did Mr. Thomas Michelmore mention it to you ?—No. I think it was Mr. Cuming who mentioned it to me, and asked me if I would go to London with them. He had been agent for Mr. Mills and Mr. Pender when he came in first.

1927. (*Mr. Coleridge.*) Did you go to London with the deputation ?—No, I did not.

1928. You were not one of the committee ?—No, I never was a member of any committee.

1929. Were you at all surprised at the revelations which came out before the Committee of the House of Commons ?—Not at all.

1930. (*Mr. Longe.*) Do you remember the first election of Mr. Mills ?—Yes, when the money was advanced, that was the first election at which I ever voted at all.

1931. I suppose they spent money as well on the other side ?—There can be no question that they spent money on both sides, the rumour was that it made Mr. Baldwin a poor man. I am alluding to the last time that he came here.

1932. You took no part at all in the last election, except as regards voting ?—That is all.

1933. Did you hear that there was a good deal of bribery taking place ?—I had nothing to do with the last election, I was not at home at the time of the nomination.

1934. Have you any acquaintance with what has been done in the way of creating votes which has been adopted here by the Duke of Somerset ?—I believe it has been done on both sides.

1935. But the duke has got the monopoly now ?—No, there is the Broomborough estate. I believe there were 28 votes upon that at one time. The Conservative party said that the votes were bad and withdrew their own, and objected to the Liberals. That was on the occasion of the last registration. The revising barrister allowed those of the company, but struck off the other voters, and the Court of Common Pleas reversed both decisions.

1936. (*Mr. Coleridge.*) At Lord Seymour's election in 1863 do you recollect a guarantee being given for a sum of money to the National Provincial Bank ?—Not a penny in any way. I never heard of such a thing.

1937. Or that it advanced any money to them at that election or at any other ?—No.

1938. Was there not one of the elections at which you refused to vote for Mr. Mills ?—No.

1939. When you had had some quarrel ?—No. I always voted for him, probably you might allude to Mr. Pender's election.

1940. Tell us what was that ?—I told Mr. Pender that I did not care about supporting him if Mr. Cuming was his agent, as I thought Mr. Cuming had treated us shabbily.

1941. And you declined to support Mr. Pender ?—I did not, I told him that I should not take any part in his election.

1942. Did you vote for him ?—No.

1943. Then did you vote at all ?—No.

1944. Was there any guarantee given to any bank at all ?—I never heard of any guarantee of any sort, or of any money transaction except the money which my father advanced. I never advanced any, and have never been answerable for any.

1945. (*Mr. Bere.*) Can you tell me at what time of the election of 1852 this money was advanced by your father ?—It was before the polling-day.

1946. Can you tell us when it was advanced ?—No.

1947. Would not the bank be able to tell ?—It was not done through a bank.

1948. Then where was the money got from ?—It was taken in the ordinary course of business.

1949. You would not keep so large a sum of money as that in the house ?—We might have taken it on two or three occasions.

1950. Was it paid to Mr. Mills personally ?—No. I cannot tell you to whom it was paid, it was paid to one of his agents. I did not see the transaction, but I know that it took place, it is a long time ago.

1951. Did you ever hear your father say why he lent Mr. Mills the money ?—I suppose as a friend.

1952. But if he were a rich man he might have got the money from London ?—It might have been done to avoid future proceedings, so that Mr. Mills might come out of the matter with clean hands. I believe that is generally done so in most places.

1953. You will not say that it was done late on the polling day ?—It was some days before the election. The precise time I cannot tell you.

1954. Is there anything else that you would wish to tell us as regards that election ?—No.

1955. Either with regard to the history of the borough or in reference to what has been done at other elections ?—I have never taken any active part in the proceedings myself.

1956. Is any of the feeling that exists in the town and borough of Totnes occasioned by the fact of the country interest being opposed to the interest of the town ?—Both parties have used the country interest, the one as well as the other.

1957. I suppose that the Duke of Somerset has influenced more votes than anyone else ?—No, he does not. The people on his property are quite independent of the duke. If a man lives on one of his farms every one knows that he is almost dependent on his landlord. The duke's property has been let out to persons who may have built 10*l.* houses on it, or by means of the enjoyment of a field have done so, but he has no influence in the world with them beyond the fact that they use his land.

1958. Still he exercises a peculiar sort of influence if it is only by way of warning ?—Some of the tenants at Bridgetown it is said were warned out of their houses at the last election, but they were very few. All his land is let to first-class people, over whom he would have no more power than he would have over you.

1959. Who are these first-class people ?—Mr. Hamlyn of Buckfastleigh, and people of that class, respectable farmers, not tenants of the duke's.

1960. Would they do this out of love to the cause or love to the duke ?—Love to the duke would not influence them.

1961. In Fore Street in this town has not the duke some property ?—Very little. I do not know that he has any.

1962. That is where the principal shops are ?—Yes. I know of very few, if any, that he has in Totnes. In Bridgetown he owns a great many houses, but he he has very few houses in Totnes.

1963. (*Mr. Coleridge.*) When you say the duke does not influence more votes than any other person, has he not greater influence than anyone else ?—Over the individuals who vote for his property he has no influence. The duke's property is used to create a certain number of votes, but over the men who vote in respect of that property he has no influence.

1964. Then he has created the votes without knowing how they would be used ?—It would be most decidedly known that the parties are Liberals.

1965. Then we will not say the duke by name, but we will take it that Mr. Michelmore has more influence over them than anyone else ?—No, he has none.

1966. Then you think this is absolutely a pure borough ?—No, I do not, but no one can influence the duke's tenants ; the larger portion of them are independent men who are living in the neighbourhood, some farm their own estates, others are merchants.

1967. How many voters should you say are tenants of the duke ?—I should say a hundred.

1968. Is there a single person in Bridgetown who is not a tenant of the duke's ?—There are many houses in Bridgetown which do not belong to the duke.

1969. How many of this hundred on the occasion of the last election voted against the duke's candidate without being evicted ?—I cannot tell you the number.

1970. Were there twenty ?—I cannot tell.

1971. Where there ten ?—I have not the slightest idea.

1972. Were there more than five who voted against the duke who were not evicted from their holdings ?—It is a matter of opinion, and as was said by Mr. Condy, they evicted none except they thought they had been bribed.

1973. Were there five out of the hundred who voted against the duke at the last election without being turned out ?—It is impossible for me to say.

1974. Do you still adhere to your opinion that the duke influences no votes ?—If the duke has a hundred tenants on his land it is fifty to one but that 99 would vote for the Liberal party without being asked.

1975. But when Mr. Michelmore creates a vote does he not know how the person will vote ?—Yes ; he puts him in there because he is a Liberal.

1976. According to your opinion, the property influences the vote *qua* the land ; but neither the duke nor Mr. Michelmore has any influence ?—Not after the vote is made. They create the vote, but after it is created they have no influence.

1977. (*Mr. Bere.*) They will not make a man a voter who is not upon their side ?—No ; but over this class of people the duke has no influence whatever.

1978. Suppose that the Duke of Somerset were to-morrow to turn Conservative, would those men vote against him ?—Every one of them.

1979. Then would not every one of them be turned out ?—No doubt. The property no doubt makes the vote, but the duke has no control over the voters after they are made.

1980. (*Mr. Longe.*) Has not the duke some property in Totnes ?—He has the castle, but that is used merely as pleasure grounds.

1981. Has not the duke any houses in the streets of the town ?—Very few.

1982. He has the Gerston estate ?—That is only a farmhouse.

1983. (*Mr. Coleridge.*) That is a place where they made nine votes out of it ?—I believe they made 40 votes out of it, which were allowed by the revising barrister and afterwards struck out by the Court of of Common Pleas. I doubt whether there are any votes there since the company failed to establish the franchise.

1984. When did the duke buy this property, do you know ?—Some four or five years ago.

1985. And there have been no voters for Gerston

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since?—There have been voters for Gerston, not for the company.

1986. (*Mr. Bere.*) Is there any land which the Conservatives have got hold of upon the same terms?—They have the Broomborough estate, which belonged to Mr. Phillips; they put upon it, I believe, 28 votes.

1987. Is that land still available?—Mr. Phillips is dead; I cannot say whether his widow will do the same as her husband.

1988. He was a strong partisan, I think?—Yes.

1989. (*Mr. Coleridge.*) From your knowledge of the borough is there any probability of their being able to create any more votes at Bridgetown?—I expect that there have been as many put on there as can be.

1990. Is Gerston property now pretty well used up?—Yes; everything there has been made the most of, there can be no doubt of that, by both sides.

1991. (*Mr. Longe.*) You have heard the expression made use of, "following the chains?"—Yes. These men are put on to vote as Liberals, and they do so vote. If the duke were to change his views, they would have notice to quit.

Adjourned to Monday next, at half-past 11.

FOURTH DAY.

FOURTH DAY.

Monday, 27th August 1866.

Mr. W. J. W. Bastard.
27 Aug. 1866.

Mr. William John Wakeham Bastard sworn and examined.

1992. (*Mr. Bere.*) What are you?—A gentleman. I have no particular business.

1993. Have you been in any particular business in the course of your life?—Yes; I have been occupied some part of my life in farming pursuits; but I have never done much.

1994. Has that farm been carried on in Totnes?—No.

1995. When did you first come to reside in Totnes?—I think 19 years ago.

1996. That is in 1847?—Yes.

1997. Did you come before or after the election of 1847?—After. I had nothing to do with the election of 1847.

1998. Have you lived at Bridgetown ever since?—Yes.

1999. In a house of your own, or belonging to the Duke of Somerset?—Of my own.

2000. A freehold house, or leasehold?—Freehold.

2001. You have taken considerable interest, I believe, in elections that have taken place in this borough?—I do not know about very much interest.

2002. Both with regard to the corporation and for members of Parliament?—I have had something to do with the municipal part, but not the parliamentary.

2003. Are you a member of the corporation?—Yes.

2004. How long have you been so?—I have been twice elected as councillor.

2005. And alderman?—I am alderman now.

2006. Were you twice before councillor?—Twice councillor in the first instance. They have taken me from councillor and made me an alderman.

2007. What are your politics?—Conservative.

2008. When were you first elected as councillor?—I think in the year 1851. I would not be positive to the date; but I think it was.

2009. Were you opposed?—No.

2010. There was no occasion for spending money at that time?—No.

2011. When were you next made a councillor?—Three years come now.

2012. 1863?—Yes.

2013. Had money become pretty plentiful in Totnes then?—Yes; it came to be showered down pretty thickly.

2014. Were you opposed?—Yes.

2015. Four on each side?—Yes.

2016. What did it cost you?—Between 50*l.* and 60*l.* that election.

2017. Did the other three on your side pay an equal sum?—I understood so.

2018. How was that 50*l.* or 60*l.* spent?—I can hardly give you the account; but I suppose the greater part to the voters.

2019. To whom did you pay it?—I paid 25*l.* to Mr. George Heath. Then I think he came to my house afterwards for some more money; the day was going on, and I think I gave him 20*l.* more, if I recollect rightly.

2020. Were the Conservatives behind when he came for the 20*l.*?—I do not know what state the poll was in.

2021. You did not inquire?—No.

2022. Who is George Heath?—He is the son of Mr. Heath of the "Seven Stars."

2023. You were successful?—Very successful.

2024. Were all the other three Conservative candidates successful?—Yes.

2025. (*Mr. Coleridge.*) What did it cost for the others? Did you subscribe something every year towards a fund for those elections?—No.

2026. You have not paid any other subscription?—No.

2027. Is that the first time you have paid money?—No, I have paid more than that; but I have been up two or three times.

2028. When did you pay more?—I never paid so much.

2029. How much have you paid since your elections?—I must have paid first and last, not only at elections, but at the registration, not less than 100*l.*

2030. Do you include the election of 1863?—Yes.

2031. (*Mr. Bere.*) Do not you believe that a portion of that was spent in direct bribery?—Paid to persons for voting, some portion of it; I do not know to what extent; I leave that to others.

2032. (*Mr. Coleridge.*) A little stuck to intermediate hands, perhaps?—I do not know.

2033. That is the common way, that the middle man does not part with all he gets?—I cannot answer.

2034. You do not think he works out of mere love, without getting anything for it?—I cannot say.

2035. Was Mr. George Heath a particular friend of yours?—No, not a particular friend.

2036. Was his father?—No, only as a man of Conservative principles.

2037. It is not likely that Mr. Heath would do this out of love and affection for you?—Not more than for another person, I am not aware.

2038. (*Mr. Longe.*) What number of votes do you suppose 25*l.* bought?—That is more than I can tell.

2039. Would it be 1*l.* or 2*l.* a vote?—I cannot tell. I mean to tell you what I know, and I hope you will not ask me to tell what I do not know. But you have not asked me what made up the 50*l.* or 60*l.* I have given you 25*l.* and 20*l.* As I understood afterwards those accounts, whatever they might have been, were made up by some party and put into a certain person's hand to audit.

2040. Who was that certain person?—Mr. William Hannaford.

2041. Is he alive?—Yes; I saw him a few days ago. Afterwards I was called on to pay a portion of the balance of that account. And that made up 15*l.* or 20*l.* more.

2042. That made up 50*l.* or 60*l.*?—Yes.

2043. Did you see the accounts?—I cast my eye over a portion, and I saw sums as high as 3*l.* I do not recollect higher than that.

2044. Was it an account for all the four candidates together?—Yes.

2045. Did you see any as high as 4*l.*?—I do not recollect seeing any higher than 3*l.*

2046. (*Mr. Coleridge.*) Do you recollect anyone who had as much as 3*l.*?—I cannot say.

2047. Was it put down as something paid to a voter or for something he had done for services?—I think only put down so and so, so much money.

2048. Not services?—I do not think it was.

2049. (*Mr. Longe.*) According to that there were about 20 or 30 men would vote for you?—Do you mean for me or the party?

2050. It would be for the party?—A larger number would get money than that, because no one would come unless they were paid. I will give you an instance. At the death of one of our members, to fill up the vacancy an election was declared; I think there were half a dozen candidates, and when we came to the election what was the consequence? Most of them had got one vote each, one two votes, and the one elected had got about four score. Had there been money passing they would have been there by hundreds; they will not come unless there is money in the market.

2051. (*Mr. Coleridge.*) I suppose there is not much difference in point of wealth between the Conservatives and Liberals?—That is a particular question.

2052. How do you account for the Conservatives having a majority in the municipal elections and not for a long time having had a parliamentary one?—It may be accounted for in two ways. I suppose in the first instance the Liberals have got a good flourishing tree to go to, and when they want a good supply they go and shake the tree and get the supply, and that assists them to do what they please. We, on the other side, had no such person to go to, and till we put our fingers in our own pockets to fight the battle with them we could do nothing. When we did that we found ourselves a match; and I believe, rather, that the feeling of the lower classes is much more in our favor than the other side.

2053. Do you agree with the gentleman on Saturday who said that the lowering of the franchise would be a Conservative measure in the borough of Totnes. I think Mr. Bentall said on Saturday that the lower class of voters, lower than the parliamentary voters, were more Conservative than those who had votes for a member of Parliament, so that the lowering of the franchise would be a Conservative rather than a Liberal measure?—I agree with that. I do not think that the lowering of the franchise would preponderate against us.

2054. Do you think the class of persons who have not parliamentary votes are more Conservative than those who have it?—I believe we are, chiefly speaking, Conservative people. I believe the majority are Conservative in the borough.

2055. You have not returned a member of Parliament for some time?—We are swamped by the outlying districts.

2056. You are speaking of the town proper now as being Conservative?—Yes.

2057. How do you account for this tree that can be shaken in parliamentary contests and cannot be shaken in municipal contests?—They do shake the tree for municipal purposes as well. I have often heard say so much money has been sent down.

2058. How is it they do not return Liberal councillors?—Because the poor people are more Conservative, and if they can get a pound on our side they would rather take it than double on the other.

2059. Give an equal sum and the Conservatives would preponderate rather than the Liberals?—Yes.

2060. (*Mr. Bere.*) Do you mean that the Conservatives have never distributed money to the Conservatives at elections?—I believe they get money.

2061. Did not Dunn, Dent, and Mackenzie send money?—I am not aware that they did.

2062. Were they not asked?—They were not members, they were only candidates.

2063. How much did Col. Dawkins spend on the municipal election of 1865?—I know nothing about that.

2064. Have you not heard something about what he spent?—I heard he spent a great deal of money.

2065. I mean for the election of councillors last year?—I do not know anything about it.

2066. Have not you heard he spent a great deal of money at the council election?—I know nothing about it.

2067. He was a tree that was shaken by the Conservatives?—If he was that kind of tree I ought to have had some portion of it.

2068. You did not happen to get any?—Not a farthing.

2069. You were not in a position to get it; if he spent money you would not get it to recoup you?—I did not expect it.

2070. In 1864 it was a strong contest?—Yes.

2071. Colonel Dawkins was unknown I believe then?—Yes.

2072. (*Mr. Longe.*) You said hardly any would vote at the municipal elections unless bribed?—I believe that to be the case.

2073. Do you speak of the upper class tradesmen of the town?—No.

2074. What do they do?—If they felt inclined to vote they would.

2075. When you say "none" what class do you mean?—I do not say none.

2076. You used a general expression?—I said at the last election when a single individual was to be returned, there were many who had one vote, one two votes and one about four score. If money was in the market and distributed they would be there by hundreds. They would come if there was money. They would not come else, poor men.

2077. (*Mr. Coleridge.*) Of the 479 voters for the council election how many are working men as distinguished from shopkeepers?—I am not prepared to answer that question.

2078. About one half?—I should think there are, but I am not prepared to answer that question.

2079. (*Mr. Bere.*) You were not acquainted with Totnes before money began to be spent?—I cannot go back.

2080. Not further than 1847?—No.

2081. Is that all you wish to say about the municipal election?—I do not think I can give any further information.

2082. If you will give us all the information you can we shall be glad?—I do not wish to keep anything back.

2083. If you spent money they would spend it?—They have spent it, otherwise they would not come forward; we could do nothing without it.

2084. Did you ever know an instance in which a voter asked more than you would give and said he could get it the other side?—I never canvassed for a vote.

2085. When Mr. George Heath came to you for the 25*l.* did he say he could get a vote if he had the money, that there were two or three standing out?—No.

2086. (*Mr. Coleridge.*) Who was the Conservative manager or agent?—I think Mr. Edmonds must have had more to do with it than any other person.

2087. And Mr. George Heath?—And Mr. Edmonds.

2089 In your election were Mr. Edmonds and Mr.

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Mr. W. J. W. Bastard.

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George Heath the leading parties?—I do not know whether Mr. Edmonds was then.

2089. Can you mention anybody but Mr. George Heath who canvassed?—They employed who they liked.

2090. All your communications were with Mr. George Heath?—I put the money into his hands. I had nothing to do with the persons who managed it. They got my money.

2091. (*Mr. Bere.*) Can you tell me when Mr. Rennie came as a candidate?—I cannot recollect.

2092. Were you present when he made that speech at the "Seven Stars" when he recommended the Conservatives to try and gain the seats?—I was at a meeting but I have no recollection of what he said.

2093. Can you remember how long ago it was?—I cannot remember the date, I forget.

2094. When the accounts were audited at your municipal election you saw the names of the persons who had received money?—I saw the names of many.

2095. Did you see the names of persons who you were surprised to hear had taken sums?—I might, but, if I did, I do not recollect.

2096. No friends of your own; persons living in Fore Street?—I do not recollect.

2097. You do not remember anyone in a position that you were rather astonished to find took a bribe?—I do not recollect.

2098. You do not know who took 3*l.*, you mentioned one case of 3*l.* was he a substantial man, who took that?—No, I think not; I think one man that got that was called Jones.

2099. I was asking more for the class; are you speaking of working men or were they 10*l.* householders?—No; I think not, not those that took 3*l.*

2100. But some that took bribes might be 10*l.* householders?—I am not prepared to say either way.

2101. I think you must know?—I could not say. If I could I would. I would not hesitate a moment if I could tell.

2102. (*Mr. Coleridge.*) Do you say that the corruption of the municipal elections was preceded by the parliamentary or the other way. When did it begin?—When I was first elected there was no opposition, I think in 1851, and then I was three years out and came up again.

2103. After having been personally concerned, did you hear whether there was corruption going on at the municipal elections during the three years you were out?—All I have heard at the municipal elections was, that they had to treat the voters with a breakfast and half-a-crown, and so on, and I believe that was the way the thing began.

2104. When was the first time you heard actually of money being paid to the voters at municipal elections?—I have been up twice, and no money passed.

2105. When was the last time you were up and no money passed?—I think in 1854.

2106. Do you know of any money passing before 1863, when you told us of it?—Yes.

2107. (*Mr. Longe.*) In these accounts that you saw, what number of names were down?—I should think some scores. I do not know.

2108. Some hundreds?—There was a large number. I cannot tell how many. I did not go into particulars, and I hear very little about it.

2109. Were there 100?—I do not know. No, not that number.

2110. (*Mr. Bere.*) Some must have taken small sums if there were over 100?—I paid my money, and thought no more about it. It all passed into other people's hands.

2111. Have you taken a great deal of interest in the parliamentary elections?—Nothing in particular.

2112. On the committees of Conservative candidates?—Yes, as they call it.

2113. Whose committee were you on. Were you on Col. Dawkin's at the last election?—No, I do not know about being a committee man at the election. I remember being selected as one of three to go to Col. Dawkins when he first made his appearance.

2114. Who selected you?—By what was termed the self-elected committee.

2115. Who were the self-elected committee?—Mr. Edmonds, Mr. Kellock, and Mr. Heath.

2116. John Heath or George?—John Heath. Mr. Phillips, Mr. Willis, and Sparke Distin.

2117. Were there printed lists of the committee circulated about?—No.

2118. Who were the two others who went beside you?—Mr. Bentall and Mr. Gill.

2119. How had you heard of Col. Dawkins?—I never heard of him till he made his appearance.

2120. Had he been here before you went up?—Yes; till he came down I heard nothing of him.

2121. He was down here?—Yes, we were requested to go and see him, and we formed a committee to go and see him.

2122. Where was he at?—The "Seven Stars."

2123. Where was the committee held?—At the "Seven Stars."

2124. You walked across from one room to another?—We were downstairs and went up and saw him. The question was, whether we could recommend him as a candidate.

2125. What was the qualification for a candidate?—A straightforward honest sort of man.

2126. Who spent a great deal of money?—I did not ask him to spend money.

2127. You had no objection to a man like Col. Dawkins?—No.

2128. Did he ask you what it would cost?—No.

2129. Did you ask him whether he was prepared with plenty of money?—No.

2130. Did anyone in your presence?—No.

2131. Did anything pass about money?—He pretty well understood it could not be done without money.

2132. How was that understanding arrived at?—I think I told him myself that money would be required, but I never said to what extent.

2133. Did he not ask you to what extent?—No.

2134. Did you say a great deal?—I said a great deal would be required.

2135. What estimate did you form of the probable expense?—I never thought of that.

2136. Supposing Col. Dawkins said, "Now you "must tell me what sum," what estimate would you have formed of the price of the borough?—I did not say anything.

2137. Supposing he had asked you what amount, what did you think would be required?—3,000*l.* or 4,000*l.* at least, I should have thought.

2138. (*Mr. Longe.*) You remember the occurrence of your speaking to Colonel Dawkins?—Yes.

2139. Do not you remember the remark he made when you said that?—No.

2140. Did he nod as if he knew it, or had heard it before?—I do not think he made any answer to it.

2141. (*Mr. Coleridge.*) I suppose you knew that an election was coming on before Colonel Dawkins came down. Everybody knew that?—Yes.

2142. And you were anxious as a member of the Conservative party to have a Conservative member?—Yes.

2143. Did not it ever occur to you to get up a requisition to a Conservative gentleman in the neighbourhood, or did you leave him to come at haphazard?—There was no requisition to him.

2144. Did the Conservative party take no steps to get a member?—There was a requisition got up to invite Mr. Dent the second time.

2145. But the first time. I mean to say when Colonel Dawkins came down had the Conservative party endeavoured to get any candidate of their own?—I think there was a requisition to some gentleman, I do not know now.

2146. Is it usual in this borough to leave it to chance for anybody to come down, and then to go and see him?—Not exactly so, because there would be an application made to the Carlton Club.

2147. Who made the application to the Carlton Club?—I had nothing to do with that.

2148. As a Conservative in the borough did it never occur to you to inquire about that?—I dare say our solicitor did that.

2149. Did he do that without any instructions from you, or any meeting with you previously?—Probably not. That might be discussed and decided at one of our meetings. Perhaps Mr. Edmonds might have been the man at the time.

2150. Prior to Colonel Dawkins' coming down what discussion had taken place as to getting a Conservative member for the borough?—I know an application was made to the Carlton Club. Mr. Edmonds I think made an application there on behalf of the Conservative party.

2151. How did he make that, by letter?—By letter I suppose.

2152. Did you instruct him to write a letter to the Carlton Club and ask for a candidate?—He was requested to look out for a candidate in that way.

2153. Did you see the letter that he wrote to the Carlton Club?—Never.

2154. (*Mr. Bere.*) Did he go up to London?—He might have gone up.

2155. Did not he?—I believe he did on one occasion.

2156. Do not you know that he went up to the Carlton Club and got Colonel Dawkins to come down?—No, I do not believe that.

2157. How did Colonel Dawkins come?—I do not think we knew of his coming down, or anything of the sort.

2158. (*Mr. Coleridge.*) Is Colonel Dawkins connected with this place in any way?—No.

2159. Or with the neighbourhood or county. Is he a Devonshire man?—I believe a perfect stranger.

2160. Mr. Edmonds having been instructed to go to the Carlton Club to get a member, Colonel Dawkins came down, and Mr. Edmonds knew nothing about it?—I believe so.

2161. Who did Mr. Edmonds expect to get in answer to his application?—I do not think that at that time that he expected anyone.

2162. Do you mean that he had given up the idea of contesting the borough?—I do not think that any one was likely to come down at that time.

2163. How long before the election was it?—Not long before the election.

2164. How long?—Not a fortnight I should think.

2165. When did you get hold of Captain Pim?—He came after, merely a few days before the election.

2166. How did you get him? After you had got Colonel Dawkins, was there any meeting at which it said it was necessary to have another Conservative?—Some one went to London then for the purpose of getting a second candidate.

2167. Who was the someone?—I do not know whether it was John Heath or no; I think it was John Heath; I am not certain.

2168. You think it was Heath?—Yes; but I will not be certain, though.

2169. And so you met with Mr. Pim?—As far as I know, and he came down as a sort of stalking horse as it were.

2170. Did you go yourself up to London about this election?—I did not.

2171. After you had got Colonel Dawkins and Captain Pim down, had they joint committee rooms?—I do not know anything at all about a joint committee room, or a committee room at all. I was not one of their committee.

2172. I thought you were one of the committee of three?—That was in the first place, merely to see Col. Dawkins, and see whether we could recommend him to our party, and that we did do, and there was an end of it.

2173. Did Mr. Bentall and Mr. Gill act as members of his committee?—I do not think they were at all at the committee.

2174. (*Mr. Bere.*) There was a committee room at which those interested in the Conservative candidate attended from time to time. There was a room—we will not call it a committee room if you object to the word—and did not you attend there on the day of the election to see how things were going on?—No; I did not take any interest in it at all.

2175. Were not you there from time to time as the returns of the poll were sent in just as any other person might go in?—I might see how the poll stood.

2176. When there was a discussion about a particular voter or class of voters, did you give your opinion as to how they were to be got?—No.

2177. (*Mr. Longe.*) As I understand, you belong to a class; you do not initiate or have anything to do with bringing down these members?—No.

2178. You represent the Conservative party, whose opinion is asked by those who do?—They might on that particular occasion have asked whether I approved of such and such a man.

2179. Were you asked at all about Mr. Kennard?—I had quite forgotten the name of the man until I heard it mentioned here.

2180. Was not a requisition signed and sent to Mr. Kennard before Col. Dawkins was thought of?—Yes.

2181. Did you sign that requisition?—I dare say I did; I had forgotten him altogether.

2182. (*Mr. Coleridge.*) How long was that requisition signed before Col. Dawkins came down?—Some time.

2183. A week?—More than that. I do not recollect when Mr. Kennard did come down, or about it at all.

2184. (*Mr. Bere.*) How did you hear of Mr. Kennard; was that through the Carlton Club?—I really cannot tell you.

2185. Mr. Kennard is a banker, is not he?—I think he had something to do with a bank; a manager, or something or other.

2186. (*Mr. Longe.*) Do you remember the laying of the foundation stone of the school, when Mr. Pender laid the foundation stone?—Yes, I do; but I was not there.

2187. That was only shortly previous to the election, was it?—That was not long since.

2188. Was it a few weeks before the election; how long was the occasion when this stone was laid previous to the election?—The stone must have been laid since the election.

2189. (*Mr. Bere.*) Had you anything to do with the elections of 1862 and 1863, when Mr. Dent was a candidate?—I voted for Mr. Dent.

2190. Were you on Mr. Dent's committee?—I have told you I had nothing to do with that sort of thing you allude to.

2191. Had you been one of the men who found out Mr. Dent?—No, I did not find him out.

2192. Did he find you out?—That is more like it; but I should tell you, in the first place, that we had a man here named Mitchell.

2193. Was he a great friend of Mr. Dent's?—I believe so.

2194. Is he a native a Totnes?—No, he is a perfect stranger to me.

2195. How was it that he came down here?—Whether he came for the purpose of looking about the borough I cannot say.

2196. Did he stay some time making friends here?—He was here a day or two. I do not know more than that.

2197. Did he call on you?—No; but we went and saw him at the "Seven Stars."

2198. You went and saw Mr. Mitchell?—Yes; we went and saw Mr. Mitchell, and then he made known what his intentions were, his business.

2199. What did he say his business was?—That if he could see his way clear he had a gentleman whom he would bring down and recommend as a candidate.

2200. Did he tell you who he was then?—Yes.

2201. And that he was a very rich and wealthy man?—I dare say he might.

2202. (*Mr. Coleridge.*) Did he ask what it would cost to fight the borough?—I think not.

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2203. Did not he ask that question?—No.

2204. I suppose he got the information that a very large sum of money would be required?—I cannot say.

2205. (*Mr. Bere.*) Do you recollect Mr. Dunn?—Yes; I recollect Mr. Dunn well.

2206. Did you go to him?—No.

2207. Did not you know him till he came down?—No.

2208. (*Mr. Longe.*) What sum of money do you think Mr. Dent spent here; 10,000*l.* or 15,000*l.*?—I do not think he spent either one sum or the other. I have no doubt that he spent a very great deal of money.

2209. Would 15,000*l.* cover it?—I should hope so.

2210. As far as you know or believe?—I cannot suppose that he spent so large a sum as that, and I do not know.

2211. From what you have heard can you not guess?—No; I was not privy at all to those money transactions with the members.

2212. (*Mr. Coleridge.*) Did there appear to be any material increase in the prosperity of the place after Mr. Dent's visit?—Totnes appeared just as dull as ever. I did not notice that it made any difference.

2213. Did the public houses seem as dull as ever?—The public houses are always alive.

2214. After one of those visits of Mr. Dent did they seem more alive than before?—I am not aware of any change.

2215. You never saw the effects of all this money that was spent?—No, I never saw the slightest effect from it. Perhaps they got their bills paid up; very likely. I am not in that position to know, therefore I cannot answer about that. I dare say there were many bills lying back in all parts of the town, and I dare say that those shopkeepers got the benefit of it.

2216. Therefore it is a benefit also to those who do not receive bribes, because they get paid their outstanding accounts; in fact, the demoralisation does not end with the people who are paid the money?—No; if they pay their bills the money does not appear to be floating about.

2217. So everybody, more or less, is benefited by these periodical visits?—Yes.

2218. (*Mr. Longe.*) I believe you live in Bridgetown?—I do.

2219. Would you find any difficulty in getting any holding from the duke?—I should think so. I do not think they would accommodate me with an inch.

2220. They would not let you anything?—I never tried them, and do not mean to.

2221. Suppose that you did by chance get any holding under the duke, on what terms do you suppose you would be able to get it?—I dare say I might get a holding in this way, purchase a lease and build on it; but I would not have it if I could get it.

2222. If you wanted to change your house, and there was a house vacant on the duke's estate, would you go to Mr. Michelmore?—No.

2223. If you took that course, do you think that, taking part as you do now as a Conservative, he would let you have it if you did not change your side?—I would not live under the duke if it was to cost me the altering of my principles.

2224. You believe if you did take a house from the duke?—I do not think I should be permitted to have one.

2225. If you were allowed one, what would be the terms on which you would be allowed to hold; would your political principles be made a point in the matter?—It might be tried. I cannot say. But if it was tried it would be soon found out what I thought about it.

2226. (*Mr. Coleridge.*) It comes to this, that it is an absolute impossibility to get any holding under the duke?—That is what I believe.

2227. As long as you hold your opinions and honestly act on them you could not get a holding under the duke?—Yes.

2228. Do you recollect Mr. Baldwin having the Gurston property?—Yes.

2229. Did the same thing happen there. If you had been a good stannch Liberal you would not have got a holding under Mr. Baldwin?—Yes.

2230. Six of one and half a dozen of the other?—Pretty much alike.

2231. Now the duke has both Gurston and Bridgetown it is all one?—Yes.

2232. (*Mr. Bere.*) Do you remember anyone being turned out for voting against him?—I heard some few were turned out.

2233. Did you ever hear of the case in 1852 of William Knapman, a tenant of the duke's?—I do not recollect the name.

2234. Living in Bridgetown?—There have been people living in Bridgetown of the name of Knapman, but I do not remember the man of that name.

2235. Do you know Knapman?—There was a man called Knapman who voted for Gifford and Dunn, and he was told that it was part of his duty to vote for both the Liberal candidates and not one only, and was consequently turned out.

2236. Do you know when this memorandum, which we have heard, was entered into—when Mr. Ricardo was candidate?—I have heard a memorandum was entered into, but it was before I was in the borough.

2237. (*Mr. Coleridge.*) Have you by any chance seen that memorandum since?—No; I do not know anything at all about it.

2238. Do you recollect the double return of Blount and Baldwin?—I do; but I had nothing whatever to do with it.

2239. Do you know how it was that Mr. Blount did not come forward with Mr. Ricardo?—Mr. Blount did not come a second time.

2240. Do you know how it was?—No; but so it was. He did not come a second time, I recollect. I was not living in the borough then.

2241. (*Mr. Bere.*) Do you of your own knowledge know of any person being bribed at the last election of 1865?—Parliamentary electors?

2242. Yes?—No; but I know this, that I was requested, together with Mr. Bryett, to go to a certain person to ask him for his vote on behalf of Mr. Dent.

2243. Who requested you?—Mr. Dent's party.

2244. That was in 1863, when Dent and Seymour were candidates?—Yes.

2245. And you and Mr. Bryett were requested to go to a particular person?—Yes.

2246. Who was that?—A man called Pengilley.

2247. Was it Charles, John, or William?—Richard I think he is called.

2248. What were you to do?—Merely to solicit him to give Mr. Dent his vote.

2249. Did you go?—Yes, and Mr. Bryett together.

2250. What sort of solicitation did you proffer?—Merely asked him to give Mr. Dent a vote, and he did not seem to speak out very readily, and I said, "Well now, you will do me a great favor if you give "Mr. Dent a vote. I do not ask you for both, only "one."

2251. There was only one to be given?—Yes, but still he did not answer; at last he intimated whether we would give money, and I said, "I wish you good "morning. I am not prepared to give money. I "merely asked the favour of the vote."

2252. What is Mr. Pengilley?—A broker.

2253. (*Mr. Longe.*) Which way did he vote afterwards?—I think for Mr. Dent.

2254. There was somebody more accommodating than you were about money?—I do not know about that; whether he got the money I cannot answer that.

2255. Have you any doubt that he got the money?—He would not vote for Mr. Dent without the money. I do not think he would vote for anyone without money, I do not care who the person was.

2256. You have no doubt that he got the money?—I dare say he had. He voted; therefore you may depend he got the money.

2257. Who sent you to Mr. Pengilley? You said "Mr. Dent's party"?—I do not connect anyone in particular with that requisition by Dent's party.

2258. Was it by the attorney?—Very likely.

2259. Who would that be? Mr. Edmonds?—Most likely, if anyone, if it was by the attorney at all.

2260. Why were you sent to Pengilley? Was he a tenant of yours?—No.

2261. Did he work for you?—No.

2262. What was the reason?—There are some reasons that we do not like known to the world.

2263. That is what we must have?—Well, the man owed me money; I had a mortgage on his property.

2264. And you, they thought, the most natural person to go to him?—Yes.

2265. (*Mr. Bere.*) Have you got the mortgage still?—No; I have been paid.

2266. How long after the election of 1863?—It was not paid in consequence of that.

2267. (*Mr. Coleridge.*) What was the amount of the mortgage?—350*l.*, if I recollect.

2268. When was it paid?—I cannot bear in mind.

2269. Was it paid two years ago, or three years ago?—Two years ago, I think.

2270. Was not it paid very shortly after the election?—That I cannot tell. It had nothing at all to do with the election or anything of the sort.

2271. Was not it paid just after the election?—I cannot tell that at all. It might, or it might not be. It had nothing to do with it at any rate whatever.

2272. (*Mr. Coleridge.*) Who paid you?—A man from Exeter came down and took up the mortgage, and it was transferred to some person at Exeter.

2273. Who was the man?—A solicitor from Exeter.

2274. What was his name?—I do not recollect.

2775. Try?—I do not know, indeed.

2276. Was it Mr. John Daw?—No.

2277. Have you a copy of the transfer of the mortgage?—No.

2278. You gave a receipt for the money, I suppose?—I gave a receipt on the transfer, and took the money; that is all I know about it. I was not satisfied with the mortgage. I did not like the building.

2279. Can you find out the solicitor's name from Exeter?—I do not recollect at all.

2280. How did it occur? Did you give notice for the mortgage to be paid off?—Yes, I did. I gave notice.

2281. How long after the election?—I do not know; it has no bearing on the point whatever.

2282. Was it within a month after the election that you gave notice?—I do not think anything like that.

2283. What made you give notice?—I did not like the property.

2284. Who acted as the solicitor in the matter?—Mr. Bryett was mine on that occasion,

2285. Who acted for Mr. Pengilley?—I do not know.

2286. Who acted for him when the mortgage was first created?—I think Mr. Bryett was the man.

2287. Did he act for both parties?—I believe he did on that occasion.

2288. On this occasion that you gave notice, did you do it, or Mr. Bryett?—I gave it myself.

2289. In writing?—Yes.

2290. Did Pengilley make any application to you on that notice being given?—No.

2291. Did anything occur between you and Pengilley between the time of your giving him notice and the gentleman from Exeter coming down?—No, not at all. I waited for him to pay me off.

2292. Did not you hear anything good, bad, or indifferent about it before the gentleman came?—No.

2293. Did not Pengilley come to ask for time?—No.

2294. Did not you ever have an interview with Mr. Pengilley between the time of giving him notice and the time the gentleman came from Exeter?—I daresay I did see him once or twice.

2295. What occurred between you about the mortgage on those occasions?—Nothing more than that I gave notice that he was to pay the money, and then he found some person in Exeter to whom it was transferred.

2296. Did he tell you about his getting somebody at Exeter?—No.

2297. Did he tell you where he was going to get the money?—He told me he should raise it to pay it off.

2298. Did he tell you through whom he expected to raise it?—No, he only came upon the point about making the transfer, and then the person he applied to to raise this money, some person at Exeter, took it up.

2299. You have no notion who that person was?—No.

2300. Have you many mortgages?—To be candid, I have.

2301. And amongst all those mortgages you cannot recollect this transfer or the name of the transferee?—No, I cannot.

2302. You had to execute a transfer. Did not you take the trouble to read that over before it was executed?—I dare say I did.

2303. Can you not give us any idea who the person was whom the transfer was made to, or the name of the solicitor who came down about it?—I do not recollect the names.

2304. Have you any notion who was the person to whom the transfer was made?—I think it was transferred to some lady or other.

2305. Was her name Mitchell?—No.

2306. Or Dent?—Oh, no.

2307. You think it was some lady. Can you not give us more than that?—No, I cannot.

2308. (*Mr. Bere.*) How much interest was in arrear when you went to Richard Pengilley?—There was not much; he paid his interest very well.

2309. Did you not in the course of your conversation with Mr. Pengilley about the vote, mention that you held the mortgage?—No, I never influenced him in that way. People may do as they like for me.

2310. (*Mr. Coleridge.*) How came you to lend him the money originally; you say you did not like the building; did you lend on them before they were put up?—No, they were very old buildings. I was recommended in the first place by my attorney Mr. Bryett; he said there was a mortgage if I liked to take it off.

2311. What was the value of the property as against the 350*l.* lent? What did Mr. Bryett tell you was the value?—He thought it was a very good mortgage, worth a considerable deal more than that.

2312. How long had the mortgage been in existence at the time it was paid off?—Some years.

2313. How many, about three?—I could not say.

2314. Was it 10 or two?—Two, but I do not think 10; I cannot say.

2315. What was the change that took place in it that made you wish to have it paid off?—I was not satisfied with the buildings.

2316. But you held them several years, at all events say five. You had been satisfied that time and what was the cause of dissatisfaction?—I had previously spoken to him about paying me some portion of the money; I said it was, but I do not know whether it was 350*l.* or 325*l.*

2317. It was because you were dissatisfied with the buildings, was it?—Yes; because if he had reduced the debt I should have been better satisfied.

2318. You wanted the same security?—I had no objection to keep it if he would reduce the debt, but instead of that he did not do so, and I gave him notice to pay it off.

2319. How did that gentleman from Exeter, who came to pay it off, communicate it to you. Did he

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write and say ?—He wrote to Mr. Bryett about the thing.

2320. Did he come, or communicate by writing. Did not anybody write saying, "I am coming down "about that matter of Pengilley's mortgage to you "soon ?"—I dare say I might have received one letter.

2321. Do you think that letter came from the solicitor of whom you have been speaking ?—I do not think he was a solicitor at all ; he was only a mere clerk.

2322. You think that letter came from the office of the solicitor ?—Yes, if it came from him at all.

2323. Did you yourself read the letter ?—Yes, I have no doubt I did.

2324. Do you recollect the signature to it ?—No, I do not.

2325. Was it a name which you knew tolerably well ?—I did not know it at all.

2326. But I want to know whose name it was ?—I cannot tell you that.

2327. Do you know Exeter at all ?—Pretty well; it may be not so well as others who are here.

2328. If I were to read to you the names of all the solicitors in Exeter, would you be able to tell who it was ?—I might or I might not ; perhaps I might.

2329. Was it Mr. Thomas William Gray ?—It was not.

2330. You paid Mr. John Heath some money during the election ; was that by a cheque or in cash ?—In cash.

2331. Did you ever give him a cheque for expenses at Mr. Mills' election ?—Never.

2332. Did you ever give him a cheque for 100*l.* ?—Never.

2333. For that purpose ?—I never gave him such a sum of money for that or for any other purpose.

2334. Was the mortgage that you have spoken of paid off by cheque or in cash ?—That was paid by a cheque.

2335. Do you know by whom it was signed ?—It was signed perhaps by the solicitor who brought it down.

2336. Was it paid into your account at your bank ?—I think I received it and paid it into my bankers.

2337. (*Mr. Coleridge.*) Who are your bankers ?—The National Provincial.

2338. I dare say they can let us have the name of the gentleman who paid you the money ?—Whoever you may get it from it has nothing whatever to do with the election.

2339. You say that you never paid Mr. Heath 100*l.* for anything ?—Never in my life. I never had any transactions with Mr. Heath in reference to any sum of money ; it is ridiculous.

2340. Do you know Mr. Kellock, a surgeon ?—Yes.

2341. Is he living in Bridgetown ?—No ; he lives in Totnes.

2342. But did he not live in Bridgetown ?—No, never.

2343. Did you ever hear of his being evicted, or of his having had notice to quit ?—No.

2344. If so, it must have had reference to some field or other ; you never heard of it ?—No.

2345. (*Mr. Bere.*) Were you sent to anyone in the election of 1865, when Colonel Dawkins stood, to ask them for their votes in the same way that you had been sent to Pengilley ?—No, never ; he is the only person that I ever asked.

2346. The National Provincial Bank in this town are your bankers ?—Yes.

2347. Do you not think that you could remember the name of the solicitor in Exeter who paid you this money ?—No, I do not think I could ; in fact, if I were to stay here all day I do not think I could recollect. You should be pleased to remember that I am now getting well advanced in years, and one's recollection is not so sharp as in one's younger days.

2348. (*Mr. Coleridge.*) You think the cheque was signed by the solicitor, not signed by Pengilley himself ?—It was not signed by Pengilley.

2349. Perhaps you might be able to get us the name by asking the manager of the bank to refer to his books at about the date when the cheque was paid in by you ?—I do not know that you will be able to get it.

2350. If you could do that for us you would save us a great deal of trouble ?—You are very welcome to make any inquiry after any cheques of mine that you please. All that I can say is, that I am quite independent of any person in Totnes. I am by no means afraid of your asking any questions about myself.

2351. Have you any solicitor of your own in Exeter ?—No.

2352. Was it Mr. Barnes who came here on that occasion ?—No.

2353. Mr. Henry Downe Barton ?—I think not.

2354. William Marks Benison ?—I don't think it was him.

2355. William Richard Bishop, was that the name ?—No.

2356. Thomas Julius Bremridge ?—No.

2357. William Buckingham ?—No, I think not.

2358. Arthur Burch, was that the name ?—No ; I don't think it was.

2359. Robert Taylor Campion ?—No.

2360. Edmund Hornblower Clarke ?—No.

2361. Henry Cole ?—No.

2362. James Commin ?—No.

2363. William Richard Crabbe ?—No.

2364. John Daw ?—No.

2365. Arthur Cranch Drake ?—No.

2366. Charles Henry Drake ?—I believe not.

2367. Richard Eales ?—No.

2368. Thomas Charles Drake ?—No.

2369. Thomas Floud ?—No.

2370. Edwin Force ?—I believe not.

2371. Henry Ford ?—No ; I cannot recollect the name.

2372. James Walter Friend ?—No.

2373. Merlin Fryer ?—No.

2374. John Geare ?—No.

2375. John Gidley ?—No, I think not.

2376. Thomas Gray ?—No.

2377. Thomas William Hartnoll ?—No, I think not.

2378. Robert William Head ?—I believe not.

2379. George Hirtzell ?—No.

2380. Henry Wilcocks Hooper ?—No, I think not.

2381. William Huggins ?—No.

2382. Henry Mountrich James ?—No.

2383. Winslow Jones ?—No.

2384. John Laidman ?—No.

2385. William Lambert ?—No.

2386. William Dennis Moore ?—I think not.

2387. Joseph Mountford ?—No.

2388. Edmund William Paul ?—No.

2389. John William Petherick ?—No.

2390. James Pitts ?—I believe not.

2391. John Pope ?—No.

2392. Edward Hunt Roberts ?—No.

2393. Walter Goddard Rogers ?—No.

2394. Frederick Sanders ?—No.

2395. Kingsland Snelgrove ?—No.

2396. George Ferris Sobey ?—No.

2397. John Hull Terrell ?—No.

2398. John Toby ?—No.

2399. James Toy ?—No.

2400. George Frederick Truscott ?—No.

2401. Charles Henry Turner ?—No.

2402. Frances Eugenis Scoble Willisford ?—No.

2403. Robert Wreford ?—Is that all you have got ?

2404. Yes. Is it not one of those ?—I cannot pick out the man from amongst all of them.

2405. (*Mr. Bere.*) Are you sure that it was not Mr. Bishop ?—I do not think it was Mr. Bishop.

2406. Or Mr. Pitts ?—I really cannot pick out the man amongst them; there are too many by a great number in the list which you have read; but I can promise you one thing, that it had nothing whatever to do with the election.

2407. But you did not know you said who the lady

was; you cannot tell that?—No; but I can say that it had nothing at all to do with the election.

2408. But suppose that Mr. Dent had paid the money?—He never paid the money.

2409. But suppose that he had paid the money for Pengilley through the solicitor at Exeter in reference to this mortgage, would not that have had something to do with the election?—There was nothing of the kind; Mr. Dent had nothing to do with it; it had no reference whatever to the election, as I said before.

Mr. George Mitchell sworn and examined.

2410. (*Mr. Coleridge.*) What are you?—A currier.

2411. Belonging to this town?—Yes. I am a native of Totnes; I was born in Bridgetown.

2412. How long have you been a voter of this town?—I came to reside in Totnes in 1831, and have resided there ever since.

2413. Have you been a voter since then?—Not since then; I have been a voter since 1841 or 1842.

2414. What is the qualification for which you vote?—For a house in Fore Street.

2415. When was the first election at which you voted?—I think Mr. Ricardo was the first person for whom I voted.

2416. You did not vote on the occasion of there being a double return?—No; I was not an elector at that time.

2417. Shortly after that you became an elector?—I bought some premises in Totnes in 1838, and came to reside here in October 1838.

2418. What are you in politics?—I dissent from Whigs and Tories very much.

2419. Are you one of the ultras?—I am called George Mitchell the Chartist.

2420. And you have always held the same views?—I have.

2421. And you have always voted for the Liberal candidates, though they have not gone quite so far as you wished?—I have always voted for the Liberals; I could not make up my mind to vote for a Tory.

2422. Did you plump for Mr. Ricardo?—I did.

2423. But he was not an ultra?—No; but he seemed to me to be the man who was nearer to my views than the others.

2424. He went a good way beyond the Whigs?—Not a very great way.

2425. Was he not in favour of the ballot?—He was not hearty in the cause; you cannot get a man to be so; they do not like honesty, I think.

2426. But he was in favour of the ballot when he represented Windsor?—He might have been so then; it might have suited his convenience.

2427. Can you tell us anything with regard to bribery at that election; did the Conservatives bribe?—I think I can tell you something. I heard that there was a good deal of bribery at that election.

2428. Can you tell us whether there were a large number of persons bribed on behalf of the Conservatives?—The impression on my mind is that there were.

2429. What amount of money do you think was spent at that election on the Conservative side?—I cannot tell you the amount of money that was spent.

2430. What was the price of votes at that election; how did it range?—I have heard that at that election the votes ranged from 40*l.* to 50*l.* and 60*l.* on the Conservative side.

2431. How many votes on the Conservative side were bought at that price, ranging between 40*l.* and 60*l.*?—I cannot say the number exactly. If you will allow me I will give you my opinion that, at that election, if the electors had been left to themselves there would have been a majority on the Liberal side.

2432. It was a very hard run election, was it not? It was a very hard run. They say that Mr. Ricardo was run so close by a great deal of bribery.

2433. Was there not also bribery going on upon Mr. Ricardo's side?—I do not know about that.

2434. Did you never hear of any?—I do not know of any; I have heard rumours of such things. I do not say there was; I only say that I do not know.

2435. You do not know anything about the Conservatives; you have only heard it; you have also equally heard that there was bribery on Mr. Ricardo's side?—I have heard that there was, and I will give you my reasons why I do not believe it.

2436. Your means of knowledge are the same on the one side as on the other?—As regards politics the one is just the same as the other.

2437. As far as your means of knowledge go your knowledge of bribery on Mr. Ricardo's side was the same as it was on the Conservative side, only from hearsay?—Only from hearsay both of them.

2438. You heard there was bribery on Mr. Ricardo's side, but you did not believe it?—I have no knowledge of any such thing, but I will give you an instance which will exonerate Mr. Ricardo from going very deep into the bribery. It was the first time I had exercised my franchise. I had found before that there was great bribery and corruption going on in the town, and I thought the town had got into a most awfully demoralized state, which was owing to the two elections of Dent and Baldwin and Gisborne and Baldwin.

2439. There had been bribery at each of those?—Yes; there had been an extensive system of bribery carried on at both of those elections. When we came to Mr. Ricardo's election I went to the nomination, and after that I spoke to several friends of mine who were of my way of thinking, and I said I should like to put a question or two to Mr. Ricardo; we met at a certain place that afternoon, I dare say as many as twenty of us.

2440. Were you and they a remnant of the Seventy-third?—This was the first vote I had had; they had nothing to do with the Seventy-third. We met in the afternoon and came to an understanding that we would vote for Mr. Ricardo, provided he answered certain questions to our satisfaction. I was deputed to ask him those questions. In the evening there was a meeting of Mr. Ricardo's supporters, and I and my friends went down.

2441. Did he answer your questions satisfactorily?—Yes. Would you like to know the questions I put to him; I have nothing to keep back?

2442. It is not very material that we should have the questions; you were going to tell us how this affected the matter of bribery?—The first question I put to Mr. Ricardo was, "Will you promise that you "will not bribe any elector at this election?" He promised that he would not do so. The next question was, "Will you promise that you will not ask for a "place for any elector or for his friends?" He promised that he would not. We were satisfied with Mr. Ricardo's answers. The next day there was a tight run going on in the morning.

2443. Did you and all your friends plump for Mr. Ricardo, or only give him one vote?—I cannot say whether they plumped for Mr. Ricardo, or split their votes between Ricardo and Seymour.

2444. (*Mr. Longe.*) When was this meeting?—On the evening of the nomination day. The next day our party had agreed to go together, and not vote until late in the afternoon. I think there were 25 of us, and no person knew what we were going to do.

2445. (*Mr. Coleridge.*) Had Lord Seymour canvassed you?—Yes.

2446. What did you say to him?—I told him I would not promise him, I never promised anyone.

2447. Did you tell him why?—I had not much conversation with him, his politics did not suit me.

2448. Did Lord Seymour and Mr. Ricardo canvass together?—No.

2449. Who brought Mr. Ricardo down here?—That I cannot say.

2450. Did Mr. Baldwin canvass you?—Yes; I promised him I would not vote for him.

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2451. You refused him?—Yes. Up to 2 o'clock the Tories were going a-head, my plan was this, I advised those I was working with to wait till 2 o'clock or 3 o'clock, and then go and surprise them. We went to the Tory house and were mixed up with them; my plan was to go and take possession of the booth and poll. Instead of that they wearied the men and were anxious to get us down, and I could not keep the men back.

2452. Had your friends who were with you been in the habit of voting for the Conservatives?—There were a good many new voters.

2453. There were some old ones too?—There were some who had voted before.

2454. For the Conservatives?—I do not know that.

2455. If they were known as Liberals was there no suspicion of your being at the Conservative house?—They did not think we were going to vote at all, seeing us there so unconcerned.

2456. Was there not a dead set made against you, were you left as a dirty lot with whom no one cared to have any dealings with?—I cannot say that; these men coincided with my views, they stuck to me and I stuck to them.

2457. Were you not in the end surprised to find that Mr. Ricardo was beaten?—It was their fault in forcing us to go down so soon as we did; then they were scouring the place to get other voters up.

2458. You knew of the memorandum that was entered into between Mr. Baldwin and Lord Seymour?—I have heard the story, and I have heard where it is.

2459. With Miss Tracy?—No, it is not with Miss Tracy; I believe Mr. Mudge holds the document now.

2460. He is Mr. Tracy's brother-in-law?—I cannot answer that; it is Mr. Mudge of Blagdon, about two miles from here.

2461. When did you hear of this memorandum having been given?—I heard of this compact having been entered into at the time of the election when Mr. Baldwin was here. I was about stating just now that I wished to try and exonerate Mr. Ricardo from any extensive bribery if I could. There were as many as 25 of our party who went down and polled for Mr. Ricardo one after the other; we then had a majority of one or two, and I can answer for it that there was no bribery amongst those 25 men.

2462. That is as far as you can say?—Yes; there was no such thing as money regarding them; we did it to try and break up the system of bribery that was then going on.

2463. Do you believe that money was spent by Mr. Ricardo in bribing voters at that election?—I cannot say of my own knowledge. I have no doubt in my own mind that he spent some money, but not so extensively as I heard it reported.

2464. Do you know at all what that election is said to have cost him?—No I do not.

2465. When was the next time that you voted?—The next time I voted was at Mr. Mills' election.

2466. May I take it generally that up to the last election you have voted at every election for the Liberals?—Yes.

2467. Have you ever voted for Lord Seymour?—Never.

2468. You never split your votes with the Conservatives?—No.

2469. At the last election did you vote for Pender and Seymour?—I did.

2470. Or for Pender alone?—I voted for both.

2471. Were you at all active in looking about for a Liberal candidate at that time?—No; I never interfered.

2472. When did you know of their coming down?—When they came to Totnes, that was the first thing I knew of it; when they came down here first in 1863.

2473. Did Mr. Pender and Lord Seymour come down here in 1864 or 1865?—Yes.

2474. And Colonel Dawkins and Capt. Pim on the other side?—Yes.

2475. When did you before the last election in 1865 see Mr. Pender?—When he first came down here.

2476. How long was that before the election?—It was not long.

2477. Then did he come and canvass you?—Yes.

2478. Was that with Lord Seymour or was he by himself?—He was by himself.

2479. Was there not some one else with him?—There might been some one else with him.

2480. Who was it?—I think Mr. Windeatt; when he came to canvass me he never used to come inside my shop.

2481. When did Mr. Seymour come to canvass you?—Before the election.

2482. After Mr. Pender?—After Mr. Pender.

2483. You promised him also?—I did not promise either.

2484. You did not promise Mr. Pender?—I never promised anybody in my life. I did not promise him.

2485. You promised Mr. Ricardo?—I did not promise him. If he had answered the questions, we would have voted for him.

2486. What did you say to Mr. Pender?—I asked him questions about his politics, and he answered them in a satisfactory manner as far as he could as a Whig. I cannot expect more from him.

2487. You got as much as you expected?—I got out of him what I could.

2488. What did you get out of Mr. Seymour?—As far as I could in a satisfactory manner, as far as it went.

2489. Mr. Pender went for the ballot did he not?—If the majority of the constituents would wish it he would.

2490. What did Mr. Pender do?—He went the same; he was a very good member.

2491. You have known a good deal about a single election of Mr. Pender?—Oh, yes.

2492. You knew he was a liberal-handed man, and likely to make a good member for Totnes?—I understood he was a very good man and likely to do good for the country.

2493. You heard a good deal of money had been going on his side at the previous election of 1863?—There was no contest.

2494. Mr. Pender has been elected three times?—No, twice only.

2495. Did you put any questions to Mr. Pender about bribery, the same as you put to Mr. Ricardo?—Not of late years; it is of no use to talk about putting such questions as that.

2496. What is the reason?—I believe Mr. Pender had a majority in his favour of 25 to 26 men, a dead poll was made up as I was told, not that I had any trouble to make up the poll. I am certain there must be a great deal of money spent to win the election; that Mr. Pender did.

2497. Colonel Dawkins went to the poll?—He did.

2498. Did Captain Pim?—And Captain Pim.

2499. Did they spend any money at the election?—If they did it was very foolish.

2500. Their money had no chance?—They must have been self-sure.

2501. Do you know of any instance of money spent on behalf of the Conservatives amongst the voters?—Not to my personal knowledge.

2502. Do you know of anybody who was bribed?—I have heard of people being accused of it, and I should think nothing but right; I should be told of it.

2503. First of all, give us the names of persons who were bribed on the Conservative side on behalf of Colonel Dawkins and Captain Pim?—The first was one of the parties who showed the money he asked and got.

2504. Who was it?—William Foote was the man's name who showed the money.

2505. How much did he show ?—A person told me it was above 100*l*., but I could not tell.

2506. Who was the person who told you?—I heard a woman talk of it.

2507. Who was the woman ? — Her name is Stephens.

2508. What is her christian name ?— She is not the only one.

2509. Finish with her first, was she a married woman ?—A married woman.

2510. Where does she live ?—At the top of the town.

2511. Is she alive now ?—She was last Monday.

2512. What is her husband's christian name ? — I do not know.

2513. What is he ?—I think he is a carpenter.

2514. Who else told you about Foote ?— I can hardly tell, so many told me ; I cannot single out anyone.

2515. Did you also hear who had given it to Foote ?—No, I cannot say that I heard it.

2516. Did you hear who he got the money from ? —I may have heard it. I do not wish to say what I cannot substantiate.

2517. You heard he had shown the money about, but you did not hear where he said that he had got it ?—No.

2518. How do you know that he got it from the Conservative side ?—He did not make any to-do or talk to any person about it.

2519. Can you recollect any other who was a friend of Foote ?—No, I cannot say a single person.

2520. You would not say that you have not heard of it ?—It may have happened in the way of talking about it at the dinner table.

2521. Who else have you heard of being bribed at the last election by the Conservative party, keep to that at present ?—I cannot.

2522. That is the very thing we want you to tell us ?—I cannot be implicated in anything myself, I can assure you.

2523. Can you recollect anybody else ?—Yes.

2524. Who ?—Mogridge.

2525. What did he get ?—I do not know that.

2526. Who did you hear he was bribed by ?—If I was to say all I heard——

2527. That is what we want to know ?—I cannot tell.

2528. Did you hear that Mogridge was bribed, and did you hear who by ?—It was said by Mr. John Heath.

2529. Did you hear what Mr. John Heath gave him ?—I cannot say.

2530. Now get on to the next ?—I should not fancy Col. Dawkins bribed a great many in my own opinion ; if he did he was a very foolish man.

2531. How many did you hear there were bribed on the Conservative side ?—It is not often they get many to vote for them unless they do bribe.

2532. Did they get money to vote for him ?—He must have bribed some, a good many, or else they would not have voted for him. You must recollect that Totnes is a Liberal borough.

2533. Did you hear of any peculiar conversions on that occasion, of Liberals before they voted Conservative then ?—Not at the election. I do not know of any at the election.

2534. You say very few Conservatives voted, 162 voted for Colonel Dawkins, do you know out of those whether anybody else was bribed of those who voted with Mogridge and Foote, it is not so long ago ?—No ; I hear of these things, and they pass my memory, when you bring up people's names.

2535. One election is confused with another ?— Yes it is. I do not know anything of my own knowledge.

2536. Try, that is the only way to get at it ?—It is a difficult way to get at it.

2537. Can you give us the names of any people who were reputed to have been bribing ?—Mr. Heath, his son George, and James.

2538. Who else ? — We know John Sandford Screach.

2539. Who else ?—We have heard Mr. Evens's name mentioned as well.

2540. Who is he ?—A saddler in the town, and a very active man.

2541. Any solicitor in the town, did you hear of ? —Mr. Edmonds was very busy, whether he did night-work or not I do not know.

2542. Can you tell an instance ?—I heard of the case of a man being solicited to vote for the Conservatives, and he was offered a large sum of money.

2543. Who was that ?—A man of the name of Crawford.

2544. Who by ?—By Mr. Parnell, I think. If those men are innocent they ought to have a chance of coming here to vindicate their character.

2545. What is his christian name ?—I do not know his christian name ; Parnell the gardener.

2546. How did Crawford vote ?—For Pender and Seymour.

2547. Did you hear what he was offered ?—He was offered by Parnell 50*l*. or 60*l*.

2548. Was that to vote for Colonel Dawkins and Captain Pim, or only Colonel Dawkins ?—It was to vote on the Conservative side.

2549. Any other instances do you know ?—Yes. Mr. Parnell was offered by Mr. Bryett a gift, I was told ; that is my information.

2550. And Crawford could not be tempted ?—He would not take the money, or be tempted by it.

2551. You do not know whether he was tempted on the other side, do you ; you can hardly conceive such a thing ?—I do not think he was, if I am to believe the man's word.

2552. Whom else do you know who was tempted by the Conservative side ?—John Light was pursued by them.

2553. Whom by ?—By John Sandford Screach.

2554. What did he offer him ?—I have been told he put money on the table amounting to near about 50*l*.

2555. That seems to have been about the price ?— It was sifted out over at Bovey ; the man went away.

2556. (*Mr. Bere.*) He would not be tempted ?—He was not.

2557. You cannot fancy he was tempted by the other side ?—He did not vote.

2558. He voted for Pender and Seymour ?—Oh, yes, he did.

2559. What makes you think he did not vote ?— Because I thought he was over at Bovey.

2560. He was not over at Bovey ?—Not at the election, but he was there before.

2561. If he voted for Pender and Seymour, he must have been brought over by Mr. Pender to vote ? —He might have taken himself over.

2562. Having been offered 50*l*. for Colonel Dawkins, you believe he came over without any inducement of that kind and voted for Seymour and Pender ? —I cannot say.

2563. What have you heard was offered on behalf of the other side ?—I never heard of any.

2564. If they did not get any offer there may have been an actual gift ?—I never heard of anything of the sort.

2565. What is he ?—He is a man that lives upon his income, he has now a small income ; he does nothing ; I do not think he does ; he has been a sort of a schoolmaster.

2566. Of whom else have you heard? Are you quite sure of this ; before you speak of John Light, was it at the last election of 1865 and not at the election of 1863 ?—At the last election, I am certain in my own mind.

2567. Did you hear of his having been offered something at the election of 1863 ?—Yes, he was then.

2568. What was it ?—I cannot say.

2569. Whom was he offered it by then ?—I cannot recollect that.

2570. What was he offered ?—I cannot tell that.

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2571. On which side?—I heard he was offered by the Tories; what, I cannot say.

2572. At that election he did not vote?—Was it at that election he did not vote?

2573. Yes?—I may make a mistake. I wish to tell you all.

2574. Can you think of anybody else?—Sometimes I could think of a good many.

2575. Think of as many as you can, Robert Lorimer?—I never heard of his being bribed.

2576. Do you know whether he voted at Mr. Dent's election?—He did not vote at Mr. Dent's election.

2577. Do you know why?—No.

2578. You did not hear of any money then?—I do not know that Mr. Lorimer had money, I cannot fancy it myself.

2579. What is Mr. Lorimer?—He is a Scotchman, a traveller, or packman.

2580. (*Mr. Coleridge.*) Did you hear of Mr. Edward Tucker having been mixed up in bribery at the last election?—Mr. Edmund Tucker.

2581. Was it he that offered it to Crawford? Tell us a little more; when was Edmund Tucker supposed to have offered money to Crawford, before or after Parnell had tried?—I think it was before Parnell.

2582. Is there any connexion between Edmund Tucker and Parnell?—Not that I know, except that they are two Tories; they stick together like leeches.

2583. What was the connexion between Tucker and Crawford; did Crawford work at Tucker's?—I do not know; he makes himself busy at the elections.

2594. What is he?—A grocer and tallow chandler; a very busy man at Totnes when an election comes on.

2585. (*Mr. Longe.*) Had he a new carriage about the town at the last election?—No.

2586. Did he have an old one done up?—No.

2587. Do you recollect the election before 1863?—I recollect hearing of such things, not the last election.

2588. That was the election at which he did not vote; at that time what did you hear about the horse and cart?—You have got in the old times when Mr. Bentall offered a horse and cart to John Bartlett; now it is carriages.

2589. Have you seen the carriage?—I have seen the carriage which Mr. Crawford owns; but I do not know how he got it.

2590. You have heard the story about it?—I have heard it.

2591. (*Mr. Coleridge.*) What is it?—A carriage people ride in; that he lets out to hire, and would be most happy to let it to you.

2592. Do you know George Evens?—Yes.

2593. What is he?—That is very difficult to tell. I cannot answer that. First he was going to be a currier, next he was going to be a cabinetmaker.

2594. What is he?—Now I understand he is working a new trade.

2595. What is the new trade?—To stitch boots and shoes by machinery.

2596. Is he a voter?—Not at present.

2597. Was he at the last election?—Not at the last election.

2598. Was he at the 1863 election?—I should think he was.

2599. What have you heard of him about the elections?—A very busy man, going to offer all sorts of things; whether they let him have much money I cannot say.

2600. Was he going about offering money or receiving money?—I have heard he had received money, and has had money in his pocket to treat other electors.

2601. First of all, whom has he received money from; the Tories?—From the committee.

2602. From whom have you heard he had got money?—I do not know whether he had a sum of money put in his hands. I cannot say that.

2603. To whom have you heard he has offered money?—I do not know whom he offered money to I cannot recollect.

2604. What have they said about his treating?—I have heard of him about treating.

2605. Where have you seen him?—In a public house when the election is going on.

2606. Where?—It is of no use to tell you where; I have seen him at so many.

2607. All Tory houses?—Yes, all Tory houses.

2608. Pretty general?—Yes.

2609. What do you call treating?—I have not been present when it has been done.

2610. Was he active at the last election of 1865, though he had not a vote?—I did not think him a very active man.

2611. Did you hear of his having any money at the last election?—I should think not.

2612. Do you know George Heath?—Yes, of course I do.

2613. That is, the son of John Heath?—Yes.

2614. Tell us what you know of George Heath's proceedings at the last election?—He was very busy at the last election. I have seen him very busy talking to the electors from time to time. I have been told he had large sums of money.

2615. What amount, 1,000*l.*?—I cannot say the amount.

2616. Whom have you heard that he tampered with?—A large number.

2617. You cannot give me a single name connected with George Heath?—I do not know that I can. I will tell you what I can.

2618. There are a good many Heaths, but George we have at present to do with?—Yes, there are a good many Heaths. I think his brother John is the most active man about it.

2619. You think you can tell us nothing about George?—I cannot say anything in particular.

2620. Do you know a man of the name of Helms?—Yes.

2621. What is he?—A retired man living on his means.

2622. What did you hear about him at the last election?—He was not here at the election.

2623. What did he do at Mr. Dent's election?—What did he do?

2624. Yes?—I cannot say what he did more than voting. He was a friend of Mr. Dent's, and Mr. Dent was a friend of his.

2625. Was he the agent of Mr. Dent?—An agent in election matters?

2626. Yes?—I do not know.

2627. (*Mr. Longe.*) As to the party you spoke of in the first election, the 25 you mentioned, the party hung together?—

2628. What position were they in the town, the 25?—Small tradesmen generally.

2629. Are they still holding together: is it still a party at all?—There is no party in it; they merely go together.

2630. You were advanced Liberals?—A great many of them are dead, and some of them have left the town.

2631. Have you any party at all succeeding to it; have they kept up any party character?—No, I have never joined any party; not to join them.

2632. At this last election were there not some few of you holding extreme views?—No.

2633. Acting together?—Not connected together.

2634. There is no Radical party?—There is not, and has not been for many years.

2635. You are the only representative?—I think there are one or two of us who are staunch.

2636. (*Mr. Coleridge.*) What has become of the 25?—Dead, and left the place.

2637. Changed their opinions?—No, not changed their opinions.

2638. Do you not recollect that those who have changed their opinions have got more Conservative as times have gone on?—I cannot say.

2639. Do you recollect anyone who has come

ound to the other way of thinking owing to his emptation ?—I cannot think of one.

2640. You have not ?—I am satisfied with myself.

2641. Do you know John Diggins ?—Yes, I know Diggins.

2642. What is he ?—Clerk to Mr. Edmonds.

2643. For Mr. Edmonds the lawyer ?—Yes.

2644. The gentleman who is active on the Conservative side ?—Yes.

2645. What do you know about him ? What did he do at the last election ? Did you hear of his having money or spending money ?—Yes, I have heard of it ; it has gone from me now.

2646. Mr. Cuming, junior ; do you know him ?—Yes.

2647. What did he do ; which side is he ?—He votes on the Liberal side.

2648. Mr. J. Cuming, junior ?—Mr. S. Cuming, junior.

2649. Which side did he vote ?—On the Liberal side.

2650. Do you know any Cuming, junior, on the Conservative side ?—No.

2651. Do you know Mr. William Oldrey ?—Yes.

2652. What side is he ?—The Tory side.

2653. Can you tell us anything about him at the last election ?—No, I cannot tell anything about him. I know of his being a partisan.

2654. You do know more than that ?—No.

2655. William Earle ; do you know anything about him ?—I know the man.

2656. He is rather notorious, is he not ?—From what I have heard.

2657. What have you heard about him ?—At the last election I cannot say I heard much about him.

2658. What did you hear ?—I have heard of a direction given for a certain work to be done the night before the election, and he left it to the next day.

2659. What election was that in ?—Mr. Pender's first election.

2660. Who got in ?—He did not vote at all. He said it was not worth $2\frac{1}{2}d.$ the whole bundle and the lot of them, for he could not get anything. He said he would go and have half a pint of beer, smoke his pipe, and go home.

2661. He is not in now ?—No.

2662. Did he ever get any money from Mr. Dent ?—I should think so, but I cannot say. I do not fancy that he would vote without. The old man ought to be ashamed of himself, like many others.

2663. He did not vote at all ?—Not at that election.

2664. Did he vote at the last election ?—I cannot say.

2665. How did he vote ?—For Dawkins I should say. I never heard of him voting for the Liberals unless they gave him money.

2666. It follows he would be bribed at the last election ?—I cannot fancy he would without.

2667. Do you know James Powning ?—Powning a reverend gentleman.

2668. Do you know of a lodge-keeper being taken away—a man of the name of Hannaford ?—Yes.

2669. Did you hear of Mr. Powning being mixed up with that ?—I have heard he was privy to it.

2670. What ?—Preaching how they should get him away ; he was not the person who went away.

2671. Who was the person ?—It was a person of the name of Gill who decoyed him over, under the pretence of going shooting.

2672. Where did he take him to ?—Took him somewhere down the other side.

2673. Made him drunk first ?—Made him drunk first and kept him till too late to vote and brought him home stupid.

2674. Did he vote ?—They took him to the poll and he tendered his vote and they were ashamed to take it.

2675. He voted for Colonel Dawkins ?—For Colonel Dawkins, and a disgraceful scene it was.

2676. You are a purity man ?—I will stand before the town with any man charged.

2677. Do you know Richard Michelmore ?—That is a young man.

2678. I am asking you ?—Oh, yes, I know him.

2679. What do you know about him ?—Know nothing about him.

2680. Did you hear about the lame duck party ?—They were very busy about. I know nothing more than that.

2681. Do you know Marcus Angel ?—Yes.

2682. Thomas Welch ?—Yes.

2683. And Bartlett the painter, were they all of the party ?—Bartlett the painter ; I do not understand what you mean by that.

2864. Have you heard about various people, old and decrepid people and others got rid of on the evening of the election, are they called the lame ducks ?—They are the lame ducks.

2685. Those are the men who had something to do with them ?—Yes.

2686. They are the wings of the lame ducks ?—Yes, or the legs, or something.

2687. These four names I mentioned, Richard Michelmore, Marcus Angel, Thomas Welch, and Bartlett who were in it ?—Yes.

2688. Were the others helping and assisting the lame ducks into the asylum at Dent's election ?—No, I do not know that they were.

2689. Who was decoyed away at Mr. Dent's election ?—William Reeves, and Samuel Saunders.

2690. Who took William Reeves away ?—He went away together, he stood in favour of the goose party.

2691. What is the goose party ?—They had a goose roasted and took it away with them.

2692. Had they no ducks to help them ?—I suppose the ducks went with them.

2693. Who were they ?—Three of them went away.

2694. Was Mr. Michelmore one of them ?—I cannot say, I think three of them went away. How they were got away I cannot say, or what was the cause of their going away. It was naturally suspected there was something in the wind.

2695. Do you know Richard Bartlett of Torquay, a cabinet maker ?—Richard Bartlett of Torquay a cabinet maker, Bennett you mean, John Bennett.

2696. Had he anything to do with the lame ducks ?—Not that I was told.

2697. Do you know Gilbert of North Huish ?—Yes.

2698. What is he ?—He is now living with his daughter and not doing anything.

2699. Is he a voter ?—He was at the last election.

2700. How did he vote ?—He voted for Dawkins and Pim.

2701. Did you hear of his having money ?—I should fancy I have, he was a very active man in former times.

2702. Tell us something about him ?—He has been a very active man for some years.

2703. What has he done ?—I have know him from my childhood, and I have known most of his goings on.

2704. Was he employed on the Conservative side ?—He was here and active for them.

2705. Do you know anything of him at the last election ?—I know nothing about what he did at the last election. He told me he was ashamed of himself for coming up here and being beaten in the way he was. He says they ought not to have gone to the poll.

2706. Do you think he got something for his vote ?—I should fancy he would not come up here without having something. He has been always steeped deep in election bribery.

2707. Give us some facts ?—Go back to the election between Mr. Baldwin and Mr. Gisborne.

2708. That is too far back ; he was mixed up in that ?—Yes, deeply mixed up in it, I recollect many

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times of his going to the bank in the night to draw money as he had not enough to buy the election.

2709. Tell me about a man called Stone ?—A shoemaker in this place.

2710. What did he do ?—He is a lawyer for the Tory party.

2711. Is he one of those we call Screach's lieutenants ?—He goes by the name of the Skeleton of the Saltash Bridge.

2712. What is the meaning of that ?—He is a very thin man, tall and very thin.

2713. Foote ?—Another lieutenant of Screach's. He never took an active part ; he is a labouring man in the town.

2714. He is not a lieutenant of Screach's ?—No, the man is without a party.

2715. Has he got anything to do with Screach beyond being bought ?—I do not know that Screach bought him.

2716. Do you know a man called Nicholas Manning ?—Yes, they call him two yards of bad stuff ; he is a tall man.

2717. A tall man ?—A man about 6 foot 3.

2718. Is he all bad altogether ?—I do not know.

2719. What did he do ?—A very active man on the committee.

2720. Cannot you tell us anything about him ; you must know something about these things ?—I have heard that Mr. Manning has sometimes asked for some remuneration for what he was worth for having tenants to vote.

2721. For having tenants?—To support the Tory side.

2722. At the last election did you hear what he asked ?—I cannot say I have heard, he asked a pretty good sum.

2723. Was it for his own vote or the vote of his tenants together ?—It was simply remuneration for his having tenants to support the party.

2724. How many tenants has he got ?—Three.

2725. How do they vote, the tenants, did you hear ?—They make their own bargain for their particular sums.

2726. What are those tenants' names ?—There was one of the name of Pitts ; William Farley and John Briggs are his tenants now. Before that John Veasey was a tenant. I cannot say whether he makes more votes than that.

2727. How did the three vote at the last election ?—Wm. Farley voted for Dawkins and Pender.

2728. He was open to conviction on both sides ?—I cannot say.

2729. How did Pitts vote ?—For the Conservatives.

2730. What did he get for his vote ?—I cannot say.

2731. What did you hear ?—That he said he would take as much as he could.

2732. How much did Farley get from Dawkins ?—I cannot say.

2733. Who paid best, Dawkins or Pender ?—

2734. Do you know that he voted for Pender ?—I cannot say.

2735. Do you know he offered his vote for 200*l.* ?—You make a mistake.

2736. Now as to the third tenant, how did he vote ?—He had left the party at the time.

2737. How did the six foot of bad stuff vote himself ?—Do not raise him too much.

2738. Then the two yards, how did he vote ?—He voted for the Conservatives.

2739. What have you heard he got for it ?—I never heard anything that way.

2740. How did you hear about his having asked for something for having tenants, whom did he ask ?—I was told that by some of our party.

2741. Can you recollect any of the committee who was present ?—No, I fancy I heard John Heath complaining that Manning ventured to ask.

2742. John Heath thought he ought to have him altogether for nothing ?—I cannot say.

2743. Did he complain about his wanting something for himself, and something for his tenants too ?—John Heath takes care of himself.

2744. Did John Heath complain that the tenants wanted something as well as Manning ?—The tenants were made a separate bargain.

2745. Do you known Coulton, what is he ?—A gentleman.

2746. Had he anything to do at the last election ?—He was here.

2747. Do you known anything particular about him ?—No.

2748. Captain King ?—He was very busy at one election.

2749. Dent's election ?—Yes.

2750. What did he do ?—I cannot tell what he did.

2751. Did he manage for Mr. Dent ?—I think he was a managing man for Mr. Dent ; he was a managing man for him in China.

2752. He is away in China ?—I have not heard of his going away.

2753. Mr. Bryett, what is he ?—An attorney of this town.

2754. He is a Conservative is he ?—Yes.

2755. Was he active at Dent's election ?—I apprehend he was.

2756. At the last election ?—At the last election, though not exactly in going about himself, sending others about.

2757. Now Mr. Willis junior ?—Is it William or Samuel, which do you mean ?

2758. Samuel is of the lame duck party ?—He was very active, William Willis and Samuel both.

2759. Can you tell us any particulars about that ?—He was going about very active and I heard he was offering money.

2760. Did you hear whom he was offering money to ?—Yes.

2761. Do you know of John Godfrey ?—If he was not paid it was very curious for him, as I know his principles, he was not Tory.

2762. How did he vote at Dent's election ?—For the Tories.

2763. Dunn's election ?—Yes he did vote at that election ; he voted with the Liberal party then.

2764. When was he first converted ?—I should fancy in Dunn's time.

2765. Has he stuck to the Conservative party since ?—Yes.

2766. What is he ?—A tailor.

2767. Now W. H. Philip Bovey ?—I know him.

2768. What did he do at the election ?—I was told he was looking out for a sum of money.

2769. Tell us some particulars about him ?—I have heard Bovey was looking out for money, and Mr. Edmonds was mixed up with him much.

2770. Did Bovey want money for himself or to distribute amongst others ?—None for himself.

2771. Did you hear what he got ?—He got out-done.

2772. Did you hear what he was offered by Mr. Pender's people ?—No.

2773. Thomas Dennis ?—He voted for the Tories.

2774. Had he any inducement to vote for the Tories ?—I do not know.

2775. What is he ?—He keeps carriages that he lends out to hire, and also is a party in the fishery.

2776. Did the Tory party hire carriages from him ?—I do not know whether they monopolized the whole of them.

2777. Do you know whether he got anything for his own vote ?—I suspect he had.

2778. James Edmonds ?—I know him.

2779. What is he ?—A carman.

2780. Did he vote last time ?—Yes.

2781. How ?—For Pender and Seymour.

2782. Pender and Seymour, did he ?—I fancy so.

2783. Did he vote for the Conservatives before that ?—I am not aware of it.

2784. Did you hear of somebody trying to get hold of him, somebody of the Conservative party ?—Yes.

2785. Who was it ?—John Sandford Screach.

2786. What did he give him ?—He offered him a sum.

2787. Joseph Hannaford?—Yes.

2788. Did he get anything at the last election?—If we believe John Sandford Screach, he did.

2789. There was Nickells the blacksmith?—Yes.

2790. Did he have anything?—He must have had.

2791. Now can you say anything about the bribery on the side of the Conservatives at the last election?—I cannot more than what I have told you about Foote.

2792. Now are you going to tell anything about bribery on your own side?—Do not call it my side.

2793. The Liberal side?—You do not often meet with people so far advanced as I am in politics. I see you forget.

2794. Now you are going to tell us something about the Liberal party; you know that Mr. Pender spent a large sum of money?—At the last election if Mr. Pender spent any money he was very foolish.

2795. Do you think he did spend it?—I do not know of my own knowledge. I know if he did he was very foolish; he had a dead poll made up of 26.

2796. Perhaps he had more money than he wanted?—No.

2797. What did he do with it?—I do not know.

2798. I suppose you know that both parties in Totnes agree that they will have nothing to do with men that have not money?—I believe it has been of late years useless to contest this borough without money.

2799. Except it was Lord Seymour?—I do not believe he ever offered anything.

2800. Give us some little information with regard to what sum Mr. Pender spent; what sum do you think he spent?—I cannot say; I never heard any sum at all.

2801. Did you ever hear any sum like 3,000*l.*?—I never heard it.

2802. 4,000*l.*?—No.

2803. A smaller sum?—I never heard any mentioned.

2804. Have you ever heard he spent a good deal of money?—I have heard some parties say he spent money.

2805. You say if there had been no bribery he would have won easily?—Yes; so you would at any time in Totnes if there was no bribery.

2806. If there had been no bribery do you not think there was an inducement for him?—I should fancy he was willing to keep his own money.

2807. Have you heard that 25 or 30 men promised to vote for the Conservatives and ultimately voted for Pender and Seymour at the last election?—I never heard that.

2808. Several split?—I never heard that.

2809. Did you ever hear of any single man in Totnes who promised and then split?—I have heard that.

2810. Who was that?—Mr. Byne; he voted for Pender and Seymour.

2811. Did you hear that he promised to vote for Dawkins and Pender?—I heard he was going to vote for him.

2812. Is that William Byne who lives in Fore street?—Yes.

2813. Whom did you hear he promised?—I heard he promised to vote for the Conservatives.

2814. Was there any particular person to whom he gave his promise?—I think George Heath. I heard he was the man that went to him.

2815. Did you hear that George Heath offered him any inducement to vote for the Conservatives?—I rather think it was,—I recollect,—before that, I am speaking of.

2816. He was not a voter in 1863?—Not Byne?

2817. Yes, William Byne?—He voted right then. I think George Heath is the man that got him.

2818. At the last election he promised George Heath to vote for Dawkins and Pender and voted for Seymour and Pender?—Yes.

2819. At the time before he voted for Dent?—I believe that is the man.

2820. Did you hear what was the inducement in 1863 for him to vote?—I have heard many.

2821. What was the size of the inducement?—I should think about 50*l.* I am not speaking from my own knowledge, I can believe the parties said, that if he was turned out on that ground he should have other grounds.

2822. Was he a tenant of the Duke of Somerset?—Yes.

2823. Was he turned out?—Yes, he was.

2824. In 1865 did you hear what was the size of the inducement that George Heath promised Byne?—I said just now I was wrong in the election.

2825. You do not know about 1865?—I believe I am right; go back to 1863.

2826. In 1863 George Heath went to him and William Byne did vote for Dent?—Yes.

2827. I asked the name of some person of whom you heard that he promised to vote for the Conservatives and did not keep his promise; then you give me the name of William Byne, and he voted for Pender and Seymour in 1865?—I made a mistake in the name.

2828. Do you know William Byne at all?—Yes he is next door neighbour to me.

2829. Did you ever talk with him about politics?—No.

2830. He is not an advanced Liberal?—No; I do not talk much to those men who sell themselves.

2831. Do you think he always sells himself?—I do not know that ever he had the chance before that election.

2832. When he gets the chance he sells himself?—Yes, I judge so.

2833. Have you heard that there was a requisition sent to Mr. Kennard?—I have heard.

2834. Who is S. Hill, jr.?—A mason of this town.

2835. Do you know that he voted for Seymour and Pender?—Yes.

2836. John Wright?—Yes.

2837. He voted for Seymour and Pender?—A plumper for Pender.

2838. William Pengilley, he voted for Pender and Seymour?—Yes.

2839. William Byne and Thomas Blank the same?—Yes.

2840. And John Green?—Yes.

2841. Thomas Matcham?—Yes.

2842. And Thomas Matcham, junior?—Yes.

2843. Do you know that all these had signed a requisition to Mr. Kennard?—No. I am not aware who signed it.

2844. If there were persons who signed a requisition to Mr. Kennard do not you think there must have been some inducement to make them vote for Pender and Seymour?—If I recollect rightly they were told they were not bound by signing that. I believe that was the case.

2845. Who told them that?—Mr. Robert Harris.

2846. When they signed that requisition?—Yes; he told them they were not bound by that.

2847. Did not you hear that the words were these, they were not bound to vote for Mr. Kennard without further consideration?—They were at liberty to do as they liked afterwards.

2848. Without the "further consideration"?—I cannot say.

2849. Do not you believe that all these men received a consideration from Mr. Pender's party?—I cannot say.

2850. Forming your own judgment?—My own judgment is, they must have received money for their votes. I do not disguise anything. I do not wish to shield the Liberal party.

2851. About your own friends you say there were 25 men who kept together as advanced Liberals. Are there any left besides yourself?—I have not left.

2852. Are there any remaining in the borough of Totnes besides yourself?—There are a few; many have died and many have left.

2853. Was Screach one of them?—No.

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Mr. G. Mitchell.

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2854. The old gentleman ?—No.

2855. Tell me if you can remember one or two ?—I can tell you one, Penny Sharpham.

2856. (*Mr. Coleridge.*) Was not Mr. Thomas Holman one of your class ?—I think so.

2857. (*Mr. Bere.*) Is Mr. Samuel Penny Sharpham one of your body still ?—We have no association.

2858. What has become of them ?—Some dead ; some left the place. I cannot say who is left now.

2859. George Roberts ?—George Roberts was not of the party.

2860. (*Mr. Coleridge.*) Was not he a Chartist ?—Yes ; but this was not a Chartist association I am speaking of.

2861. (*Mr. Bere.*) I want to know what had become of the 25 independent men ?—One Strivelling and Mr. Saunders the hairdresser died, but I cannot brush my memory up now.

2862. (*Mr. Coleridge.*) Were any of the Seventy-third left amongst those 25 ?—The Seventy-third was broken up then.

2863. Were there any remnants ?—No.

2864. (*Mr. Bere.*) Did the admiral belong to your party ?—No ; he knew nothing of it. They were young voters mostly. They had just come into the franchise, and thought it was a shameful thing to see the borough demoralized in the way it had been and they were determined to make a stand and try to break it down, and it was very near done but they would not leave us alone.

2865. Do you vote for other elections besides parliamentary ?—Always.

2866. Have you been ever offered money for your vote for the council ?—Who dare do it to me ?

2867. You have never been offered ?—If you had come and offered it to me I should say Go out of my house.

2868. You have not been offered ; have you heard of anybody having been offered money at the municipal elections ?—Plenty.

2869. More or fewer than for the parliamentary ?—I should say more.

2870. On both sides ?—I have heard of bribery on both sides, but the greatest amounts on the Tory side. The Whigs could not come up to them. They tried it on.

2871. (*Mr. Coleridge.*) Not even Mr. Pender ?—No they gave it up. They saw it was most demoralizing. The fact is, in election times, it is dangerous to walk about in Totnes.

2872. (*Mr. Bere.*) Why ?—They get them into houses and give them drink what they call "all nations," and they go out and knock people down.

2873. What is "all nations ?"—It is a peculiar mixture which maddens them, and they would as soon knock one person down as another.

2874. Can you give us the receipt ?—No, but if I am informed rightly, Mr. John Heath can, and his son.

2875. It is a peculiar seductive and intoxicating drink ?—Yes, it appears so, they come out in an intoxicated state.

2876. Is "all nations" supplied to both sides ?—No.

2877. It is a Conservative drink, what is the Liberal drink ?—They used to have their beer and baccy meetings.

2878. Is that all ?—One glass of grog.

2879. Only one ?—Sometimes two, but I never attend meetings in that way. I never mixed with them in their carrying on of their system.

2880. Had they no peculiar compound like "all nations" ?—I never heard anything except beer and baccy.

2881. What were the colours in the elections in former days ?—I have not seen any colours lately.

2882. But before ?—Blue the Tory side ; I used to fancy it was a Liberal colour away from Totnes.

2883. What also ?—Purple and orange ; the Liberal colour was brown, I think that is in Mills time.

2884. What did it come to afterwards ?—Chocolate.

2885. Did it never get a little golden ?—I have no doubt it did.

2886. (*Mr. Longe.*) Has Mr. Pender in some cases got situations for the sons of gentlemen ?—I have heard that Mr. Pender has given recommendations.

2887. That has been the means through which they got situations ?—They got them to learn a business.

2888. Can you tell me any cases of that kind ?—I believe Mr. Pender gave a recommendation to Mr. Cuming's son William and got him to Mr. Whitworth's factory at Manchester.

2889. (*Mr. Coleridge.*) Of which Mr. Pender is chairman ?—One of the directors.

2890. (*Mr. Longe.*) When did Mr. Pender give him that ?—It must have been in 1863. He went away in 1862. The election was in December 1862 I think.

2891. And Mr. Robert Earle's son ?—Yes, he also gave a recommendation for him.

2892. Who is Mr. Earle ?—A farmer.

2893. What politics is Mr. Robert Earle ?—He has before now voted on the Tory side before Mr. Pender came here, but I believe he was rather sick of them he did not care to be in such company.

2894. Is that after the 1863 election ?—After the 1862 election, he gave a recommendation to Mr. Robert Earle's son to get into Mr. Whitworth's factory and there he served his time. But I should say Mr. Cuming had to pay very dear for his son's learning ; I believe Mr. Pender never advanced a farthing towards the education of these sons in his business.

2895. Has Mr. Cuming always been a Liberal ?—Yes, and he wanted his son to be in the business, and I believe he spent 800*l.* on the son.

2896. Mr. Cuming has always been a Liberal ?—Yes, and I do not think he ever looked for a bribe in his life, nor Mr. Earle.

2897. Mr. Sharpham, do you know of Mr. Pender giving an appointment to him ?—I do not know anything about the appointment.

2898. Mr. Endle ; do you know of Mr. Pender getting an appointment for him ?—I recollect that Mr. Endle's son is a clerk in Manchester, whether through Mr. Pender or not I do not know.

2899. You know he is a clerk ?—Yes, he is a clerk in Manchester.

2900. You do not know with what firm ?—No.

2901. Is Mr. Endle alive ?—He is dead.

2902. What politics was Mr. Endle ?—Always on the Liberal side.

2903. Mr. Evan Evens ?—He stole a march on the Liberals. The Conservatives are generally up to that if there is anything to be got from it.

2904. What is Mr. Evan Evens ?—His son got a recommendation from the Duke of Somerset with a promise to vote next time, I suppose.

2905. What is Evens ?—An out and out Tory.

2906. When was the appointment got for his son ?—Four or five years ago.

2907. (*Mr. Coleridge.*) Ever since you have been a voter and known the borough of Totnes have you considered it corrupt ?—I believe the borough of Totnes at the first election in 1832 was a pure borough.

2908. Was 1837 ?—I believe the next election was pure, but from the time Mr. Baldwin came to this borough there was always a majority of Liberal electors in the borough, from the passing of the Reform Bill up to the present time, I believe.

2909. How do you account if that is so, for the hard runs there have been, and when we find the Duke of Somerset made something like 90 votes. If the borough was Liberal at the time of the Reform Bill and there were 90 votes added on the Liberal side how do you account for the close runs ?—If I had the documents that some people have, I think I could show you how it is they have drawn them away from the Liberals by bribery and corruption. It was going on to such an extent that they got respectable

independent men to take their land and counteract this evil system.

2910. The Gerston property which the Tories had and which now the Duke of Somerset has got, that has gone with Bridgetown?—Gone with Bridgetown. They voted on the same side, the Gerston men on the estate were independent men.

2911. But they always supported Liberal candidates?—As long as the duke was a candidate.

2912. And now support his nominee Mr. Seymour?—If he suits their politics.

2913. As long as he is a Liberal?—They support the Liberal interest. They are not to be influenced by anyone. It is not like the system the Tories carried on, of putting on every little boy on it.

2914. I suppose as a Chartist, you wish everyone of 21 to have a vote?—Yes; but I do not like to buy them to vote.

2915. You were saying, if you had the documents, what documents?—The polls they have made up from time to time to show the majority they have got, giving them every doubtful vote, and where they have been bought away.

2916. Who made up the polls?—Mr. Thomas Holman, Mr. Condy, Mr. Winsor, and others.

2917. And they have got them?—Yes, I should think so.

2918. Who is likely to produce them?—I think Mr. Condy, that is my opinion.

2919. Taking it for a moment that you are correct that the Conservative party have pursued this course, have not the Liberals pursued the same course for a great many years?—They have both resorted to the system, no doubt about it.

2920. (*Mr. Longe.*) The property had been made use of to counteract the power of money?—Yes.

2921. You put it that way?—Yes, and I am now happy to say it would do away with it. If they were to issue a writ for this borough at this time you would not hear of any person being purchased.

2922. (*Mr. Coleridge.*) Why do you say that?—Because there is a majority to support the Liberal candidates, and there would be no chance for the Tories.

2923. You think no Tory would be likely to come forward?—It is hard to say; we have supposed several times they would never venture again.

2924. If the state of things existed which you say does, would not it make the bribery more on the Conservative side?—They cannot buy enough.

2925. There are not enough liable to conversion?—No. I am happy to say there are 150 straightforward men who will vote against any offer.

2926. You can tell us this as well as anyone. How many voters who are nominally Liberal could be bought, if there was a Conservative candidate, the Liberals to spend none, and the Conservatives to spend all, could not they buy their way?—I do not think they could, I think we have a majority.

2927. Do you mean to put it thus, that if the Liberals spent no money, and the Tories spent all, they could not carry it?—I do not think they could carry it.

2928. (*Mr. Bere.*) How many people in Totnes are accessible to a bribe?—William Gilbert told me at the last election his opinion was that there were 70 on the Tory side, and about 50 on the Liberal. I told him I did not believe it. I believe there are 120 on the Tory side, and I do not think the Liberal side has anything like 50. I do not think there is, but I do not want to come here and praise the Liberal party up, I mean to tell you my honest conviction.

2929. You and Mr. Gilbert agree about the number, but you do not agree in the way they are distributed?—No, it is not giving the numbers enough on the Tory side. It is a well known fact that there are above 100.

2930. Above 100 to the Tories and an indefinite number to the Liberals; what do you say?—I cannot believe there is 50; not 30.

2931. 20?—I do not think there are 20 that you could buy.

2932. Could they buy 10?—I cannot tell.

2933. You think they might?—They might; but I cannot tell.

2934. We will leave them at 10, and then Mr. Gilbert agrees within 10 as to numbers; but you say they are all Tories, and he says 70 Tories and 50 Liberals?—Mr. Gilbert says 70 Tories and 50 Liberals.

2935. You say 100 Tories and only 10 Liberals. There is a difference of 10 between you; but you differ as to the way they are to be apportioned?—Yes. There are about 120 Tories.

2936. They were once Liberals and have now become Tories?—I do not know whether he meant it. That is the way I took it; he may make what he likes of it.

2937. From what you know of the borough of Totnes, how much money do you think has been spent by both sides since 1839 in bribery or for election purposes?—I have heard that Mr. Baldwin spent about 4,000*l.* at one election. I have no doubt that he spent 40,000*l.* altogether.

2938. Would you say it is nearer 70,000*l.*?—I cannot say; but I should not be surprised at anything he spent. They milked him as dry as they could.

2939. Have you heard that he said he had spent 72,000*l.* and would not spend any more?—I cannot say that he did that; but I heard that he spent all he could.

2940. How much did Mr. Mills spend?—I cannot say.

2941. 8,000*l.* or 10,000*l.*?—Not so much.

2942. Put it down at 7,000*l.*?—I think not so much.

2943. 5,000*l.*?—No, I think not.

2944. A great deal?—4,000*l.* would be a great deal.

2945. Mr. Pender, what have you heard he spent?—I never heard the sum.

2946. It is so much they do not like to say?—I cannot say if Mr. Pender spent a large sum. He was a very foolish man if he did. He had no occasion.

2947. Has it been less than 1,500*l.*?—I should think so.

2948. (*Mr. Coleridge.*) Should you be surprised to hear that in 1862 he spent 3,000*l.*?—How could he do it. There was no contest; you make a mistake.

2949. I do not mean at the election, but before the next?—I do not know.

2950. Do you mean he might have spent much less at the last election?—I should say he had no occasion to spend much.

2951. Should you say he spent 3,000*l.*?—I think not.

2952. 2,000*l.*?—I could not say.

2953. If he gave anybody 2,000*l.*, you think a great deal must have stuck to the fingers through which it passed?—I think those who pass it may stick to a great deal.

2954. You do not think 2,000*l.* was distributed fairly among the voters?—No; I never heard of it.

2955. Do you think 100,000*l.* has been spent since 1839?—I cannot say, but I should not be surprised if I was to hear it.

2956. (*Mr. Longe.*) Do you know Robert Oldreive?—Yes.

2957. He did not vote at the last election?—I think he was away at some meeting.

2958. What position is he in?—A very good position; land surveyor and steward.

2959. Robert Oldreive, not Lewis?—There is no such person living in Bridgetown of that name; I do not know the man.

2960. Charles Pitts?—I do not know.

2961. (*Mr. Bere.*) What more have you got to tell us?—I have been brushing my memory up as to what I have heard about the offering of bribes, and so forth.

2962. That is what we want to know?—Since I have been out I have thought of something. Mr. Evan Evens' name was mentioned before, and I forgot a circumstance about that. I recollect hearing of

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Mr. Evan Evens taking some money to Mr. John Corney of this town.

2963. Which election was that?—That must have been at Dunn's election. Excuse me if I am wrong, I fancy it was at Dunn's election, that he left a sum of 20*l.* with his daughter, and he was a very foolish man, I call it, for he returned it.

2964. John Corny returned it?—Yes.

2965. Was he one of your 25?—No; and I have heard of one Robert Harris wanting to leave a sum of money at Mr. Pearce's, the cowkeeper of this town, and I have heard also about Mr. Foote. I think Mr. Cuming can give you some information about that, Mr. Samuel Cuming, junior.

2966. William Foote was the man whose wife showed the 100*l.*?—Yes; I cannot say the sum exactly, but a great deal of money. On the last election I was informed that Mr. John Heath, junior, and Mr. Arthur Niner were very busy, up at 5 o'clock in the morning, in the parish of Berry, throwing out some great inducements to some of the duke's tenants to vote on their side.

2967. How many?—I cannot say.

2968. What names?—Mr. Chamings of Wild Woods and Mr. Ruby at Castle Mill. Also a case in Dunn's election;—I heard a report that Mr. Harris should go over to John Daw with a sum of 70*l.* That is what I heard; I cannot brush up anything more at present.

2969. Have you brushed up anything about the other side?—I do not think I could. I do not wish to screen them, I assure you.

2970. Nothing against the other side has occurred to you?—Not that I can bring to mind. I vote on the Liberal side, but I never interfere in anything of this sort, in bribery or corruption; and I defy anybody to say I asked them for their vote in any shape or form. As to municipal affairs, I can give you a little.

2971. We should like to hear a little about that?—I have taken part in that on many occasions. I can give you an instance of the Whig party being beaten out by the Tories outbidding them. In 1848, I think, about that time, I fancy I am pretty near right about that, somewhere about that time the Whig party was beaten out, they outbid them altogether.

2972. The whole four candidates?—Yes; they gave up the contest. I thought it was a pity they should go on without being contested, and I allowed myself, and others allowed themselves to be put up; I, Thomas Holman, Mr. Samuel Huxham, and Mr. William Adams, were nominated as candidates for the town council of the borough of Totnes.

2973. What success had they?—We went into the contest and did what we could.

2974. How much money did you spend?—I will tell you presently what I spent; what the party spent altogether. We went into the contest; they did not expect such a thing, but I said, sooner than let them win without a contest, I should allow myself to be put up; not that I wanted to get into the council, for I might have done it without a contest, not at that time though. We went into that election; we had bills printed, voting papers printed, and we got them filled up and distributed them, and went to the poll. I cannot give you the numbers of the poll, but we drew them into spending 80*l.* only in that little bit of a game.

2975. How much did you spend?—I will tell you what we spent. The whole expenses. We had merely requested Mr. Huxham to allow his name to be put with our names so as to make up the four, and when we made up our account it cost us 8*s.* 4*d.* each; that is what it cost us. We did not allow Mr. Huxham to spend a farthing, and we spent 8*s.* 4*d.* each, and that was the whole expense we went to, and we drove them to the expense of above 80*l.*

2976. What was that 80*l.* spent in?—Bribery, to get votes.

2977. That was the time of the two and sixpence being paid and a breakfast, was not it?—They did not get anything out of me, I can assure you that; I never go into these things.

2978. You understand a man would not like to lose his day's work for the pleasure of voting for you?—If he did not choose to, he might stop away for me. I never ask a man to vote for me; therefore I defy the town to say I was mixed up with anything of the sort. I merely give you this as a little incident that happened in our electioneering tactics. It was just to put them to a little expense.

2979. To give them a breathing?—If they did not do it they would walk over the course and save their money. I did not like that, and drove them to spend more.

2780. (*Mr. Longe.*) You went up on the petition after the last election?—No. Did I not say just now I did not receive any money for electioneering purposes? I think I said so. I was wrong there. I received money about that election petition. I will tell you the whole of it.

2981. If you will keep to my questions we shall not get confused. You did go to London?—Yes, I did go to London.

2982. Were you subpœnaed?—Not from Totnes.

2983. Where you subpœnead at all?—I went to London on my own account.

2984. At the time of the petition?—At the time of the petition.

2985. Were you subpœnaed when you got there?—After I got there. I was just going to tell you. I was subpœnaed after I got there. There were parties who were very officious, and seeing me go to the committee room once or twice, they said, "What do you want "here; you must not come, I will take care of that." I took no notice, but went a second time, and they said they would stop my going in there, and they go in and subpœna me to appear as a witness on this election petition. I looked at the thing and thought it was a hoax. Some fellow there, a runner, they got hold of to serve me with it to get a shilling or two.

2986. (*Mr. Coleridge.*) You were not sorry for that, because you got your expenses?—After I was kept there three days, they paid me very well; they gave me 4*l.* 10*s.*; I was not dissatisfied. That was the only money I received at all.

2987. (*Mr. Longe.*) Did you know Mr. Blank?—Yes.

2988. A shoemaker?—Yes.

2989. Was he up in London?—Yes.

2990. Did you see him when in London?—I did.

2991. Did you go up with him?—I went up in the same carriage.

2992. You were not subpœnaed at that time?—No.

2993. Was he a witness?—He was subpœnaed to give evidence.

2994. He was?—Of course he was.

2995. What do you know of him; is he a friend of yours?—No, I know the man, and I speak to him when I see him.

2996. Has he had dealings with you?—I have had dealings with him, but many years ago. Whatever he bought of me he always paid for.

2997. Had you any dealings with him before this last election?—Not within 10 years.

2998. Not within 10 years?—Not within 10 years, I can safely say.

2999. Does he live near you?—No; farther up the town. I live below the arch.

3000. Do you know who went in the same carriage with you besides him?—Yes.

3001. Give us the names?—There were a good many; Samuel Cuming, George Roberts, William Pengilley, and Mr. Reeve and Mr. Perrott.

3002. Those were all witnesses, were not they?—No, Perrott and I went up on pleasure; we were not subpœnaed.

3003. You went to look after those witnesses that were subpœnaed?—Well, in a measure, I went up. I was asked if I would go up. I said I wanted to go.

3004. Who by?—William Perrott was the man who asked me.

3005. What was the object you were wanted for?—I will tell you; the object I was wanted for was to keep those men, if I possibly could; not to let them know what was going on; nor did they know. They did not know what I was about. The object of my going was to keep them from getting others mixed up with them to draw anything they could. The reason I was asked to go up more particularly than anything else was that I was one who knew something about London. I had been living in London, and I knew London, and I was asked to go up to show them about it, to keep them employed and not to let them go astray and mix with others.

3006. (*Mr. Coleridge.*) Not to let the other side get at them?—Not to let them get at them, because you never know when you are right with them if they get hold of you. If you speak one word they make two of it at any time.

3007. You take more interest in the Liberal party than you have given us to understand before?—No. They thought I was an independent party, and I should not be subpœnaed there at all; therefore they asked me to go up.

3008. Do you mean electioneering parties depend more on independent electors than their own partisans?—There is no doubt that they have confidence in me. I believe they have. I have that pride to think they have at any rate.

3009. You were very much interested in the petition, were not you?—I was disgusted. I thought it was a most shameful thing that men should come down and act in the manner they did. Men who came down, as to which evidence came out at that committee, and they made up their minds before they went to the election that they would file a petition.

3010. And you thought that a very hard matter that Mr. Pender, after spending all this money, should be unseated?—I thought Mr. Pender was very shabbily served; but my going up there could have no more effect than just keeping those parties together and amusing them while there, and after they had been before the committee, of course.

3011. (*Mr. Bere.*) What is your qualification?—A house in Fore Street. I have never been objected to since I have been in the house; never been corrupted by the registration courts, like many else have.

3012. (*Mr. Longe.*) You went up with Mr. Blank?—Yes, there were 11 went up, I think.

3013. You were aware that Mr. Blank had been bribed?—I do not know it myself.

3014. Did Mr. Blank tell you?—No, he never told me.

3015. You have heard it mentioned?—I have heard it mentioned that he was bought.

3016. That he was bought?—Yes, I had heard it mentioned previous to his going up. I never had any conversation with Mr. Blank about it in my life.

3017. Did you hear whom he had been bought by?—I do not know whom by.

3018. You know what he went up for?—I do not know why he was summoned.

3019. Do you mean to say you did not know what he was summoned for, what the case was that he was to prove?—No, I did not know, I did not inquire into that.

3020. When did you hear this rumour of his being bought?—At the time the election was going on in the town.

3021. And that was before the petition?—Of course it was.

3022. You knew at the time that there was a rumour that he had been bribed?—Yes, but I had no conversation with him on it. I did not enter into any conversation with any of them on it. I never inquired into it, and never asked a man about it. I never throw out to a man he has been bribed in an argument with me on any subject, however hot the argument with him on the subject be; and I defy any man in Totnes to say that I ever threw out that he was bribed.

3023. If you knew nothing about it what was the use of Mr. Blank going up as a witness?—I was merely requested to go up and keep them apart from the Tories.

3024. (*Mr. Coleridge.*) You are a neutral?—I was asked to go up to do that. I am not a neutral in voting; I always exercise my franchise, always. I never entered into any conversation with them, never let them know what I was about up there.

3025. When you went there did you keep them together at one house?—I kept them together, saw that they were altogether, and then amused them in the evening; that is, I took them the first evening into the Alhambra, they did not know where it was; I did and took them there; then I took them to the Princess's and next to the Oxford and knowing those different places and they not, they were very glad.

3026. Was it all at Mr. Pender's expense?—I never paid a farthing, never had a farthing in my hand from him.

3027. Did they pay themselves?—They paid their own.

3028. Do you know whether they had it allowed them afterwards?—I do not know. I heard that they had their expenses paid by Col. Dawkins.

3029. Were they not your witnesses?—They were not our witnesses. I was paid by Col. Dawkins too. They were subpœnaed by Col. Dawkins too.

3030. Did all those theatrical entertainments take place at Col. Dawkins' expense?—For my part and the others too, I believe. They say a fool and his money is soon parted.

3031. (*Mr. Longe.*) You heard that this Mr. Blank had been bribed, a rumour?—I fancy I have heard that Mr. Searle was the man, but I cannot tell.

3032. That was the rumour?—The rumour is so.

3033. You heard that it was so before you went up?—Whether Mr. Blank was bought or not I cannot say, whether bribed or not I cannot say, I never asked him, or had any conversation with the man, I was with him, mixed up, but never asked anyone a question about it.

3034. (*Mr. Bere.*) You know Mr. Blank's politics?—Yes, I do.

3035. The history of his politics?—Yes, the history of his politics.

3036. What had he been previously?—Well he was a Liberal in principle; he was a Chartist in the first start.

3037. (*Mr. Longe.*) Before you were subpœnead what were you doing in London. Where were you when you were subpœnaed?—In the lobby of the House of Commons, that is where I was.

3038. Do you know why you were subpœnaed?—To prevent me going into the committee room, that is what they subpœnaed me for, nothing else. They told me, Mr. Harris is the man who told me so; is not that so?

(*Mr. Harris.*)—Yes.

3039. (*Mr. Longe.*) Did Mr. Robert Harris the Wesleyan Minister go to the Alhambra with you?—Wesleyan Minister! I do not know him.

3040. The preacher?—He preaches good ale, there is no doubt about that.

JOHN SHUTE, junior, sworn and examined.

J. Shute, jun.

3041. (*Mr. Bere.*) How long have you lived in Totnes?—About 60 years.

3042. And you knew this borough before the Reform Bill?—Yes.

3043. What are you?—A boot and shoe maker.

3044. Were you brought up to that trade?—Yes.

3045. Were you a freeman of the old corporation?—No, I had nothing to do with the old corporation.

3046. You had nothing to do with the election of members before the Reform Bill?—No.

3047. Which was the first election at which you voted?—Cornish and Parrott's.

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3048. When Lord Boringdon stood ?—Yes.

3049. Cornish and Parrott and Boringdon stood in 1832 ; did you vote then ?—Yes.

3050. Whom did you vote for on that occasion ?—Cornish and Parrott.

3051. There is but little doubt that that was a pure election ?—I believe it was.

3052. When was the next time ?—I voted next time when Mr. Mayne came down.

3053. Did you vote for Mr. Mayne or Lord Seymour ?—Mr. Mayne at that time.

3054. That was a pure election, too ?—I believe it was.

3055. There was very little money on Mr. Mayne's part to pass ?—I do not think there was.

3056. Did you vote again in 1837, when Lord Seymour, Mr. Parrott, and General Adams stood ?—I did.

3057. At that election did you hear for the first time that there was a suspicion of bribery ?—I did hear that.

3058. Did you hear the horse and cart story as told at that meeting which we have heard described ?—Yes.

3059. Do you believe there was any other bribery at that election or anything like that done in any other instance ?—I think the public houses were thrown open for the first time.

3060. On both sides, or only one ?—On Sir George Adams' side.

3061. Was there a good deal of treating took place on the Conservative side ?—I do not think very much.

3062. That was all ; the houses were thrown open? —Yes.

3063. Were a good many people employed as messengers and runners ?—Yes, at that time ; that election, I think, was the first time.

3064. Did you hear what that cost Sir George Adams ?—I never heard.

3065. Then we come to the election of 1839 ; Mr. and Blount, Mr. Baldwin, when Mr. Parrott resigned, and there was a double return?—Yes.

3066. Did you vote for Mr. Blount at that election? Yes.

3067. Did you take any particular interest in Mr. Blount ?—I think I did.

3068. Were you on his committee ?—No, I was not on his committee ; I was subpœnaed.

3069. Did you go about canvassing with him ?—No ; I was anxious for his return just as a private person a voter would be, but I was not on the committee.

3070. Had you known him before ?—Not before he came down. I was subpœnaed on the committee. When there was a scrutiny I was subpœnaed up to London.

3071. Do you know for what purpose you were subpœnaed. We have heard there were allegations of bribery and corruption in the petition ?—I went up as an overseer.

3072. You were an overseer at the time ?—Yes, or the year before. I think there were two sets of overseers subpœnaed up, and I was on one of them, the first set.

3073. Did you hear there was a great deal of money spent at that time ?—I did.

3074. Did you hear what price was paid at that time ?—No ; I will tell you what Mr. Parkes, the chief clerk, told me.

3075. Mr. Joseph Parkes ?—Yes.

3076. He was the Liberal agent at that time ?—Yes. He told me in London that the election and scrutiny cost Mr. Blount 2,000*l.*

3077. The scrutiny did not last very long ?—No.

3078. There was an objection taken on the notice, and it was over in a day ?—Yes.

3079. Did you hear the names of any persons, I do not want them, being electors in 1839 who were bribed by either side ?—I did not.

3080. How much, if Mr Blount spent 1,500*l.* or 2,000*l.*, did Mr. Baldwin spend ?—I cannot tell ; perhaps the same amount. I do not know.

3081. They did curious things in those days, did not they ? Did you hear of a John Endle who was put into a cask ?—I had quite forgotten that.

3082. Now I remind you do you know ?—No, I have forgotten it.

3083. That was a void election in 1841, and then there was an election where Mr. Gisborne and Mr. Baldwin were candidates ?—Yes.

3084. Did you vote for Mr. Gisborne then ?—Yes.

3085. Did you take any interest on his part ?—No.

3086. Nothing more than voting ?—No.

3087. Had you anything to do with Mr. Gisborne coming down here as a candidate at all ?—No.

3088. Did not you know him till he came down ? —No.

3089. Was there a good deal of bribery at that election as far as you know ?—It was reported there was bribery. I believe there has been bribery at every election.

3090. Since 1839 ?—Yes.

3091. Since bribery was first introduced there has been bribery ever since ?—Ever since, I believe.

3092. Now we come to this last election of 1865 ; you voted for Seymour and Pender ?—Yes.

3093. Have you heard of any people represented to have been bribed at that last election ?—There are many reports. I took no interest in it ; never went out to vote till 3 o'clock in the afternoon. I never took any interest at all.

3094. You did not go out till 3 o'clock to vote ?—No.

3095. The state of the poll at that time was strongly in favour of the Liberal candidates, was not it ?—Yes.

3096. The election was virtually over at that time ?—Yes ; 204 and 196, those were the two Liberals.

3097. You say you did not take much interest in politics ?—No.

3098. Had not you had work to do for the Liberals ? —Yes, I think in 1839 I was appointed by Mr. Michelmore the agent.

3099. Mr. Thomas Michelmore ?—Yes.

3100. What were you appointed as ?—To watch the registration and work it, the parliamentary registration.

3101. How long did you do that ?—About 20 or 21 years.

3102. Then it would be from 1839 to 1859 ?—I think it must have been more than 20 years up to 1861 or 1862 ; 1861 I think.

3103. Who appeared before the barrister as the representative of the Liberals besides yourself ?—The first time I appeared in court there were four or five reformers, who were attorneys, Mr. Taunton, Mr. Tucker, vice president, Mr. Windeatt, and Mr. Parrott since deceased.

3104. Were there any gentlemen who took a similar part to yourself on the Conservative side ?—I do not know. I think there was always some gentman who looked after the registration.

3105. Is there a regular paid agent on the Conservative side ?—Yes.

3106. Who is that now ?—On the Liberal side ?

3107. No, the Conservative side ?—I do not know.

3108. Who on the Liberal side ?—Mr. George Fitze.

3109. Who appeared as the advocate on the Conservative side in the registration courts ?—Sometimes Mr. Daw of Exeter.

3110. At the first start ?—Mr. Beer.

3111. Of Devonport ?—Yes.

3112. And then another gentleman from Exeter, Mr. Abbott ?—Yes.

3113. Who were the local solicitors who assisted them ?—I can hardly tell, sometimes one and sometimes another.

3114. Mr. Charles Edwards ?—Yes; he was present several times.

3115. And Mr. Charles Frederick Michelmore ?—He was there on behalf of the Seymour interest the last two or three years.

3116. Then all the time you continued to conduct the registration, did Mr. Tucker of Ashburton, appear there as one of the attorneys ?—He did; not for Lord Seymour.

3117. But as representing the Liberal interest ?—Yes.

3118. Has he ceased to act ?—I believe he has on account of ill-health.

3119. Has his son succeeded him ?—I have never seen his son at those times.

3120. During all those elections did Mr. Tucker of Ashburton, appear and act as agent of one party in a registration or at an election ?—He acted in the court as the advocate of the Liberal party; but as regards the election, Mr. Tucker did not often appear at Bridgetown when the elections took place. Lord Seymour's interest was strong, so that he never required an advocate there.

3121. Where was your vote or qualification, in Bridgetown ?—No, in Totnes. Mr. Michelmore and myself used to sit at the "Seymour Arms."

3122. Was that where the polling was going on ?—No, the committee room was there.

3123. Were you a sort of clerk there or what ?—No, I was not a clerk. Mr. Michelmore asked me to go, and I went.

3124 Then all the proceedings of the Liberal party were known to you ?—No; as regards the Seymour party or the Seymour interest Mr. Michelmore and I conducted that.

3125. Do you remember when Mr. Petre and Mr. Teed came down as Conservatives ?—I can just recollect their coming, and that both of those gentlemen canvassed me.

3126. Did you hear of a memorandum being drawn up between Lord Seymour and the Conservatives ?—I did.

3127. Did your hear the purport of that memorandum ?—I never could discover what it was. I did not know of it until Mr. Presswell mentioned it. There was a rumour about it, and I asked Mr. Thomas Michelmore if it was correct. He said I cannot tell you whether it is correct or not, or the purport of the memorandum as I was not present. I told Mr. Michelmore that I thought it was very wrong, if Lord Seymour had done so, to coalesce with the Tories. He said I think I can tell you why Lord Seymour did this; he went about canvassing, and he came in in the evening and said, I do not know what is the matter with the electors of Totnes, they will not promise me that they will not vote against me; but I have had but five promises all the day.

3128. How long was that before the election ?—It might have been but a few days.

3129. Was that in 1841 ?—It was Mr. Petre's election, I think. I can just recollect it. I do not know the date.

3130. Was it before the memorandum was signed ?—Yes; I think the memorandum was signed a day or two after that.

3131. Upon Lord Seymour making this complaint, what did Mr. Michelmore say ?—Mr. Michelmore was very cautious.

3132. He is now dead ?—Yes.

3133. The end of it was that the agreement or memorandum was signed between Lord Seymour and the Conservative party ?—Yes, and that gave offence to the tenants.

3134. And the next election where Mr. Ricardo was a candidate that was carried out ?—I believe so.

3135. Were you in the committee room of the Liberals at half-past 3 o'clock on the day of Mr. Ricardo's election ?—I do not remember.

3136. Do you remember some person coming into the room and saying they had three to vote for Mr. Ricardo, Mr. Baldwin being then one a head, and Mr. Michelmore asking whether he should not make Cross and Field vote for Mr. Baldwin ?—Nothing of that kind was done in my presence.

3137. Did you know Cross and Field ?—I knew them perfectly well.

3138. Were they the Duke's tenants ?—Yes. Field was told by Mr. Michelmore before the election that he was to plump for Lord Seymour, and Field being somewhat of a Liberal had promised the two Liberal candidates, and Mr. Michelmore heard of it, he called on Mr. Field, and for the first time he said he almost lost his temper; he said he was bound to support the Liberal interest, and Mr. Michelmore was very angry with him.

3139. Mr. Michelmore thought that Field's voting for the two Liberals would not benefit the Liberal interest ?—He thought it would damage the Conservatives; that if Lord Seymour undertook to stand as it were neutral, that if any of the tenantry went and voted for Mr. Ricardo it would be an injury to Mr. Baldwin.

3140. And would upset the arrangement between the Conservatives and Lord Seymour ?—Yes.

3141. I believe that arrangement did not continue in force at the next election ?—No.

3142. When Mr. Dunn came down ?—Yes.

3143. Were you concerned at all in the election of 1852 ?—Yes, I was there then.

3144. Were you a quasi clerk of Mr. Michelmore's for election purposes ?—No; he employed me in the registration court. I suppose he thought he had a claim on me; we were the only two persons who managed it.

3145. At Mr. Ricardo's election was there a good deal of money flying about amongst the Liberals ?—I did not hear of it much. I was kept close at the work.

3146. Who were Lord Seymour's committee ?—Myself and Mr. Michelmore.

3147. That was all ?—Yes.

3148. Was there no one else ?—No.

3149. Whom had Mr. Mills or Mr. Ricardo ?—They had several—Mr. Cuming, Mr. Windeatt, and several others working for them.

3150. Where was their committee held ?—That I cannot tell you.

3151. Was it at the "Seymour Arms" ?—It was perhaps in another room in that house.

3152. Was there no communication between them and you ?—No.

3153. You kept yourselves perfectly aloof from them ?—Yes, during Lord Seymour's election.

3154. That was as long as the understanding lasted, but when that was put an end to in 1852 did not Lord Seymour and Mr. Mills work together ?—No, I think not.

3155. Had they separate committee rooms ?—Yes.

3156. Were you and Mr. Michelmore still the only two for Lord Seymour ?—Yes.

3157. Had not Mr. Chaster anything at all to do with it ?—He had nothing to do with us.

3158. Were you ever sent out to canvass a doubtful voter, or do anything of that sort ?—Never.

3159. At the election in 1855, when Lord Gifford came in unopposed, do you remember Mr. Mackenzie coming down ?—Yes, I remember him.

3160. Did you hear the reason why Mr. Mackenzie went away ?—I suppose he thought he had no chance.

3161. Did you hear how it was that he had no chance ?—I suppose it was the same story over again, the metal.

3162. Did you hear that he came down pretty heavily laden, but that the load was not enough ?—I heard so.

3163. Did you hear the names of any individuals who were then holding out ?—I did not.

3164. Have you any doubt that Mr. Mackenzie did not stand because he found that he would have to pay an enormous sum for the seat ?—I believe that is correct.

3165. In 1857, when Mr. Mackenzie did stand with

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Mr. Gregory, Mr. Mills, and Lord Gifford, had you a committee ?—Yes.

3166. Who were the committee ?—I think the committee was then enlarged.

3167. Who had the honour of being introduced on the committee ?—I was on the committee with Mr. Michelmore. Lord Gifford then was of opinion that the Liberal interest should be amalgamated, that they should not be distinct, as they had always been ; such was his opinion, and I believe it was acted on.

3168. In consequence of that, has there been a joint working together of the two Liberal candidates from that period ?—It has been more so than before.

3169. Have they had separate or the same committees ?—I can hardly tell you. I thought those things hardly worth remembering. I know that Mr. Windeatt was there, and young Mr. Michelmore, and several more.

3170. Did you hear anything of Mr. Mills having received a sum of money in the town on the occasion of that election ?—I never heard of it until it was mentioned here on Saturday.

3171. Did Mr. Mills spend a great deal of money here ?—There can be no doubt of that.

3172. Have you not heard what Mr. Dent spent when he was here, or what Mr. Mills spent ?—Never.

3173. You have heard no rumours at all ?—I do not know what Mr. Mills spent, but there is no doubt he spent a great deal of money.

3174. You gave up the registration in 1861 ; who succeeded you ?—Mr. Fitze.

3175. Did you continue on the committee of the Liberals ?—Not after that.

3176. Have you taken no active part in the elections of 1863 and 1865 ?—None at all. Mr. Jeffery Michelmore sent for me several times, but I declined, and said I had had enough of it.

3177. Was your disinclination to act on account of the way in which things had been managed in Totnes ?—It was precisely.

3178. When you were on the joint committee in 1857 and 1859, did you not hear the names of persons who wanted bribes, or those who had been offered them successfully ?—I was not admitted into the secret ; there were other parties.

3179. Was there an inner circle or conclave ?—There must have been somewhere.

3180. (*Mr. Longe.*) What were your duties particularly ?—To write out the canvassing books for Lord Seymour or Lord Gifford.

3181. You kept an account of the names of persons who had promised ?—Yes.

3182. After the Liberal party had amalgamated, what were your duties when you were acting for both ?—The duties were pretty much the same.

3183. Did not that necessitate your knowing those who did not promise ?—I looked over Lord Gifford's book, but over Mr. Mills' I did not. Lord Gifford always was strong, as well as Lord Seymour, and that satisfied me that his election was sure.

3184. You did not canvass yourself at all ?—I did not.

3185. You must have known the names in regard to Mr. Mills when you acted for Lord Gifford and Mr. Mills ?—No ; I had nothing at all to do with Mr. Mills.

3186. I thought you said that the committees were combined then ?—They were more combined than they had been before, but there was a time when they used to part, and when we used to go into another room by ourselves.

3187. Was there any intimation given that there were discussions of a peculiar kind going on which Lord Gifford's agents were not to hear ?—I did not hear of any of those things then.

3188. But you did hear afterwards that those things had been discussed ?—I do not know that I did.

3189. Was not your opinion asked when they mentioned the name of a doubtful voter ? Do you know how this man is to be acted upon, or what influence can we bring to bear upon such a one ?—No, nothing was said about any one but those in the Duke's interest.

3190. You were never asked any such question as that ?—I have been asked the question no doubt, but the interest that was brought to bear was nothing more than canvassing.

3191. Did they ever follow up that question by saying, what are his circumstances, do you know whether 20*l.* or 30*l.* would be in any way useful to him ?—No.

3192. Such things as those never took place in your presence ?—They did not.

3193. In 1859 did no one receive money for voting for Lord Gifford ?—I do not believe that Lord Seymour or Lord Gifford ever gave a shilling.

3194. As to Mr. Mills, you have no doubt they did receive money ?—Yes.

3195. At the time when you say they had two rooms, were they at the same hotel ?—Yes, I think so.

3196. Your work was simply confined to writing down the names as they were brought to you ?—That was the most of it.

3197. Who were the persons who brought this information ?—Lord Gifford would bring in his book and so would Lord Seymour, and put down the book before me and Mr. Michelmore. There was a man of the name of Knapman who was evicted.

3198. About what time was this ?—I do not know the date. There had been a field added to give him a vote, and we found out afterwards that he was going to sell his vote. It was a difficult matter to come at him, we could not find him out, he was never to be found at his house to canvass him ; we heard that he was going to vote for the Conservatives, and one afternoon or evening as I was walking up the town I saw Knapman on the other side of the street. I went over to him and said to him, "Mr. Michelmore "wants to see you ;" he said "Where is he ?" I said, "At the 'Seymour Arms Hotel.'" He said, "I don't "want to see Mr. Michelmore." On the day of the election, about three o'clock, I was sitting with Mr. Michelmore and he was requested to go outside as some one wanted to see him. He came back and said to me, "Who do you think wanted to see me ?—that "man Knapman." He had said to Mr. Michelmore, "I was made a vote to support the Liberal interest, "and now that I see Lord Seymour is safe I was "going to support the Conservatives—let me support "the Liberals ; it will be for my advantage to do "so." Mr. Michelmore said, "I will not take your "promises."

3199. He went and voted for Seymour and the Conservatives ?—Yes.

3200. And subsequently he was turned out of his land ?—Yes.

3201. Was the condition of his holding that he was to vote for both the Liberal candidates and not for one only ?—Yes.

3202. Did you receive as the watcher of the Liberal interest any particular instructions from Mr. Michelmore what to do as to votes ?—To strike off all the corrupt votes that we possibly could ; all that we thought would ask something for their votes.

3203. Can you mention the name of a single voter whom you knew to have been bribed in 1859 who were ever struck off the list on your objection ?—I do not recollect.

3204. Can you give me a single instance of a vote that you had altered in consequence of these instructions ?—It is so many years ago that I cannot.

3205. You were the agent I think in 1861 ?—Yes.

3206. Do you remember William Mitchell ?—He was struck off.

3207. When was that ?—I do not know.

3208. Who objected to him ?—The Seymour interest.

3209. For what reason ?—The reason was because it was thought that he had sold one vote to the Conservatives.

3210. (*Mr. Coleridge.*) Used all the people who supported Lord Seymour to support Lord Gifford ?—Nearly all.

3211. Where a good many Conservatives had given Lord Seymour one vote was the interest strong enough to secure a Conservative vote for Lord Gifford ?—There might be some who voted for Lord Seymour who would not vote for Lord Gifford.

3212. Although Lord Gifford represented the Seymour interest he had not so strong a hold upon the electors as Lord Seymour himself had ?—I do not known how that may be; Lord Gifford told me that he thought the Liberal interest ought to be united.

3213. He did not follow out the tactics of Lord Seymour in letting the Liberals fish for themselves ?—I do not know about that.

3214. I suppose the fact was that Seymour was not thorough enough for them ?—Some of the Reformers certainly did object to him.

3215. That he did not back up the other Liberal members ?—Yes.

3216. Lord Gifford was a more Liberal member than Lord Seymour ?—I think so.

3217. And in consequence was more popular ?—I think so.

3218. I believe Lord Seymour never spent or had occasion to spend any money ?—Not a shilling.

3219. But could always be returned against any amount of money on the other side so far as he was concerned ?—Yes.

3220. Do you consider the Duke is as powerful in the borough now as when he sat for this place as Lord Seymour ?—I should think he is.

3221. He could put any one whom he liked into one seat ?—I think not, he must be a thorough Liberal man.

3222. Supposing his son were the same politics as his father could he put him in without spending any money ?—I think so.

3223. If he were a stranger he must spend money though a Liberal ?—He must be a thorough Liberal man.

3224. Did Mr. Pender come in entirely on the Seymour interest ?—When Mr. Pender came down he had nothing to do with the Seymour interest.

3225. Mr. Pender you do not doubt obtained a deal of influence by the money he spent ?—I dare say he did.

3226. Have you any notion what money Mr. Pender spent at the last election ?—Not at all.

3227. Did you hear that a large sum was spent by Mr. Pender in 1862, before the election of 1863 ?—I have no doubt he did.

3228. In 1862 there was no canvassing then ?—Only five voted for Mr. Dent and 171 for Mr. Pender.

3229. What became of all Mr. Dent's former supporters ?—I cannot tell, they refused to vote for him, I do not know what for.

3230. Have you any doubt that a large sum was spent in order to prevent Mr. Dent from continuing the contest ?—I cannot tell, I was not on the committee.

3231. It is not very likely that in Totnes only five would be found to vote for the Conservatives. What led to Mr. Dent's resigning ?—I do not know.

3232. Without money being spent and the Seymour influence used, in 1862 the parties were pretty evenly balanced ?—It appears so.

3233. If Mr. Dent had gone on was there any chance of his being returned ?—If he had spent a large sum of money he would.

3234. The parties were so evenly balanced that Mr. Dent's retirement must have been brought about by something beyond legitimate means ?—I believe it was brought about by the voters wanting too much money, that is my opinion.

3235. Did they get that money from Mr. Pender which they otherwise would have got from Mr. Dent ?—I cannot tell you that.

3236. Was a large sum spent on the Liberal side in that contest when Mr. Dent polled the five ?—I should think Mr. Pender did not spend any money then; I cannot tell.

3237. (*Mr. Bere.*) Did things look as if he were likely to spend it ?—I cannot tell.

3238. (*Mr. Coleridge.*) Could that state of things have been brought about without the expenditure of money by Mr. Pender ?—I believe it was by money that it was brought about.

3239. (*Mr. Bere.*) When were the waterworks erected here ?—About 12 months since.

3240. When was the school opened ?—It is not opened yet.

3241. When was the foundation stone laid ?—About two years since.

3242. (*Mr. Coleridge.*) How do you account for this state of things unless by a large expenditure of money ?—I was not on the committee, I do not know.

3243. You have no opinion on the subject ?—I do not know.

3244. May I ask have you no opinion on the subject ?—I have an opinion that Mr. Pender did spend money; I have no doubt about it.

3245. Can you tell at all to what amount ?—That I do not know.

3246. What should you think ?—It is out of any man's power to tell.

3247. Suppose you were told that between 1862 and 1865 Mr. Pender had spent as much as 8,000*l.* should you be very much surprised ?—I should be surprised.

3248. What should you think a probable figure that it would have cost him ?—I cannot say.

3249. You cannot give us any information upon that ?—No.

3250. (*Mr. Longe.*) After the election in 1863 Mr. Pender left a sum of money behind him ?—There were 1,000*l.* left by him here, which I think was put into the bank in the names of three persons, Mr. Chaster, Colonel Willoughby, and Mr. Thomas Michelmore.

3251. What was their trust, what were they to do with it ?—They were treasurers for the town council. I received 200*l.*, for which I gave them a receipt, which went towards the construction of the waterworks.

3252. Do you know how the rest of it was disposed of ?—There was something expended on the bells of the tower. I do not know the amount. A certain amount was given to the Independent chapel and to the Wesleyan chapel. I think the thousand pounds was distributed equally and fairly amongst the parties.

3253. (*Mr. Longe.*) Was any other money given by Mr. Pender after the election in 1863 ?—Not to my knowledge.

3254. As to Mitchell's case, what was his qualification to vote ?—It was for a house at Bridgetown.

3255. What was the rental ?—I think 10*l.*

3256. Do you know how long he had held that qualification ?—I think he had had it for several years.

3257. And you supported it before the revising barrister ?—Yes.

3258. Was it often opposed ?—It was opposed by the Liberal party I think.

3259. On what ground did they oppose it ?—Because that Mitchell had voted for the Conservatives sometimes.

3260. What objection did they bring forward to his vote ?—That it was not worth 10*l.*; that there was a room behind in the court which other people had access to, and that it had a separate door below, which reduced the value below 10*l.*

3261. You retained the vote for some time ?—Yes.

3262. And then at this time did you not oppose the next registration of his vote ?—Perhaps I did.

3263. On what ground did you oppose it; after having supported it for some years, what was your objection ?—That there was a house behind.

3264. Was not the objection that he only paid

FOURTH DAY.

J. Shute, jun.

27 Aug. 1866.

9*l.* 10*s.*, not 10*l.*, and that Mr. Michelmore had given him back 10*s.*?—No, that was not it; I never heard of that.

3265. You never heard that he had paid back 10*s.*?—It was said he had; he always said he had not.

3266. Was not that given in evidence before the revising barrister?—I think Mr. Mitchell has been struck off since I left the registration, four years ago; I may have made a mistake in the dates, but I think he was struck off since I left.

3267. You did not remember Mr. Michelmore or yourself opposing the vote on the ground that he did not pay 10*l.* a year rent?—No.

3268. (*Mr. Bere.*) He was struck off upon an objection which had been before taken by the Conservatives, and always upset on your own argument?—I cannot recollect.

3269. (*Mr. Coleridge.*) It was the want of your argument which lost the vote?—Perhaps it might be.

3270. In 1862 Mr. Seymour came down on the death of Mr. Mills?—Yes.

3271. And in 1863 stood against Mr. Dent on the death of Lord Gifford?—Yes.

3272. Large sums were spent in 1863 by the Conservatives?—I have no doubt of that; a man has no chance here unless he spends money.

3273. Was any money then spent on behalf of Mr. Seymour?—Not a shilling.

3274. The Duke's interest here is sufficient to return a member without the payment of any money?—I believe it is.

3275. Have you ever heard that Mr. Pender paid part of Mr. Seymour's expenses in that year?—Never.

3976. Or that the money was spent on his behalf?—No.

3277. (*Mr. Longe.*) What number of votes would you attribute to the Duke's interest?—I cannot tell unless I was to look at the register. They were not all objected to; a few might have been struck off.

3278. When you acted upon the committee you must remember the number which you could count upon?—I cannot recollect it now.

3279. Was it as many as 60?—I should think it was more than 60, perhaps 70.

3280. (*Mr. Bere.*) As you have been the registration agent for a great many years you will be able to tell us the amount of the manufacture of what are called the Linney votes; when did they first begin?—It has been going on gradually.

3281. Was there not a great increase in Bridgetown between 1840 and 1841?—I think there was.

3282. At that time was Mr. Baldwin the owner of the Gerston property?—Yes.

3283. And I believe he manufactured votes out of that?—Yes.

3284. Do you know to what number?—I should think about 20.

3285. How many were created on the Bridgetown estate?—I should think about the same number.

3286. How many Linney voters are there in that place at present?—I do not know.

3287. How many were there upon it when you ceased to have anything to do with it?—I think there were sixty odd.

3288. Then have they been reduced or have they been increased?—I think they have been increased since then.

3289. Are there any Linney votes now except upon property belonging to Liberal owners?—Yes, I should think there are.

3290. Will you tell me of any?—There were several votes made at Broomborough.

3291. That was in 1864, and when they came before the revising barrister they were abandoned, can you give me any one instance of a Linney vote upon land which is not belonging to a Liberal owner?—I cannot tell you.

3292. Are there any on Bowden?—There were three on Bowden.

3293. They do now exist in Bridgetown I believe?—Yes.

3294. That all belongs to the Duke of Somerset?—Nearly all.

3295. What is the number in Gurston?—I cannot tell the number now, because the company has been upset, the others there belong to the Duke.

3296. What other Linney voters are there in Totnes?—I think in Langdon there are some.

3297. Are there any in Sharpham?—I think there are some on the Ingelwood estate.

3298. Does that belong to the Duke?—Yes.

3299. Has Mr. Durant got any?—I think he has not very many.

3300. As many as six or seven?—Perhaps so.

3301. Then it is only on Liberal property that the free extension of the franchise is allowed?—It is.

3302. (*Mr. Coleridge.*) Have you heard the story of a guarantee having been given for a sum of money during the election of 1863?—I have heard of it in the court, but I do not know anything more of it.

3303. You do not know anything of Mr. Michelmore and Mr. Chaster having become responsible to the Provincial Bank for a certain sum of money?—I never heard of that matter before.

3304. Did you ever hear that Mr. Pender paid it afterwards?—No, I did not.

Adjourned to to-morrow at 11 o'clock.

FIFTH DAY.

Mr. W. J. W. Bastard.

28 Aug. 1866.

FIFTH DAY.

Tuesday, 28th August 1866.

MR. WILLIAM JOHN WAKEHAM BASTARD recalled and further examined.

(*The Witness.*) I stated yesterday that the amount of the mortgage was 350*l.*, but that was a mistake. I find on looking that it is 325*l.* Then I was asked who the solicitor was for whom I transferred it. Now I find that the person to whom it was transferred was Miss Corrie, of Newton, in Herefordshire, and the solicitor's name was Rogers, of Exeter.

3305. (*Mr. Coleridge.*) Mr. Rogers was the gentleman who wrote the letter and signed the cheque?—Undoubtedly. I have not seen the cheque since.

3306. You have no doubt it was?—No.

3307. Whoever was the solicitor signed the cheque?—Yes, and this transaction took place on the 24th December 1863.

3308. (*Mr. Bere.*) Is that all you wish to say?—Yes.

Mr. R. Harris.

MR. ROBERT HARRIS sworn and examined.

3309. (*Mr. Bere.*) What are you?—I am a land agent and the recognized Conservative registration agent for the borough of Totnes.

3310. How long have you been the recognized Conservative registration agent for the borough of Totnes?—I might say I have worked the registration either partially or wholly since 1859.

3311. Who preceded you in that?—A man called Welch.

3312. By whom have you been paid?—By Mr.

Rennie in part. I have had a standing stipend from him, and sums varying from the committee at Totnes.

3313. You have been paid a standing fee by Mr. Rennie?—Yes; 25*l.* a year at the outset till 1862, and after 1863 50*l.* a year from Mr. Rennie.

3314. What sums have you received from the Conservative committee?—I should think on an average 50*l.* a year, that is, from the candidates, or the prospective candidates, and the committee.

3315. Will you give us the names of the individuals from whom you have received the money—the committee money?—I received money in various sums from the committee and Mr. Maclay, of London.

3316. From what member of the committee?—I think it was subscribed at the time; 5*l.* from Mr. Bentall, 2*l.* or 3*l.* from Mr. Bastard, 5*l.* from one and 5*l.* from another.

3317. Did you go and collect the individual sums, or did you bring in an account, and was it paid?—Some of the gentlemen made me gratuities after the registration, some 10*l.* and some 15*l.*

3318. Whom do you consider the members of the Conservative committee?—Mr. Bastard, Mr. Bentall, Mr. James Gill, Mr. John Heath, Mr. Andrews, Sparke Distin, John Willis, Mr. Edmund Tucker, Mr. Evan Evens, Mr. Nicholas Manning, Mr. Edward Owen, Mr. James Pack, Mr. T. C. Kellock, Mr. Thomas Hunt Edmonds, and Mr. Frederick Kellock, secretary. I think that is the whole.

3319. Are they persons from whom you have received money from time to time as registration agent?—I have.

3320. How long have you lived in Totnes before you became registration agent?—I may say I am a native of Totnes and a thoroughbred Conservative; my father was always a Conservative, and is a Conservative now.

3321. You take a strong interest in the Conservative cause in Totnes?—Not before 1857, when Mr. Windeatt got me out of a situation worth 200*l.* a year.

3322. He is now dead?—Yes.

3323. Then you began to take an interest in politics?—In 1857 he got me discharged.

3324. There was an election?—Yes, Mr. Mackenzie's election.

3325. What were you?—I was district secretary for the British Equitable Insurance Society. I had the control of Devon and Cornwall, for which I received 100*l.* a year salary, all my travelling expenses, and 20*l.* a year to keep a horse, and 5 per cent. on all I did.

3326. You considered it worth 200*l.* a year?—Yes.

3327. Was it at Mackenzie's election that you began to be connected with it?—No, after that.

3328. The election of 1859?—That was the first time. I had a vote in 1857. I was in favour of Mr. Mackenzie, and because I displeased Mr. Windeatt and two or three others of the Dissenting rabid Radicals they wrote and got me out of the situation. They had some influence.

3329. It was after the election that you got your discharge?—I was not exactly discharged. They wished me to go to London—to remove to London. I went to London, because I was only an annual servant, and bound to do as they bade me. After I went to London I found I was out of my element, and consequently I resigned. It was the means of my sending in my resignation.

3330. In 1859 were you concerned in the election?—I was.

3331. Did you take an active part in the election; I only ask you generally about the early elections?—I may say I took an active part. There are several things connected with it which will come out in due course.

3332. You were active in the election of 1859, and I may assume that you were active in the election of 1863, and that you took a prominent part in the election of 1865?—I did.

3333. Will you tell us that; did you go to London about the business of the election?—I went there several times.

3334. When did you first go?—I do not know the date; just prior to the election, some months perhaps. I may say the Conservative party was looking out for some time for a candidate instead of Earl Gifford, that is, in 1862.

3335. Confine yourself to 1865?—I do not think I went to London but once.

3336. It was known that there was a general election to take place in the summer; when did you go to London to find a Conservative candidate for Totnes?—I do not think I went but once during that period.

3337. When was that?—Just prior to the election.

3338. How long?—Some months.

3339. When you got to London whom did you see?—I saw Mr. Rennie.

3340. That is Mr. Colleton Rennie, of the Western circuit?—Yes.

3341. He was here as a Conservative candidate some years ago?—I think he came in 1861.

3342. Was Mr. Mackenzie here when Mr. Colleton Rennie came?—No.

3343. Was there a vacancy expected?—It is always expected when sharp divisions are going on.

3344. He never stood as a candidate?—He came as a prospective candidate. He was introduced to the committee and accepted as candidate.

3345. He is a barrister on the Western circuit?—Yes.

3346. And the son of Sir John Rennie?—Yes.

3347. Sir John Rennie was at Bowden?—Yes, 12 months.

3348. Was it then that he was chosen as candidate?—I think before that.

3349. Where did you first see Mr. Rennie?—The first interview was in Totnes.

3350. But in London?—At the Carlton Club.

3351. Were you alone?—Yes.

3352. Did he recommend any one?—No.

3353. Were any names mentioned?—Yes.

3354. Tell us them?—Mr. Potter, the chairman of the Great Western.

3355. Anybody else?—Mr. Akroyd. He was a Liberal Conservative considered. He is now the member for Halifax.

3356. Anybody else mentioned?—No, those were the only two.

3357. Did anything else pass between you and Rennie as to whether he himself should stand?—He asked what I thought would be the amount of the expense.

3358. What did you tell him?—According to the register I thought it would take at least 4,000*l.*

3359. He was not able to stand 4,000*l.*?—He said his father would not advance more than 2,000*l.*, and I told him I did not think that would do.

3360. Having told Mr. Rennie that 4,000*l.* would be wanted, how was that to be spent?—In bribery.

3361. How many votes did you imagine would be influenced by 4,000*l.*?—I really cannot tell you; sometimes the hotel bills are fearful here; it all depends upon that.

3362. 4,000*l.* was to be spent improperly; properly and improperly in the election?—Yes.

3363. Then beyond the reason given for not becoming a candidate himself he mentioned the names of Mr. Potter and Mr. Ackroyd amongst others?—Yes.

3364. Did he mention Mr. Dent's name at that time?—No.

3365. Nor Colonel Dawkins?—No. Mr. Dent's name was mentioned. I had written to Mr. Dent several times, and had a letter from his secretary saying that he refused to come forward unless I got a requisition signed containing the names of certain persons, amongst others Mr. Bowden and Mr. Chaster, which was inconsistent altogether, and I gave him up.

FIFTH DAY.

Mr. R. Harris.

28 Aug. 1866.

3366. The letter is,—

"69, South Audley St., Grosvenor Square,
"MR. HARRIS, Londor, April 22, 1864.
"DEAR SIR,

"I HAVE your note of the 20th inst., and in reply have only to say that I am quite unable to assist you in any way towards the object in view. As far as Mr. Dent and his advisers are concerned, let it be clearly understood that he will never return to Totnes unless upon a requisition in which some of the more prominent electors on the other side shall concur; such men as Mr. Bowden, Mr. Chaster, &c., &c., whose high personal character place their motives beyond suspicion.

"I am, sir,
"Your faithful servant,
"W. H. MITCHELL."

That is the letter.

3367. Mr. Dent refused?—Yes.

3368. Had anything passed between you and Mr. Mitchell with regard to the sum of money Mr. Dent should spend?—Not a word.

3369. How long did the interview last with Mr. Rennie?—About an hour I should think.

3370. What did you do next?—I had an interview with Mr. Spofforth.

3371. In Victoria Street?—Yes.

3372. At that interview who was with you?—Mr. Rennie was with me. Mr. Spofforth said I can only allow you two or three minutes; they were very busy, as they always are. He asked me a few questions with regard to the register and so forth, and he said I will try and get you a candidate.

3373. You being the registration agent at that time, what was your personal opinion with regard to the distribution of politics in the borough, supposing there was no bribery?—According to the facts which I had then, the opinion which I held and which I still entertain, I contend that the Conservatives had a legitimate majority of 20 votes.

3374. That is to say, if no money was spent on either side, you believe that two Conservatives could have been returned?—No.

3375. But one Conservative by a majority of 20?—Yes; and that is borne out by the evidence of the last election. You observe in Totnes Colonel Dawkins polled 151 and Mr. Pender 140. If you look under you will observe there are 23 unpolled, and 19 of those are Conservatives.

3376. How long had they shown their tendency for Conservatism?—The principal portion had voted hitherto for the Conservatives, and signed a requisition to a gentleman of Conservative principles before.

3377. I suppose you told Mr. Spofforth that you believed the Conservative party could carry Totnes if no bribery was practised?—Not a shadow of doubt about it.

3378. Do you consider the Conservative party could carry it with the influence of property of the Liberal party used against them?—I give them the allowance of property.

3379. Simply the force of money?—The force of money. Nothing but money would turn us out.

3380. Did Mr. Spofforth suggest the name of any person as a candidate?—No, he did not.

3381. Did he say he would communicate with you?—Yes, he said he would communicate with me and with some gentlemen, whose names he did not mention.

3382. Was that all that passed between you?—Yes.

3383. Did you stay in London?—No; I returned the same day, I think.

3384. Did you afterwards receive two letters from Mr. Spofforth?—Yes, I did.

3385. In those letters is Mr. Kennard put forward as a person who would be likely to be a good candidate for you?—He was.

3386. When was it Mr. Spofforth mentioned Mr. Kennard's name?—It was only by letter.

3387. Now on Mr. Spofforth mentioning by letter Mr. Kennard's name to you, was a requisition got up to Mr. Kennard?—No.

3388. How long afterwards?—There was never a requisition got up to Mr. Kennard.

3389. None at all?—No.

3390. Do you know the reason why Mr. Kennard did not come forward at Totnes?—He had an interview with Mr. Pender. Mr. Pender and Mr. Kennard were joint directors of the Consolidated Bank, and when he found the close connexion that existed, Mr. Pender assured him, as he told us, that he could not get in without spending a lot of money, and consequently coming in opposition to Mr. Pender.

3391. Did you see Mr. Kennard yourself at all?—I saw him, but I did not speak to him.

3392. Where did you see him?—I saw him at the "Stars."

3393. He came here?—Yes.

3394. How long was he here?—One day. He went to the Seymour Hotel to see Mr. Pender.

3395. Who came with Mr. Kennard?—I do not know, I did not see anybody.

3396. With whom did he communicate, with Mr. Bastard, Mr. Bentall, and other gentlemen you have mentioned?—I believe so.

3397. Were you alone with him?—No; those three gentlemen, Mr Bastard, Mr. Gill, and Mr. Bentall were authorized to look after a gentleman for the Conservative party.

3398. At what meeting of the committee was that authority given?—I do not know.

3399. Were you present?—I was.

3400. When was that meeting?—Some time before the election.

3401. Those three gentlemen were authorized to look out?—They were deputed to examine the gentleman's political ideas; that he was not a thorough ballot man, or anything of the kind.

3402. Were they to come to London to look for a candidate?—No.

3403. They were to wait till a candidate came and then to be sort of examiners into his political principles?—Yes.

3404. Inquisitors?—Yes.

3405. They performed that operation upon Mr. Kennard?—Yes, I believe so.

3406. At the interview you had with Mr. Kennard did anything pass about money?—I never spoke to him at all.

3407. You may have heard other people speaking to him?—He seemed to be aware of the fact that the borough was a corrupt one, and whoever came here would have to spend mone.

3408. Then Mr. Kennard went away?—Yes.

3409. How long before the election was that?—I should say a week perhaps. I do not know. I am not certain.

3410. Would that be on the 4th or 5th of July?—Somewhere about that.

3411. Did you go to London between the 4th and 5th of July and the election?—No, I did not.

3412. When did you first hear of Col. Dawkins?—He brought me a letter of introduction from Mr. Spofforth.

3413. Had Mr. Spofforth mentioned the name of William Dent?—I suggested the name of William Dent, because Mr. Dent having spent a lot of money in 1863 his name would go a good way in his favour; and if we could get a gentleman with their high reputation in London or one of the family, we thought he would do, and I mentioned it, I think, to Mr. Spofforth.

3414. Colonel Dawkins called upon you with a letter from Mr. Spofforth?—He did.

3415. That is the first you had ever heard of Colonel Dawkins?—Yes.

3416. Do you know whether any members of your party had heard of Colonel Dawkins before?—I do not think so.

3417. What passed; he called at your house I suppose?—No; he sent the letter to me first, and then I sent my card and we had an interview.

3418. Where was that?—At the "Seven Stars."

3419. Did you see Colonel Dawkins in the room?—Yes.

3420. What passed between you and Colonel Dawkins on that occasion?—He was aware that I was acquainted with the state of the register and he asked my opinion. He had come down, and if there was a probable chance of winning he would fight the battle, and I put before him a statement of facts.

3421. You told him by word of mouth your opinion, or by a written statement?—I had got a book that was printed, a blue book that was published.

3422. Of Dent and Seymour's election?—Yes; how parties were likely to vote. My poll was made up and I handed it to Colonel Dawkins.

3423. You made up the poll for yourself?—Yes.

3424. Have you got the poll here?—No.

3425. Will you let us have it?—I cannot.

3426. Is it destroyed?—I cannot find it. I think I gave it to Colonel Dawkins.

3427. Were you still of the same opinion with regard to the Conservative majority, provided money was not used on either side?—Decidedly.

3428. Did you communicate that to Colonel Dawkins?—I did. I was not only of that opinion, but urged the committee to get a second man, because the run for the second man would be close, between two and three, provided no undue influence was used on the other side.

3429. Did you tell Colonel Dawkins that if money was spent on the Liberal side, money must be spent on the Conservative side?—I did.

3430. Did you tell him what figure?—No.

3431. What did you tell him?—I told him Mr. Pender was reputed to be rich. Under such circumstances he must expect if he went into it to do the same.

3432. Had your calculations diminished or increased since your interview with Mr. Rennie?—I calculated 4,000*l.* would carry him nicely through.

3433. Was that all that passed at that interview?—That was all.

3434. Did he begin to canvass?—Yes.

3435. Did you go with him?—Sometimes; not generally. When he could not find out an individual or anything of that sort I went with him or Rennie's tenants.

3436. Tell me the names of any people you went to canvass with Colonel Dawkins, being requested by him to go and find them out?—I do not know any special ones.

3437. Rennie's tenants you say; I must ask you a question about that. Has Rennie purchased land here?—No; Mr. Dent, after he went away in 1862, and Pender was allowed to walk over, had an offer made to him by Mr. Phillips of Broomborough and Mr. Farwell to become the tenant of certain lands which they possessed.

3438. It was for the purpose of creating votes?—Yes. After the election of 1863 Mr. Dent desired to give it up, and Mr. Rennie feeling an interest in the borough, said rather than it should go into the hands of the other party I will take it off their hands.

3439. Is that what Mr. Rennie calls the Bentall rents?—No; that is another property, and he took it, I think, at a reduction of 60*l.* a year.

3440. Was Mr. Dent giving 60*l.* a year more than it was worth?—No, he gave the valuation price, but I considered in looking over it—

3441. Did you value it?—No, they had an authorized valuer in the first instance.

3442. Did you value for the rent that Mr. Dent was to give for it yourself?—No, I had no connexion with the rent.

3443. How was it that Mr. Rennie was to give 60*l.* less than Mr. Dent?—For this reason, Byne had two or three fields, and others had two or three fields granted to them at a certain rent which I considered low, and consequently it would be as a matter of course so much less rent arising, because they had taken them for terms of three years, and there would be this much less accruing from the letting.

3444. Mr. Dent having rented these fields at a fair rent let them to people who had supported him at the election at an insufficient rent?—Yes.

3445. Rennie was not to pay for the kindness of Mr. Dent?—No.

3446. Had you the management of that property?—Yes.

3447. How many votes have been created?—We put nine on Broomborough.

3448. Did you succeed in supporting these before the revising barrister?—I had them in two batches. One batch I failed with; in the other I succeeded.

3449. Was that in 1863?—Yes.

3450. Did you try the experiment in 1864?—No. I think it was in 1864 I only had one try, then the new decision came in of Powell *v.* Boraston. I said I will take my objections upon those, and I carried it to the court above.

3451. Can you tell me the names of any particular voter that you went to canvass with Col. Dawkins yourself?—No.

3452. How long was Col. Dawkins in the field before Capt. Pim came?—Perhaps a week or some few days.

3453. The election was on the 11th and 12th?—Yes.

3454. You say about the 4th or 5th you saw Col. Dawkins first?—Yes.

3455. How many interviews had you, in company with others or alone, between the time of his coming down and the nomination?—Several.

3456. How many voters had you yourself seen in the time?—I should say two-thirds, or at least one-half.

3457. Had you found as your interviews went on that there was a necessity for spending money?—Oh, dear, yes. The electors seemed to think I was possessed of amazing powers, and they came to me like swarms of bees.

3458. Can you give me the constituent parts of the hives?—The Duke's factotum, the objector-general, William Byne; he was one who had 60*l.* for voting for Dent in 1863.

3459. He voted for Dent in 1863?—Yes, he was a tenant of the Duke of Somerset's then. He was turned out by the Duke for voting, and I took him under my wing, as it were; then all went right for a time; but Mr. Bryett, the solicitor in the town, said to me, "Have you heard about Byne?" I said, "What is it?" He said, "He is going to vote against "us." "Is it possible," I said; "he had 60*l.* for voting "for Dent and five fields at a reduced rent, for less "than half on the Dartington property; he had a lease "for three years, that was 60*l.* more, that was 120*l.*, "and I thought that would satisfy him."

3460. However it did not satisfy him. You found he was going to vote wrong still?—I went to him and said, "Is it true that you are going to vote against "us?" He says, "I am going to vote for Seymour "for certain." "Vote for Seymour!" I says, "When "did you alter your mind? You promised Colonel "Dawkins."

3461. Had you seen him before that with Colonel Dawkins?—Yes, he promised Colonel Dawkins when he called.

3462. You had seen him prior and he was reported to have promised?—Yes. "Well," he says, "I pro-"mised; but I shall not vote for him without he "pays me." I said, "This is rather an extraordinary "thing for you to vote for Seymour and then expect "to be paid by the Conservative side." I felt exceedingly disgusted with the man. The result of the difficulty was that when the election came of course he voted against us.

3463. Was that all that passed between you then?—All that passed then.

3464. What was it that Mr. Bryett had to do with that?—I think about that time, three weeks or a month before the election, Mr. Rennie desired to give

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up the land again into Mr. Dent's hands; then the agency was taken out of my hands and placed in the hands of Mr. Bryett.

3465. Mr. Bryett is an attorney here?—Yes. He is now the agent of the property. I think it was the 28th of August that I was to give up; then Byne, you see, was under Mr. Bryett.

3466. Where did Mr. Bryett come to tell you this?—I think in the street he met me.

3467. Were you walking down the street?—Yes, I was coming down the street and he was going up to his house.

3468. Was that all he said to you about Byne then?—All about Byne, yes.

3469. Did he tell you about any one else?—No.

3470. Now give us another person's name you called upon?—I called on Pengilley.

3471. Which Pengilley?—In the same passage.

3472. You said there was no requisition to Mr. Kennard. Do not you know there was a requisition signed by some people who were electors of the borough?—I think it was a little before. I do not know exactly the date; it was between the 1863 and the 1865 election, by a Mr. Smith in London, a gentleman in London of the Conservative party that was introduced. Henry Smith I think he was called.

3473. Is he the person who appears for the Conservatives in the registration courts in the City of London?—Yes, that is the same man.

3474. A Mr. Smith?—Yes. He sent down to know what was the state of the register; but it was prior to the revision of 1864. He sent down to me to ask about the register, the whole facts were laid before him, and he authorized me to incur any necessary expense in order that the registration might be properly formed. After the registration was over Mr. Maclay came down.

3475. Who is Mr. Maclay?—Mr. George Maclay.

3476. Where did he come from?—From London.

3477. What was he?—I do not know.

3478. Was he from foreign parts?—I have no idea whatever. I think Sir Lawrence Palk introduced him to Mr. Smith. I think I am correct in stating that Sir Lawrence Palk introduced him to Mr. Smith.

3479. Did he come down with a letter to you?—Mr. Smith came down with him.

3480. Did they come down and call on you?—Yes.

3481. Then was Mr. Maclay shown to the Conservative committee?—Yes, we dined together.

3482. Did you have any "All Nations"?—I remember that we had a very happy meeting.

3483. Was Mr. Maclay approved of?—Yes.

3484. He was approved of by the Conservative committee?—Yes; but he would not give us any answer as to whether he would stand before we had got up a requisition for him.

3485. When was that?—I think the latter part of 1864 or the early part of 1865. I do not know, somewhere thereabouts; it was after the revision.

3486. Before the meeting of Parliament?—I do not know from that.

3487. Then did Mr. Maclay go away?—He did.

3488. Had any conversation passed between you and Mr. Maclay or Mr. Maclay and anybody else in your presence about the money that would be wanted?—No.

3489. Did you go about and get up a requisition?—I did.

3490. Can you give us the names of the people who signed that?—168 signed.

3491. Have you a copy of it?—No. I was telling your secretary so this morning.

3492. What we want particularly to know is not so much the names of those who were Conservatives who signed that requisition and afterwards voted with the Conservatives, but the persons who signed that requisition and afterwards at the election of 1865 voted for the Liberals?—I can give you those. William Byne signed, William Pengilley signed, John Fox Green signed, John Diggins of Bridgetown signed, John Wright signed, Thomas Matcham signed, and James Matcham signed, father and son, John Parnell Searle signed, William Sloggett signed, James Edmonds signed. Then there were those who voted half and half who signed.

3493. These all voted for the Liberals?—Yes. How many was that?

3494. Ten.—Then I think there were one or two more. Samuel Hill, junior, signed, and not only signed that requisition but signed a note of this description which I have in my pocket to Mr. Dent. I made another effort to get Mr. Dent, and I sent a note of that sort to him signed by men who had voted for Seymour, in order to show him that we were in a bonâ fide position to return a man. Mr. Dent was very timid; he would not after the amazing corruption in his election believe us. That was the sum and substance of it.

3495. Was there anybody else?—Is there anybody in the court can remind me.

3496. Now the lukewarm?—Then there was Thomas Blackler he signed, he voted for Pender and Dawkins, which was a thing we never anticipated; Henry Eastman, he voted for Pender and Dawkins, he signed; William Farley, junior, he voted for Pender and Dawkins, which was a thing we never anticipated; George Griffis; he voted for Pender and Dawkins, I believe that man received a little bit of gold on both sides.

3497. (*Mr. Coleridge.*) He was not singular in that, was he?—I am not in the secrets with reference to that matter. Then Samuel Hill, the elder, signed.

3498. (*Mr. Bere.*) How did he vote?—For Pender and Dawkins.

3499. That was not anticipated?—Yes; that was anticipated. He wanted 150*l.*, that is what he wanted.

3500. (*Mr. Coleridge.*) There were very few of these lukewarm gentlemen?—He came to me and wanted 150*l.* to vote a plumper.

3501. For whom?—To go for us both.

3502. You speak of Dawkins and Pim?—Yes. Then there was Richard Harris, no relative of mine, he voted for Pender and Dawkins, he signed; John Michelmore, the coal merchant, signed, he voted for Pender and Dawkins; Edward Shinner he signed, and he voted for Pender and Dawkins; Richard Parnell Tarring he signed, and he voted for Pender and Dawkins; Thomas Blank signed, here is another name put in, he voted; he told me he never would vote without he was paid, he never did and never would.

3503. Did any elector abstain from voting because he was not paid?—Samuel Heath, he voted for Seymour and Dawkins, he is the brother of John Heath. David Manning he signed.

3504. How did he vote?—For Seymour and Dawkins. The other four who voted for Seymour and Dawkins we understood they would, they were Jeffery Maye, he did not sign; Evan Evens, he did not sign, he said his son had got a situation and was looking for promotion, and Seymour had promised him promotion, and he could not go the whole hog for us; William Paige and Walter Worth, those were the four, they would not sign because they were under an obligation to the Duke of Somerset.

3505. Were they all tenants of the Duke?—Walter Worth was, and Mr. Paige had a son who was a tenant of the Duke; Evens has a son in the Admiralty Office who was promoted at the time of the election, and Jeffery Maye was a tenant of the Duke.

3506. (*Mr. Coleridge.*) What is the name of the son in the Admiralty?—Evan Evens. He abstained from voting against Mr. Seymour on that ground. He had been one of our principal men in days gone by.

3507. When was the last election that Evan Evens had been an active agent as a bribing man?—In 1859. Mr. Coombes, he plumped for Pender; he voted for Dunn. When Dent came he wanted 500*l.* to vote for Dent. He was one of the five that remained

behind, but Mr. Dent would not spend the money because we could not get eight, enough to win, and he was one of the five. John Heath can tell you all about that; he had the negotiation part. James Paddon, he gave me to understand that he should report well for our party, he voted a plumper for Mr. Pender and so did Mr. Wright.

3508. (*Mr. Bere.*) How had he voted before?—He was a new voter, and had never voted before. W. S. Guppy, he voted a plumper. I understood he was going to give us one.

3509. Who told you about that?—Himself.

3510. Was he a new voter?—I think he had voted for Mr. Dent in the previous election.

3511. For Dent?—I think he had voted once before; no, not for Mr. Dent, for Mr. Pender before, Mr. Seymour I mean. Then there was Mr. James Mitchell of Bridgetown, the screw was brought to bear on him, he always was on our side, and he gave Seymour a plumper, which was one of course lost to us.

3512. Who was he?—A tinman there; he always voted on our side.

3513. (*Mr. Longe.*) Was he a tenant of the Duke's?—No; he resides in his own house, a leasehold house. He anticipated I believe that if he was to die his friends would have to put the house in repair or something of that kind, and he wanted to keep the favour of the Duke.

3514. (*Mr. Bere.*) If he had voted for Seymour would it have prolonged his life?—No, not exactly that, but there would not be those repairs to be done when they surveyed the leasehold premises, the surveyor would scan them over and say it was all right. Rotten walls and decayed buildings make no difference if the man is one of the right sort.

3515. An extremely liberal view would be taken?—Yes; and Mitchell had hitherto voted on the Conservative side.

3516. Did you go and see any of those other 12 gentlemen who had signed the requisition?—Yes, to young Samuel Hill especially.

3517. When did you do that?—I saw him several times.

3518. What is he?—A rag merchant.

3519. Does he live in Bridgetown or Totnes?—Totnes, he is a tenant of Samuel Huxham, junior.

3520. Samuel Huxham is a Liberal?—Yes; he is a tenant of his, I went to him. I might say after the election of 1863 he related to me his grievance, namely, that he had been induced to return 200*l.* which Mr. Dent had sent up to his house for his vote in consideration of a promise which he had received from his brother and Mr. Francis Brooking Cuming not to vote for Seymour.

3521. Who is his brother?—He is now in America; he was a clerk at that time of Francis Brooking Cuming.

3522. What is his name?—John Hill. He related to me how that those parties came to him to induce him to return the money which Mr. Lorimer, a gentleman now strongly impregnated with Liberal ideas, had carried him, bribed him in fact.

3523. He said that Mr. Lorimer had carried him 200*l.*?—Yes, and that Mr. Cuming and his brother had induced him to return it.

3524. Mr. Lorimer was at that time a Conservative?—He was a Conservative, he did not vote; he was one of the five hanging back. This money was returned to Mr. Lorimer, and brought back again to the Conservative party, I do not know to whom.

3525. (*Mr. Coleridge.*) When did Mr. Lorimer's conversion take place?—When Mr. Pender came down.

3526. That was the first time he came down?—Yes, and I shall have something to say about that by-and-bye.

3527. (*Mr. Bere.*) When Mr. Hill told you about his grievance what did he say?—He told me he had written to Mr. Pender and given him the whole particulars, and he considered it was an exceedingly hard and disgraceful affair. I may say that Hill did not expect the money to come out of Seymour's pocket, but Hill was given to understand that the condition on which Mr. Pender came to Totnes was that he was to pay all the expenses appertaining to Alfred Seymour, so that he wrote directly to Mr. Pender asking him for the money. This he told me himself.

3528. (*Mr. Coleridge.*) You mentioned that he had returned to the Conservatives?—Yes, that he had been promised.

3529. (*Mr. Bere.*) Did he tell you what Mr. Pender answered?—Yes, that Mr. Pender sent back to say that Francis Brooking Cuming,—the man who had promised the money—just at that time something was said about the charities here in Totnes, and I found out that Mr. Cuming had about 800*l.* or 1,000*l.* poors' money, and he implicated his son, who was discharged from his situation simply because he had kept our money. Just give me leave to go on with this story with regard to Hill; Hill had been offered 200*l.* by Lorimer on behalf of Mr. Dent, and at the request of Cuming and John Hill had refused to keep the money. He kept it one night, the nomination night, and sent it back the morning of the election; Lorimer expected that Cuming would give him an equivalent sum, that is, that his promise was equivalent to the money.

3530. He expected Mr. Cuming to do so?—Just so.

3531. (*Mr. Longe.*) Did he give this back on the ground that the Conservatives were running short of ready cash at the time?—No, Lorimer told me that he was exceedingly disgusted with the man, because he had been the means in a certain sense of inducing Mr. Dent to go so far as he did, because Mr. Lorimer looked on him in that light.

3532. (*Mr. Coleridge.*) What induced Hill to give back the 200*l.*?—He said it was his conscience; he would not keep the money of both parties. He is not like many in Totnes; he for conscience sake returned the money he had.

3533. (*Mr. Bere.*) If he had the 200*l.* he would rather take it from the Liberals?—Yes, and being in an insolvent condition, finding he could not get the 200*l.* at once, a certain pressure was made and he became bankrupt.

3534. Who was the pressure put on by?—Some one at Plymouth, nothing to do with the party. I might say this. After he had related this, he said, would I let him a field on behalf of Mr. Dent, and he pledged himself to be heart and soul with us, and do anything we wished if I would let it to him, and I let him a field.

3535. On what concession of rent?—He had four or five acres at 5*l.* a year, a small field just to put his horse in.

3536. What is it worth in the market?—It might be 8*l.* or 10*l.*; I do not know.

3537. What passed between you and him with reference to the election of 1865?—I got him to sign Mr. Maclay's requisition and that note also to Mr. Dent. He gave me distinctly to understand that he would go heart and soul with us to support our party, and I represented him as such to the committee, and to my surprise the night before the election, the nomination night, that report came that we had lost him. I went up to him about 4 o'clock in the morning of the election, and said, "Is it true that you are going "to desert us after dragging Colonel Dawkins and "others into it? You induced me to get men to fight, "and now you desert us. Is it money you want? "Speak out and tell the truth. Do you want money?" Nothing could induce him, he was gone. I understood that Robert Ryder had been there.

3538. Who is Robert Ryder?—I do not know.

3539. A foreigner?—Yes, I understood afterwards, I think it was an hour or so afterwards, that Robert Ryder was seen going in there the night previous.

3540. Who was he?—A painter here in the town.

3541. Is he alive?—Yes.

3542. Is he living in the town?—Yes, he is one of the Radical electors.

3543. You assume from Robert Ryder going in there that there was a conversion took place by some means or other?—I asked him if it was ready money he wanted, because though I never bribe myself, I said I have no doubt Colonel Dawkins will do the same as other parties do.

3544. (*Mr. Coleridge.*) Did you never offer money?—I never gave a farthing of money in my life.

3545. You said you did not pay but did you promise?—No, I asked him what he wanted.

3546. You suggested?—I suggested; I said, "Is it "money that you want?" He had dragged me into the mire I thought.

3547. Can you remember the words that you used to Hill about the money?—I asked him when he told me that he was going to vote against us; I said, "Is it "money that you want?"

3548. Did you intimate to him that money would be forthcoming if he did want it?—Most decidedly.

3549. From Mr. Dawkins?—No, I would introduce him to Mr. Mum.

3550. You said you would introduce him to Mr. Mum, and that Mr. Mum would consider the value of his services?—Just so.

3551. Who was Mr. Mum?—I do not know who he was. I have no idea. I have been asked repeatedly.

3552. Was he a stranger to Totnes before the election?—He was a perfect stranger.

3553. Did he come down from London?—He came on the nomination morning by the mail train.

3554. Had a telegram been sent from London announcing to some person in Totnes that Mum was coming?—I think there was; not to me.

3555. To whom was it sent?—I do not know.

3556. Was it sent to Mr. John Heath?—I do not know.

3557. You do not know to whom the telegram was sent?—I do not know.

3558. Have you ever seen the telegram?—No. I saw the man when he came. I was the only person who was up.

3559. You saw him when he came?—I did.

3560. Had you seen the telegram before he came down?—No; I was informed there was a telegram.

3561. You were informed of the arrival of the telegram?—Yes.

3562. Was he heavily laden?—I think he had a tolerably good bag.

3563. Did he take that into No. 13 at the "Seven Stars"?—He took it into the "Stars;" I do not know what number.

3564. Did you afterwards see him at the "Stars"?—Several times.

3565. Did you always manage to get money from him?—Never a farthing.

3566. Did you recommend the people who were to have money?—Not exactly that. If I may say so, I was a go-between; parties would come to me, and even some of our own supporters, many on the other side, intimating, "I do not like Pender at all." I remember Nicholas Browse, the relieving officer, coming to me; he was highly displeased with Mr. Pender; his votes in the house did not accord with his notions at all, and various things about these things, and there were insinuations made, and overtures that he was ready to vote for the Conservative party on consideration.

3567. Did Browse mention the consideration?—No. I communicated the fact to this Mr. Mum, and I think Screach, or somebody else it may be, went to him.

3568. (*Mr. Coleridge.*) Did anybody you had recommended to Mr. Mum ever complain to you that he could not get what he went for?—No.

3569. In fact he carried out your advice strictly?—I have no doubt about that.

3570. (*Mr. Bere.*) Now the morning when Mr. Mum came down you were the first person who saw him?—I believe so, except the postman and the men at the station.

3571. You were the first active man on the Conservative side who saw him?—I think so.

3572. Was there a meeting between him and the committee in the morning?—No.

3573. Did he not see any members of the committee that morning?—I do not believe he ever saw a man.

3574. Not a man?—Not of the committee.

3575. Whom did he see?—He might have seen Screach.

3576. That is John Sandford Screach?—Yes.

3577. And yourself?—And myself.

3578. And who else?—A Mr. Heard.

3579. Colonel Dawkins?—No, he would have nothing to do with Colonel Dawkins.

3580. John Heath?—I do not know; I do not think he did; he might have.

3581. You have never seen him?—I rather think he saw George Heath, and I will give you the reason why I believe it. I had a little bill, somewhere about 100*l.*, for repairs I had done in enhancing the value of the property here about town, which we always look upon as for the candidates to pay, the first instalment as it were. I communicated the fact. I produce the bill.

3582. How was the property enhanced in value?—By building something extra to it, so as to bring it, if not up to 10*l.*, up to 10*l.* Suppose something not worth 10*l.*, I should lay out 20*l.* on it.

3583. So as to make it worth 10*l.*?—Yes. That was what I called my prerogative money for the registration court, and those were the bills paid at that time.

3584. You were going to tell us what happened about these bills?—I did not see the man in reference to it myself, but George Heath brought the money.

3585. Are those the bills?—Yes, they are.

3586. Did not you yourself see Mr. Mum with regard to this payment of your bill?—No.

3587. You saw George Heath?—I rather think I communicated the fact to Mr. Edmonds.

3588. Mr. Edmonds the solicitor?—Yes, the recognized agent, because I considered they were legitimate payments, and there was no secrecy about it, there was nothing that Mr. Edmonds on behalf of Colonel Dawkins might not know; consequently I communicated the fact to Mr. Edmonds, and he paid two or three, I think. The remainder was about 56*l.*, which George Heath handed over to me, so that I might defray it.

3589. Was that handed over on the day of the election?—No, I think a day or two before.

3590. In gold or notes?—Gold.

3591. Was it paid before Mum came down?—No.

3592. I think you said Mum came down by the mail train on the morning of the nomination?—It was paid on the nomination day.

3593. That was the 11th July, the day before the election?—Yes, that was the day. Permit me to refresh my memory. I think, whether paid on the 11th or 12th, the day is stated. I do not know (referring to the bill); I see it is the 11th.

3594. Where was it paid to you?—George Heath paid me at the "Seven Stars."

3595. In a room in the "Seven Stars"?—No; I do not know.

3596. Did you see where Mr. Heath went when he brought the money down?—No. I rather think I was paid in his office.

3597. Was Mr. Mum there in his office?—No.

3598. Had George Heath got a lot of money at the office out of which he paid you?—I do not know.

3599. Did you see where he took the money from?—No.

3600. Did he take it out of his pocket?—No; he came and said, "Mr. Harris, I have 56*l.* for you."

3601. Where did he take it from?—He had it in his hand or his pocket.

3602. In a bag?—No.

3603. All open?—He put it down and called me in and said, "Here, Mr. Harris, I have 56*l.* for you to

pay those bills with." I said, "I thank you; I will "do it at once."

3604. You took the money and put it into your pocket?—Yes, and went to discharge the bill.

3605. When you saw Mum that morning who were the people you paid the money to?—Will you permit me to refresh my memory? [*Referring to the bills.*] There was 14*l.* paid to Walter Light.

3606. (*Mr. Coleridge.*) Was he a voter?—No; but his father was.

3607. How did his father vote?—Against us.

3608. Was that John Light?—Yes. Then Henry Foster, 26*l.* 15*s.* 10*d.*

3609. Is he a voter?—Yes.

3610. How did he vote?—On the Conservative side.

3611. Had he always voted on your side?—Always.

3612. (*Mr. Bere.*) What was he?—He is a builder, and put up roofs to two buildings on some property that I took. Then there is Samuel Hill.

3613. Which is that?—The senior one.

3614. He voted against you?—No; he paired.

3615. He split his vote?—Yes.

3616. How much did you pay him?—I paid him two or three bills. There is one for 1*l.* 1*s.* 7*d.*, another for 1*l.* 2*s.* 6*d.*, and 5*l.*, three of them, little small accounts. Then there is one for James Lewis Goodridge, 1*l.* 15*s.* 7½*d.* He was a builder also.

3617. Was he a voter?—Yes.

3618. (*Mr. Bere.*) Your side or the other?—Always. I do not know always; he has been for some time.

3619. Generally?—Generally. Then there is to William Wilcocks, 6*l.* 13*s.* 7½*d.*

3620. What politics?—Always Conservative. Then Stephen Tozer, 27*l.* 7*s.* 11½*d.*

3621. Always Conservative?—Yes.

3622. You made it a point to employ Conservatives as a rule?—Yes.

3623. When was the first time you spoke to him?—In the course of that day.

3624. What were you talking about?—About money matters and as to various parties.

3625. Tell us the names of some of the persons you talked about.—I was principally asking him whether such and such men had been settled with, for instance, such as William Pengilley, who was rather shaky.

3626. You asked Mr. Mum whether he had been settled with?—Whether he had information of his being all right.

3627. What did he tell you of Pengilley?—I do not remember. It was reported on the election morning that it was all over.

3628. That you had lost Pengilley?—Yes; he had had 50*l.* from Screach. He returned it on the election morning and went against us.

3629. (*Mr. Coleridge.*) How did you know this Mr. Mum?—There had been a telegram sent down stating that a gentleman, a Mr. Mum, would come down in the morning by the mail train. I was to meet him at the station or at the "Seven Stars."

3630. How did you know this was Mr. Mum?—I went up to see whether such a man was coming there, because it was an extraordinary thing for such a person to be coming there at that hour; we expected some person would be there at that time; he had rather a heavy bag to carry.

3631. Did he go to the "Seven Stars"?—There was a fly waiting for him.

3632. Who ordered that?—The fly always goes there.

3633. Are you sure there was not one expressly ordered for him?—That I cannot say.

3634. Was the "Seven Stars" open at that hour?—Yes, the gentleman was expected.

3635. You say no person went there besides yourself, was any one up at the "Seven Stars" at that time?—No.

3636. Neither Mr. Heath or any of his sons?—No; only the maid-servant.

3637. What was the maid servant's name?—I do not know.

3638. Is she there now?—That I cannot say.

3639. Was she a chambermaid or a waitress, or what was she?—I do not know.

3640. You have been in there at other times?—I went there the same day.

3641. Do not you remember what you called the maid?—I do not; I do not know whether she was a waiting maid or what she was.

3642. Do you know the christian name of any of the females in the house?—There is a Miss Prout ther e b armaid.

3643. Was she up on that morning?—I did not see her.

3644. Who told you about this gentleman coming?—I really do not know where it came from, it was reported there was a gentleman coming.

3645. How late had the committee sat up the night before?—They were up very late, in fact until the morning.

3646. Was it mentioned in the committee room?—No.

3647. Had you not received private information that a gentleman was coming down, and did you not wait up for some one?—No.

3648. How did Mr. Mum spell his name?—Mum.

3649. You never supposed for a moment that that was his right name?—No.

3650. Did you ever seen it written?—No.

3651. Have you seen him since?—Yes.

3652. Will you describe him to us?—He is rather a pleasant looking man, I saw him in London at the time of the petition.

3653. Was he a tall or a short man?—Rather tall, a middle-aged man.

3654. Had he light hair or dark?—He had dark hair.

3655. Had he a beard or no beard?—He had no beard.

3656. In the course of conversation did he ever intimate what part of London he came from?—No.

3657. Or mention the names of any persons whom he knew in London?—No.

3658. Was Mr. Spofforth's name ever mentioned between you and him?—No.

3659. Or Mr. Smith?—No, never, I had no conversation with him except asking him whether such a man was all right or not.

3660. How long did Mr. Mum remain?—The door was locked at nine o'clock on the election morning.

3661. What door?—The bribery door.

3662. You mean by that the door of the room in which Mr. Mum sat?—Yes.

3663. It was locked?—There was no further supply to come from there, they had settled the election; Mr. Pender brought up the men whom we expected would have polled for us, and it was all over.

3664. As soon as you found your case hopeless you ceased to spend your money?—Yes.

3665. Whom was it you would expect the telegram to come from, who would be intrusted with such a secret as that?—I cannot tell.

3666. Would Mr. Edmonds know it?—That I cannot say; Colonel Dawkins had his valet and his other servants here.

3667. Was it any one in the town who told you?—No.

3668. Should you be surprised to hear that it was Mr. Edmonds?—No.

3669. Or Mr. Heath?—He would be as likely as anyone to mention it.

3670. Would Screach have known such a thing as that?—Yes.

3671. Had you seen him about during this time?—Very frequently.

3672. This sort of thing was nothing new to you?—No.

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3673. It always happens at Totnes that an unknown gentleman comes down in this way?—It is the natural consequence of an election at Totnes.

3674. There is a sort of man in the moon there?—Yes; there was another man came down here on one occasion who brought a blank card with the name of John Smith on it.

3675. Where did he come from?—He came from London, that was in Mr. Dunn's time; he was a rather peculiar character, not at all good looking, and deeply pock marked; I saw him in London when I was there on the petition, and he seemed in high glee.

3676. Was he a tall dark man?—No, he was a little man.

3677. Did he go by the name of Grant?—I only knew him by the name of Smith, you will hear of him hereafter.

3678. You say the "bribery door" was shut at nine o'clock on the morning of the election, how long had it been open?—From the time the man came.

3679. From the arrival of the mail train?—I rather think there was bribery going on before that, I do not know where it came from.

3680. How many times did you go to Mr. Mum in the course of the day with an intimation that there was a certain person who wanted assistance?—I did not say that.

3681. Whatever your term was tell us?—My inquiry was after the welfare of the man.

3682. Did you ever intimate how his welfare might be increased?—No; my inquiry was whether he was satisfied.

3683. How many names did you mention to Mr. Mum?—Not one.

3684. But you say you went to Hill?—No, Hill came to my house, and wanted 150*l.* to vote; I communicated the fact to Mr. Mum, and he had to send some one else.

3685. Who was that?—I do not know; I might afterwards ask Mr. Mum if Hill was satisfied.

3686. Mr. Mum being a stranger here how would he find out any one else?—He would authorize some one to go who was acquainted with Hill.

3687. How would he get the messenger, was it Screach?—It is more than likely.

3688. Was Screach the only person employed?—I think a man called Heard did a little in it.

3689. Were they the only two messengers?—I will not drag Mr. Heath into it more than I can possibly help, but I think it is probable that Mr. George Heath knew a little about it.

3690. (*Mr. Coleridge.*) Did you know a woman named Martha Gale living at the "Seven Stars" at that time?—I knew no women there except Miss Prout and Miss Heath.

3691. I mean a widow woman who has since left the "Seven Stars"?—No.

3692. Was there not a widow woman about the house at that time as a servant?—I do not know.

3693. (*Mr. Bere.*) Used the voters themselves to go to Mr. Mum?—I think some of them did.

3694. Can you give us the names of those you heard went there?—I have heard that Mr. Foote had 150*l.*, who paid him I do not know.

3695. (*Mr. Longe.*) They came to you and you sent them in if they wanted money?—We would be having conversation about the election.

3696. About the time of the nomination did they come to you?—They asked if there was any money flying about; I said I believe there is, you had better go to the "Stars" and inquire.

3697. They did not know where the money was to be got?—No.

3698. They came to you for the purpose of knowing where to go?—Yes; I directed them to the "Stars;" I said there is a gentleman at the "Stars," a particular friend of Colonel Dawkins, spending his money rather freely.

3699. You have mentioned one person, do you know any others you sent in that way?—That is the only one I remember.

3700. (*Mr. Bere.*) Can you mention the name of any other persons whom you directed there in this way?—I think Hill is the only man whom I remember.

3701. How many men spoke to you in the course of the day about money, or whatever was the phrase you used?—They did not exactly say money, they have a curious way of expressing themselves here.

3702. We should like to hear what it is?—They would say they were in difficulties, and wish to know if we could relieve them.

3703. How many people on that day told you they were in difficulties?—I do not know it was that day exactly, I have marked two or three. For instance, I saw Blank the day before, he was down there with Screach, and wanted 150*l.* for his vote. Screach was in tow with him, locked up in the privy for a certain time.

3704. When you did not know of Mr. Mum coming what did you tell the voters who spoke to you of their being in difficulty?—They asked if there was any chance of getting a sub.

3705. Before you knew of Mr. Mum's coming down where did you direct them to?—These inquiries as to money matters were going on immediately that Col. Dawkins arrived. If a man intimated that he required money, we said, We cannot tell yet whether Col. Dawkins will go to the poll, we have not made a complete canvas.

3706. When did you hear that this person was coming down?—The night before the nomination.

3707. You had been practising on the voters long before that?—I had been feeling their pulse to see if they had got up to fever heat.

3708. Where did you direct them to before you knew that Mr. Mum was coming?—I intimated to several there was likely to be some money, and that they were not to sell themselves to the other side, but let us know.

3709. Was there not money in the town long before Mr. Mum came down?—I do not know.

3710. Had not Colonel Dawkins brought money with him?—I have reason to believe he had, but I do not know.

3711. (*Mr. Longe.*) Was it not rather dangerous to spend money before the nomination?—I do not know what they did before the nomination, the heavy sums were paid on that day, or the day before.

3712. (*Mr. Coleridge.*) Do you know of any Conservative voter having been paid before Mr. Mum came there?—I do not; I do not think there was much money flying about before that, my bills were not paid; I was rather anxious about having my sub.

3713. Mr. Edmonds paid you?—On the nomination day.

3714. (*Mr. Bere.*) Tell us the name of any voter who asked you about the sub.—There was Blank, William Byne, Francis Coombe.

3715. He is the gentleman who wanted 500*l.*?—That was in Mr. Dent's time.

3716. What did he want in Colonel Dawkins' time?—He did not mention any sum; I understood that he had 200*l.* for voting for Mr. Pender.

3717. Did he ask for any specific sum?—He has compounded with his creditors since, and in his accounts there is a sum of 200*l.* borrowed that day of Mr. Parnell, who was the bribing agent. If they borrow of a member they never think of paying it back.

3718. Did he say what he would vote for?—No. I got so close to the shore in 1859 that I was determined never to get near the rock again, and I would not hear of any specific sum.

3719. Was that all that passed between you and Coombe?—That is all.

3720. Can you give us the names of any one else?—There was old William Earle, a tenant of mine, who did not vote, he wanted money.

3721. How much did he want?—I do not know.

3722. Did he vote for Mr. Dent before?—Yes.

3723. And receive a consideration for that?—Yes.

3724. Do you know what he received in former days?—No; he will tell you about that when he comes.

3725. Any one else?—George Griffis.

3726. How much did he get from your side?—I do not know.

3727. Did he have money from Mr. Mum?—Yes, no doubt.

3728. How much?—I do not know.

3729. What is he?—He is a wheelwright, a very poor man.

3730. Had he voted for you before?—Yes, for Mr. Dent.

3731. Was he one of those who were turned out by the Duke and compassionately received by the Conservative party?—As a rule, as to all those who were turned out, I felt it to be my first duty to get houses or lands for them.

3732. Was Griffis one of those to whom land had been let at a low rate?—No.

3733. What did he say?—It was nothing more than a general discussion that money was required, he was very poor, and so on. Then there was William Hannaford, Mr. Durant's tenant, who related his interview with Mr. Durant, who had got a promise from him that he would never disobey him again if he felt disposed to remain on his land.

3734. He is the man who was carried off at Mr. Dent's election?—Yes. He received notice to quit from Mr. Durant, and then came to me to get him a house. He then went to Mr. Durant and expressed contrition, and said he would never offend again; we could not get at him the next time.

3735. Did you try?—Yes.

3736. What image did you hold out to attract him?—He had tasted the blood before, and having once done so he would be sure to be at it again. He got well paid by the Liberal party, no doubt, but I never entered upon any definite sum or figure.

3737. You intimated to him that if he wanted money it was to be had?—Yes.

3738. Give us some more names?—There were the two Hills.

3739. What happened to Hill senior?—He wanted the 150*l.*

3740. Did he say he wanted 150*l.*?—Yes; it was at my house. He waited till I went down to see Mr. Mum, but the sum was too outrageous.

3741. (*Mr. Coleridge.*) You broke through your rule as to him?—No, he came about my bill; I paid him the bill. He wanted 150*l.*; I was disgusted with him altogether; it was audacious.

3742. Is he the only one who ever told you of any exact sum?—The only one.

3743. (*Mr. Bere.*) You would not give him that sum?—He would not go to see Mr. Mum. I recommended him to go there, or thought some one else might be sent to him.

3744. Then who had manipulated Hill senior at the former elections?—He was a Liberal, and had voted for Mr. Ricardo, and for Gisborne and Mills. The present postmaster, an immaculate Liberal gentleman, was the great briber at that time.

3745. Who is the present postmaster?—Mr. Samuel Parnell. Hill told me he was displeased with the Liberals, especially with Mr. Parnell, because he had not paid him 25*l.* for that election. They had a regular list, and they did not want to ask a man how he was going to vote; the 25*l.* was handed over to them. Mr. Parnell took the money and kept it, and never gave it to Hill.

3746. And he was angry at that, and became a Conservative in consequence?—He voted for Dent and Dunn.

3747. And he would have voted for Dawkins and Pim if he had got 150*l.* for doing so?—Yes; he wanted a consideration for his vote.

3748. Give us the next name?—Robert Morgan.

3749. Who is he?—A neighbour of mine, within two or three doors of me, a china merchant and silversmith. He had I think 60*l.* for voting for Mr. Dunn. I asked him if the same consideration would induce him to come again; he was gone; I could not get him.

3750. You did mention a sum to him?—He was above that figure altogether.

3751. Do you know what he got from the other side?—No; he was paid a very heavy sum certainly. Then, John Pearce, we could not get him at all this time. In Mr. Dunn's time he had 25*l.*, and voted against us.

3752. What did he do in Mr. Dent's time?—He went against us; we could not get him at all, the sum was too large.

3753. Did you see him in Mr. Dent's time?—No doubt; I canvassed all the people I could get at.

3754. What passed between you?—He was not come-at-able.

3755. You found the price too great?—He had been settled with before.

3756. When did you see him?—I think on the nomination day.

3757. (*Mr. Coleridge.*) Did you ever canvass any of these who were not come-at-able?—I canvassed them all as a rule.

3758. You canvassed the pure as well as the others?—There are very few pure in Totnes. I would put them in three classes. First, we have to do with the Duke's men; there about 90 of that class; they are bound head and heels to the Duke, and it would be no use to go to a Duke's man and say anything to him about his vote unless you have something like a consideration to offer him. They would say, though I am a thorough Conservative, I should be turned out of my land, and without a consideration I cannot go on your side. Mr. Michelmore can blow the bugle in Totnes, and get 60 to answer his call in a moment. Hence Mr. Pender's statement as to bringing the Duke's men to the poll without bribery is true. But there are a few of the Duke's men who are open to be treated with, such as Byne, Light, Knapman, Griffis, Turpin, and that class, men who have been turned out, and Mr. Michelmore is right in his conjecture that those men who come over get a consideration for coming over; they would not do so without.

3759. They will not chance their eviction without?—No. Then you come to another class in Totnes, men who want situations for their sons, nephews, sons-in-law, and so on, of whom there are no end. There was Mr. Robert Earle, he wanted to get his son into something; I remember his saying to me, I have always been a Conservative, but I cannot vote for your side now, they are driving the nail pretty close. In olden times there was a compact entered into, but when Mr. Mills came the compact was broken; the Duke's party were then driving the nail home, and Mr. Earle was compelled to turn.

3760. Then either a minister or a merchant is the most acceptable man you can have in the borough?—Decidedly.

3761. You are never looking out for a country gentleman, but for a stranger who is in a good position?—In my communications with Mr. Spofforth I always advised them to try and get a local man.

3762. You have not finished your classification?—There is another class, and that is the reason why I am opposed to the extension of the franchise, that is those parties who are insolvent or who are ignorant.

3763. How many of those are there in Totnes?—If a man is insolvent, and you go to him with anything in the shape of 50*l.* or 100*l.*, that is a temptation which it is not every man who is able to withstand. Then again, if you go to any one who is an ignorant man, all that that man is after is the gold bag. However well off he may be in the world, he will not move outside his door unless he gets paid for doing so. I know there are many in this neighbourhood who have plenty of money, and who are yet always looking out for more. Those are the insolvent and the ignorant class. I have already mentioned the class who want situations for their sons and other relatives, or even

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to be made magistrates, or something of that sort. As an instance of what I am alluding to, I remember Mr. Watson, an old resident of Totnes. I remember some time ago, prior to Mr. Dent's election, he gave out that he was going to France, and he took a monthly ticket to France, at the same time giving it out that he did not intend to return. After he left urgent messages were sent after him; when he went away he had given us to understand that he did not intend to vote; he came back again, and as soon as he had voted on behalf of the Liberal interest the Duke, I understand, made him a county magistrate. The Duke is the Lord Lieutenant of the county, and the idea of making him a county magistrate, and putting him by the side of a man like Mr. Durant, seemed to be a matter which could not have escaped attention.

3764. The greatest disgrace ever inflicted upon the county magistracy? How did Watson vote before?—Always Liberal.

3765. Was there any particular inducement for him not to vote upon this particular occasion?—No, not the slightest, only he wanted honour. He communicated the fact that that was the condition of his returning to these people. I do not mean to say I know of that generally.

3766. How many are included of the constituency of Totnes in these three classes?—Yes, there are the lawyers and the agents. For myself, I have always gone Conservative. There are those who voted with James Field, and the Duke's influence, and the lawyers on both sides would be sure to go.

3767. Can you tell of your great knowledge how many people there are who have been uninfluenced by any of the motives you have described, or have given their votes conscientiously?—About 50.

3768. (*Mr. Coleridge.*) Mr. Mitchell is one of them?—You will find something about him when you have got John Pender before you, he will tell you whether he gave a true account yesterday.

3769. (*Mr. Bere.*) We have got as far as Mr. Pearce, and the people you spoke to about that time, go on with the list and give us the other names?—William Pengilley, he was very friendly with me, and gave me to understand he wanted money. He had 50*l.* sent to him by Screach, which he returned, and voted for the other side; Frederick George Putt, I conversed with him several times about it, and I understood he was one of the slippery company at the former election in 1862, his name is in writing, and it will come in due course.

3770. Did he mention any sum?—No sir, only conversation.

3771. Did he open his mouth widely?—He is one of those whom we call the ignorant class, the ignorant class require the largest sum of money.

3772. The insolvent are bounded by their wants, and the ignorant where their desires lie?—Just that. There is William Reeve, he voted for Dent. I had conversation with him, and when I took the requisition to him to sign he objected.

3773. Did you have any conversation with him about voting?—I had several times.

3774. What did he say, he wanted money?—A good deal of money. Soon after this last election, the man who had offered, by circulars, to pay so much in the pound before the election had got plenty of money to pay every person, and fill a shop full of things.

3775. How long before the election?—A month before.

3776. He sent circulars to his creditors?—Yes.

3777. Offering a composition?—Yes.

3778. Do you know what composition it was?—No.

3779. Were you one of those to whom he sent?—He came to me to lend him 10*l.*, and I would not do it, unless he would give me a promise to support us.

3780. You did not lend him the 10*l.*?—I would not.

3781. Did he afterwards send out this circular?—Yes, Mr. William Tucker and Mr. Huxham were creditors.

3782. The composition was not acted upon?—I do not think it was; after the election he paid in full, I think so, as his shop was well furnished immediately. He had 40*l.* for voting for Dent at the previous election; 40*l.* or 60*l.*, I am not certain which.

3783. It must have taken a deal of money to do that?—I should rather fancy so, I do not know. I fancy he had 60*l.* at least, I do not know.

3784. Go on with your list?—Thomas Searle, junior; he was the manager of the slippery company, he and Mr. Putt; that will come after in 1863. In 1862 I think it will come out. He was not available at all till the last election. You had to screw him down and get him to sit.

3785. Is he a tenant of the Duke?—Yes, he is.

3786. He of course was not to be had without money?—Oh, no.

3787. Did you get from him any idea of what he might be had for?—A very large sum, in fact he acted in co-operation. When men join together like that they are fearful fellows to have to do with.

3788. The slippery company was entituled in 1862?—Yes, in Pender and Dent's time.

3789. It was in consequence of the slippery company demanding a large sum of money that Mr. Dent retired?—That is the fact.

3790. Do you know what they demanded in 1862?—1,000*l.*

3791. Seven of them?—Seven of them, it was all in writing.

3792. They were not likely to ask for less than the rest?—They had increased rather than diminished; they know their power, and they are the most fearful men to have to do with. They will sell body and soul.

3793. Give us the names?—John Searle, manager, Thomas Parnell Searle, son-in-law of Thomas William Searle senior, Edward Angel (tailor), John Randle Veasey. I am not certain as to the others, they will come out. I think Edward Willis was one.

3794. Where do they hold the confederation, where are the offices of the company?—Shall I give you an account of it.

3795. I merely want the fact?—In Mr. Searle's house.

3796. Have you gone through the list?—Oh, no; there is William Sloggett, he signed the requisition, Frederick Evens can tell what he wanted.

3797. Did he tell you anything about it?—He intimated to me that he wanted money, or to get a mortgage off his house.

3798. There was a mortgage on his house?—Frederick Evens can tell you that. He told me the house was mortgaged, and he wanted to sell it.

3799. To whom?—To the late Mr. William Hannaford.

3800. Is that the person who is the election agent?—No, he is dead.

3801. What was the amount, do you know, of the mortgage?—I think he wanted 350*l.* for it; the same property was sold the other day for somewhere about 200*l.* I am not certain of it; I anticipate he wanted about 100*l.* more than it was worth.

3802. Now the next?—We come now to John Wright.

3803. What is John Wright?—He is a gentleman.

3804. What class do you put him in?—Well, sir, I think it appears to be this, when Colonel Dawkins called upon him he promised his vote in a moment to the Colonel. I think it was on the nomination day, or some days prior to it, a gentleman with a white hat, and black band about the hat, and grey-headed, had an interview with Mr. Wright;—Mr. Pender, and Mr. George Fowle had one or two interviews with him; after those interviews a rumour was in circulation that Wright had changed his views and his ideas.

3805. He had promised Colonel Dawkins ?—He had.

3806. Were you present ?—No, but Mr. Edmonds will tell you about it. It was reported that he had changed ; he communicated the fact, and it was communicated in my presence to Mr. Edmonds. He had previously rented an estate of Mr. Edmonds ; he went over to him and asked him if it was true the report that was in circulation ; he said, "I have made up my "mind to mind myself ;" and it appears from what we could glean that Mr. George Fowle's vessel was in pound or in pawn or in foreign parts. That was his son-in-law.

3807. Fowle was Wright's son-in-law ?—Fowle was Wright's son-in-law ; he had a vessel in pawn, or he had been doing some act abroad ; he had been throwing the gauntlet in pretty far by carrying goods, and he was seized and he had to pay so much money to get out ; he applied to Mr. Pender, and Mr. Pender advanced him the money.

3808. You do not know the sum ?—No, I do not ; he will tell you all about it I should hope. He was gone, and he voted a plumper for Mr. Pender.

3809. Did you try to get him back again ?—No.

3810. Did you see him here at all ?—No ; that was on the nomination night ; the next morning he was down.

3811. And voted ?—He was off our hands.

3812. Was Fowle a voter too ?—Yes, he was.

3813. He voted ?—He voted the same side.

3814. Then there was the Rev. William Henry James ?—I am informed that gentleman was offered to be bribed some weeks before the election.

3815. Who is the Rev. William Henry James ?—He is residing at Mount Pleasant. He has got an incumbency in Wales, and I think some money. It appears that he became a shareholder in some joint stock bank, or something or other in London ; this bank was making calls upon him. This is what I have been informed, I am giving hearsay evidence ; I believe it is correct. In fact when Colonel Dawkins called on him he gave Colonel Dawkins to understand that he should support him in the presence of Mr. Edmunds. He did not give a pledge that he should do so, but it was a tacit understanding that he would support him. Mr. Edmonds wrote him a letter asking him as a special favour to do it. Mr. James took advantage of the letter, showed it to Mr. Pender, repeated the position he was in. Mr. Pender at once in his presence put his hand in his pocket and pulled out 300*l.* and lent it to him.

3816. As a loan ?—It is a loan.

3817. Was it to be repaid ?—I do not know about that ; we never think of paying before.

3818. Did that come out before the Committee of the House of Commons ?—It was just introduced. There was this 2,000*l.* and the loan was a portion of the money drawn out by a man called Solomon or Salmon, or some such like name. Mr. Cooke, the counsel in London, thought there was sufficient evidence to turn out Mr. Pender, and therefore he did not go on. Then there was this other man Kellow.

3819. Did you have any interview with Mr. James? —No, I did not ; it is merely hearsay evidence.

3820. Mr. Edmonds will probably be able to give us the information ?—I dare say he will. There was a Mr. Kellow.

3821. Had you any conversation with him ?—I had conversation with him about the election. I understood him he wanted money.

3822. What is he ?—He is an eating-house keeper and a labourer who works for Mr. Condy, the brewer. I understood he had 50*l.* ; in fact that 50*l.* Pengilley carried down to the bank ; it was Kellow's 50*l.* sent down so I am informed. That was a portion of the 2,000*l.*

3823. (*Mr. Coleridge.*) When Penny returned it was handed over to Kellow ?—It was.

3824. (*Mr. Bere.*) Which Pengilley was it that carried it down ?—It was George Pengilley, not the voter.

3825. Did you see Kellow ?—I saw him several times during the election ; he gave me to understand he was open to remuneration.

3826. Did you suggest that it could be procured ? —I intimated to him I thought he could have money from our side if he would come on our side ; but he was working for a Liberal master, and it was rather dangerous ground to travel over.

3827. What time was it before the money came ?— About the nomination day.

3828. When people came to you before the money came down, before the telegram arrived intimating the probability of the money coming down, to whom did you direct any person anxious to receive consideration to go to ?—I never directed any person till Mr. Mum came. The general conversation before that was in reference to money matters.

3829. You knew money was coming ?—I knew it.

3830. You represented to them that money would come, and they believed your representation ?—Just so ; they believed it.

3831. (*Mr. Coleridge.*) Did you know what money would come down to Totnes ?—I never conversed with any one about it ; I always understood it.

3832. Who told you ?—I do not know.

3833. Any conversation with Colonel Dawkins ?— No, not a word.

3834. With Mr. Edmonds ?—I should think Mr. Edmonds and I have talked about money matters several times.

3835. Before that was there anybody else ?—It is more than probable ; I do not know it.

3836. Do you think there was anybody more probable to have told you ?—No ; Mr. Edmonds and I communicated one to the other.

3837. You thought Mr. Edmonds the head man of the party ?—Yes, the agent ; we were always anxious to keep him intact and not drag him into the mire.

3838. I believe he told you money would come ?— He would know it.

3839. The fact of it having been part of the requisition that Colonel Dawkins should be one of the candidates, and that he would give the money ?—No doubt he knew it.

3840. Did you know it ?—I did not know it from him personally.

3841. Who did you know it from ?—It would come through Mr. Edmonds, no doubt, or through the party generally.

3842. Did not Colonel Dawkins himself know all about it ?—I have no idea.

3843. Did you never state that Colonel Dawkins knew all about it ?—No.

3844. Both Colonel Dawkins and Capt. Pim knew about money coming down ?—I do not know anything about it.

3845. You never said so ?—I never said so.

3846. You have no doubt ?—I would say it is very likely Colonel Dawkins knew about it, but I do not know it of my own knowledge personally.

3847. Had Mr. Edmonds never told you ?—I do not recollect any conversation of that sort. If I recollect aright, it was said.

3848. Seeing that a petition was presented, you cannot say why it did not claim the seat ?—No.

3849. Were you not influenced partly in that Colonel Dawkins was too much implicated in the matter to claim the seat ?—My idea was not to spend any money, because there were some votes struck off by the revising barrister, and my advice was to have a pure election, to make them spend and try to go in and claim the seat.

3850. As that did not take place, what was the reason you did not claim the seat for Colonel Dawkins ?—Because we thought Colonel Dawkins considered he could not get out of it with clean hands.

3851. (*Mr. Bere.*) Have you finished the list ?— That is all.

3852. I understand those are the only people you saw with regard to the election of 1865 ?—The only ones I remember about bribery purposes.

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3853. You lost them all?—Very near, sir; that was the house I was sent to; a house that was rather shaky.

3854. Nearly all of these men you lost?—Oh! yes, quite so; that was the class of men I directed my attention to specially, to get out of the Liberal ranks.

3855. Were you sent to any of those who previously voted for the Conservatives, and who voted for Dawkins and Pender, with the exception of Foote?—I did not go to Foote. I have heard that he and Thomas Dennis had 100*l.*

3856. Who is he?—He voted also Dawkins and Pim.

3857. What is he?—A cab proprietor.

3858. He was examined before a Committee of the House of Commons?—Yes, I believe so; I do not know it of my own knowledge.

3859. Do I understand you to say this, as far as you remember, that the only voters you went to at the election of 1865, and to whom you suggested money would be forthcoming, are those?—Yes, I think so.

3860. Mrs. Gillham, did you see her?—No, I never spoke to her in my life.

3861. Mr. Gillham?—No.

3862. You do not know the name or the house?—When I say I never spoke to him in my life, that is going too far, but they are the Duke's tenants, that you cannot get at at all.

3863. Is it the Mr. Gillham that keeps an inn on the left-hand side of the bridge?—That I assume to be the man. That was the information given to me. John Gillham junior was to be had. I know a young man called Johns was put upon him.

3864. Did you go to see whether he could be had?—No; it was brought to me that he was to be had. William Henry Johns was deputed to see him.

3865. Was he one of Mum's runners?—I do not know. They are great cock fighters, Gillham and Johns.

3866. Was he tried the other day?—Yes. Gillham is a Radical and Johns is a Conservative. We thought those were likely to be brought together.

3867. Birds of a feather?—Just so.

3868. Did you see Mary Ann Green, the wife of John Fox Green?—Very likely I did.

3869. Do you remember having seen her?—I dare say.

3870. He is one of the men who signed the requisition?—I remember going up once or twice. He was taken off to Plymouth, and consequently when he was gone I went up to make inquiries where he was gone to. I wanted to go down to scent him out. I could not get upon the scent of him; he was too sharp for me.

3871. Did you go to Plymouth?—No.

3872. You went up to Mrs. Green to inquire?—I did not go direct. There was a friend of ours residing in the house; one of the 10*l.* class, who make a vote in order to get money.

3873. And do they let lodgings?—No; houses of this class have two sides; they let off the right side and keep the left.

3874. Did you hear from Mrs. Green where her husband was gone, and did you not tell her if he came back it would be a good thing for him?—More than likely.

3875. Did you not tell her how good a thing it would be?—No, I am sure I never said anything about the amount.

3876. Did John Fox Green vote for Dawkins before?—That was his first vote.

3877. He had not tasted blood?—He might in the council election.

3878. You intimated it would be a good thing if he came back and voted for you?—I felt especially interested in all those that had signed the requisition; it was on the faith of that that Mr. Spofforth had induced men to come to Totnes; and more than that, I felt they were bound to support their party.

3879. It was on that representation to Mr. Spofforth that he went to look for a candidate?—Entirely.

3880. You believed they would have voted for him?—Yes.

3881. Provided they were paid?—Decidedly; I put in that qualification.

3882. Did you tell Mr. Spofforth they must be paid?—No, I did not.

3883. Did you intimate to him that they had signed the requisition, and in certain instances would be bribed?—I think the class of representation I made was this:—I said, "Mr. Spofforth, the majority on "the list are Conservative, but in order to keep them "it is necessary that you should be prepared to "defend them in case they are tempted by the other "side."

3884. (*Mr. Coleridge.*) When did you first see Mr. Spofforth on the subject of this election?—Only once.

3885. Where did you see him?—In London.

3886. Did you see Mr. Rose at the same time?—No.

3887. Whom else did you see connected with Mr. Spofforth?—No one at all.

3888. No one at all?—Of course when we went we saw a clerk.

3889. Did you ever see Mr. Mum at Mr. Spofforth's office?—No.

3890. Did you ever see him with Mr. Spofforth's clerk?—I have not seen him since the election.

3891. When you saw Mr. Mum at that time did you recognize him as the man that came down?—No.

3892. (*Mr. Longe.*) How long before the nomination day did you see John Fox Green?—Three or four days. A man of the name of Elliott took him away.

3893. He came back?—He came back; they had got him off.

3894. Were there any other cases of men taken away?—Reeve; he bolted, and they caught him down about Dartmouth.

3895. Any others?—No, those are the only ones.

3896. Do you know how long Reeve was taken off?—Mr. Lorimer had worked him pretty well; he got him down about a ship down about Dartmouth.

3897. (*Mr. Bere.*) Tell us the names of all those people who, as far as you know, were tampered with by the other side?—As far as I know those are the names I had conversation with.

3898. Do you know a man called Ruby, of Castle Mill?—I know him. I never spoke to him about bribery.

3899. Was he a tenant of the Duke?—Yes, he came up here; he has a partner.

3900. Who was that?—A man called Searle. I never had anything to do with him, I was so thoroughly disgusted.

3901. Do you know anything about Drew?—Drew, I know him; I never spoke to him; he is one who had 5*l.* after Mr. Pender came down, and then he bolted. Mr. Pender was very kind, and he gave 1,000*l.* to bribe all the people in Totnes on behalf of Mr. Seymour. Drew was disgusted that he only got 5*l.*

3902. When was that?—After Mr. Pender stood in 1862. John Diggins, he had 5*l.*, and voted for him.

3903. What do you say about the 1,000*l.*?—1,000*l.* he gave, that was nothing but bribery; 100*l.* and 150*l.* were given to the chapel, that was to secure the Wesleyans; so much was given to the Independents, and so much was given to the Church. The worst kind of corruption is that, and I hope I shall never see the day when it is practised again, for it is the worst kind of corruption to receive money as a bribe for any purposes connected with religion.

3904. Jackson, do you know anything about him?—Robert Jackson is one of those, he was Lord Cranstoun's tenant. He came down and I had an interview once or twice with his Lordship when he came over here, and he found there were four of his tenants

Robert Jackson, Henry Bradridge, Robert Oldreve, and Richard Mortimer; his Lordship was desirous that the Conservatives should succeed here, and he communicated the fact to his tenants; but it appears that Mr. Jeffery Michelmore, who is also steward for Lord Cranstoun as well as the Duke of Somerset, got these men under his thumb. It appears that he made a representation to his Lordship that it would be very hard or very unjust for him to get those men to vote against the Liberal side, inasmuch as they had been made on a Liberal qualification.

3905. Had they got building land?—Yes, they were manufactured votes.

3906. Linnies?—Not Linnies, but votes that were manufactured, as we call fictitiously, in Totnes.

3907. Is it a guano pit?—Take the six Dartmouth lot, they make their votes in this way:—there is a property which had been occupied from time immemorial by the tenants of the Seymour Hotel, that was handed over in this way,—Mr. So-and-so, will you consent to become a nominal tenant of the Duke of Somerset? Yes, I have no objection; will you please to appoint George Fitze manager; then George Fitze is appointed manager; he goes to the tenants of the hotel and says, Now you are to have the occupation as before, to eat all the grass, to cut all the hay, and pick all the stones as before, yet every two or three months you must render to me an account (a sham account) of the number of horses, cows, and pigs you put into the field, so that you shall be able to go before the barrister and swear you have this cattle taken in it per week. A grosser case of immorality I never heard of. He occupies as much as any man who occupies his own house, and yet those six men vote upon it. I would say in passing, in reference to the Duke of Somerset, that I have felt very strongly that the Duke of Somerset is at the bottom of all the demoralization that takes place in the town of Totnes.

3908. Who are the six Dartmouth?—One called Mark Fox; he was a briber up here in 1859.

3909. What is he?—A grocer, an assistant grocer; he does not keep a business of his own. Then there is Christopher Graham Clifte, of Dartmouth.

3910. What is he?—He is a gentleman who lives on his means. Then there is William Henry Rees; he comes up to see his mother or brother once or twice a year, and that is all he knows of Totnes; he comes up to the meetings of the party. Then Thomas Stranger, he is a Dartmouth man; he comes up here, and he is a retired farmer; and he has not got a head of cattle, and he knows nothing about it at all. Then Mark Whittell; that man, I understand, is a grocer or a grocer's assistant, or something of that sort. The sixth, I think, he is dead. They put in another, Thomas Matthews.

3911. (*Mr. Coleridge.*) Do they poll dead men?—There was one man very near dead; in a few hours it was over; he never spoke, and he was virtually dead.

3912. Do you know a man called Chamings?—I do.

3913. He voted at the election of 1865?—Mr. Chamings, I knew him in 1865. I do not speak to him now. He knew it, in fact he has told me over and over again that that is how the Duke manufactured votes; a man that will swear anything, that man will. I never speak to him. George Mitchell has always occupied a farm for a number of years.

3914. Who is George Mitchell?—George Mitchell the butcher. Permit me to go back to one I omitted just now, namely, James Matcham and Thomas Matcham; they both signed the requisition.

3915. What are they, shoemakers?—One was a gentleman, a retired innkeeper, James Matcham; and Thomas Matcham at that time was an innkeeper, and he kept the "South Devon" inn.

3916. Did James Matcham live in Torquay?—No, that is the son that lives at Torquay. Mr. Thomas Matcham gave me to understand at various times that he intended to support the Conservative party, and he did everything that a man could do to confirm that impression. I hold one of the rent audits and I have paid him something considerable for it. Just prior to the election the old gentleman spoke to me. Mr. Thomas Matcham was away out of town. I think there was a summons after him or a writ, I do not know which; but he had gone out of town, and the old man came to me and asked me if I could get him 200*l.* or 200 guineas.

3917. How long was this before the election of 1865?—A few days before the election of 1865. I told him I had nothing whatever to do with it, or money matters, but I would communicate it to Mr. Mum.

3918. That must have been after Mr. Mum arrived?—I think it was; we anticipated Mr. Mum.

3919. Did you call him by the name of Mum?—No, he was an unknown individual, whatever he was called. I saw him on the nomination night, after the nomination. I might say I happened to be at the Railway Hotel by the late express train, somewhere about 11 or a quarter past 11 in the evening of the day before the nomination. I think Mr. Mum was anticipated by that train. I think it was 50*l.* I had in fact.

3920. You are quite sure about that?—At any rate I am satisfied as to the older Matcham; he was there waiting for some one. We had some other conversation, and he assured me that his son Thomas was going all right, but to my surprise the son came by the train, which he said was to be kept from me, and he did not tell me he was looking for his son again. As soon as the son got outside the rails his friend, Tom Searle, junior, was there; he nabbed him, and he caught sight of me at once. I could not get him, Thomas Matcham, junior. I went in the evening, as he had signed the requisition. I felt exceedingly anxious he should carry out his promises; if he wanted money, let money be paid for him. I did not anticipate that we were to be bought off out of the field with money. I asked him plainly and distinctly whether he wanted money, and the old man said he wanted 200*l.* That was the first intimation I had from an independent man residing in Totnes that he wanted 100*l.* for his vote, that is the old man.

3921. He is alive?—Yes, he is alive, and so is the son. The result was, on the election morning I happened to be in the booth at a quarter to 8 o'clock, down they came, him and Thomas Searle, and he goes and polls dead against me, right in my face. I directed Mr. Pender's attention to it, and I said "Do "you think you can take your seat after that man's "polling?" He said "If I am turned out, my son "will come," intimating that his son was close by.

3922. (*Mr. Coleridge.*) Was his son down at the election?—He was, and he brought the money with him.

3923. Which son was that?—I do not know which it was; he was rather a short man; he is a captain.

3924. Do you know whether he came from Canada?—I do not know where he came from; he is a short man, not very good looking. There was a little incident connected with Samuel Hill.

3925. Which?—Samuel Hill, junior; he owed a year's rent; after he voted against me, I went to him, the day after, for the rent, and he immediately paid me.

3926. What was it?—5*l.* Previous to that he told me he was very poor and could not pay me. I think that is all I omitted that has occurred to me that I ought to have stated.

3927. Now with regard to Chamings of Wildwoods. Do you know on the morning of the election John Heath, Arthur Niner, and James Heath went over to him?—I believe John Heath and Arthur Niner went over to him. I think they went to Mr. Ruby and also Mr. Chamings; we understood he was open to conviction.

3928. Had you seen Mr. Arthur Niner and Mr. John Heath when you went there?—No, I had not.

3929. Had you heard any conversation, or why

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they were gone ?—No ; I was only aware of the fact after they had gone.

3930. When you knew they were gone, you knew pretty well for what purpose they were gone ?—I know they went there to offer the money. I do not think that Mr. Mum had anything to do with the offer. I do not think it was intimated to him as a matter that wanted a companion.

3931. He did not go to the others ?—Not to my knowledge ; I never heard of it if he did.

3932. Did he go to Crook and Drew ?—I do not think he did.

3933. Jackson ?—That is Buckfastleigh. I never heard of that. He went with John Heath as companion.

3934. Do you know Mr. John Venn ?—Yes.

3935. Do you know how his vote was influenced ?—Not the slightest. That is one of those manufactured votes ; he lodged with Mrs. Thomas, who is a very strong partizan ; she would scarcely allow him to live if he voted contrary to her wishes.

3936. Would she not provide him with the proper means of life ?—She would be very desperate against him, and he would be turned out of his house I have no doubt. I might say Mr. Venn was one of a company of six whose votes are manufactured after the manner I have described as to the Dartmouth company. It is the most demoralizing manner in which you can conceive it to be done ; it leads men to perjury and all those sins.

3937. (*Mr. Coleridge.*) Is it the same way as the Dartmouth company ?—Just so ; and they tell the most deliberate untruths that you can conceive, and a man who will do that you may anticipate what sort of an elector he is.

3938. (*Mr. Bere.*) Is it the rent they pay ?—I know nothing about the land. There was a company of eight or nine of them. John Venn was a retired exciseman, and got not a pig, dog, or horse, or anything at all.

3939. Whose land ?—The Duke of Somerset's. He is the head and the centre of all the demoralization you may rely upon it. I hope the Commission will come to that very thing and will point to the Duke as the centre.

3940. (*Mr. Coleridge.*) Mr. Baldwin had nothiug to do with it ?—He began ; the spring head is the Duke of Somerset. The company consists of Venn, George Fitze, Robert Jackson, John Hamlyn, John Furneaux, John Spark Amery ; then the Bridgetown company, Henry Bradridge, John Whiteaway Hoppin, Andrew Hepburn, John Knapman, junior, William Henry Rossiter, Richard Stanning, John Venn, and William Veasey.

3941. Where do they live ?—They reside in the neighbourhood of the seven miles' circle.

3942. In the town ?—Some in the town. George Fitze is the registration agent for the Duke of Somerset and Robert Jackson is a carpenter.

3943. How do they hold this land ?—They appoint George Fitze the manager, his place is to take in cattle for a week of A., B., and C. ; but Mr. George Cole, the previous occupier, occupies the ground as before, he renders a fictitious account made up that the rents may be brought up to that, the rates and rents are paid in their names, but the previous occupier occupies as before.

3944. What about their rents ?—They rent the value of the ground, they have got the value in it, it is done for the express purpose of making votes ; and what I say is they are brought into this court to swear they are occupiers when another man occupies.

3945. They do pay that ?—It is all done under colour you know.

3946. (*Mr. Coleridge.*) Do they pay the sum they pretend so pay ?—They come into court and say they know nothing about it ; they leave it to their agent.

3947. They know whether they pay ?—They never contribute a farthing to the loss nor receive a farthing of the profit.

3948. These names you have mentioned are they the same class who represented the Dartmouth party, the people who were not engaged in farming pursuits and had no cattle ?—Not one ; I think Mr. John Hamlyn is one.

3949. He is a tanner of Buckfastleigh ?—Yes, he might have a horse.

3950. They never stock themselves ?—No ; the previous occupiers have to stock as before ; only they have to come to this understanding at the end of the year, how many horses have you had, 20 horses ; how many bullocks, 20 bullocks ; then there is so much rent to be paid, and we will distribute it at so much a week.

3951. (*Mr. Longe.*) Before the registration are the votes disputed ?—Yes.

3952. What is the objection ?—That it is not tenanted ; but I intend to carry it to the court above if necessary. Lord Chief Justice Erle in the concluding part of his judgment in my case says occupation of that description will not do before that court ; they prove occupation in fact.

3953. (*Mr. Bere.*) At the end of the year the real occupier makes up an account for the number of cattle on the property ?—Yes ; so that there is a certain rent to go to the real occupier, who is denied, and the balance is sworn to as the value of the occupation.

3954. The amount is placed to go to the original rent ?—Yes.

3955. And then sub-let ?—Yes.

3956. Does the original occupier continue at all in the matter or only the fictitious occupiers ?—Only the fictitious occupiers. They are rated and the rates paid in their name ; the occupier has perhaps got an occupation in another place and it is not necessary for him to appear ; those rates appear for the others, and the overseers are bound to put them on the list, and they come here and say they have occupation *de facto* under such circumstances.

3957. When they produce the accounts does it appear that the cattle are put on by persons other than themselves, or by their manager, or one of themselves ?—By their manager. The real occupier you have not got ; you cannot summon him.

3958. The real occupier would not appear ?—He would not appear.

3959. Upon the face of the accounts ?—Yes, as the party paying so much money. But Mr. Roope said without a change of that description he would not allow it, and I have confidence in him, that he will not allow it ; if he fails to support our objection, we shall carry it further.

3960. (*Mr. Coleridge.*) How many votes would that strike off ?—The Duke has about 50 legitimate votes and 40 fictitious votes.

3961. How many fictitious votes have the other side ?—Not one.

3962. Since Mr. Baldwin's time ?—In the year 1861 I think I put on nine manufactured in the same way or the same principle ; but I was so disgusted with it that I made up my mind not to have anything to do with it, and I appeal to any one who knows me whether I have not refused to have anything to do with companies. I would rather take it to the higher courts.

3963. (*Mr. Bere.*) Have you any information to give us as to any particular subject with regard to the election of 1865 ?—No, there does not seem to me anything except those points I have mentioned. I may say, with reference to the magistrates, I mentioned something just now and I should like to qualify it a little. I spoke of a gentleman made as county magistrate which I considered a disgrace to the town; there were three magistrates made, Samuel Huxham, junior, John Webber Chaster, and William Webber ; William Webber was one of those persons who at Dunn's election was taken away and who had promised himself by writing and by word of mouth.

3964. You need not go into that. Is hay made

pon the land you spoke of?—Yes; the real occupier supposed to buy it as grass.

3965. You were the only person up when Mr. lum came down that morning, did you see him come ito the "Seven Stars"?—No.

3966. When did you first go in that morning?—omewhere between eight and nine. I waited till ie man came. I was informed that he was coming nd I was anxious to see him.

3967. Had you had a description given of him?—o.

3968. You saw a man with a heavily laden carpet ag come by the mail train?—Yes, I saw him and I as told he was the man.

3969. You went between eight and nine o'clock?—Yes; in the course of the morning.

3970. When did you first see him?—Soon after I ot there.

3971. Did you ask for him?—That is more than kely.

3972. Do you remember who you asked?—More han likely the waiter.

3973. What name?—Brown, and I asked for the entleman who come by the mail.

3974. Did you know by what name he was to be ecognized?—No.

3975. Is Brown the waiter still?—Yes.

3976. Were you shown up?—I think he came down n the lobby and saw me.

3977. What passed between you? Were you by ourselves?—I was by myself.

3978. Will you tell me what passed?—That he was nuch interested in the election of Colonel Dawkins, nd was prepared to do what was necessary or some-hing of that sort.

3979. No more explicit words?—No.

3980. Merely what was necessary?—Yes.

3981. Was that all that passed?—I think that was ll that passed.

3982. Did you go away then?—I did.

3983. When did you see Mr. Mum again?—That ay.

3984. How was he called Mum?—After it was nown he was here the general inquiry was, has he ot any name, and nobody knew his name, and Mum as a kind of name given him.

3985. (*Mr. Coleridge.*) He did not give you that ame?—No, I think that is the way he got it. I ever saw a card. In Dunn's time the man brought card, John Smith, which he gave me, but this man id not give any card.

3986. How many times in the course of the day id you see Mr. Mum?—Two or three times; perhaps our or five.

3987. When did you next see him after that first nterview?—The door was locked at nine o'clock.

3988. On the nomination day?—I saw him four or ive times during the day.

3989. When did you see him next?—I think not ill I saw him in London after the election.

3990. Am I right in understanding that he came own on the morning of the nomination day?—Yes.

3991. You saw him four or five times on that day?—Yes.

3992. When was the second time you saw him on he nomination day?—During some part of the morning.

3993. Do you remember where you saw him?—Always at the "Stars."

3994. Did you see him alone?—Always alone. He would not see anybody.

3995. Do you remember what room you saw him in?—I think almost every time in the lobby. There was one little room the first flight; I rather think that room is 13, whether I did go in there or not once I do not know.

3996. Was it in a room?—No, in the lobby.

3997. Were there people about then at that time?—There were people going to and fro.

3998. Did he talk in a high voice or low?—Not so that any person could hear what we had to say.

3999. Can you remember the particulars of any conversation you had with him?—I remember portions of the inquiry were whether he had the list of names right and whether they were satisfied.

4000. The men you have mentioned?—Yes.

4001. What did he say, Mr. Mum?—Sometimes he gave me a good account, sometimes he would say the negotiations were in the course of process and so on.

4002. Was there a sort of committee occasionally saw Mr. Mum?—No.

4003. Not a regular committee, but two or three associated together?—I do not remember. Mr. Bowen has reminded me that on that morning (the nomination night) about four o'clock Captain Pim came into the room where I was, and this gentleman, Mr. Mum, came with him.

4004. Was Colonel Dawkins there?—I do not remember; I think he was not. If he comes he will be able to tell you.

4005. Did you hear what passed at that time?—As is usual at those times we went over the register finally.

4006. Had you a canvass book?—Yes, the canvass book was on the table.

4007. Did your canvass book relate to people besides those who were shaky?—No.

4008. Yours was an important canvass book?—Mine was devoted to those men who might hum and haw between us.

4009. "Come-at-ables"?—Yes. They were people it was not deemed advisable that I should have to do with them. Pay them 20*l.* or 30*l.* and they went on all right.

4010. They went straight forward as soon as they were paid?—Yes.

4011. What passed about voters?—Nothing in the presence of Capt. Pim.

4012. Nor Colonel Dawkins?—Not in my presence. I was one of those I may tell you who was always very anxious on that point. I would never have anything to say in the presence of a candidate, we always endeavoured not to get ourselves complicated. I was the recognized Conservative agent, and if we won there would have been possibly a petition against us, and I did not want to link myself up with it, therefore I kept myself apart from it.

4013. Did you see Colonel Dawkins that morning, with your canvass book, about four o'clock?—I think I did.

4014. And go through the "come-at-ables" with him?—There were those who had not made a promise; many, men like Mr. Mitchell; he says he never will promise; there are many good and true who will not promise.

4015. I want to keep you to the canvass book. You had made it up, and you had it at the time Mr. Mum came into the room. I want to know whether you saw Colonel Dawkins, and discussed with him the various people mentioned in the canvass book?—I do not think I did with reference to money points.

4016. Supposing you were going through the canvass book, and came to John Smith, would not you say to Colonel Dawkins, "I have seen that man, and "he is all right"?—I should say that.

4017. And the next one, "You see that man is "going wrong"?—Or, "I am informed that man is "going wrong."

4018. Did not that take place with regard to most names in the canvass book?—We went through them carefully, every one, during the night of the nomination, and it was found we must secure some two or three at a desperate price, hence John Heath and others were sent as messengers to A., B., and C., in order that they might be tested, to see whether they were come-at-able.

4019. What time was the information given?—About four o'clock in the morning.

4020. Was it given to you?—No.

4021. Was it given to Colonel Dawkins?—No, I do not think it was; only we wanted some four or five more. Whenever we had to discuss anything about

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money affairs I withdrew. I did not want to have anything to do with it, nor Colonel Dawkins, nor Captain Pim.

4022. As soon as money was mentioned you opened the door and walked out ?—We did not care about it.

4023. (*Mr. Longe.*) Mr. Heath was in the room ?—No, not that morning. There was that gentleman, Mr. Mum, he was a very pleasant man.

4024. Was Screach there ?—No.

4025. (*Mr. Coleridge.*) Had you any conversation with Colonel Dawkins about Mum's arrival ?—No, not a word.

4026. Colonel Dawkins knew of his arrival I suppose ?—No doubt of it.

4027. (*Mr. Bere.*) Were you up all that night ?—Yes.

4028. At the "Seven Stars" the whole time ?—Yes.

4029. Going through the canvass book ?—Yes, and receiving reports.

4030. Did you communicate the result to Colonel Dawkins ?—It is more than probable.

4031. You say you saw Mum about four o'clock in morning ; did you see him again before nine o'clock ?—I did not.

4032. When was the last time you saw him ?—That was the last interview.

4033. When ?—About four o'clock. I went there. The report came that Samuel Hill had gone wrong. I went and rung him up, and inquired whether it was true he had departed.

4034. Was it Mr. Bryett brought that report ?—No, I do not know the party.

4035. Was not it Mr. Bryett you told us of before ?—That is Mr. Byne.

4036. Who was it brought you the report about Samuel Hill ?—I do not know. It is more than probable it might be Screach.

4037. Do you know when Mum left the town ?—The same day of the election I think.

4038. What train ?—I do not, I never saw him after four o'clock on the morning of the polling day.

4039. Is Totnes distributed into districts and had not you a large number of sub-agents ?—We do not want many.

4040. How many had you ?—Mr. Screach was the principal sub-agent.

4041. Who else, Mr. Evan Evens ?—No, Mr. Evan Evens had nothing to do with it.

4042. Did not he canvass a large number ?—Not Evan Evens. Mr. Frederick Evens I think was a necessary ingredient in the warfare.

4043. Screach and Frederick Evens, who else ?—Heard and George and John Heath.

4044. Whose peculiar vocation was it to look after the Bridgetown people ?—That I do not know. Any one who had got any special knowledge or was intimate with any party over there ;—no selection of any particular individual ;—it would be something like Johns ; Johns was asked to see one Gillham because he was a cock-fighting man. Whereas, if I were to go, I would be watched, there would be a touter to see where I went.

4045. You would be followed ?—Yes.

4046. Persons who might go and talk about other matters besides electioneering would not be watched ?—No.

4047. You saw Mum again after four o'clock ?—Yes I saw him in London on the petition.

4048. What passed ?—We talked about the corruption of the place, what a notorious place it was.

4049. (*Mr. Coleridge.*) Did he say what he had contributed towards it ?—I think I heard about 4,000*l.*

4050. Did he tell you that ?—I do not know, I have heard that, but I do not know whether he told me. We had a conversation about it.

4051. Did he tell you where he got it ?—No.

4052. Was there an individual answering to Mr. Mum on the other side ?—Yes, he had a white hat with a black band on it, I think they adopted the course of 1859. Mr. John Smith went about with money in his hands. He was a man called Snell, he proferred his services, but I do not think we engaged him for bribing purposes.

4053. (*Mr. Bere.*) Had you any other strangers in your employ besides Mr. Mum ?—I was not aware of any.

4054. Any one from Ashburton ?—No, the Liberal party generally used to bring in Mark Fox of Dartmouth and those great bribers of those places.

4055. Is there much bribery at Dartmouth ?—Dartmouth is a fearful place. When Mr. Bourne and Sawyer come up they will tell you their ideas.

4056. Is Ashburton a bad place ?—I do not know.

4057. Do you know Mr. Tucker of Ashburton ?—Yes, he can tell you a lot about that. In closing up this part about the petition, Mr. Tucker was here taking down the evidence, I saw him myself, and these people were shaking, such as Sam Hill, the Matchams, and others, and they went to Mr. Tucker to be advised what to do.

4058. Have you seen Mr. Tucker here before the election ?—I think I did. I think he came over here with Mr. Jardine ; after Jardine's election was over he came over here.

4059. Ashburton was uncontested ?—Yes, and I think you ought to have Mr. Jardine here ; he ought to be free from the taint that he brought some money and that was spent, and that was the reason why the money in the National Bank was not taken out.

4060. Did you see Mr. Tucker and Mr. Jardine here ?—Yes, they came here.

4061. When was that ?—On the nomination day here.

4062. Mr. Tucker has been concerned on the Liberal side for every single election you have known about in Totnes ?—I think as legal adviser in some way or other.

4063. He can tell us a great deal about it ?—Yes, he knows about it. He said if we went into it heart and soul there must be a pretty state of things.

4064. Did he say that to you ?—No. I think Mr. Edmonds will tell you all about that.

4065. Is there anything more you can tell us about the election of 1865 ?—I believe you have got all I know about 1865.

4066. (*Mr. Coleridge.*) I want to know a little more about the meeting with Mr. Mum in London ?—I never saw him.

4067. About the petition ?—Yes.

4068. Was he engaged about the petition ?—No, he was only there as a spectator.

4069. Was Mr. Spofforth in the room ?—Yes.

4070. Did you see any communication between Mr. Mum and Mr. Spofforth ?—No ; I was door keeper, I reported about Mr. Mitchell running in and out, and we subpœnaed him, he was a dangerous kiddy.

4071. How long did the committee last ?—Three or four days.

4072. Which day of the committee was it you saw Mr. Mum ?—He was there the whole time.

4073. I suppose every day you saw him there you had something to say to him ?—No, I do not know that I did, we passed the time of day.

4074. Did nothing occur except that, he may have told you it was 4,000*l.* He did not begin by saying it was 4,000*l.* ?—Perhaps he might have said, What do you think will be the result ? What do you think of so-and-so's evidence ?

4075. Did you say what was in the bag ?—No, I did not. There was a general conversation about the corruption of the place. He said it was a fearfully corrupt place. He had the names of the persons to whom he had paid money.

4076. Then he told you what he brought down ?—I would not be sure whether he did or not.

4077. Did he tell you he spent what he brought ?—I do not think he did. The door was locked at nine o'clock, there was a lot more in the bag.

4078. Do you believe Mum had spent all he

brought down by nine o'clock in the morning?—I think not.

4079. Did he take some back?—A large portion, because some did not vote.

4080. How much do you account for having been given away in bribery on your side?—5,000*l.* or 6,000*l.*

4081. Given away on your side?—Yes.

4082. If Mum did not spend all he brought in the bag, where do you imagine the rest of the 5,000*l.* or 6,000*l.* came from?—I do not know, I believe Colonel Dawkins contributed a portion.

4083. Do you know whether Colonel Dawkins brought it down himself?—I do not know.

4084. Do you know the name of Colonel Dawkins' valet that was here?—No.

4085. Money was going before Mum came down?—Not much, I think; not before he had been round to see what was what.

4086. You say 5,000*l.* or 6,000*l.* was spent, and Mum only brought 4,000*l.*, and he did not spend all that; when was it going, the other part?—The same day.

4087. The door was closed at nine o'clock?—There was nomination day and night, and you soon got through it, giving one man 100*l.* and another 50*l.*

4088. At nine o'clock Mum shut up?—Yes.

4089. Mum took back a portion?—Yes, my impression is he did.

4090. Then if 5,000*l.* or 6,000*l.* was spent it must have come from some other source?—Perhaps Colonel Dawkins may have spent some thousands, but he did not say a word to me about it.

4091. Do you know that he did?—Not of my own knowledge, but my impression is he did, but he will tell you.

4092. Did Captain Pim spend any?—I think he gave 500*l.* to Mr. Kellock.

4093. When did he give the money to Mr. Kelloch?—When he came down.

4094. Can you give us any instance in which money was spent on your side before the arrival of Mr. Mum?—No. I think none was spent. Negotiations may have been entered into.

4095. Mum's money and Dawkins' money were amalgamated together?—Yes, the word of command was given to open the door, and immediately the door was opened out pour the messengers.

4096. Can you put down on a piece of paper the amount of money you know was distributed, with the names of those who received it?—No, I cannot.

4097. How far would what you actuatly know carry you towards 5,000*l.*?—I had nothing to do with money matters.

4098. We do not ask you whether you gave it, but you know what these people did receive, and how far, putting that on paper, would that carry us into 6,000*l.*?—I cannot tell.

4099. How far can you tell?—I was not aware that Foote had had 150*l.*; I thought 25*l.* was sufficient.

4100. We will give you Foote in, and how far could you account for 6,000*l.*?—I do not know I am sure.

4101. Could you get to a couple of thousands?—I do not understand you.

4102. Of those persons who actually received money?—It is only what I have heard.

4103. As far as you have heard, putting the sums together, with the names of those that received the money, to the best of your belief how far would it get towards 6,000*l.*?—I could not tell whether I should have to put down 100*l.* or 25*l.*, and I am informed that one man had 200*l.* Mr. Bowen is telling me.

4104. Never mind Mr. Bowen. How far, from what you have heard and from what you believe, can you put the sums together to make up 6,000*l.*?—I cannot tell that it was that.

4105. Would it include lawyers?—Lawyers and hotel bills.

4106. How far would you get towards 6,000*l.*?—I cannot tell what to put down for each man; they appear to be rising higher and higher.

4107. They did not all get the same?—No, it was not as at Yarmouth, 15*l.* and 25*l.*; they vary from 500*l.* to 25*l.*, and you will soon get rid of 6,000*l.* if you give 500*l.*

4108. How many were bribed on your side?—About 75.

4109. By you?—No, by the Conservatives.

4110. How many of your men were bribed by the other side to the best of your belief?—I should think a great many; those that signed were all bribed. I anticipate, and I put it at a low estimate, and Mr. Condy thinks I am right, and he knows more about it than he told you here, he is a tolerable good judge of those matters, and he said I was pretty near right when I put it at 75 Tories and 50 Whigs.

4111. (*Mr. Bere.*) That is bribable, but you know they are bribed?—They would not go to the poll without they got the money.

4112. You believe they were actually bribed?—Yes. There was one man, John Diggins, signed a requisition, and was negotiating for a large sum; Mr. Screach can tell you about it. I do not want to enter on that which others can tell you. I think his first price was about 200*l.* We could not offer that exactly, we thought it a little beyond the mark. We understood that was considered exorbitant.

4113. When was that?—That was the nomination day; some part of the election day he would have taken 25*l.*

4114. What did he get?—I do not think he got anything.

4115. He stood out with bad effect?—Yes; some few did not vote at all.

4116. You have told us some of your people you bribed; how many of the Liberal voters did your party bribe?—Did we get at any but Foote? I think that is the only one.

4117. The conclusion is, whatever you spent the others must have spent more?—Bless yonr soul! they bought us out of the field; we were no use at all.

4118. Supposing, including everthing, you spent 6,000*l.*, what do you suppose the others spent?—There is Pengilley, he had 60*l.* to vote for Dent; then he took 50*l.* to vote for our side; and do you think he would return that without getting a sum on the other side? Rumour says 200*l.*

4119. Can you tell me what amount was spent on the other side?—Mr. Pender stated that during the time he was here the whole of the expenses, money he gave away and the money he spent in bribery, was 15,000*l.*

4120. On the two elections?—Yes. We might have picked up a good sum if we would have withdrawn the petition, but Colonel Dawkins would not.

4121. Who was the gentleman?—I do not know.

4122. When was the offer made?—The morning we were going on with the petition.

4123. The morning you were going into committee?—Yes.

4124. There was an offer made?—Yes; Mr. Edmonds can tell you.

4125. Were you present?—Mr. Guscotte told me we could have 20,000*l.* Colonel Dawkins' solicitor telegraphed to Colonel Dawkins, but he would not withdraw.

4126. Who was the offer of 20,000*l.* made by?—I cannot tell.

4127. Who was to have the 20,000*l.*, Colonel Dawkins or the electors of Totnes?—I should have come in for a good scoop.

4128. You were rather disappointed it was not withdrawn?—I do not know about that. Upon reconsideration, I would rather like Pender than Seymour, and considering he had plenty of money, he would be the best man for the place; and there would be a fearful exposure on both sides of the question.

4129. You believe that 20,000*l.* was offered on behalf of somebody?—I have no doubt about it.

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4130. And there was a telegram sent to Colonel Dawkins?—I think Mr. Guscotte said so; but I think that was the day prior.

4131. You heard that the day before?—I did not hear it.

4132. Then you heard that the offer had been made and refused?—Yes; because Mr. Guscotte, Mr. Edmonds, and myself were present, and Mr. Guscotte said that an offer had been made of 20,000*l.* if we would give it up, and that he had telegraphed to Colonel Dawkins, who had sent him back word to say that he would not withdraw the petition.

4133. Did you see the telegram and the answer of Colonel Dawkins?—No.

4134. Then who made this statement, do you say?—Mr. Guscotte.

4135. He acting on the behalf of Colonel Dawkins, and having been the sender of the telegram?—Yes.

4136. And you have no doubt that the offer was made?—I have not the slightest doubt, and they were in a terrible state.

4137. Did you not hear from Mr. Guscotte of this offer before?—No.

4138. (*Mr. Longe.*) Was anybody else present?—Mr. Edmonds.

4139. Is this the first time you mentioned the offer?—I do not reveal those things.

4140. Is this the first time it has been mentioned?—No; I have mentioned it to several parties.

4141. After this offer was there any consultation with your party more than this telegram?—No; Colonel Dawkins telegraphed and said that he would be up to-morrow, and not to accept it.

4142. Did not Mr. Guscotte tell you the way the money was to be paid?—No; he said we might have it, and I suppose he meant myself, Mr. Edmonds, and Messrs. Guscotte.

4143. If you would withdraw the petition?—Yes.

4144. Independently of those who had signed the petition?—We must have got their consent.

4145. And they would require a consideration?—They were gentlemen, and did not want it.

4146. You told us they all required bribes?—They were the pure men in the borough; we asked them to sign it because they were men who could not be accused of bribery.

4147. Did Colonel Dawkins come up?—Yes.

4148. Had you any conversation with him about the offer?—Not a word.

4149. Did you say anything of a handsome offer, or anything of that sort?—No.

4150. You never mentioned it to him?—No.

4151. Nor heard it mentioned in his presence?—No.

4152. Did he say to you there has been this offer?—No; he said he was determined to go through with it.

4153. Did he say that without having said he had had an offer?—Yes.

4154. How came he to say that unless there was some reason for his saying so?—I think I had intimated that we should all get implicated, and he said he did not care; still we must go through with it.

4155. You hinted that on account of having heard of the offer?—No, I did not. I thought that we were all tarred with the same brush.

4156. When you mentioned that to Mr. Guscotte you had the offer of 20,000*l.* in your mind?—It is more than probable.

4157. What time did you see Colonel Dawkins; was it the first day?—No, the second day.

4158. Did he then suggest to you that it might be well to accept the compromise?—No, because he had got in; we had opened the ball.

4159. How was it that Colonel Dawkins, without saying anything to you, said, I am determined to go on?—Because of the dreadful exposé coming out.

4160. Because an exposé not proved had got before the world?—Not altogether, not before Screach got in. If Screach had not let out what he did, perhaps, you would not have known as much as you know now.

4161. The witnesses were not such as you expected?—Serjeant Ballantine was 'cute, you know; he is a sharp sort of chap.

4162. You did not think that Screach was going to split?—We did not think he would go into matters relative to our own affairs. I was subpœnaed, and they paid me very handsomely, and Mr. Dawkins was very pleased with the evidence, and gave me 10*l.* extra.

4163. Did that offer come from Mr. Pender?—I believe it did.

4164. (*Mr. Bere.*) You have told us about Mr. Fox Green, and some conversation with Mrs. Green during the time of the election?—Yes.

4165. Did not he come to you before the election to borrow some money?—Yes.

4166. 10*l.*?—Yes, several times, and I lent him 5*s.*

4167. One time did he come down drunk, and said, "I have been at the drunken game a long time. If "you will lend me 10*l.* I shall be much obliged, "and I will vote on your side"?—Yes, he did.

4168. And you only lent him 5*s.*?—I would not lend him 10*l.*, I should never get it again.

4169. Did you see him afterwards with a lot of sovereigns?—No, I met him just the other side of the bridge. On the bridge he got into company with John Crocker, and this was after the election, during the time the petition was talked of, and I spoke to him about his going to Plymouth, how he allowed himself to be lugged off to Plymouth, and where he got the 5*l.* to pay. I understood that he had a 5*l.* note, he said I have not a 5*l.* note, I had mine in sovereigns.

4170. Was a man called John Williams there at the time?—He was.

4171. Who is W. H. Oldrey?—W. H. Oldrey is clerk to Mr. Smith at 33, Norfolk Street, Strand.

4172. Was that the Mr. Smith who sent you down Mr. Maclay?—Yes.

4173. Is Mr. Oldrey a Totnes man?—Yes, he is son of Mr. William Oldrey, High Bailiff of the County Court.

4174. Had Mr. Henry Smith anything to do with this election?—Nothing at all.

4175. W. H. Oldrey, had he a great deal?—He felt interested as a Totnes man; he has a county vote.

4176. Did not he suggest to you one or two candidates?—Yes, he suggested Mr. Potter.

4177. Did not he also suggest Captain Pim?—No.

4178. Who suggested Captain Pim?—Captain Pim came down I might say on a chance.

4179. I think you are getting wrong?—I think you will find that is so from the date of the letter.

4180. That was afterwards?—That was after we had turned out Mr. Pender.

4181. No, December 1865. Did you know anything about Mr. Pim before he actually appeared here?—No; he came down before I knew anything about him at all. He brought down his address from Abingdon, then we just altered the address for Totnes, called in a printer and got it printed.

4182. (*Mr. Longe.*) Do you know the gentleman who played Mr. Mum's part on the other side. You knew his face?—Yes.

4183. You saw him in the committee room?—Yes, several times every day.

4184. Could not you make use of him at all on your side?—We could not get any evidence to link him up. He was a man running about hither and thither.

4185. I presume you refer to the white-hatted gentleman?—Yes. You could not link him up with anything, except that old Mr. Wright's servant was reported to have said that she heard through the keyhole that Wright had got a certain sum of money from this gentleman. We did not consider

that sufficient, and I do not think it was introduced. He was subpœnaed.

4186. (*Mr. Bere.*) Who was subpœnaed ?—Mr. Wright was.

4187. Did you subpœna Mr. Pender's Mum ?—No, I do not think they knew his name.

4188. But the gentleman who answered to yours ?—They could not get at his name.

4189. Did you also see that Mr. John Smith who came down with Mr. Dunn was in the committee room too ?—Yes.

4190. In fact nearly all the strange gentlemen engaged in bribery on the other side had sufficient interest in the Totnes election inquiry to come into the committee room and stay there nearly the whole time ?—First I saw that old briber, Joseph Ferris, he was there, he is living in London now, he was an old briber on the Liberal side.

4191. When did he cease to perform that office ?—I think in 1859.

4192. Did he go to London then ?—He became bankrupt here.

4193. In spite of his being a manager ?—I do not think he minded himself.

4194. Only his party ?—No ; he was friendly to other people and not to himself.

4195. (*Mr. Coleridge.*) Did you offer Thomas Blank 100*l.* if he would tell the truth before the committee in London ?—Certainly not.

4196. If he says that, it is untrue ?—That is untrue. I will tell you what I think I did say, something of this sort, that the law offered a reward as it were to a man who told the truth. I said, "There is "no doubt, Mr. Blank, of course that you were bribed, "therefore you had better take my advice and make "a clean statement of it." He promised to do so, only that George Mitchell secured him from me and I could not get hold of him again.

4197. Mr. Mitchell was sent out as Mr. Blank's guard ?—Yes.

4198. Did you offer John Fox Green any money for bribery ?—I told him the same.

4199. Did you tell him to go down and say he had been bribed, and ask if 10*l.* would be of service to him ?—I told him to go and tell the truth.

4200. If he has sworn that, that is untrue ?—No doubt.

4201. Did you offer Mary Anne Green 50*l.* at any time ?—Never ; I never offered a person money in my life.

4202. Tell me who is Mr. J. S. Jenkins ?—John Sloggett Jenkins.

4203. Yes ?—A gentleman living at Moat Hill.

4204. What has he to do with this place ?—He is an elector.

4205. Did he take an active part on the Liberal side ?—Yes, very ; he made a speech here once or twice, in this hall on the part of the Liberal party.

4206. Did you know he was very intimately mixed up with Mr. Pender ?—I have been informed that he has been pressing for a situation as a school inspector, and he has been putting his claims, this is only hearsay, pressing his claims on Mr. Pender on the late Government to give him an appointment as school inspector.

4207. Do you know he was taking considerable interest in defending the petition, that he was one of the active parties ?—No ; I did not know that he was an interested man ; I do not know more than that.

4208. When the petition was presented, was it *bonâ fide* in the first instance ? Did you have any notion that it would be pressed on ?—Decidedly ; because Colonel Dawkins pledged himself to me that he would prosecute the petition.

4209. You do not believe that any offer was made to Mr. Jenkins that if the costs incurred in that petition were paid it would be withdrawn ?—There is not the slightest atom of truth in it.

4210. There was never any suggestion of that kind ?—Never.

4211. (*Mr. Bere.*) When was the first conversation about petitioning against the seat ?—Immediately after the election, because those parties who had signed the requisition to Colonel Dawkins, their names were read out after the election was over.

4212. (*Mr. Coleridge.*) What was done about some of those witnesses you wanted on the petition, about taking what is called their affidavit ?—I do not know.

4213. Mr. Jenkins is not a lawyer, and I suppose he is not very strict in his terms, and he talks about several witnesses having all been got hold of by the Conservatives, and their affidavits taken ?—I believe young Narramore gave his evidence in writing. He was one of the witnesses before the House.

4214. This is some time before the 10th February ?—So it is.

4215. Very early. Mr. Jenkins says in his letters four or five Conservative affidavits have been taken. Do you know of any person besides Narramore ?—No, I do not.

4216. You do not know whether Mr. Bovey's was ?—I do not know whether Mr. Edmonds can tell you. I had nothing to do with that. They asked me to give a written statement of the offer Mr. Pender made to myself, and I did so.

4217. What were the names of the petitioners ?—John Earle Lloyd and Edmund Tucker.

4218. Is one of those in Mr. Bentall's office ?—A partner with Mr. Bentall.

4219. (*Mr. Bere.*) John Earle Lloyd ?—Yes.

4220. (*Mr. Coleridge.*) This was practically Mr. Bentall's petition ?—No.

4221. It was not ?—No ; Mr. John Earle Lloyd was a gentleman who was looked upon as having never had anything to do with bribery, who never offered or received a bribe, and was one well qualified to petition against those who had been guilty of it.

4222. (*Mr. Bere.*) There was a petition of Colonel Dawkins too, was not there ?—I think not.

4223. He did not claim the seat ?—I think not.

4224. How long before the election of 1865 did you see Mr. Pender down here ?—He came in 1862 ; that was the first time.

4225. I mean in the actual year 1865 ?—Some few days previous to the election when he came down.

4226. Where did you see him, at the "Seymour Arms"?—No.

4227. You did not go to the "Seymour Arms" at all ?—No.

4228. Did you see him out in the street ?—The only time I ever spoke to him to my remembrance was the time that he offered me the situation on the Plains.

4229. You have already given an account of it in the House of Commons ; but we must have it on the notes. Will you tell us what passed between you and Mr. Pender about the offer of an appointment ?—I was on the Plains just by the Wesleyan chapel, and I had been there to canvass a man called Allery ; I said Pitts before, they were both men in the same employment, Allery tells me it was him ; they were both there, and I was talking especially to Allery at the time when Mr. Pender came up to me ; there was young Mr. Windeatt and several of his friends beyond the chains that were near at hand, Mr. Pender came over and shook hands, and said, "I have left my card at "your house. I have come to solicit your vote." I said, "I cannot give it, it is quite impossible for me "to give you my vote." He said, "A man of your "ability ought not to be here at Totnes, but doing "something better than getting the small stipend you "do, I will give you" or "get you," I do not know which, "a situation of 300*l.* a year." I said, "Mr. "Pender, no situation offered by you will induce me "to vote for you. I have been employed by the "Conservative party, they have always behaved well "to me, and I have no reason to leave them, and "therefore cannot accept it." Allery will tell you he talked with me about an hour.

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4230. All on the Plains ?—All on the Plains. He was conversing with me one whole hour as regards the general corruption of the borough. I expostulated with him as regards spending money. I said it was unfair and demoralising to spend money, and therefore the best way would be to effect a compromise, and allow Colonel Dawkins and himself to be returned. He admitted that there was corruption going on to a fearful extent, and when he came down here he was bound to do as others did, using an expression that when he came to the Jews he had to do as the Jews did. Then I spoke to him about a man called James Matcham. I was so much disgusted when asked for the 200*l.* that I mentioned that circumstance to Mr. Pender. I said, "Here are two men very likely "going to vote for and pledge themselves to Colonel "Dawkins, and yet they want 200*l.* to vote." I said, "Can you conceive anything worse than that." He heard it, and just shrugged his shoulders, and said he must fight it through, or something of that sort. Just as he was about to leave he held out his hand and said, "Good bye, Harris, I hope you won't work "against me, and I will give you a situation." I told you just at that time Mr. Rennie gave up his ground into Mr. Dent's hands again, and consequently my arrangements with Mr. Rennie would cease on the 28th of August. I then wrote to Mr. Pender on the 20th July, the election took place on the 12th, I wrote to say I had considered the conversation which we had had on the Plains.

4231. (*Mr. Coleridge.*) Is that a copy of your letter (*referring to a letter*) ?—Yes.

4232. I will read it :—

"John Pender, Esq., M.P.

"SIR, "Totnes, July 20, 1865,

"I HAVE considered the conversation which we had together (on the Plains) in reference to a situation for myself *out* of *Totnes*, and have decided to accept it, provided it is one which I can occupy with satisfaction to my employer. The principle on which I act, is that whatever my hand findeth to do, to do it with all my might. On the 28th of next month my engagement with my present employer will cease; after that date it will afford me pleasure to serve you or yours to the best of my ability.

"Waiting your reply,

"I am, Sir,

"Your obedient servant,

"ROBERT HARRIS."

Is that the letter you sent to Mr. Pender ?—I believe it was.

4233. How came you to write that letter ?—That was when we were going to leave. After I had told him I would not vote, he said, "Very well, Mr. "Harris, after the election is over I will give or get "you a situation." I said, "That is another con-"sideration."

4234. Have you Mr. Pender's letter in answer ?—No, I left it in the House ; they demanded it.

4235. Did he write you this letter, dated the 26th July 1865 ?—Yes.

4236. This is the letter :—

"Crumpsall House, Manchester,

"SIR, July 26, 1865.

"I LAST week received from you a note, the contents of which were so preposterous that I had made up my mind not to notice it, nor would I now do so were it not that I learn you have stated in Totnes that I have offered you a situation with a salary of 300*l.* a year. The statement you are reported to have circulated is, as you know, untrue, as also that contained in your letter, that I ever offered you one, or that I ever intended to do so. I beg, therefore, that you will contradict any report that may be circulated that I have ever at any time offered you a situation.

"I am,

"Your obedient servant,

"Mr. R. Harris, "JOHN PENDER.

"Totnes."

4237. Is that the answer you received ?—I believe it was.

4238. Now what is the meaning of Mr. Pender saying what you have stated is preposterous ?—I do not know.

4239. After that did you write him this letter of the 27th of July 1865 ?—Yes.

"To John Pender, Esq., M.P.

"SIR, "Totnes, July 27, 1865.

"I AM in receipt of yours of 26th inst. I conceive you are advised to repudiate your promise, inasmuch as your seat is to be questioned before the House of commons. I thought when you spoke of it that if you were to do it you would have no rest day nor night. There are Mr. Windeatt's sons, Mr. Jenkins, Mr. Chaster's sons, Mr. Thomas Searle & Son and his son-in-law, Mr. George Stoyle, Mr. Barber Hosking, and Mr. George Fowle, all of which I beg to recommend to your notice. Surely you must mind them first.

"I am, Sir,

"Yours faithfully,

"ROBERT HARRIS."

4240. What is the meaning of that letter ? What is the meaning of your recommending all these people to his notice ?—Because they were very actively engaged for him, and I understood that immediately these parties learned he had offered me a situation they had written to him to say they wanted their claims recognized.

4241. This was chaff, in fact ?—Yes ; if he attempted to give me a situation they never would support him any more.

4242. This is the postscript to your letter :—"I dare "say you will laugh, but knowing the ins and outs "of these matters, I knew you could not do it and "retain your seat. Thanks for your good wishes "the same. It's all very well for you to promise, "but as a party man you must stick to party, and "they will like you all the better for it. You know "as well as I do what you said, and I have no doubt "if you were allowed to carry out your own wishes "you would have given me a place, but you must not "see what a lot there are here sucking you all the year "round, and if there was no one here to keep up an "opposition they would have no bills to make out. "However, while I am here I will keep them alive, "and 1,000*l.* a year to pay all these demands is but "little out of your large income. I propose being in "London next February or March, and I shall do "myself the pleasure of asking for an order to hear "the debates. You have the parliamentary honours, "the Conservatives have the municipal ones, and by-"and bye we shall go and leave it all behind." What is the meaning of that letter ?—That is just what I term a little chaff.

4243. Does not that rather give you the idea that his offer in the first instance was chaff?—No, he was compelled not to carry it out. You will have before you an instance now in which I have power to explain, whereas I had not power then before the House, the power of calling my wife before you, who will tell you that Mr. Pender said he had written to Mrs. Lorimer to offer her the situation long before Mr. Pender had offered it to me.

4244. What was the situation to be ?—I do not know ; somewhere in his employ ; and that this Mrs. Lorimer spoke of it, not only in the presence of my wife, but of another person, and after that he took no notice. How could he do such a thing ?

4245. He never took any notice of your letter ?—I thought he ought as an honourable man, and as he had got in ; and I consulted my wife about it, and she said, "Oh ! Mrs. Lorimer has been here, and "offered it to me some days ago."

4246. His letter was not so chaffy as yours ?—I knew blessed well that, when he wrote that, he had pressure brought to bear behind him, because he did not write it for several days.

4247. Four days. How came you to write to him again after all this was stopped ? You write to Mr. Pender :—"Sir,—Excuse me for taking the liberty to "write to you, but I saw in the newspaper some few "days since the death of the postmaster of Ottery "St. Mary, Devon"?—I did not write that ; that is not mine.

4248. What is your wife's christian name?—Milita.

4249. Were you aware she had written that?—Not till it was presented in the House of Commons.

4250. This is the letter signed by your wife:—

"Now I do not know what the situation is worth, neither do I know how to ascertain. My husband knows undoubtedly, but I do not intend to let him know I have written you. No one knows it but myself and Mrs. Lorimer. Should it be enough for a living for us, I should esteem it a favour, would you use your influence with Lord Palmerston, for I understand it rests with him to appoint another master. I should like to get out of the political strife of Totnes, which I have had for so many years to bear with, if I could do so without injury to my family. "Yours very respectfully,

"Milita Harris."

Your wife having written that letter, did you write to him again on the 7th of May about the election petition?—Was that the letter which was afterwards published in the town?

4251. Yes?—Yes, I did.

"Totnes, May 7, 1866.

"John Pender, Esq.

"Totnes Election Petition.

"Sir,

"Refering to your letter in the "Times" of the 3rd inst., I feel perfectly astonished that a man of your acknowledge shrewdness should labour under such a severe infirmity of memory to forget the correct circumstances connected with the case for which more especially you were expelled from parliament. I rejoice, however, with you, that an oppertunity will soon be given in this place of refreshing your recollection on this point and on various other little matters delicately connected with your candidatures for the borough. I write this with the most profound respect, as your letter has been reprinted in the borough in the form of handbill by a person who usually does your printing. I regret very much this action, although I will not resent it by indorseing the expressions of some freinds of mine, who affirm that it is extremely appropriate that the letter of a convicted briber should be reproduced by a convicted libeller.

"I always feel that a man's case must be redused to the lowest state of weakness when he is compeled to resort to personalities, feeling the strength of my own case, I am unwilling to retort in a similar strain.

"Although I may not be blessed by the Apollo-like form which distinguishes your person, nor of that symmetrical eleganse which marks your figure, and which a sculptor might select as a model, I am yet as providence intended me to be, and therefore think foul scorn of the man who would ridicule another person for that over which he has had no control.

"I have the honour to be, Sir,

"Your obedient servant,

"Robert Harris."

4252. What does that allude to?—After the petition, he published this letter, stating that I had stated that which was untrue, and also making reference to my appearance in the House of Commons. He said, I think, that Mr. Bouverie stated "Mr. Harris was a "respectable man; they had no reason to doubt his "evidence."

4253. Have you a copy of Mr. Pender's letter in the "Times"?—It was published about the time, and I thought it was so ungentlemanly for him to refer to such things, and refer to my personal appearance.

4254. As we shall have to ask Mr. Pender himself about that, do you still maintain that your account is correct and his incorrect?—I defy him to contradict it.

4255. (*Mr. Bere.*) Before you make a final answer to that, I will tell you what Mr. Pender does say. His account is this:—"You were at the door of a "cider shed when I went up to canvass one of the "workmen at the shed." That you went up to him and said, "I am before you, sir." Did you say that?—No.

4256. He replied, "Yes, Mr. Harris, you often "cross my way. It is a pity that a man of your "ability should not be better employed than doing "the dirty work of the party." Upon which you replied, "I wish you would get me something better "to do. I should be very glad to be out of it." And Mr. Pender answered, "You know my finding you a "situation is impossible"?—No.

4257. Your account is true, and that is not correct?—No.

4258. (*Mr. Coleridge.*) You have a situation now—Yes, in Cambridge.

4259. Is it a similar sort of situation?—Yes, 200*l.* a year.

4260. What is the nature of it?—I am under Mr. Peed.

4261. (*Mr. Longe.*) Is he a Conservative?—He knows Mr. Coleridge very well.

4262. Is he the Conservative solicitor?—Yes.

4263. When you wrote to Mr. Pender, on what ground did you expect any success?—When he left me he held out his hand; Mr. Allery will come before you and give a statement of facts as regards the interview, he says, "Harris, well good bye, you won't vote "against me and I will give you a situation after the "election is over." I said, "Thank you, sir, that is "another consideration."

4264. There must have been something in the shape of *quid pro quo*. You had voted against him and worked against him?—No, I had never voted against him before.

4265. (*Mr. Coleridge.*) But you had worked against him after the petition and this correspondence?—No, not after the correspondence. You see the election took place on the 12th; on the 20th I write. There was scarcely anything said about the petition then.

4266. I mean at that time what was the ground on which you expected any success or thought it worth while to write?—It was rumoured about town and he said it to various parties himself, that he had offered me a situation, and consequently I wrote, and in the terms which I mention in my letter, which of course if I had stated anything that had been untrue, I conceive I do not know whether I may be wrong, but I went into the witness' box in London with an idea of Mr. Pender coming in and contradicting what I stated, because I am not one of those who make a statement to-day and repudiate it to-morrow, and consequently I expected that Mr. Pender would come in on oath and there and then distinctly deny what I stated; but instead of that he refused to do it, but comes up by what we call a side wind and attacks a man's character when he has a bad case, which he did in my case.

4267. We shall have an opportunity of hearing his version of the matter?—Quite so.

4268. Have you heard from anybody else that Mr. Pender said he offered you a situation?—It was the common report in the town.

4269. Was it a report originated by you or originated by others?—Mrs. Lorimer will be able to tell all about it.

4270. She is the wife of the man Lorimer?—Yes, a strong partizan of Mr. Pender; he was in Lorimer's house more than any other man's house in the town.

4271. (*Mr. Coleridge.*) Now Mr. Harris as to the election of 1863; we are going now to the death of Lord Gifford; there was a contest?—Yes.

4272. And Mr. Alfred Seymour, cousin to the Duke of Somerset, was returned?—Yes.

4273. The borough was contested very hotly then by Mr. Dent?—Yes.

4274. I think the numbers were Seymour 165 and Dent 157?—Yes.

4275. How did you set about getting a member on that occasion?—Mr. Dent was previously down here.

4276. In Totnes?—Yes.

4277. And when Lord Gifford was known to be in a dying state?—Yes, he was in a consumption.

4278. How long before the actual death had Mr. Dent been down here?—He came down when Mr. Pender was elected in December, and I think a month or a very short time afterwards Lord Gifford died.

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4279. He had been down and withdrawn ?—On the first occasion.

4280. Had he given any pledge that if another opportunity offered he would contest the borough ?—He did. During the interval he took the land referred to, both Phillips' and Farwell's.

4281. Did you commence to make the best of that land for improvement ?—We took in the ejected ones from Bridgetown, that is to say, those men likely to be ejected from their holdings, we kept this as land for them.

4282. How many votes would that add to the register ?—Somewhere about 20 votes I should think, if all made properly.

4283. Enough to turn the scale ?—Yes, enough to turn the scale.

4284. How long before the election do you say it was that he came down ?—The day of his first appearance was when Lord Gifford was said to be in a dying state, and Mr. Dent himself was said to be ill at the time, and when Lord Gifford died Mr. Mitchell made his appearance.

4285. Mr. Mitchell was Mr. Dent's secretary ?—Yes.

4286. Can yon fix how far before Lord Gifford's death he came down about Lord Gifford's seat ?—He gave us to understand he would contest the seat when he went away ; he gave 100*l.* before Mr. Pender came in 1862.

4287. That was three years before ?—No, only just a few months, only a month's difference.

4288. Then immediately, I suppose, a telegram came here announcing Lord Gifford's death ?—Yes.

4289. Was that before Mr. Dent came down after Lord Gifford's death ?—Immediately he was announced to be dead we communicated at once and made preparations.

4290. What were the preparations you made for that election ?—The usual preliminaries.

4291. Did you get up a requisition ?—No.

4292. Nothing of the sort ?—No, there was no requisition.

4293. Had arrangements been made about the money before that ?—I do not know anything about the working of it.

4294. What was the day of nomination ?—January 19th.

4295. How many days before the nomination was Mr. Dent in the place ?—In the field.

4296. In the place ?—I do not know.

4297. When did you first see him before the nomination ?—I saw him when he came. I do not know ; some few days, say a week or a fortnight.

4298. You were in the same position at that time as at the subsequent election ?—Yes.

4299. He stayed at the "Seven Stars"?—Yes.

4300. Who came with him ?—Mr. Mitchell.

4301. Anybody else ?—I do not remember any one else.

4302. Did you canvass the electors then ?—I did.

4303. What had you to counteract on that occasion ?—We had some influence ; that was what we call a single-handed fight ; we were very strong then, and according to my view and Mr. Edmonds' view we had a clear majority of 20.

4304. Were you in the same position as in the election of 1865 ?—Yes.

4305. Then who was the other agent ?—Mr. Edmonds was the recognized agent.

4306. Do you know whether Mr. Dent brought any solicitor from London with him on that occasion ?—I believe none whatever.

4307. Mr. Edmonds was the head man upon that occasion ?—Yes.

4308. Who were the members of Mr. Dent's committee ?—The same as they are now.

4309. When you went canvassing had you any difficulty with the voters whom you expected to vote for you ?—They were rather displeased. Lord Seymour was not a popular man at that time ; without spending money he would have been a long way behind. William Reeve voted for us, he had 40*l.*

4310. From whom did he have 40*l.*?—From Mr. Dent.

4311. Who did he get that from ?—I think Screach was the party who paid him.

4312. Who else had been on your side on that occasion ?—Hill was to have had 200*l.* I believe ; he voted upon the understanding that he was to have had 200*l.*

4313. Do you know whether he ever did have the 200*l.*?—I do not think he ever did have it. There was a man of the name of Crawford ; we lost him.

4314. Had Crawford promised you ?—Yes ; Crawford afterwards had a new horse and carriage, and I understood he had 60*l.* for his vote ; Mr. George Stoyle managed him all right ; I saw him with Stoyle on the nomination night.

4315. What was offered to this man on your part ?—I think 150*l.* was offered to Crawford.

4316. And yet he voted against you ; was he a tenant of the Duke ?—He had a field granted to him which my father had had for more than 20 years ; he had been turned out.

4317. When was your father turned out ?—At that election.

4318. And you offered him 150*l.* ?—I think so.

4319. Then how do you account for his taking the 60*l.* on the other side ?—He was a Liberal in his ideas, and a new voter ; he had expressed his displeasure at Lord Seymour, and had intimated that he wanted a consideration for his vote ; a tolerably good offer had been made to him. Of course there was always a heavier offer made to those who were known to be Liberal in their ideas than to those who were known to be Conservative.

4320. You mean those whom you had to buy out of the other camp as it were ?—Yes.

4321. (*Mr. Longe.*) How do you know that he got 60*l.* for his vote ?—Only by rumour. He was a very poor man, and immediately after he got this 60*l.* he had a new horse and carriage, which to this day has been called the Seymour and Company's carriage.

4322. (*Mr. Coleridge.*) Do you know were there any other horses and carriages given away about that time ?—There was a tremendous lot of bribery then no doubt.

4323. You were going to tell us something about Stoyle ?—He can tell you how much he had when you have him before you ; I do not think he was offered anything on our side. There were certain sub-bribers on the other side.

4324. Will you be good enough to go through those who were either bribed or were offered bribes on your side ?—Richard Andrews ; it was commonly reported that he was bribed on the other side.

4325. Do you know was Andrews offered money on your side ?—Yes ; he was tried. A person of the name of Armstrong, his brother-in-law, some years ago left a lot of money under the carpet for him.

4326. At the election of 1863 was he offered anything on your side ?—That I do not know.

4327. Which way did he vote ?—He voted for the Liberals.

4328. William Allen voted for Mr. Dent ?—Yes.

4329. Was anything given to him ?—That I do not know ; I should have put M. against his name.

4330. What would that mean ?—That would mean money ; he has generally been a Conservative ; we might have sent him a little sum of 20*l.* or 25*l.*, and then he would be all right.

4331. Thomas Angel ; he voted for Mr. Dent ?—He is one of our staunch freemen ; he votes without money ; he is a large ironmonger here, and is beyond that.

4332. Henry Ashford ?—He is beyond that.

4333. John Angel ; he voted for Seymour ; was he tried on your side ?—He is an old Liberal.

4334. Edward Angel, what of him ?—He is one of the slippery company ; he is a tailor ; he was tried

y a commercial man at Exeter; he will tell you all bout that himself.

4335. Do you know the name of the commercial nan?—I do not know his name.

4336. Was he a commercial traveller?—Yes.

4337. He was a traveller in the woollen trade?—Yes; and he offered him 150*l.*

4338. Where was that to come from?—From Mr. Dent.

4339. Do you know where this commercial traveller put up?—I think at the "Stars."

4340. William Adams?—He voted for Seymour.

4341. Was he tried on your side?—No; he voted on our side the last time.

4342. What did he get?—Not anything; circumstances had changed with him.

4343. Was he a tenant of the Duke's?—No; he was the organist at the Bridgetown chapel; now he is at Harberton under Mrs. Anthony.

4344. Then John Ackrell, he voted for Seymour?—I should rather think that gentleman always had money.

4345. Was he tried on that occasion by your party?—He was tried very heavily; I think in Mr. Blount's time he had 200*l.* I had a conversation with him; he is a thorough Liberal; he would say we require a little; I should have put that against his name. I had a little conversation with him, but I could not get at him.

4346. What was it that you said to him; did you ask him to vote for you?—I should not have put a direct question of that sort to him.

4347. Would you have talked about a sub—or a consideration?—We should have talked of things in general.

4348. Did he say anything to you about his being in distress?—No, he was one of the selfish sort of men; I should have put him down in the ignorant class as requiring a large sub.

4349. Do you know what he got from the Seymour party?—No, I never heard.

4350. The next is Richard Andrews?—He is the man who had the money left by Armstrong under the carpet; report says that he always got paid.

4351. Did you try him at Mr. Dent's election?—No; we were not friendly.

4352. Joseph Adams?—He was one of the Liberal company, and was bound to go with them.

4353. Then Samuel Angel, jun.?—He is one of the Duke's tenants, and must do as he is bid.

4354. Then Marcus Angel?—He did not vote.

4355. Thomas Blank, he voted for you?—Yes.

4356. How did you get him?—Whether it was 60*l.* or 100*l.* that he got I do not know; I know it was a large sum.

4357. Was that through Screach?—I do not know who the party was.

4358. Who was doing the money business at that election?—There were several parties about.

4359. Will you give us their names on your side?—Screach and the two Heaths; they will be able to tell you who were the sub-runners.

4360. On the last election you had a talk with the voters and suggested to them where to go and get money; what did you do at Mr. Dent's election?—I think there was a black man down here then.

4361. Who was the black man?—A man who had got a black face.

4362. You did not know his real name?—No; he was kept secret upstairs.

4363. Had he really a black face?—I believe so.

4364. Did you ever see him?—I never saw him myself.

4365. Did you see him in the House of Commons afterwards?—No. Mr. Henry Helms brought down the money; he went to London after the money.

4366. Had you any conversation with Blank about the election?—I had. The general drift of the conversation would be that he wanted money; he would tell you candidly that he would never vote without it.

4367. Did he generally vote on your side?—Sometimes for Whigs, sometimes for Tories.

4368. Did you send him to the black man?—I really do not know the individual. I rather think it was Screach; I am not certain.

4369. I suppose the black man lived at the "Seven Stars"?—I believe he was there. I never saw him.

4370. Then Theodore Bryett?—He is a solicitor.

4371. Is Mr. Bryett employed on the Conservative side?—He was the old Conservative agent here; but he has got rich since then, and he will not now take a retainer.

4372. Henry Bartlett; he voted for Mr. Dent?—He has always been a Tory.

4373. Had he a sub?—I do not know.

4374. Did you canvass him?—Yes, with others.

4375. The next is George Beer?—He is a postboy at the "Stars," and he goes as the landlord of the "Stars" goes.

4376. Did he get a sub?—Not to my knowledge.

4377. Then William Bentall?—He has been examined here.

4378. Was he one of the agents on your side?—He was one of the committee.

4379. James Barter?—He was a baker.

4380. Did you canvass him?—Yes, I did.

4381. Do you know whether he had anything or not?—I do not know.

4382. Thomas Blackler?—That gentleman, I think, had a little.

4383. Did you canvass him?—No; he was turned out from Bridgetown. You could not get a Bridgetown man unless he was paid a little.

4384. Was that after Mr. Dent's election?—Yes, after that.

4385. Did Screach manage him?—He lives now close by the "Seven Stars;" he had a corn store there.

4386. Were many voters then in the habit of going to the "Seven Stars"?—I remember one event, when Mr. Dent away, which I shall never forget to the day of my death. Mr. Dent had not decided whether he would go on or not, and the slippery company were keeping us in the background. When they said that they were going over to the other side there was of course a shut up altogether, and a message was sent down to say that they would not go on. If there was one in the lobby there were 40 or 50, and some of them had baskets with them to carry home the money; that was in 1862.

4387. You do not doubt that Blackler had money in 1863?—I do not know.

4388. Then Gilbert Butland?—He voted for us at that election; at the next he voted against us. I understood when I went with the requisition that he was displeased with Mr. Dent because he had not got his son a situation which he had promised him.

4389. You say he voted with you in 1862?—Yes.

4390. And voted against you at the election of 1865?—Yes.

4391. Richard Bowden?—He always votes with us.

4392. Does he get anything?—Not to my knowledge.

4393. Joseph Bennett, he voted for you?—He voted for the Liberals in 1859, and at the last two elections he voted for us.

4394. Has he been converted?—Not by me. He is a respectable man. I have heard him say that he never was bribed; he was charged with it when he was a Liberal; but he says it was not so.

4395. Which of your classes would he come under?—He should be in the respectable class.

4396. But you have not given us a respectable class in your list?—There are such men as Mr. Durant and others of that class, who of course do not take money.

4397. Then in justice to the borough you should have given us another class. You have said there were three classes to be bribed in different degrees. You think there is a pure class altogether?—There is a pure class; at least I should hope so.

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4398. You only mean there are three classes of impurity ?—Yes.

4399. Now we come to a gentleman of whom we have heard so much, William Byne ?—He is the Duke's objector-general just now.

4400. He voted for you at that election ?—He had 60*l.* for doing so and five fields at 20*l.* less rent than they are worth.

4401. Was he a tenant of the Duke's ?—Yes, he was.

4402. When did you first buy him into your camp ?—At that election. At the election before he voted for Mr. Pender.

4403. Had he promised you at the previous election of Mr. Dent ?—Yes. Just at that time the poll was opened, and Mr. Pender was anxious to get all he could to poll for him.

4404. What had you promised him at former elections ?—I really do not know ; he was one of the heavy birds.

4405. From whom did he get the 60*l.* you told us of ?—I think Mr. George Heath paid it to him.

4406. Did you canvass him ?—No. I never had anything to do with bribery.

4407. Did you have any conversation with Byne about the election ?—No, I did not ; after the election was over he told me that he had got the 60*l.* ; and I know that he got the fields ; I was the agent.

4408. You had no conversation with him before that ?—No.

4409. But there was a general report that money was going about ?—Yes.

4410. How long before the election was that known ? It might have been a fortnight or three weeks.

4411. Had money been going about in a certain direction for more than two months ?—Mr. Pender's thousand pounds had been distributed, and there was a great talk of the school ; the money was to have been given to A., B., and C. upon certain trusts.

4412. Had there been a report that money was going about on your side between the time when Mr. Dent withdrew and the election upon Lord Gifford's death ?—No money was reported to be going about then.

4413. The next, Mr. Bastard, has been examined ?—Yes ; he was one of the pure class.

4414. Do you know John Bowden ?—Yes, very well ; he does not take any money.

4415. John Bearne ?—I know nothing about him at this election.

4416. Samuel Barrett ?—Nor I do not know anything of him.

4417. Thomas Boardman ?—He is a gentleman beyond anything of that kind ; he was a Tory once ; but they have made him a captain since he turned a Whig.

4418. David Blight ?—He told me that he should a sub. ; but I do not know whether he got anything.

4419. Did he say how much he wanted ?—I think he did ; it was a tolerably good sum that was offered to him.

4420. Who was it offered to him by ?—By the Conservative party. Before the election he told me that he was going to mind himself. I communicated that fact to our party, or to those who I thought were likely to aid him.

4421. Did you tell him who they were who were most likely to aid him as you thought ?—I did not.

4422. Do you know what he got from the Seymour party for voting for them ?—No, I do not. He is a tenant of the Duke's of a small field ; he lives in his own house ; he is one of those gentlemen who cannot write their own name.

4423. Then he would come amongst the ignorant class ?—Yes.

4424. Then George Bennetts ?—I do not know the cause of that. Those gentlemen did not vote until late in the day ; there was some talk about them.

4425. Who do you mean by *them* ?—They did not vote until late in the day.

4426. Had you any conversation with Bennetts ?—Yes ; several times.

4427. Did you try him ?—After the money was given to the Wesleyan chapel—he is connected with that body—he seemed to be pretty strong.

4428. Do you mean that he was strong against you ?—Yes ; we could not get at him at all.

4429. I believe, as a rule, the Dissenters are generally Liberals ?—In Cambridge the principal Conservatives are the leading Wesleyans.

4430. But that is not a general rule, is it ?—As a rule the Independents are the most rabid Radicals ; John Wesley himself was a a strong Conservative.

4431. But in a place like this there is no general principle of that sort ?—No. You generally find that the most uncharitable men are the Independents. They talk of liberality in very strong terms, but they are the most illiberal.

4432. How do they vote ?—They are rabid Radicals.

4433. Did you tell George Bennetts how to vote ?—No. There was a debt I think upon the chapel, and he said that they would like to have it cleared off.

4434. Was that debt cleared off do you know ?—They had 150*l.* out of Mr. Pender's thousand pounds.

4435. How had he voted before that ; can you say ?—In the municipal matters he would now and then give us a vote. Mr. John Heath was a great customer of his for corn, and he will tell you that he had reason to believe that he was going to support us against the Seymour party. I was told they were not pleased with the tyrannical conduct of the Duke.

4436. Robert Bourne ?—He was the man who wanted to bribe Richard Pengilley ; whether he had the money or not I do not know.

4437. What did you know about him in 1863 ?—He said that he had been caught in the trap twice, and he would not be caught in it again.

4438. Did you canvass him ?—I could not get at him ; he was under the Duke of Somerset.

4439. Jeffery Berry ?—He was a tenant of the Duke's. There was no money would touch him.

4440. Frederick Bowden, what do you know of him ?—He did not vote for a number of years, and then he came out very strong, whether anything was given to him or not I do not know. I rather think his father-in-law got 10*l.* given him by the Radical party.

4441. Do you know whether he got anything ?—I rather think that he voted for them in consideration of the Liberal party giving his father-in-law 10*l.* a year out of the charity.

4442. Did you offer him anything ?—No.

4443. William Broom ?—He is one of the made votes ; he is a regular Conservative in heart.

4444. Is he one of the Duke's made votes ?—Yes ; he lives with his son, who is a large tenant of the Duke's.

4445. Did you try him ?—He is beyond that sort of thing.

4446. Nicholas Browse ?—He was a gentleman who wanted money several times.

4447. Did you have any conversation with him ?—Yes, several times ; he has always told me that he wanted money.

4448. Did you tell him how to get it ?—No, I was caught in the trap in 1859, and I was very shy of it after that.

4449. But your shyness was wearing off in 1863 ?—No, not exactly. We did not want to get so many. According to our register we ought to have returned Mr. Dent without difficulty.

4450. You have no doubt that Browse voted for Seymour ?—No. I think he will tell you that I made him an offer of money, and asked him if he wanted any money.

4451. Did you tell him how he might get it ?—I think he was displeased that he did not get what he wanted. He might have said, which is an assumption on my part, I have seen Harris, who has offered me so much money, and I suppose that you will give

ne the same. At the next election he said he was ot satisfied with Mr. Pender's votes, and when Mr. 'ender called there he said he was not pleased with im and would not promise him his vote. He was ighly pleased with Captain Pim, and said that he vas going to support our party, but we lost him on oth occasions.

4452. William Barter ?—That was one of the ma- ufactured votes of the Duke's.

4453. Does he want any help, do you know ?—I lo not know what they gave him.

4454. Thomas Bearnes ?—He is a gentleman who s beyond bribery.

4455. James Walrond Burrough, why was his ame put in italics ?—That means those who do not ote.

4456. Can you tell us how the money got into the orough on these occasions ?—I think Mr. Helms rought it.

4457. Can you say how much ?—A great many housand pounds.

4458. When did he first tell you there was money n the borough, how long before the election ?—I new of that soon after the election.

4459. You did not know of it before the election ? —No.

4460. Did you know of it on the nomination day ? —No.

4461. But you knew that money had been going bout ?—Yes.

4462. Did Mr. Helms tell you where he had got t from ?—I knew that he was going to London for it nd had brought it from there. I think that has refer- nce to the first election.

4463. How did the money come on the occasion of he second election ?—I am doubtful about that.

4464. Upon the first occasion how much did he get rom London ?—Several thousand pounds ; it was a remendous lot.

4465. Did he get it straight from Mr. Dent ?—I think he did ; it came right out of Mr. Dent's coffers.

4466. How much did they spend ?—Nothing at that election. They gave us 100*l.* towards the charity.

4467. Do you always put off paying the money to the very day ?—Yes, that is the usual course with the Liberals.

4468. Even on the nomination day had no money been paid ?—No. It was said that the contest would be a very close one. It was reported that Mr. Pender was going to spend a lot of money ; it was said by Mr. Cuming, the Liberal agent, that Mr. Pender was a man who paid income tax on 100,000*l.* a year, and it was useless to compete with him, because they were determined to win at any cost. Then Mr. Dent said, let us see our position before we go on any further. The slippery company had made terms with us in writing.

4469. Have you got those terms ?—Mr. Heath had them. When they gave us to understand in the evening that they were going against us, we said it was all up, and we must close the door.

4470. Upon the second occasion do you know how the money came down ?—I think Mr. Helms brought it down.

4471. And was it taken to the "Seven Stars" ?—Yes.

4472. I suppose that has always been the head-quarters of the Conservatives ?—Yes.

4473. Do you know about when the money had been brought down ?—I do not.

4474. Do you know whether it had been down here as much as three weeks or more before the nomination day ?—I believe Mr. Dent had made up his mind to go in and win ; after the death of Lord Gifford he intended to go on against Mr. Seymour ; he was determined to fight, and we had made preparations for it very early.

4475. Were you in the field before Mr. Seymour ? —No. Mr. Seymour came down before Mr. Pender ; Mr. Seymour was a candidate for Exeter : he was here before Mr. Pender ; Mr. Seymour had not got money enough to fight the battle.

4476. Then how could he fight with such a rich man as Mr. Dent was said to be ?—Mr. Pender's 1,000*l.* had done a good deal for him. Mr. Pender had promised to pay all Mr. Seymour's expenses, so that he was to have been returned free. That is, when Mr. Dent withdrew. The money which Mr. Pender intended to have spent then he would have handed over to Mr. Seymour's committee, and they would have spent it.

4477. Had not Mr. Pender spent any money before Mr. Dent withdrew in 1862 ?—He might have spent a thousand pounds or so.

4478. Can you give me the names of the voters who were bribed at that time ?—John Diggins of Bridgetown had 5*l.* given him, and Thomas Kinsman, junior, a baker, had 10*l.* given to him.

4479. (*Mr. Bere.*) What remuneration did you receive for your services in 1865 and 1863 ?—I think after the election Mr. Dent gave me a 10*l.* note ; that was all the money that I received.

4480. In 1865 was not Colonel Dawkins more generous ?—Colonel Dawkins gave me 25*l.*, and Captain Pim gave me 25*l.*

4481. You were a paid agent, in fact ?—That was included in the bill.

4482. How much did your bill amount to ?—To 50*l.* at the last election. Colonel Dawkins refused to pay the whole of it, so Captain Pim sent down 25*l.*, and Colonel Dawkins the other 25*l.*

4483. Did you send in any bill to Mr. Dent ?—No ; the parties about here made me a present of a purse of sovereigns, to which Mr. Dent contributed 10*l.*

4484. They made you up a pretty good purse ?—Yes ; they considered I had been a very active man.

Adjourned to To-morrow at 11 o'clock.

SIXTH DAY.

Wednesday, 29th August 1866.

Mr. Robert Harris recalled.

4485. (*Mr. Coleridge.*) We had got to the B.'s yesterday. (*The Witness.*) Will you allow me to correct one or two points in the evidence yesterday ?

4486. Correct anything you like which you stated in mistake ?—With regard to the Rev. Mr. James, I understand he is dissatisfied with the statement I made yesterday. I do not know how the reporters took it down, but I gave it as a matter of hearsay.

4487. (*Mr. Bere.*) Yes, you said so. You said you knew nothing about it ?—I never spoke to the gentleman about it in my life.

4488. (*Mr. Coleridge.*) You spoke of what you heard ?—Yes.

4489. (*Mr. Bere.*) You heard that he had promised his vote for Colonel Dawkins, and he says not ?—And I see something in the "Western Morning Times"

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which is likely to lead to a wrong inference, that Mr. Huxham and Mr. Webber and Mr. Chaster signed the requisition—that is not so.

4490. That is a mistake, you never said that?—No; and I do not wish for any false statement to go forth if I can help it. It was in reference to the magistracy—I classed them with the class of gentlemen that wanted situations or honour. I beg to say that Mr. Edmonds will be in a position to give the whole particulars of Mr. James's case.

4491. Did you hear the statement?—I heard the statement.

(*Mr. James.*) It is entirely false and an invention.

Mr. H. Mudge.

Mr. Henry Mudge sworn and examined.

4492. (*Mr. Bere.*) Where do you live?—At Blagdon.

4493. Are you the nephew of Mr. Thomas Tracy?—Grandson.

4494. Were you present at a meeting at Mr. Thomas Tracy's house when a memorandum was signed?—Yes.

4495. When was that? Was it in 1841 or 1847? Was it at Mr. Petre's election or Mr. Ricardo's?—Mr. Ricardo's, I think. Mr. Baldwin was there, I know.

4496. Who were present?—Lord Seymour, Mr. Thomas Michelmore, Mr. Charles Michelmore, Mr. Charles Edwards, Mr. Cull, and Mr. Browne Paige. I do not know the others.

4497. And your grandfather?—Yes.

4498. And yourself?—Yes.

4499. Was Mr. Gilbert there?—I cannot say.

4500. Where did the meeting take place?—In one of the parlours of my grandfather's house.

4501. What time of the day?—I think about 11 or 12 o'clock.

4502. Do you know whether it was a meeting arranged by previous agreement?—It was.

4503. Had you known anything of the negotiation that went on before the meeting took place?—No. I merely heard a meeting of that sort was to take place.

4504. Who drew up the memorandum?—I think Mr. Charles Michelmore.

4505. Do you know the purport of the memorandum?—I did not read it, but I understood it was that Lord Seymour was to support Mr. Baldwin so long as he chose to offer himself for the borough of Totnes as member of Parliament.

4506. And that Mr. Baldwin should support Lord Seymour?—I do not know that. I think so.

4507. Was it signed?—It was signed by those parties I have named to you.

4508. All of them?—Yes; at least I saw several of them sign.

4509. Did your grandfather sign it?—I think he did.

4510. Your grandfather was a tenant of the Duke?—He was living in his own house at that time.

4511. He had some land of the Duke's?—He had a field or two.

4512. He was a Conservative in politics?—Yes.

4513. Do you know what became of the memorandum after it was signed?—It was placed in my grandfather's possession.

4514. Did you ever see the memorandum again after that day?—Yes.

4515. Have you read it?—No, it was sealed.

4516. Where did you see it last?—In his house at Bridgetown, where he died, but it was sealed.

4517. Who was the executor?—His two daughters.

4518. Is Miss Tracy?—Yes; and my mother.

4519. Miss Tracy was living at Mary Church?—Yes.

4520. Do you know who took possession of his papers?—His daughter, Miss Tracy.

4521. Do you know whether she took possession of the memorandum?—She did, certainly.

4522. Do you know that from her?—Yes; I have heard her say so.

4523. Have you seen the memorandum since in her possession?—I have not.

4524. Have you any doubt that the memorandum is still in her possession, if in existence at all?—It is, most certainly, if in existence at all.

4525. Sealed up, is it?—It was sealed up.

4526. In an envelope?—A large envelope.

4527. What sort of piece of paper was it?—Half the size of the desk.

4528. (*Mr. Coleridge.*) You know that was in 1847?—I do not know.

4529. Do you know that in 1852 Lord Seymour and Mr. Mills were returned and Mr. Baldwin was not; do you remember that?—Yes.

4530. Was it said that the memorandum had not been kept to, and that Lord Seymour had not supported Mr. Baldwin?—Yes, I said so.

4531. Did you have occasion to refer to the memorandum?—No.

4532. To whom did you make that observation?—To different parties.

4533. That the memorandum had been broken?—Yes.

4534. And your reading of the memorandum was, that as long as Mr. Baldwin came forward Lord Seymour had undertaken to throw over the other Conservative candidate and support him?—Not the Conservative.

4535. The other Liberal?—Yes.

4536. In 1852 he did not do so?—No.

4537. Is there anybody else of those besides Miss Tracy alive?—And my mother.

4538. Who are alive of those parties who signed the memorandum?—They are all dead, I think, besides the present Duke of Somerset. I do not know whether he signed it. Mr. Charles Michelmore and Mr. Thomas Michelmore are dead.

4539. Is Mr. Cull dead?—No, I think. Mr. Cull is the only one alive, I think.

Mr. R. Harris.

Mr. Robert Harris recalled and further examined.

(*The Witness.*) I wish in the case of Samuel Hill, jun., to give you an account of some of the interviews I had with him. At the time when he had the 200*l.* left at his house, or prior to that, we had borrowed a sum of money from a loan society, and the sureties were my father, Samuel Hill, sen., and Robert Lorimer, the men who carried the money to him. Mr. Lorimer felt particularly interested in this transaction that he might be released from his liability. I remember, after referring home, or remembering the circumstance, that was the reason why Lorimer felt specially interested in this money transaction. That money was paid off, on account of Mr. Cuming not fulfilling his promise, by Samuel Hill, sen., and Robert Lorimer.

4540. (*Mr. Bere.*) By the sureties?—Yes. When the election of 1865 took place, I have been informed. I have not the facts to prove it, but I believe Mr. Pender paid Mr. Lorimer and Mr. Hill the money advanced. I do not know it, but I believe that to be so, according to report. That is all I know about that case.

4541. I want to ask a question about that. Has Samuel Hill a brother called William Henry Hill?—I think he has.

4542. Were you in communication with William Henry Hill during the election of 1865?—I do not remember any interview at all.

4543. Did you not send William Henry Hill to see Samuel Hill, jun.?—I do not remember the circum-

stances, but I might have done it, I sent to him several times my own self.

4544. Are you quite certain you did not send William Henry Hill to Samuel Hill with a message from yourself to the effect that Samuel Hill should be turned out of his ground if he did not vote for Col. Dawkins and Capt. Pim?—It is more than probable that I should have said that.

4545. Did you say it through William Henry Hill?—I do not know; I think I told Hill so myself.

4546. Did you authorize William Henry Hill to go to Samuel Hill to make an offer of money for his vote?—No, certainly not.

4547. Where did you see William Henry Hill?—I do not remember seeing him.

4548. You do not remember having any conversation with him?—No.

4549. Is he a voter?—No.

4550. When you went to Samuel Hill on that morning of the election at 4 o'clock, did you say anything to him about money?—I asked him whether he was going to adhere to his former promise, and he told me plainly that he had altered his mind and was going to vote for the Liberal candidates, and I asked him what inducement. I felt indignant at his turning about thus after having signed the requisition and done everything in fact he possibly could to give me an idea that he was going to support the Conservative candidate. I said to him "Is it money you "want? Why do not you speak out?"

4551. After that did you send William Henry Hill to his brother with an offer of a specific sum of money?—On the same day.

4552. After that?—No.

4553. Did you send to him before?—I do not remember.

4554. I must put it plainly. Did you not send Henry Hill to Samuel Hill to offer him 150*l.* for his vote?—Not that I remember.

4555. You must remember?—I do not remember having any conversation with William Hill about it. I know of Hill having waited at my house when he came to my house for 150*l.*, when he called about the bill; he waited, my wife tells me, for several hours.

4556. Old Hill?—Yes, he waited several hours on the nomination day till I got something like information whether he could get the 150*l.*

4557. You did get information?—Not that; they would not hear of it.

4558. Though you did not offer 150*l.*, you say he asked you 150*l.* for the vote and you went to see whether 150*l.* could be got?—Yes, I did.

4559. One word about Mr. Hill. When was it Samuel Hill, jun., promised you his vote?—I can tell by my ledger when he took the field. It was the time he took the field that he gave me to understand that he would support the Conservative side.

4560. How long before?—There was 12 months rent due.

4561. Had you seen him in the interval and had he said anything about his vote?—I spoke to him several times, when I went about the requisition to Mr. Maclay and the document to Mr. Dent.

4562. You had seen him after the document to Dent?—Repeatedly.

4563. Did not he come about the time of the election to be paid those bills you showed us yesterday?—Mr. Samuel Hill, senior, yes.

4564. Had Samuel Hill, junior, no bills?—No.

4565. Did he come with his father?—No, I never saw him about it.

4566. As to the inquiries you made with regard to the 150*l.* to be paid to Samuel Hill, senior, was that done in this way,—did you send Samuel Hill, senior, to Mr. Edmonds?—No, I went myself. He remained in the house during the time I went to the "Stars."

4567. Are you quite certain Samuel Hill was not sent to Mr. Edmonds, from Edmonds to Heath, and from Heath back to you?—Not to my knowledge; I think he remained.

4568. Did he bring a message from Mr. John Heath?—No, I do not think he did, I do not remember. He remained in the house for a great many hours, I should think five or six hours, waiting till I returned. My wife will tell you all about it, she was at home all the time.

4569. You say he did not return. But supposing you are mistaken, did you offer him first 100*l.*, then 150*l.*, and then 200*l.*?—No, I wanted 150*l.* and I could not get it.

4570. He waited, you say, at home?—Yes.

4571. Was Mrs. Lorimer there?—No, she was not.

4572. How about Mr. Pender, were there any attempts made to get you over to vote for the Liberals?—Not to myself personally, save and except the interview with Mr. Pender.

4573. Did you hear of any inducement held out which was to be communicated to you to make you vote for the Liberals?—I am not aware of it. I have it on my notes to mention a fact which I forgot last night.

4574. Is that the canvass book?—Yes. It appears that Mr. Charles Frederick Michelmore, a gentleman connected with the Liberal party, had a canvass book one night at the "Stars," in company with John Heath, senior, and William Narramore, a clerk, and he showed this canvass book to John Heath, on which my name was placed, "Harris to be had for a situa-"tion."

4575. (*Mr. Coleridge.*) He showed it to Narramore?—Yes.

4576. (*Mr. Bere.*) Were not the words "Harris "to be had if situation obtained before election"?—I do not know. I saw Mr. Heath last night, and he said "How did you forget about the poll book?" and I said "I forgot it." I may also say, my wife will tell you of the interviews, where Mrs. Lorimer was sent from Mr. Pender to my wife to offer a situation. I am more particular on this point, because it is a matter connected directly between Mr. Pender and myself, and I trust you will give me a fair opportunity to prove the case.

4577. (*Mr. Coleridge.*) We will call your wife?—In reference to the slippery company, having brought that up yesterday, allow me also to interpose, as a fact, that Mr. Searle sent for John Sandford Screach to join it.

4578. (*Mr. Bere.*) To join the slippery company?—Yes; Mr. Screach went to Searle's house, had an interview with Searle, the names were read over, and Screach joined the batch, saying he felt he should stand upon his own bottom, or something of that kind, saying he would have nothing more to do with combinations.

4579. (*Mr. Coleridge.*) A sudden access of virtue on behalf of Screach?—I do not know, I believe he was manager of the Lapstone club.

4580. We want to know about that?—You understand the senior Screach, John Sandford Screach, I might say also, it comes to me through my wife, she says that Mrs. Lorimer says,—it is a roundabout story, but it comes out in evidence,—Mrs. Lorimer says when Hill returned the 200*l.* he said his conscience pricked him, and that he would rather take 100*l.* and not vote at all, if that was agreeable.

4581. His conscience did not go so far as to be willing to take nothing at all and not vote?—Nothing said about that. In reference to Matcham. I have got that on my notes. After the petition was presented I had several interviews with old Mr. Matcham. I had one special interview at the "South "Devon Inn." I went in and had tea, and he sat down with me while I had tea; it was when I supplied him with a 5*l.* note. He told me he had received no money, but that he had voted for Mr. Pender because Mr. Pender had promised a situation for his son Tom, and that the situation was now in negotiation between Mr. Tom Searle and Mr. Pender. Mr. Tom Searle was the negotiator between Mr. Matcham and Mr. Pender. I may also say, I do not find it in the papers; I do not know whether I stated it yesterday, but I may say that Tom Searle took Mr. Matcham,

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senior, and Mr. Thomas Matcham from their house early in the morning, at eight o'clock, and took them in a carriage from the house to the poll. I draw attention to this to show the connexion.

4582. Has not the office of postmaster for Totnes become vacant since 1865 ?—Very recently.

4583. Since the Derby Government came in ?—No, I wish it had.

4584. Who has been called the Whig briber; is that Samuel Parnell ?—Yes, he is the Whig briber.

4585. When did the office of postmaster become vacant ?—It was about a fortnight, or a few days before the late Government——

(*Mr. Michelmore.*) The postman tells me it is the 10th June that it became vacant.

4586. (*Mr. Bere.*) It was filled up by the late Government, and not the present?—Yes. On the Friday that they went out they filled it up on that same day.

4587. I see you have a number of recommendations for that appointment (*referring to some papers*)?—Yes. Still I should be very thankful to my party; they did all they possibly could for me, and there is no doubt I should have had the situation.

4588. (*Mr. Coleridge.*) Will you tell me what election that refers to, that letter of yours with no date to it?—That was when Mr. Maclay—if you will remember, the requisition was to this Mr. Maclay.

4589. What election ?—For 1865.

4590. Mr. Dent, as we know, we are on the election of 1863, did stand. What is the meaning of that letter?—It is 1865.

4591. 1863, I read it?—No, it is 1865.

4592. Yesterday, I believe, I had the wrong poll book; we had got to the end of the B's, as far as it went, and now that we have the right one, which has a great many more names, will you just read them through, and tell us whether there are any I did not ask you about among the A's and B's, or you did not say anything about, as being bribed by your party or offered a bribe?—Did you ask me about the Reverend Gilbert Butland ?

4593. No?—I do not think you did. He voted for the other side, you observe. I understood that he wanted a situation for his son. Who gave him to understand that his son was to have a situation I do not know, but that there was an understanding of that sort, either by Mr. Dent or Mr. Mitchell, that his son was to have a situation. That situation was not given, and consequently he has a sore—proud flesh, as it were, and it is every now and then exhibiting itself, and consequently he voted against us last time.

4594. Did he vote against you ?—He voted against us.

4595. Both against you ?—Yes, he did.

4596. Just see if there are any others that you have to say anything about that I did not ask you as to yesterday ?—There is John Brimicombe, I do not think you asked me about him.

4597. No; he voted against you ?—Yes, he voted against us at one election; I do not know whether 1859. He went away, and I think there was some consideration given him for going away; I do not know, but rumour says so.

4598. Did you have anything to do with him ?—No.

4599. Did you canvass him ?—No.

4600. Did I ask you about William Byne ?—I think you did, and I gave the account about him. He voted for Mr. Dent, then he had notice to quit.

4601. Who gave notice ?—The Duke of Somerset gave him notice; then he came to me and asked me; in fact part of his stipend, as it were, or part of his remuneration for his vote was 60*l.* in money.

4602. Who gave him that ?—George Heath, and he had five fields, a lease for three years of four of the fields, and the other one by the year, at a reduced rent, according to my estimate, of 20*l.* less value than they were really worth. Then I took on the agency after that, and he did everything he possibly could for the Conservative party.

4603. And he voted for Dent, I see ?—He voted for Mr. Dent, and was turned out after he voted, and these fields were granted to him after that.

4604. As a sort of remuneration ?—No doubt that was the consideration, and it was carried out.

4605. Were they more than he had under the Duke of Somerset ?—He had only one under the Duke of Somerset.

4606. (*Mr. Bere.*) Just look at that book and tell me in whose handwriting it is (*referring to a small red book*) ?—I do not know that handwriting.

4607. It is all the same handwriting, is it ?—I will see.

4608. It is not yours ?—No.

4609. Nor anybody you know ?—I could not say the handwriting. It might be the gentleman's who filled in the notices.

4610. Is it Condy's handwriting ?—No; I think if we could get a Whig notice now this book would correspond.

4611. You think it is a Whig book ?—Yes.

4612. (*Mr. Coleridge.*) Did I ask you about the three Bowden's, Frederick, Richard, and John ?—Yes.

4613. Now William Crook, he voted for Seymour ?—Yes.

4614. Did you canvass him ?—No.

4615. Do you know anything about him ?—William Crook, Bourton Berry Pomeroy. I think he was offered 150*l.* at the last election.

4616. By whom, Mr. Heath ?—No, a man called Heard.

4617. (*Mr. Bere.*) That was the election of 1865 ?—Yes; I think it is 150*l.*; I remember hearing it at the time.

4618. Which way did he vote ?—Against us. We could not get at him; they had a larger sum on the other side.

4619. Then James Chamings ?—That was the gentleman that Mr. John Heath went up to see, and made an offer to of a heavy sum; but I suppose he had a very heavy sum on the other side.

4620. What did he offer him ?—I think he offered 400*l.*

4621. What is Mr. Chamings that he stands so high ?—A small farmer. It was a very large sum.

4622. Which Mr. Heath offered that ?—Mr. John Heath, jun.

4623. He refused that ?—Yes.

4624. He voted for Seymour ?—Yes; no, this was 1865 I am talking of. I do not know anything about the election of 1863.

4625. If as you go on you find anything you omitted as to 1865 tell us?—Yes; you did not go through the list yesterday, and there was consequently many names I did not remember yesterday.

4626. Then Henry T. Cole ?—I am very glad that his name comes up; because in 1865 there is a little thing connected with him. The Devon and Cornwall Bank was short of sovereigns on the day of the election. Cole was sent to Plymouth. There happened to be three of my friends in Plymouth, and there was a boy sent from the bank at Plymouth up to the station with a heavy bag of gold, so Mark Oldrey put his hand on the bag and touched it.

4627. He was one of your friends?—Yes.

4628. Who else?—John Godfrey and George Robins Stone. So they put their hands on to the bag, and said to the boy, "Where is that for, then?" "Oh, Totnes, sir," says the boy. "Are you Henry "Cole of the Devon and Cornwall Bank ?" He says, "I am not." So Cole must come posting after, and there were 3,000 sovereigns in that bag.

4629. From what bank in Plymouth?—I do not know where it came from.

4630. The Devon and Cornwall Bank was the receiver?—Yes, the Devon and Cornwall Bank.

4631. How came Henry Cole to be sent?—He was what we call second manager at the bank. I may also mention in connexion with that which I omitted yesterday, I think it an important item, namely, that

David Derry, brother of John Derry, the manager of the Devon and Cornwall Bank at Plymouth, it has been his principal object here at every election, and he generally comes up with something which is necessary it appears to conduct the election. I do not know what, but at any rate it seems a necessary ingredient to the warfare.

4632. Is the Devon and Cornwall Bank Liberal in its politics?—Yes.

4633. Was the political feeling carried out to such an extent that the parties who banked there were Liberals and not Conservatives?—No, because the manager here is not a voter; but David Derry is to all intents and purposes a strong partisan.

4634. Is H. T. Cole Henry Turney Cole?—Yes; he is now at Collumpton at a branch bank there. I think you ought to have David Derry.

4635. Where is he to be found?—At Plymouth. I think he is a very important witness for you.

4636. Do you know anything that Cole did in 1863?—No; I do not think there were any banking transactions in reference to Mr. Dent. I do not think there were.

4637. Or 1862?—Or 1862.

4638. All the other side?—All the other side.

4639. Richard Cross, Bridgetown, he voted against you?—Yes; he was one of those supposed to be under the wing of the Duke of Somerset, in fact, he was an old clerk of the Duke of Somerset's.

4640. He voted for him as a matter of course?—He voted for him as a matter of course; did the bidding of the Duke of Somerset.

4641. You did not try him?—No.

4642. You did not waste time on those you saw no hope of?—No, certainly not.

4643. Henry Crawford?—That is the man who has the carriage which we call the Seymour company carriage. I think he was offered 150*l.*, I am not certain.

4644. In 1863?—In 1863.

4645. Who by?—By our party.

4646. Who, did you?—No.

4647. Did you canvass him yourself?—No.

4648. You did not have anything to do with him?—No, he was a character I never would touch.

4649. Then William Richard Coulton?—He is a gentleman who never took a farthing in his life, he is beyond everything of that sort.

4650. Philip Condy, junior?—I was very much surprised to hear that gentleman's evidence the other day; I thought he could tell you a good deal more, and I hope when here again he will have refreshed his memory a little as to what they did at the 1863 election. He was one of the active men, and they must know what is going on of course. People come to them as to me, as being one of the most active men in the borough, and of course all these venal voters go to these men and relate the circumstances, and say, "Oh, sir, I have been offered so much by Mr. Harris "or Mr. Somebody else," perhaps it is all fiction, but they are feeling their pulse; we know what it all means, and Mr. Condy must know more by a vast deal than he told you.

4651. Can you tell us anything particular about him in 1863, at this election?—No, nothing more than his going in and out of the committee rooms.

4652. He was in and out?—Yes, continually, and always out and about with candidates and lawyers.

4653. Do you know any voters he canvassed?—No.

4654. That is about his man Kellow you told us, perhaps he can tell us something about that?—Yes, he had 50*l.*, I believe.

4655. Now Samuel Cuming, Plymouth Road; he voted for Seymour?—I never heard of his having money. He is one of the old Liberals of Totnes.

4656. Did you try him?—No, he is beyond me.

4657. I do not understand taking your view of the case; what line do you draw between those you will try and those in want of plenty of money?—Samuel Cuming is a surveyor, and always employed by the Liberal party, and he is a man who adheres to the party in consideration of their supporting him, and so they give him all the support they can.

4658. You are now taking the particular instance of Mr. Cuming, but what is the line you draw, because you say you believe the greater part to be the ignorant or the impure; how do you draw the line between people you will and will not try? Did you ever try the Duke's tenants, for instance?—I tried a lot of the Duke's tenants, and a good many of them were to be had at times; I should say to them "Well, "here is an election going on, what do you think of "it?" I should say, Well, I do not think Pender will be returned next time. Well, do you intend to vote against him, that is the fact? Are you open to consideration? Then they would soon tell you whether they were or not. I remember having a conversation with Chamings many times, and he told me his estate was a poor estate, and he could not get a good living there. Those were insinuations, I do not mean that it was direct to the point.

4659. They were appeals to your heart?—Yes, I knew what they meant very well.

4660. Then one may say that as regards the Conservative side, that those people you do not try, whom you think pure as regards the Conservative party, nothing would make them vote for the Conservative party, whatever they might get from the Liberals?—No. I think a certain number of the Liberals, like Richard Andrews, who is reported always to have received money. I do not say it is true, it is reported to have been so, I am sorry the newspapers have not given it correctly; it is reported that Robert Armstrong put a lot of money under the carpet at some back election.

4661. We have heard that?—It is reported only.

4662. There are good many of those you will not try yourself that you have no doubt were tried elsewhere?—No; they are like a great many on the Conservative side, there are a great many Conservatives I believe, although I never paid them myself, yet they receive 20*l.* or 25*l.* at each election. They never ask, it is sent as a matter of course. I should like here to mention a little kind of qualifying clause with reference to the Duke. Yesterday I said that I considered he was the spring head of the corruption in Totnes, and I still adhere to that for this reason: when we have to buy a man out of Bridgetown he has to come into Totnes. When he is turned out immediately he comes into Totnes. Now that man looks of course from the Conservative party for a *douceur*, a little sum that he expects to be sent in, not that he asks, but as a matter of course.

4663. About how many on the Liberal side do you suppose there were of these matter-of-course voters?—A large number.

4664. Would you put them at 50 matter-of-course men?—Fully that, I should think.

4665. More?—I divide them.

4666. (*Mr. Longe.*) You said that 60 men would answer at once to Mr. Michelmore?—Yes, that is about it. I look upon the Duke of Somerset's tenants as bound neck and heels; in fact they must come, it is only to pull the string of the bell and they must come.

4667. Still some you can buy over?—Yes, but he has about 90, and that is 60.

4668. (*Mr. Coleridge.*) You do not mean that all those 60 under Mr. Michelmore are as a matter of course?—No; they are *bonâ fide* tenants like Mr. Mortimer and large tenants, and those hold a field here to qualify them.

4669. These matter-of-course men you speak of have nothing to do with one another. When you say there are 50 matter-of-course men on the Liberal side, you do not mean that they are entirely the same party that are under Mr. Michelmore's hands?—No, I mean the independent Liberals in the town.

4670. How many matter-of-course men are there on the Conservative side?—I should think there are at least 100, or more, matter-of-course pollers.

SIXTH DAY.

Mr. R. Harris.

29 Aug. 1866.

4671. Do you mean 100 on the Conservative side, who without asking or trying them in any way you would send a certain sum of money to on an election?—No, they would be sure to vote on the Conservative side, but a great many of them would receive small sums.

4672. How many?—I do not know numbers.

4673. You have said about 50 of the Liberals, how many of the Conservatives?—I calculate about 75 altogether.

4674. I want you thoroughly to understand me. I mean by matter-of-course men, those who without being asked or tried in any way would have a certain sum given them at every election?—Yes.

4675. There were 50 of those on the Liberal side and 75 on the Conservative?—Yes. I do not know of my own knowledge, but I assume that is so.

4676. As regards the Conservative side you pretty well know?—I believe Henry Helms has all the names at his election.

4677. What is the sum these matter-of-course men get?—25*l.* about.

4678. They are a perfectly distinct class, those that can be operated upon?—Yes, they are a different class of men, and they receive a little sum of money when there is an election.

4679. Francis Brooking Cuming, he votes for Seymour?—There are some circumstances connected with him I might mention.

4680. William Richard Coulton?—He is a gentleman above that sort of thing.

4681. He always votes for the Conservative party?—Yes.

4682. John Webber Chaster?—He has now retired from the tanning business since the election. He is now an agent of Mr. Pender's. I have been informed, whether rightly or wrongly, that he has a thousand a year to manage the affairs here.

4683. Does that go on now that Mr. Pender is unseated?—I do not know about that, but that is what rumour says.

4684. James Clarke?—He was a waiter at the Stars, he is now a waiter, I believe, at the Globe Inn, Newton.

4685. He voted for Mr. Dent?—Yes.

4686. Did you canvass him?—No.

4687. Is he what you have called a matter-of-course man?—He is a matter-of-course man; when Mr. Dent was going away perhaps he would put an extra 20*l.* note into his pocket; they are placed in a position to be well paid in those times. They did try him very hard.

4688. The other party, you mean?—Yes; at the last election especially.

4689. Edward Stanley Cary?—He did not vote.

4690. Francis Coombes?—He did not vote, he was one of those gentlemen who remained behind. I understand he has been rather annoyed at my assertion yesterday. This I can say, that at the election of 1863 I went to him about half-past 3 o'clock, when the race was running very close. I saw him at his own shop and asked him if he was going to vote. I never heard of a man in such a respectable position as he was wanting money, it had never entered into my mind. He says, "I am waiting for Mr. Heath, "he understands all about it, as soon as ever he "comes in I am going to vote." I daresay Mr. Heath will tell you all about it. I think Mr. George Heath had something to do with it. I am told that he wanted a large sum of money, 500*l.* This of course is only hearsay.

4691. Do you know whether he got any sum of money or not?—I think it was a kind of loan that he got, the same as was got from the present postmaster at the late election, something like what was given to the Rev. Mr. James; not money spent in bribery, but a gentlemanly way of taking money.

4692. You mean a loan without any fear of being at all pushed for the repayment?—Yes; I understand he was much displeased with what I stated yesterday, but of course he has the opportunity of coming here and making his own statement. All that I can say for myself is, that what I have stated he said to me is true.

4693. John Pedrick Callard?—He is the Duke's steward's clerk, and lives at the Gate house, and votes with the Duke as a matter of course.

4694. Is he an active agent?—Yes.

4695. Does he canvass about at all?—No; he does all the writing work; he is in Mr. Michelmore's office.

4696. Did he assist at all in operating upon the voters?—I was told that he had a long conversation with Byne, and I have reason to believe that he was the gentleman who in 1865 converted Byne; it was either he or John Ackrell.

4697. One or other of them?—Yes.

4698. Robert Came?—I do not know anything of him.

4699. Did you canvass him?—No; whether he had any money or not I do not know; he was then a tenant of Mr. Durant's, against whose interest he voted, and he turned him out.

4700. You do not know what he had if he had anything?—I rather think it was something like this. He had an uncle, a Mr. Tozer, who was also a voter, and who was ill; he expected some property from Tozer, and I think Tozer wrote to him to ask him to vote for Mr. Dent; he did so, but I do not think there was any money.

4701. You do not know whether the Heaths got at him?—No.

4702. Was he a matter-of-course man?—No.

4703. (*Mr. Longe.*) How long had he been a tenant?—Many years. At previous elections he had voted on the Liberal side.

4704. Of what size was his farm?—He rented an estate called Wood farm, from Mr. Richard Durant, jun., but he rented the field which he had here just to qualify, to give himself a vote.

4705. (*Mr. Bere.*) Was he turned out of his farm?—He left his farm immediately after.

4706. Had that anything to do with the election, do you know?—I have no idea.

4707. (*Mr. Coleridge.*) James Cole?—I know nothing of him; he was a poor man who was not likely to have voted for the Whigs without having money.

4708. Did you try him with any?—No.

4709. Can you tell us why you would not canvass a man like that?—He was always in the employ of the Whigs; he is one of those snarling sort of men.

4710. He was not what you would call an agreeable customer?—He was not come-at-able.

4711. Is there a sort of honourable understanding between the two parties not to meddle with any one who is a matter-of-course man?—There is.

4712. You had as you say a majority of 25 matter-of-course men?—Yes; we thought we should have been able to turn the election if it had not been for money.

4713. John Creed?—He is a gentleman beyond that.

4714. John Chapple?—He is a matter-of-course man.

4715. You did not attempt to do anything with him?—No.

4716. Was he tried on the other side?—He was on the last occasion.

4717. William Cornish?—He is a private gentleman, I do not think he had anything.

4718. Did he ask for anything?—No.

4719. George Cole?—He was one of the Duke's tenants; he was offered a very good sum this last time, I think 400*l.*; he promised to go down, and William Narramore went up in the morning to offer him 400*l.* for a pig, I think it was. He promised to go down into the "Stars" field, on the other side of the station, to meet Narramore, to carry out the arrangement, but, as I have told you, the door was shut at 9 o'clock, consequently he did not come.

4720. Was he a matter-of-course man on the Liberal side?—He was one of the Duke's tenants.

4721. But one who was open to conviction?—Yes; he was a new man; he had lately come into that field.

4722. (*Mr. Longe.*) What was the extent of his farm?—He had a house and three or four fields; he was one of those very accommodating men who would allow other men to be qualified upon the property which he occupies; he occupies the field, but he is not rated for it.

4723. You do not know the number of acres?—I should think from 15 to 20; he is what we call a general jobber, or cattle dealer, buying and selling pigs, calves, and so on.

4724. He is one of those gentlemen, who, if there were another opportunity, you would not despair of getting over?—I should not despair of getting him.

4725. You would not put him down as a matter-of-course man?—No.

4726. William Cole?—Yes; he was offered a tolerably good sum. I remember a conversation with him myself in 1863.

4727. Will you tell us about that?—He only rents qualifying property of the Duke's; he rents the other portion of what he lives by from Mr. Champernowne.

4728. Who is a strong Conservative?—Yes. He said, I shall be turned out of that field if I vote for you, and that field is very handy for me. Some parties made him a very good offer, but I do not think he got the money.

4729. Who made him the offer of that money?—I do not know; some one from the "Stars;" some one on our side.

4730. Was he offered anything on the other side?—He was well paid; there is no doubt of that at all.

4731. What was the size of his other farm?—He held several fields.

4732. (*Mr. Coleridge.*) You have told us that in 1865 the money was too strong for you on the other side; in 1863 was the money more evenly balanced?—I think we were a pretty good match for them at that time.

4733. John Crocker?—He was the ostler at the "Stars," and was a matter-of-course man.

4734. William Cole?—He is a gentleman; a retired surgeon.

4735. Does he always vote for the Conservatives?—That was the first vote that ever he had here, and he gave it to us.

4736. And that was given in a fair and legitimate way?—Yes.

4737. Samuel Cuming, jun.?—He is one of the manufactured votes, which I referred to yesterday; he goes with his father; they are surveyors in the town, and get all the work of the Whig party. They are matter-of-course men on the Liberal side.

4738. He gets his 25*l.*?—They give him some kind of employment; send him to do something, to put something in his way.

4739. John Drew?—We sent and offered him 150*l.* on his table. I think he only had 5*l.* from the other side.

4740. That was in 1865, was it not?—Yes; I do not know what he had this time.

4741. (*Mr. Bere.*) Where did he get the 150*l.* from?—We sent and offered him 150*l.* and he would not have it.

4742. (*Mr. Coleridge.*) Did he say that he should vote against you?—No. He is one of those shaky kiddies; he is a very poor man, and goes about with a cart.

4743. In spite of that he refused 150*l.* from you?—Yes.

4744. And the deduction that you drew from that is obvious?—Yes; perhaps if they had offered him 100*l.* he might have said, I have just been offered 150*l.*

4745. Who sent him the 150*l.*?—Mr. Mitchell, I expect, or the black man.

4746. Whom did he send it by?—I do not know; that will come out in due course.

4747. John Dawe?—At that election he said I did not tamper with him at the previous election. I offered him something in 1859.

4748. In 1863 you did not offer him anything?—He is one of those gentlemen whom I should put doubtful against; open to conviction.

4749. In 1863 you did not canvass him at all?—No.

4750. In 1862 did you canvass him?—No. I remember that in 1859 he was displeased with them and voted for us.

4751. Then George Duder is the next?—I never heard of his having any money; he is one of the certain men, under the Duke's thumb.

4752. John Diggins, he voted for Seymour?—Yes; I rather think he held out pretty strong at that time.

4753. What is he?—He is a little shopkeeper, sometimes Tory, sometimes Whig.

4754. How did he vote in 1865?—He was a man who wanted 200*l.*; he signed the requisition.

4755. In 1863 what happened to him?—He said he was disgusted with the affair: that he was willing to sign the requisition, but he was not willing to be trapped again, and he was trapped.

4756. He outstood his market?—Yes; the saying here is, "A bird in the hand is worth two in the "bush;" he went to the poll without the money, and the Seymour party are not ready to pay afterwards.

4757. Then they got his vote for nothing more than a promise?—Yes; he was determined to vote against them in consideration that we paid him 200*l.*

4758 Did you pay him?—No; at 9 o'clock the door was closed.

4759. John Diptford; he voted for Seymour?—He is a poor man, one of those men who requires a small sub; he is as right on the other side as the sun.

4760. He is a matter-of-course man?—Yes.

4761. James Dean; he voted for you?—I do not know anything of him; he is a man who has voted on both sides. I should rather think he requires a little tin.

4762. He is open to conviction?—Yes.

4763. With men of that sort you would canvass the whole borough?—Not as a rule.

4764. Do not you canvass those who are likely to vote for you?—No.

4765. Why would you miss such a man as that?—The solicitors would go round canvassing. I do not know anything of that department, save and except that after it was over I should be consulted as to A. B. C., and so on.

4766. Who would tell us about the general canvass—Mr. Edmonds?—Yes, I should think so.

4767. Mr. Richard Durant?—He is beyond that sort of thing; whether they might be disposed to make him a baronet or not I cannot tell.

4768. John Derry?—He is generally right; he votes Liberal.

4769. Is he a matter-of-course man?—Yes; he has an independent property.

4770. Is he one of those who are regularly paid without being asked for it?—Yes.

4771. Then John Denner?—He is a printer; he always goes right, he knows how to make out the bills at those times.

4772. And they are not disputed?—No.

4773. Andrew Sparke Distin?—He always goes without money; he is a staunch Conservative, and a member of the Town Council.

4774. Then Louis Dufort; he votes for you, does he not?—He was paid.

4775. Did you canvass him at all?—No; he lived just opposite to me at that time.

4776. Did you have any conversation at all with him?—Yes, I had, several times; he was a staunch Conservative. I think he had a small sum.

4777. Mr. Frederick Thomas Distin?—He is a gentleman. I do not know anything about him.

4778. Has he always voted against you?—I think that was the first election at which he had ever voted; his father was always a staunch Liberal.

4779. Did he vote against you at the next election ?—Yes.

4780. John Elliott ?—He is a carpenter, a tenant under the Duke ; he is one of their active bribers. That is the man who had something to do with John Green in the year 1865.

4781. Do you mean he was one of those who would have been entrusted with money ?—Yes.

4782. And he would have helped himself to his share as a matter of course ?—Yes ; that is not always the rule. I have known instances of those who have had plenty of money to distribute who have sometimes run short themselves.

4783. The next is Thomas Endle ?—He is dead ; he was a farmer under the Duke ; he was considered always to be all right.

4784. Then we come to John Endle ?—They do say that he is the man who was put under a barrel at one time, or that he was put into a cask ; he is a cider merchant. I have been informed that he had 200*l.* for being put into a cask at the time of the election.

4785. In other words, you mean that he was extinguished for the day ?—Yes ; they went and tried to hunt him up. That was in Baldwin and Blount's time. A man who has once tasted the blood I should fancy would like to have a little more of it.

4786. James Edmonds ?—That is the gentleman whom Mr. Screach will be able to tell you about. I believe that he went and offered him a tolerably good sum ; he signed the requisition.

4787. What was offered to him do you know ?—That was in 1863. There was some money offered to him I know then.

4788. Did you canvass him at all ?—He was at Torquay at this time, and John Callard went over there for him one morning in a gig with some one else ; he was one of the Duke's men, and we sent over some one to fetch him home, but somehow or other he managed to slip through our fingers. He had promised to vote for Mr. Dent, but we lost him.

4789. What was he to have got ?—I had heard 100*l.*

4790. Do you know who managed him ?—I think he had promised to come ; he was in a situation down there as a gardener, his wife was living in the town.

4791. The next is Thomas Hunt Edmonds ?—He is our respected supporter.

4792. Charles Endle ?—He is a brother of John Endle. I never heard of anything against him.

4793. He voted against you ?—Yes.

4794. Evan Evens ?—He did not vote then.

4795. Did he have anything for not voting in 1863 ?—He had been our active man ; he knew the requirements of the several voters. I went to him about it, and he said that he should not vote for us as soon as he had got a situation which Mr. Michelmore or the Duke was to have given to his son, a situation in an office in London.

4796. That was the office in the Admiralty ?—Yes.

4797. Then after 1865 the son was promoted in the Admiralty ?—Yes ; he got a first-class situation ; he was raised 60*l.* a year, that was the bribe.

4798. He would not vote for you or against you in 1863 ?—No.

4799. How did he vote in 1865 ?—For Seymour and Dawkins.

4800. Robert Earle ?—He was a good old staunch Tory once.

4801. He voted against you last time, how was he got at ?—He got some fields under the Duke. He has gone ; he was taken up to Manchester.

4802. By Mr. Pender ?—Yes, by Mr. Pender.

4803. Did you try him ?—I did try him, and tried him so far that I had a little fight and a row with him.

4804. Let us hear about that ?—Not that election, at the election prior to that.

4805. In 1862 ?—Yes.

4806. Let us hear ?—He said I cannot support you now the Duke is driving ; the bonds were broken ; he has always been a tenant of the Duke of Somerset. He was a tenant under old Mr. Baldwin. He went to Gerston ; when the Duke bought Gerston he was transferred ; he said I shall not be able to support you now, Mr. Harris, because if I do the Duke will turn me out.

4807. You looked upon that as a hint ?—He was a man that I do not think wanted money.

4808. You did not say anything to him about money ?—I remember saying to him about a house ; he got pale once.

4809. When was that ?—When we were here at a meeting ; when I mentioned the Duke's tyranny he got very pale about it.

4810. What was that ?—He rented of Mr. Baldwin first, and when the Duke of Somerset bought the estate——

4811. What was his occupation ?—He is a seed merchant, he was a baker at one time.

4812. He qualified for his house ?—Yes, not for land.

4813. A *bonâ fide* qualification ?—Yes.

4814. William Ellis ?—That gentleman rented under the Duke, and I think he voted for us in consideration of our letting him in as one of Mr. Dent's tenants.

4815. He voted for you in 1863 ?—He was one of the Duke's tenants ; he knew he should be turned out, he had got one field in Sharpam Lane, Inclewood field ; we promised him or agreed with him that he should take possession of certain fields that he has now.

4816. At a fair rent or a low rent ?—A low rent.

4817. What would the proper rent be ?—I do not think he gets much out of it, perhaps 5*l.* a year.

4818. Did you try him ?—No.

4819. How did he vote in 1865 ?—All right.

4820. Now John Eales, he voted for Seymour ?—He came from Dartmouth ; he came from a rotten place.

4821. Did you canvass him ?—No, he was one of those crotchety men.

4822. Who dealt with the Dartmouth lot ; whose special province was it to look after him ?—No, he is beyond dealing with so far as we are concerned, we cannot get at him.

4823. You never attempted to do anything with John Eales ?—No, he is residing in Totnes ; he came from Dartmouth ; they are tainted down there.

4824. Do you know whether he got anything on the other side ?—No, I do not.

4825. He is a matter-of-course man ?—I know nothing about him.

4826. George Evens, he voted for you ?—Yes I think that Mr. Evens knew a little about bribery.

4827. Had you canvassed George Evens in 1863 ?—No, he did not want to be canvassed, he was very prompt.

4828. On your side ?—Yes.

4829. Was he a matter-of-course man ?—He was required to carry out a preliminary arrangement, and various other things.

4830. He was entrusted with money ?—I think he will tell you.

4831. Both ?—Both the same.

4832. Richard Coull Earle, the Rectory, Ashprington ?—He was a tenant under the Duke, he did not vote ; I remember his telling me that when he took the field of the Duke he promised to give one vote, that he did not like Mr. Seymour at all, and he said that rather than be in the position he should be placed in he would give up the field, which he did.

4833. What were his politics ?—He was a Conservative out and out.

4834. John Elford ?—He was a Gerston man at the time of Baldwin's election.

4835. He voted with Seymour ?—Yes ; he was offered a good sum of money.

4836. Who by ?—I rather think I tried that gentleman rather hard.

4837. Tell us all about your trial of him?—He was a man open to conviction, I went up to know what he wanted; I knew he had had 25*l.* for voting for Mr. Dunn before, and I went to try him. I offered or tried or insinuated to him whether he wanted 150*l.*

4838. Was not that high enough?—No, it was not high enough.

4839. Then you lost him?—I lost him.

4840. Do you know who went after him on the other side?—No, he had got under the Duke's wing, and we could not get at him.

4841. When you were on these expeditions you were closely watched by the other party?—They were always at me. After the transfer of the Duke's property he got under the Duke's wing.

4842. (*Mr. Bere.*) What was the date of the transfer?—Four or five years ago.

4843. Before 1863?—Yes, just before 1863; I had no authority to offer money, I only wanted to know whether he wanted money.

4844. If he had said yes, where should you have sent him?—To Mr. Black man at the "Stars."

4845. What should you have told him to do, to go to the "Stars" and inquire for him?—To go down and inquire of Mr. Black man.

4846. Do you know anything about him in 1862?—I rather think he came down; I have got some faint recollection about that year; I think there was some negotiation between him and the Black man.

4847. (*Mr. Coleridge.*) You say you never saw the black man yourself?—Never saw him.

4848. Before or after the election?—Neither before or after.

4849. You heard of his arrival?—I heard of his being there.

4850. Whom from?—I was daily in communication with Mr. Mitchell, Mr. Dent's agent; perhaps if there was anything I wanted to communicate I should communicate it to Mr. Mitchell, and he would communicate it to Mr. Blackman.

4851. William Earle?—A Bridgetown man.

4852. Is he one of the Duke's men?—No, he lives in a leasehold house of his own.

4853. He voted for Seymour?—He was one of the original Lapstone club, I think there is much he will tell you about that.

4854. To tell us about William Earle?—I believe he could; whether he got money at that election I do not know.

4855. Did you canvass him?—He is a tenant of mine.

4856. He voted for you?—He is generally considered pretty right if you have got a little small sum for him.

4857. Is he one of those to whom money would be given without being asked?—No; perhaps he might ask for a little. Last election in 1865 he did not vote, he made use of the expression he was sold when he was in town, the vessel was wrecked on a rock or something of that sort, he turned on his horse and bolted over.

4858. Before we part you will be able to make us out a list of what you will call the matter-of-course men?—I should be happy to give you all the information I can. This is what I call the Tory section, I hope the Liberals will do the same on their side.

4859. Suppose they do not you will assist to give us a list of the matter-of-course men as well as you can?—I cannot enter into details of ours.

4860. You can put your finger on the men of the party whom you consider matter-of-course men as against those who may be converted?—Yes, if my poll book was looked at, if I had the original I dare say you will find my name against a great many men, and the letter D, doubtful; then again I should mark those that I know to be what I call staunch men, perhaps they may require to be employed, or may require to have a good fee. That is another class.

4861. How is it you find that class that always have a certain sum of money are never attempted to be operated on?—That is a class of men; it either means something to do or something or other.

4862. Who want money or money's worth?—Yes.

4863. William Farley?—He is one of the slaves of the Duke's; he was formerly a Lapstone club man.

4864. What election does that apply to?—I think it applies especially to 1859 at Ricardo's election, and Baldwin and Blont's election, and all those elections prior to 1859.

4865. That was one of the Lapstone club?—Yes.

4866. In 1863 he voted for Seymour; do you know anything about him?—He was one of that class of men; I scarcely fancy he would vote for a consideration.

4867. Did you canvass him?—No; I think his son told me he offered him a large sum of money.

4868. Who?—His son offered it to him to vote for us.

4869. Is that son alive?—Yes.

4870. Did the Lapstone club always vote Liberal?—They were principally Liberal parties at one time, I do not know whether they were latterly. They generally had a fixed sum for the lot.

4871. They were bought in a lot?—Oh, yes, in a lump.

4872. George Ford?—He is a man that must do what Mr. Michelmore tells him.

4873. Whether he gets money or not?—He never gets any money.

4874. George Field?—That is one of the Duke's workmen; he was addressed by Mr. Cross.

4875. How do you mean addressed by him?—In Mr. Ricardo's time.

4876. Is he a matter-of-course man under the Duke?—Yes.

4877. As far as money goes?—Yes.

4878. He gets money or money's worth?—Yes.

4879. James Farleigh?—He rents an inn at Bridgetown. I should have put that man's name "favourable" at one time; he is against us dead.

4880. In 1863 did you canvass him?—No, I did not.

4881. When did you canvass him last?—I think he will be able to tell you whether he had any money or no.

4882. Did you canvass him in 1865?—No.

4883. When did you cease canvassing him?—After that election. I think this was the last time he voted.

4884. What made you put favourable to him if you did not canvass him?—He insured his life with me at that time, and I was friendly with him, and he said he was Conservative because he was not under the Duke or Michelmore.

4885. Did you have any conversation with him about money?—I do not remember.

4886. Elias Ford, he went Liberal too?—That is a noteable man; that is a tool of the Duke of Somerset.

4887. He is made a magistrate?—I should not be surprised.

4888. Did you ever speak to him at all?—He was a tenant of the Duke of Somerset and the great company I spoke about the other day; he took the ground of the several parties. He is supposed to take the ground of the several parties and then re-let it again to the parties to be able to come and say they rent under one landlord.

4889. Was he a man to be tempted?—No.

4890. Arthur Furneaux, Weekaborough?—That is one of the Duke's slaves or tenants; I should look on him as a slave here. He rents a field.

4891. William Ford?—He was hostile to Seymour like Crook.

4892. John Farley?—John Farley of New Passage, I know nothing about him.

4893. Did you canvass him?—He is something like my father, nothing in the world will turn him; it is of no use to say a word to him, you may as well try to turn the stream of the river.

SIXTH DAY.
Mr. R. Harris.
29 Aug. 1866.

4894. Did he always vote Conservative?—Yes.

4895. Joseph Fairweather?—I should put him as a very doubtful man.

4896. Did you canvass him in 1863?—No.

4897. 1865?—No.

4898. 1862?—No. I think he wanted some consideration if he voted.

4899. How came you never to have got hold of him?—Because he is one of those rabid Dissenters, uncharitable men that I would not have anything to do with him.

4900. Does he always vote Liberal?—That was the first vote he had.

4901. In 1865 did he vote again?—Yes.

4902. W. J. H. Foale, jun., Ashprington?—He was beyond bribery, a tenant under Mr. Durant.

4903. William Farley, jun., he is a son, I think?—Yes.

4904. He voted for you?—Yes.

4905. What did he get for voting?—I do not know.

4906. Did you canvass him?—No, I did not.

4907. When did you have this conversation with him?—He is a convert.

4908. He came over to you from the Liberals?—Yes.

4909. When did he vote for the Liberals last?—He think in 1859, I do not know.

4910. Did he vote in 1862?—In 1859. I should like to have the 1859 poll book.

4911. (*Mr. Bere.*) He voted for Dunn in 1859?—He was a Bridgetown tenant, then living in the same house that Stone was living in.

4912. Do you know the nature of the conversation, how it was brought about?—No.

4913. In 1863 do you know if the Heaths had anything to do with him?—I do not. I remember one little event, rather insignificant in itself.

4914. When was that?—When Mr. Dent did not dub out he was done then, when he bolted and would not turn out.

4915. That is in 1862?—I know he was down there at the "Stars," and several others in waiting.

4916. Was he in the lobby and clamorous?—He was anxious to know if there was anything in the wind.

4917. Was there a black man down in 1862?—I do not think there was.

4918. (*Mr. Bere.*) You know that a black man came down in 1862 with a bag as heavily laden as it could be?—That was Helms.

4919. (*Mr. Coleridge.*) Was Mitchell down in 1862?—Yes.

4920. Henry Foster?—I never heard of his having money.

4921. Did you canvass him?—He is always safe.

4922. Is he a matter-of-course man?—He is a genuine Conservative.

4923. Without anything?—Oh! yes.

4924. You put him down pure?—I look on him as a pure man.

4925. John Ferris, did he have anything for not voting?—He was a Conservative, and I heard that he got a field, and got cramped up by the Duke; he cramped him and he would not vote.

4926. Did he get turned out of his farm for not voting?—Yes, I think he did. I do not think he is the holder of the field now.

4927. Do you know when he was turned out?—Soon after that.

4928. Is a negative vote equally punished by the voter being turned out?—Yes, if you do not come to the scratch.

4929. A field and linney?—He voted for his own house.

4930. George West Fowle, New Walk, he voted for Seymour?—I do not know whether his vessel stood in pawn; this is the vessel man.

4931. He voted for Pender at the next election?—I doubt about that vessel, it is all hearsay evidence; but he seemed to be very strong on behalf of Mr. Seymour, and Mr. Pender especially afterwards.

4932. Did you canvass him in 1863?—No, I did not.

4933. Did you ever canvass him?—Oh! no, never.

4934. He is pretty sure to go Liberal; had he ever voted Conservative?—I think this was his first vote.

4935. James Fitzpatrick, he is one of your men?—Yes; ours.

4936. What about him?—I do not know anything about him.

4937. Whom did he vote for?—He voted for Mr. Pender; there was a conversion in that case.

4938. In 1862 he voted for Pender; the votes are there on their account?—I should rather fancy he demanded a consideration, I do not know.

4939. How came you not to go to him before this or have any conversation?—He is very friendly with me; I do not think I had any conversation with him about money matters.

4940. Do you know who dealt with him?—No, I do not know that; he was at Torquay.

4941. How did he vote at the last election?—Those are the only two times; after that he went to Torquay to live.

4942. George Fitze, jun.?—He is a great company man; one of the Duke's men.

4943. You did not try him?—No.

4944. Nor 1862?—No.

4945. He was too powerful to go after him?—Yes, a waste of time.

4946. George Griffis, is he a Bridgetown man, and votes for you?—He is a Bridgetown man; if I did once canvass him I have forgotten since.

4947. Did you canvass him?—I think I did.

4948. You know when you canvass a man you have a notion he may be shaky in his faith?—You must be prepared to talk to them reasonably.

4949. Can you recollect what conversation you had with him?—I do not.

4950. How had he voted in 1862?—This is his first vote.

4951. How did he vote last time?—Pender and Dawkins. The report says that he had a little bit each side; whether it was true I cannot say. This gentleman down here offered him 50*l.*

4952. Which gentleman?—Mr. Michelmore.

4953. That is the last occasion?—Yes.

4954. In 1862 you do not know who?—No.

4955. (*Mr. Longe.*) He had changed his house?—He has no house; he lived there three years ago; I think he went then.

4956. (*Mr. Coleridge.*) John Gillham, did you canvass him?—No; he is beyond getting at on my part.

4957. Was he got at on the other side?—He is an innkeeper; they generally know how to make out the bills.

4958. Where is the "New Inn"?—Bridgetown; he is a Duke's tenant.

4959. (*Mr. Bere.*) Has he got a wife, Mary Gillham?—Yes.

4960. Did he vote Tory in 1864?—No; I never went near his place.

4961. (*Mr. Coleridge.*) Is "New Inn" a Liberal house?—Not Tory; I never knew him other at all. That single man was put on him at the election; cock-fighting man, Johns.

4962. John Gillham, jun., did you canvass him?—No; I think there were offers made to him.

4963. Who by?—Johns. I am not sufficiently acquainted with it.

4964. What sort of occupation had he got?—That is a manufactured vote.

4965. He lives with his father and votes by a manufactured vote?—Yes, they do now.

4966. Alan Gardner?—That is a firm old gentleman, that.

4967. A matter-of-course man?—A gentleman; he is a man that money was no consideration to.

4968. I suppose the other side do not attempt to meddle with him?—I believe not.

4969. Nicholas Gidley?—There is a conversion in that case; he was a regular old Tory.

4970. When did he last vote Tory?—I think it was in 1859.

4971. Was he converted in 1862; how was he converted on this occasion?—How did he vote in 1859?

4972. I will tell you in a minute. He voted for Dunn?—Yes, I thought so.

4973. In 1862 how did he vote?—I think for Pender at that time.

4974. That was the occasion of his conversion?—Yes; and there was a rumpus between the parties somewhere or other, and John Chaster got mixed up with Mr. Pender, and that is his son-in-law, he married his daughter, I think. What did they want with him? He has lent himself to make a gentleman opposite there, one of the fictitious votes in the town.

4975. That is not the gentleman I mean?—I do not know; he is a very selfish uncharitable man.

4976. He has had something offered to convert him?—Yes.

4977. Does the conversion hold good up to the present time?—He is a very singular man.

4978. Did he vote in 1865?—Yes, he did, against us.

4979. James Gill?—James and Robert Gill, those are two beyond any bribery. Gill never had a farthing of money in his life.

4980. Did he vote Conservative? — Always, as staunch as a rock.

4981. William Godfrey?—He was a Tory once, and was converted.

4982. When did he last vote for the Tories?—William Godfrey voted for Mills and Gifford in 1859; the election before that he voted for Baldwin.

4983. No, he did not, that was William Godfrey, junior?—Then there was an election prior to that; he voted once for the Conservatives.

4984. His conversion is of long standing?—Yes, at the last election.

4985. Did it take effect at the last election?—He made a good coat for Mr. Pender, whether it was lined with gold I do not know.

4986. Did Mr. Pender appear on the hustings in it?—I do not know.

4987. In 1863 did you canvass Godfrey?—No, he was not come-at-able on the other side at all.

4988. Is he a matter-of-course man, a man that will expect something?—No, a good firm supporter rather.

4989. Thomas Gillham?—That man has always been a Tory.

4990. He voted for you, did you canvass him?—No, I never did.

4991. Is he a matter-of-course man?—You must look on him as a matter-of-course man; he has a public house, a man who keeps an inn.

4992. Bills?—Yes.

4993. (*Mr. Bere.*) The same sort of thing; an inducement either in money or money's worth?—Yes.

4994. (*Mr. Coleridge.*) Samuel Goodman of the "Oxford Arms"?—That is the same class. He did not vote at the last election of 1865.

4995. How do you account for that, was he got at by the other side?—I do not know anything about him at all.

4996. Was he always a Conservative?—I do not know whether he was. I believe so. I never knew him. He may have done so.

4997. Dunn?—I do not know.

4998. He did not vote in 1859?—Samuel Goodman.

4999. (*Mr. Bere.*) He split his vote in 1859?—He was a steward of the Duke; he was turned out in Dunn's time.

5000. (*Mr. Coleridge.*) He was money or money's worth?—He kept an inn.

5001. George Gill, Dart Villas?—He is a retired gentleman, one of the pure ones.

5002. Always voted with you?—Always with us.

5003. John Godfrey, he voted for you?—Yes.

5004. Did you canvass him?—There is a conversion in that case.

5005. A conversion of what date?—I think he voted in 1859 for the Liberals.

5006. Did you canvass him?—No, I had nothing to do with him, nor do I know that he had any money,

5007. Do you mean it is a conversion of conviction?—I think he said so in London.

5008. Do you know whether the Heaths tried him?—I have heard him say there was some little bill the Liberals owed him and they did not pay him; he was disgusted with them; upon the point of politics he approved the Conservative policy rather than the Liberal policy.

5009. Have they any special regard for the Liberal policy?—They care very little about that in Totnes.

5010. You know there had been a conviction about a policy and it made an impression upon you?—Tailors and shoemakers are rather thinking men; they are not so ignorant as many are. I have known some bright tailors.

5011. The ignorant class are the rich men?—Yes, tolerably well-off men; men who have risen by labour and got houses and gone in; they are bribed time after time, and they always want money.

5012. (*Mr. Bere.*) Was Godfrey the man you mentioned as having been in work at Mr. Oldrey's of Plymouth?—Yes.

5013. The touch of the bag had no influence on his conversion?—It was not our bag.

5014. (*Mr. Coleridge.*) James Goodridge, he voted for you?—He was with the Liberals once; then Charles Webber turned him out of his work, and he voted against him.

5015. Do you put him in the matter-of-course list?—I always looked on him as a good man.

5016. A man that you could have without money?—Yes, one of those men I employed.

5017. He looked for something?—You never heard of his looking for anything.

5018. William Guppy, did you canvass him?—He is a Liberal; his son is the mayor of Barnstaple.

5019. You did not canvass all you knew to find out what they are?—I did not mean to canvass a man like this, I tried to run against him in some way or other before the election took place to learn what he is; then I can pretty well judge what amount of money will keep this sort of man in.

5020. Did you run against him?—Yes, he is a Liberal.

5021. You could do nothing with him?—No.

5022. Did you suggest any means of conviction to him, the sum of money coming down?—No, never; not at that election.

5023. Did you at any election?—There was some little suggestion at the last election about it.

5024. Was he wavering?—I think he voted for Pender only; he was disgusted with Seymour.

5025. You had hopes of getting the other vote?—Yes, I had, but we did not get it.

5026. Did you tell him there was money going?—Perhaps one might have made an insinuation of that sort, but he is an independent gentleman, I am very friendly with him.

5027. Then William Huxham?—I know that gentleman; he did not vote at the election; he lived in a house over at Bridgetown, and the house next door to him was a better one, so he agreed with us that if we would take the next door house and let him have it at the same rent he was then paying he would abstain from polling.

5028. Was he a tenant of the Duke's?—No, I do not believe he is.

5029. How were you to take the next house?—I think it was Mr. Bentall's house, I am not certain.

5030. Did you take it?—No, after Mr. Dent was beaten we gave it up.

5031. You repudiated it?—Yes, he has been terribly savage with me ever since.

5032. At the next election he voted against you?—He was like wildfire against us.

5033. Did you do anything to try to assuage his wounded feelings in 1865?—No, I could not get at him at all.

5034. There was not time to deal with a stammering man?—I had got to contend with the worthy county magistrates made by Mr. Pender.

5035. Did you send any one whom he had not that personal ill-feeling against?—I think they were over at a meeting; but he was not redeemable.

5036. Who was the mediator?—I do not know, I do not think we could get at him.

5037. William Hodge, of Berry Lodge?—That is the lodge-keeper of Berry Lodge. I might say in reference to Huxham's case, I had not got anything to do with him; I heard he was to be had.

5038. What about William Hodge?—He is the Duke's servant; he is what we call a woodranger and looks after the coppices.

5039. John Hoare, the carpenter?—He is a man we tried pretty hard in 1863, we could not succeed.

5040. Tell us how you tried him?—He rents an estate under the Dean and Chapter of Exeter, no, under Mr. Barnes at that time,—a portion of his estate from Mr. Barnes as the lessor,—but we could not arrive at him at all.

5041. What did you offer him?—I do not think we offered him any money; I think that Mr. Barnes wrote him to ask if he would vote as a favour for the Conservatives. I do not know that I even tried, but believe so.

5042. You could not get at him?—No.

5043. The black man was of no use to you?—No.

5044. William Hodge?—He is dead. I think he voted for us once. There was a house that was taken at the top of the moor by a man called Harding. If I look through my book I can find when he voted or abstained from voting.

5045. When did his conversion take place?—He was under the Duke.

5046. He voted for the two Liberals in 1859?—There are two William Hodges, bear in mind.

5047. He voted both times?—William Hodge of Bridgetown. I remember something about it; he is one of the Duke's tenants, and an active committee man.

5048. John Hains?—A surgeon, he had a special case for Plymouth.

5049. Is this the gentleman Mr. Presswell got rid of?—There was some reference to the company, he went away; there was a special case he had up there.

5050. William Kaye Hannaford?—He was turned off.

5051. Was he one of the Duke's men before?—Yes, I do not know about money.

5052. How did you get him over?—I do not know; he always was a Conservative.

5053. How did he vote in 1862?—He did not vote then.

5054. Is this the first time of his voting?—Yes.

5055. (*Mr. Longe.*) Is that the William Hannaford of Priory Gate?—No, William K. Hannaford; he was off for some years, not in 1859; he was an active man here.

5056. He did not vote in 1857; he was on the list?—He was on the list.

5057. William K. Hannaford voted in 1852?—I do not know.

5058. (*Mr. Coleridge.*) You know nothing about money?—He is the son-in-law of Mr. Page, a draper's assistant.

5059. Is he a matter-of-course man on the Duke's side?—He was living in Totnes when he voted at first.

5060. You would have put him down as voting?—He would have to come up from Plymouth, and his expenses would have to be paid.

5061. George Heath?—He is the son of John Heath, he goes as a matter of course.

5062. We then come to Mr. Pyle living at Plymouth, he is put down?—His wife and family are here.

5063. He comes backwards and forwards?—There is some little disagreement in his family, I do not think they live together, I do not know what it is.

5064. George Heath, that is one of the "Seven Stars"?—Oh, yes.

5065. Always with you?—He is good and true.

5066. Thomas Harris, did he vote against you?—I think he is one of the pure Liberals.

5067. Has he always been Liberal?—Yes.

5068. Joseph Hakewill, you call him a consistent man?—He was dead.

5069. Samuel Hilley in Fore Street, what is he?—Yes, he is a convert, always since I have known him.

5070. As a matter-of-course man?—I do not know anything about money with him.

5071. Can you put him in that class as a pure man?—I did at one time, he went over to the Seymour.

5072. What election was that?—1863, I do not know that it is so.

5073. Did you canvass him?—I do not think I did.

5074. Did you have any conversation with him about the election?—I do not remember.

5075. You counted on him for certain without taking any trouble about him?—He is a respectable man living in his own house.

5076. William Hannaford?—He is a Conservative; he is an election agent, and he gets perhaps 10*l.* or 20*l.* out of it.

5077. What did he get by the last election?—Five per cent. upon the return, I think.

5078. John Heath of the "Seven Stars Hotel"?—He is sure to be right.

5079. Samuel Huxham, he voted for Seymour?—That was the father.

5080. Did you try him at all?—No, he is the gentleman who advanced the money when the Liberals were short.

5081. What is he?—He is dead now.

5082. The father of that young gentleman who was here the other day, Mr. Samuel, the grocer?—He always did lend money at election times.

5083. Is he also a pure Liberal?—Yes, always; he is one of the rabid Dissenters.

5084. William Hole?—He voted for us that time; he had not voted for some years.

5085. How did you convert him?—I do not think he had money.

5086. What did he have?—He has got a son in China to whom Mr. Dent had been very kind, and I think he did it out of gratitude to Mr. Dent.

5087. Had he been kind before the election time?—Yes, there was some sickness, I do not know what it was, on one of Mr. Dent's stations there.

5088. Is this a vote for love and affection?—I do not know anything about it more than that I remember hearing it.

5089. In 1865 did he vote again?—Yes, and he went against us then.

5090. So that his vote in 1863 was purely for Mr. Dent and not for party?—The poor man got insolvent and bankrupt between the two elections, and then he went away to London, he was one of the bad votes which I forgot to tell you of the other day; I hope you will allow me to make a summary when you close up the evidence as regards my opinion upon the state of the register. There were six men outside the seven miles, they had got no right to vote, I believe it is a misdemeanor for them to vote, but they did vote; this man was in London and he came down.

5091. Has he recovered from his insolvency in consequence of his vote?—He went back again; George Parrott over the water managed him. There

ere overtures made to him, we tried to get at him in ondon.

5092. What extent did you intend to go to for him? -Anything reasonable.

5093. 200*l.* or 300*l.*?—Not so much as that, that ould be rather too much for him, I wrote a letter to m.

5094. Did you get an answer?—No, I did not; I ot a friend to write, a Mr. Ough wrote to him.

5095. Do you know who managed him on the her side?—I think George Parrott or Mr. Endle, of Teston. Young Endle seemed to have pretty much to o with the money. That was stated in Mogridge's idence.

5096. (*Mr. Longe.*) Why is one man worth 100*l.* d another worth 200*l.*?—If he is a regular Liberal, ou want to get a convert; he is worth more because e get the man from the other side.

5097. (*Mr. Coleridge.*) I suppose you had been ying to get him round to your side?—Mr. Thomas?

5098. Yes?—Oh! yes, I believe you.

5099. You cannot tell what he is worth?—No.

5100. (*Mr. Bere.*) You spoke yesterday of a ajority before the election and before the day of olling—of a Conservative majority?—Yes, fair and onest, and if they had gone to the poll, and there as no bribery, we should have had a majority of otes—20.

5101. And that number of Conservatives, would ou say, are always in the habit of receiving?—Yes.

5102. What do you mean by "without bribery"? -Supposing there was no bribery.

5103. No money going?—Suppose a compact en- red into between both parties.

5104. You have no test to apply for these men— e genuine Conservatives?—They always go with ; they attend our meetings and approve of our inciples.

5105. (*Mr. Coleridge.*) Suppose there is no money oing at all, and the register in that state, how many ould not take the trouble to go to the poll?—That as the case last time; 20 or more of ours did not me up; they did not take any more interest in it. What use is it? I remember one man saying to me -I mean Francis Hayward—on the list. I went to m and asked him, "How is it you did not go to vote?" He says, "Nobody came up for me."

5106. Is it the habit of every voter to be taken up somebody to vote?—No, they walk and go down e men, or they ought to do so.

5107. (*Mr. Bere.*) Where did you write to Hole?— had the address at the time from Mr. Ough.

5108. Do you remember the contents of the letter? -It was no offer of money. I only wanted to get him to know what his ideas were. I understood was a thorough Conservative. I could hardly get him. It would not do to put anything about oney on paper.

5109. How long before the election?—Mr. Ough, think, wrote about a week or a fortnight before the ection. I think he will give you the address.

5110. (*Mr. Bere.*) Is there only one William ole?—Only one.

5111. Now Richard Hoppin; he voted against you? -Yes.

5112. Did you canvass him?—No, he would not low me to come near him. They called him the Harberton Bull." He has a tremendous voice, and ars like a lion. He is a strong, muscular man, and ou cannot get near him at all.

5113. Suppose you sent Mr. Manning to him?— size he would do; if he had got pluck he would a good match for him.

5114. (*Mr. Coleridge.*) Had he always voted beral?—He is a genuine Liberal.

5115. He voted for you?—Whether he got paid r his field I would not say.

5116. Henry Heath?—He is an old Tory; always our side.

5117. Has the father anything to do with you?— o; the blacksmith.

5118. No relation to the "Seven Stars"?—No.

5119. Is he a matter-of-course man?—If money was going about, being a thorough honest man and true, I should send him down a 10*l.* note.

5120. As a matter of course, without asking him? —Yes, because he is a poor man.

5121. Being poor and being honest seems to lower the value at once?—Yes, the more dishonest you are the higher price you get.

5122. Theodore Hannaford; he voted against you? —There was almost a conversion in that case once, I think. You will find in one election he only voted for Seymour, and did not vote for Mills. He is a printer. I do not think the printing bills were so heavy as they ought to have been that year or this election.

5123. But did he vote?—I know he did. He is what we call the malignant correspondent of the "Western Times." He puts in some curious articles there about myself.

5124. What is the organ in which you answer him?—I do not lower myself to scurrility.

5125. What is the Conservative paper?—We think the "Western Morning News" is a reasonable paper. If I have a letter to send I send it to the "Western Morning News." I sent the letter of Mr. Pender to the "Western Morning News," and they would not put it in.

5126. He has never been converted?—He is Tory blood; he came from a Tory stock, and ought to be true.

5127. Now Mr. Robert Harris?—That is myself. I was born and bred a Tory, and a Tory I am now.

5128. Have you anything in particular to tell us about yourself?—No.

5129. Anything you know of yourself?—I am one of those kind of men that is very well pleased with himself.

5130. (*Mr. Bere.*) Were you brought up under the benign influence of the "Seven Stars"?—Oh! no.

5131. (*Mr. Coleridge.*) You are Totnes bred and born?—Yes.

5132. Samuel Heath, what is he?—Brother to John Heath; he votes.

5133. Always Conservative?—Yes, generally speaking Conservative, and one for the Seymour party.

5134. One for the Seymour?—Mr. Michelmore is a customer of his, and he pays the Liberal party.

5135. Did he vote for Dent at the single election too?—I rather think our friend Mr. Durant was rather free with him.

5136. He seems to have changed his opinion, because in 1852 he votes Seymour and Mills?—Mr. John Heath, of the "Seven Stars," he has changed; he is not like one of the true stock. There is another Samuel Heath. Of course a man may change his views; for instance, if he accept an office.

5137. There is only one?—That was the old man.

5138. Was it not Samuel Heath, of Grove?—No.

5139. Samuel Heath, smith, behind the walls?— That was the old man.

5140. Now Samuel Heath; what consideration did he have for his vote?—I do not think he had any.

5141. Was he one of those honest men that you would send a 10*l.* note to after the election?—It would be rather an insult to him.

5142. Hardly a matter-of-course man?—I cannot answer.

5143. William Hannaford?—Yes, he voted for us. He had a good round journey for it up here.

5144. Let us hear about him; did he always vote Conservative?—I will give you his history, and what he states himself. He was the son of Mr. Hannaford, what we used to call the major, in Half-moon Street, and Mr. Hannaford was a Tory or Conservative always out-and-out; when he got down there he felt himself rather bound to Mr. Dunn and Mr. Seymour. I might say he has not got a very attractive appearance, and he was not struck with Mr. Seymour's appearance.

5145. I thought that had more effect upon the

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ladies than the gentlemen?—It has an effect upon gentlemen. If you was to become a candidate, you would have good effect in Totnes elections.

5146. Now go on?—I related this fact to a young gentleman called Gill, where he was in the habit of doing a day's work gardening now and then, and he could not see his way clear how to get out of it. This Mr. Gill suggested that he should make himself scarce, and he consented to do it. I believe he went down the river somewhere or other. I might say in that case his wife was not to be aware of the fact, so that it was done as a kind of blind to her, only so far as the party was concerned, consequently they took him to Torquay and kept him there till the time for polling, and drove him home all right.

5147. Is that the last?—1865?

5148. How did he vote last time?—He expressed contrition to me and Mr. Dunn, and said he would never offend again.

5149. (*Mr. Bere.*) He was going to turn him out?—His father gave him notice.

5150. Some of the Liberal party came forward?—When they saw him in my company they said, 'Harris will have him."

5151. (*Mr. Coleridge.*) What was he to have for it?—I do not think he had anything, not a farthing.

5152. Was he one of those that you looked on as one to whom it was a correct thing to send 10*l.* to?—I should also fancy I ought to, because he was a poor man; he was not our man, he was a Liberal man before.

5153. (*Mr. Bere.*) You did not go to Torquay yourself?—No.

5154. Was it known for whom he voted when he was taken?—I heard some one say he was intoxicated or inebriated. He was perfectly sober, as I am at this moment; he took my arm.

(*Mr. Coleridge.*) I think we have got into a little confusion on the point on what we call the matter-of-course men. You say, the Duke's men, they voted for him as a matter of course; when I put the question I mean the class to which you apply the 50 Liberals and the 75 Conservatives, who would receive a sum of money without anything being said about that. Bear that in mind, and it will save confusion when I put a question The last was William Hannaford; now Samuel Hill is the next.

5155. (*Mr. Longe.*) There are a certain number of Conservatives or men on your side who always count upon receiving something or other on every occasion?—I have no doubt, I have no personal knowledge of it. I should suspect so; that would come from another channel.

5156. What channel would that come from?—Mr. Helms would be able to give information about that.

5157. (*Mr. Coleridge.*) If I understand, you have kept so clear of the actual money transactions that you are not in a condition to say the proportion that would come as a matter of course, and those that are bought at a larger price?—No.

5158. Heath and Helms would?—Yes; my position, save at the election of 1859, was, that I never had or saw, that I remember, any monetary transactions at all.

5159. So I understand the nearest thing you go to it is this, you talk to the people and get a sort of inkling, which you communicate elsewhere?—Yes; and at the election of 1863 I think I communicated all the facts to Mr. Mitchell.

5160. You do not know where Mr. Mitchell is now?—I think he is in China.

5161. Mr. Dent too?—I do not think Mr. Dent is, I think he is in New York, so I have heard. I think he is coming home, will be home in a month, or perhaps two months; I have heard so, I do not know whether it is so.

5162. The person who knows most about the election of 1863 is Mr. Mitchell?—Yes, no doubt.

5163. He is the person who could tell us about the black man?—Yes.

5164. Who would be most likely to tell us about Mr. Mum in the election of 1865?—I do not know. I know nothing about it.

5165. Mr. Guscotte?—I do not know. I have no communication with any solicitor.

5166. I did not know whether you could tell us who he was?—I understood that the man was coming with some money, or something of that sort.

5167. Since yesterday have you had any communication with Mr. Edmonds as to the question of the proposed settlement by the payment of the 20,000*l.* of the petition?—Yes, I have.

5168. Can you tell us now by whom the telegraphic message to Colonel Dawkins was sent?—I do not know. I saw Mr. Edmonds last night, and I said, "You heard my statement, I believe I stated what was "correct;" and he said, "Yes, Mr. Harris, perfectly "correct, every word correct."

5169. You are not in a position to give us further information about the offer of the 20,000*l.* to settle the petition?—No, Mr. Guscotte I think is the only one.

5170. Do you know from whom the telegram came to say Mum was coming?—No, I do not.

5171. Do you know to whom it was sent?—No; whether sent by telegram or letter I cannot say. I got the information. I do not know how it came.

5172. Have you found out whether it was sent to Mr. Heath?—No; I cannot tell anybody who knows. The only information was that a gentleman was coming, whether by letter or by telegraph I cannot tell, most probably by letter. My private impression is that it came to Captain Pim. It runs in my mind that Captain Pim was the man who recived the message.

5173. Can you bring your mind to say whether Mr. Spofforth was the person who sent the man?—No.

5174. Or Mr. Rennie?—No; if he had he would have communicated it to me.

5175. For diplomatic reasons he might not have communicated with you?—I do not know.

5176. Who are the warm supporters of your party, but such outsiders as not to be implicated, to whom that message might have been sent, supposing it was not Captain Pim, Heath, or Edmonds?—I cannot tell you. It was a secret; but that the man had come from some source, and was a friend of Colonel Dawkins, and had got plenty of money, was a rumour in circulation.

5177. You cannot tell who first mentioned to you the fact?—I have tried to brush my memory up and I have mentioned it, but I cannot find out.

5178. We have got a mysterious stranger, Mum in 1865, and a black man in 1863?—Which man I never saw.

5179. In 1862, before Dent withdrew, was there any mysterious stranger?—I never heard of any; they did not open the bags at all.

5180. They brought some?—Yes; Helms told me he brought them.

5181. And he took them away?—Yes.

5182. Now Mr. Samuel Hill resides in the Plymouth Road?—Yes.

5183. Did you canvass him?—No. I had nothing to do with him, only what I related that he had been disappointed in days gone by; that Mr. Parnell had received 25*l.* at the elections which he had not handed over, and he was told that by one of the Liberal party.

5184. He was in my sense of the word a matter-of-course man, who ought to have 25*l.*?—He was not our man before that.

5185. That was the election of 1863?—I think so.

5186. How did he vote in 1862?—I do not know. I think he did vote for Pender at that time; I am not certain.

5187. According to your theory he came over to you in 1863 because he had not had his 25*l.* regularly paid over before?—You see how he voted in 1859. Did he vote for Dunn? I really do not know.

5188. He voted for Mills and Dunn. In 1862 he oted for Pender, in 1863 for you, and this time he plit again ?—Yes.

5189. He is a man who has been wavering between he two parties all along ?—Yes. I do not know anyhing about money transactions except when he came o me.

5190. In 1865 ?—Yes.

5191. You have had nothing to do with canvassing him in any way ?—No.

5192. Samuel Hill, junior, of Fore Street voted against you ?—Yes.

5193. Is he the son of Samuel Hill, senior?—Yes.

5194. How do you account for his voting one way and the father another ?—That is the time the 200*l.* was sent. Mr. Lorimer carried him 200*l.* which he returned. He afterwards sent to Mr. Pender, and Mr. Pender referred him to Mr. Cuming, and the result of it was that he became a bankrupt and those men had to pay the money.

5195. (*Mr. Longe.*) Lately you say he has had something ?—I am referring to 1863.

5196. (*Mr. Coleridge.*) Did you say Mr. Pender had paid those people back ?—That is hearsay evidence.

5197. Lorimer and Samuel Hill appear on the schedule of Hill as creditors ?—I do not know.

5198. How had Samuel Hill voted on the previous occasions ?—Always Liberal.

5199. He voted for the Liberals last time ?—Yes.

5200. Now Mr. Henry Helms ?—That is the gentleman with Mr. Dent's money bags.

5201. In 1863 were you associated with Mr. Helms at all carrying on this work ?—No.

5202. What was the position Mr. Helms took on that occasion, was he an agent of Mr. Dent ?—Mr. Dent was not aware that the man was living here when he came. In 1862 Mr. Mitchell came here, I remember his coming first. He came without any person knowing, he was coming when there was a meeting in this hall, and when Mr. Pender was here. After it was over he had an interview with myself, and asked me what I thought about matters; I told him I thought, as I always believed, that the borough is notoriously corrupt, and it was no use bringing a person unless they had plenty of money to spend. He communicated the fact to Mr. Dent, and he told me that Mr. Dent was a rich man.

5203. And the money would be forthcoming ?—No doubt that he could advance six to any man's half dozen.

5204. Was the communication made to you alone ?—Yes.

5205. Not in the presence of Mr. Helms ?—He did not know Mr. Helms.

5206. Who introduced him to Mr. Helms ?—After it got rumoured abroad that Mr. Dent was likely to come, Capt. Helms heard it; he was a captain in the employ of Mr. Dent; and he said, "John Dent! why 'that is my master, I have got a thousand pound 'note from them, they gave me 1,000*l.* on my leaving 'their service."

5207. Was he captain of one of their ships ?—Yes, one of the pilot ships.

5208. Are you sure about that, that Helms was in Dent's employ ?—Yes.

5209. Was he captain in the navy ?—No.

5210. Master of a ship ?—They called him captain.

5211. Skipper ?—Yes, something of that sort.

5212. Did he go and introduce himself to Mr. Dent as having been in their employ ?—I think that was communicated to Mr. Mitchell; he had an interview, and soon found out they were all connected.

5213. You as Conservative agent were in communication with Mr. Mitchell, and Mr. Mitchell was in communication with Mr. Helms ?—Yes.

5214. Was Mr. Helm in communication with you at all ?—No, he showed me a note on demand or promise to pay or something of that kind.

5215. Did you take the trouble to look at the date of the note ?—No.

5216. Was it long anterior ?—Some years prior to his coming here.

5217. How came he to have the note? I suppose he had cashed it ?—It was to remain in their hands and they were to pay interest. He thought it as good as a bank note.

5218. If they were to pay interest how came he to hold it ?—It would be as a matter of course that he held the note.

5219. It was not to be put back to their account ?—No; it was a kind of promissory note for which he received interest. He showed me the note, I remember seeing the document.

5220. After this you and Helms may be taken jointly to be the active men ?—Oh no, I do not think Helms was an active man, he got linked up with a lady down the town whom I did not admire at all. He visited a Mrs. Thomas, who was what I call an outrageous woman.

5221. Politically or morally ?—Nothing immoral; but politically, a very strong partizan.

5222. For which party ?—On the Liberal side. She was a widow and he was a bachelor.

5223. (*Mr. Longe.*) You did not trust him after that ?—I did not like to confide in him after that. He was in bad company.

5224. (*Mr. Coleridge.*) He got into a bad state of political atmosphere ?—Yes, that is what they say about Mr. Pender, he was in bad company when he talked to me. If he was a wise man he ought to have kept out of my company.

5225. He did not know he was watched ?—It was in the street.

5226. You distrusted Captain Helms because he got into Mrs. Thomas' company ?—They had been friendly for some years. It was not an acquaintance originating in the election; it was an acquaintance of old standing.

5227. What was your distrust? Was it that you thought he had got into society in which it might be dangerous to confide your secrets ?—Knowing the female influence at times, I thought there might be some time when he would reveal the whole.

5228. You thought it was not prudent to tell more than you could help ?—Yes.

5229. But Mr. Mitchell did not take that view of Captain Helms' association with Mrs. Thomas ?—He was a bachelor himself, and did not know the ins and outs of the ladies so much as I did.

5230. (*Mr. Bere.*) Did Mr. Mitchell consult Mrs. Thomas in the affairs of the borough ?—I have no idea.

5231. (*Mr. Coleridge.*) When Captain Helms visited Mrs. Thomas did he take Mr. Mitchell ?—I do not know.

5232. Knowing the danger of women, you felt that was a reason for not confiding in Captain Helms ?—Yes.

5233. Mr. Mitchell went on confiding in him ?—Yes.

5234. Captain Helms was about with Mitchell ?—I do not think he was about. I remember he came up once in the committee room, and they did not approve of it, or with having anything to do with him. The committee were rather dissatified with the employment of Captain Helms.

5235. We may take it that Captain Helms rather got the cold shoulder from the Conservative supporters ?—Yes.

5236. Then beyond having been the means of introducing money into the borough he had nothing to do with the election ? He did not canvass ?—He did lend some money to James Rees. Whether he lent it with the idea of getting his vote I do not know.

5237. In 1862 ?—Yes.

5238. What did he lend ?—Some hundreds of pounds.

5239. Was James Rees one of the five who voted for Dent ?—No, he is a Radical; whether he wanted to convert him or not I do know.

5240. Did he vote for Pender ?—Yes.

5241. Was Helms down in 1863 ?—Yes.

5242. Who brought the money down in 1863 ?—

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I do not know how the money came in 1863, whether the black man or Helms brought it.

5243. Was Helms staying here?—Yes, he still resided here.

5244. And was still visiting Mrs. Thomas?—Yes. She was a dangerous character politically speaking.

5245. In 1863 you, Mr. Mitchell, and Captain Helms were again of course thrown together. Although you distrusted Captain Helms, as your principal trusted him you could not sever yourself from him?—I do not think I had much to do with him. I might have had the usual conversation with him.

5246. Captain Helms was here in 1863 as well, but you do not know anything that he had to do with the money in 1865?—I do not.

5247. Did Captain Helms take any part on the Conservative side in 1865?—Oh! no, he did not vote; he was away.

5248. In fact his interest was a personal interest for Mr. Dent?—Yes.

5249. How had Helms voted before Dent came to the borough?—He never voted before; I never knew him to vote in the council or anywhere else.

5250. Did you know at all what his political opinions were from your knowledge?—No, I did not know at all.

5251. From his association with Mrs. Thomas you thought he was on the Liberal side?—I thought he was in bad company.

5252. The next name is Richard Aish Huxham; he voted for Seymour?—Yes, I think the first vote he had.

5253. Did you try him?—No.

5254. Did you know he was a Liberal?—I did not know exactly. He was living in a Tory house.

5255. In Fore Street?—Yes, living in Mr. Gill's house. I went to Mr. Gill and asked if he knew his state, but he said he would not ask the tenant for a vote; he was not like the Duke of Somerset. I think that is all I know about him.

5256. You did not make any attempt upon him?—No.

5257. Do you suppose he got anything from the other side?—He was a poor man, but he has got up within the last few years. But some men make extraordinary springs.

5258. Did you put him down among the matter-of-course men, or to be bought by higher means?—I would rather look upon him as being an honest man.

5259. On the last occasion how did Huxham vote?—He voted Liberally.

5260. Do you know anything about his getting anything then?—No. I may say Richard Aish Huxham was very friendly with the Cumings, and whether they contaminated him or Huxham contaminated the Cumings I do not know. When you see men very friendly you may make up your mind there is something up.

5261. Except electioneering time?—Yes.

5262. Does this strong political feeling go on except at elections?—Yes, there is always something. The Duke of Somerset never will surrender. He fights to the last drop of blood; he will have everything. I say he shall not, and we two do not agree.

5263. I dare say he gave you a recommendation to Cambridge to get rid of you?—Not he.

5264. Now something about Joseph Hannaford?—Screach says he bribed him the last time.

5265. In 1863?—I know nothing about him.

5266. 1862, did you know anything about him?—I heard in olden times he was one of the Lapstone club.

5267. The Lapstone club I thought were all Liberals?—It was before my time; but although I was a boy I remember the circumstances, reading the particulars about the man getting into the hole, and hearing all the conversation.

5268. You said a short time ago that the Lapstone club were all a Liberal body as a rule?—Yes.

5269. Then Joseph Hannaford, he was a Liberal?—You will see there.

(*Mr. Bere.*) Gifford and Mackenzie?

(*The Witness.*) How in Ricardo's time?

(*Mr. Bere.*) He did not vote.

5270. (*Mr. Coleridge.*) He was one of Screach's men?—It was said so, but I question whether it was so. He was called "Ginger-pop."

5271. Why was he called "Ginger-pop"?—Because he makes ginger beer.

5272. Have you heard that Screach bribed him?—I have heard it.

5273. Did he say what he gave him?—No.

5274. The old Screach or the young one?—The young one.

5275. The next is John Heath (Grove), voted for Seymour?—I believe that man has been tried, and tempted hither and thither, and every influence brought to bear against him, but he always stood fireproof.

5276. Always stood to the Liberals?—Yes.

5277. How did you treat him in 1862?—He was a poor man, and I put him among the class paid by the Liberals.

5278. Paid regularly?—Yes, I have always looked upon him as a man (and we have had a fair good shot at him) to whom, if you make him an offer, make him a reasonable one.

5279. That is a little different. You said there was a sort of honour amongst you; that you did not try the matter-of-course men?—He was a youngish man. That Samuel Heath was his father.

5280. In 1862 how did you try him?—I do not know, I never tried him myself.

5281. Who was it tried him?—I do not know. I remember in conversation with a gentleman his name being brought up.

5282. He voted for Pender in 1862?—Yes.

5283. In 1863 did you try him?—I think almost every election.

5284. Did you try him yourself?—No.

5285. No conversation with him?—No.

5286. You never canvassed him?—No, his ideas and mine never could get into harmony.

5287. Thomas Hardin, Fore Street?—That is the son of old Mr. Hardin, who used to be the regular briber, the old Whig briber.

5288. I see he voted in accordance with his father's views?—Yes; if you have him down I think he can tell you a little.

5289. Had he a vote in 1862?—I think one election he did not vote, if you kindly look back

5290. How did Hardin vote in 1865?—Against us.

5291. Was he tried by you?—I think he was, but I am not certain; I think Mr. Gilbert will tell you something about that gentleman.

5292. Do you think Gilbert tried him in 1863 and in 1865?—I do not know, he will be able to tell you when you get him down.

5293. Did you try him in 1865 yourself?—No, he is a man I never tried; I had a little conversation with him in the Ashburton Road, and in that conversation he gave me to understand that he was open to consideration.

5294. Before the election of 1865?—Yes, he had a paralytic stroke.

5295. Had you any conversation about his misfortune, about wanting a little help?—No, he has got a good business.

5296. He did not say "When a man is afflicted he "wants a little help"?—No.

5297. Did you get at all at his price?—No. His general conversation was that he was not pleased with the Liberals, and that is a sympton of disease.

5298. Did you tell him money was coming?—No this was long before the election. He was a man I was never in the habit of conversing with at all.

5299. You had this conversation with him?—Yes.

5300. Did you say that money would be going and

hat you should recollect him, or that he might come o you again?—No, I did not say that to him.

5301. Having had this overture on his part before, at the election did not you think he was a likely man o be got after that?—I think some one was put upon him.

5302. Did you put that man upon him?—No.

5303. I suppose you reported his shaky state at head-quarters and some one was put upon him?—Yes.

5304. It would be owing to the conversation you had with him in the Ashburton Road that some one would be put upon him?—Yes, a private mark would be put against him, "Try A.B.—he is shaky." That would be on the poll book, a private memorandum like on Charles Michelmore's.

5305. Did you destroy your poll book?—I think I gave mine to Colonel Dawkins; I only had one.

5306. What did you do with the poll book of 1863?—I do not know that I had any.

5307. You say you used to put a mark against them, therefore you must have had some book?—I have not now.

5308. You have not for 1863?—No, nor 1862. I have nothing beside this small book in my hand.

5309. What class did you put Thomas Hardin in, in the class regularly paid?—Yes.

5310. Regularly bought or regularly paid?—I should look upon him as the slippery company class.

5311. He would not be contented with 25*l.* at the election?—He knew that his father had been sucking at bribery, and he very likely might say, "I know "there is money going, and I intend to have a little."

5312. A little in the regular way, to be put on the "matter-of-course" list, or did he go in for a large sum?—Very likely this; for instance, a man may not make overtures to a Conservative, like as a Conservative would not make overtures to a Liberal, but there are some signs of disease on the man exhibited to the leaders of the party. He might say I am not satisfied, or something of that sort. And as soon as that occurs we must set these defects to rights, that is to say, with 40*l.* or 50*l.*, which Mr. Condy spoke of, Screach was affected; and there was Gilham, he was dissatisfied, and several others were dissatisfied, and all those things have got to be mended, and we must make it a sound case.

5313. What was the date of Mr. Screach's proselytism?—I think he voted against us in 1852 and 1859.

5314. That is the old gentleman?—Yes.

5315. The young one was always on your side?—No, he is not a voter.

5316. He always worked for you?—No.

5317. Now the next name is Samuel Huxham, jun.?—He had a magistracy for that.

5318. That is once for all?—He will be right for life now.

5319. Henry J. T. Hodder?—He is clerk of Mr. Kellocks.

5320. He voted for you?—Yes, he is safe; he must go with the Tories. I heard he did not get anything except the polling clerks' two or four guineas.

5321. Charles Hoare, Dean Prior?—He is a farmer, and I never heard of his having money.

5322. Did you ever try him?—No, he is a good man and true.

5323. William Hamlyn?—He was an election agent, I think, the last time; I do not know whether the time before, and perhaps he got 10*l.* or 15*l.*

5324. You mean the election agent for the expenses?—Yes.

5325. Lewis Harris, Fore Street?—He was a doctor.

5326. Was he free and independent?—Yes.

5327. Edwin Jordain, "King William the Fourth"?—He did not vote.

5328. Do you know the reason of his not voting?—Let me see, this lady called Thomas—what was there connected with that affair? This gentleman had to supply somewhere about 60*l.* or 80*l.* worth of wine. I have heard so, but it is purely hearsay.

5329. In 1863?—Yes, there was open house at Mrs. Thomas's, wine, sandwiches, ginger beer, and anything you wanted, and Mr. Jordain supplied it.

5330. How did he vote in 1862?—I do not think he voted. I do not think he voted at all except for Mr. Thomas Holman as councillor—a plumper. He is an extraordinary man, but to keep him quiet he had to supply the wine there.

5331. Where was it supplied?—I think to Mrs. Thomas.

5332. Is Mrs. Thomas alive?—Yes, and jolly and fat as ever.

5333. In 1865 how did he vote?—He did not vote at all.

5334. Had he this order for liquor?—I do not think he had.

5335. Had he and Mrs. Thomas fallen out?—I do not think the liquor trade was carried on.

5336. William Edward James, Plymouth Road; did he vote against you?—Yes, I think he had an offer; he is the station master.

5337. Who did him?—I do not know; he will tell you all about that.

5338. Do you know whether he got anything from the Liberal side or not?—When they are open to receive a temptation from the Tories, it is an indication that they get something from the Liberals.

5339. Do the railway company use their influence here?—The railway party are Liberals.

5340. Who is the chairman of the South Devon?—Mr. Woolcombe.

5341. He is a Liberal?—An out-and-outer.

5342. Who is the traffic manager?—Mr. Cockshot was.

5343. What is Cockshot?—A Radical, I think. I have heard so.

(*Mr. Bere.*) The deputy chairman is a strong Tory, and Mr. Woolcombe is a Liberal, so that the influence would not be strong.

5344. (*Mr. Coleridge.*) You do not know whether the railway people are influenced or coerced?—We lost Smith on the last occasion.

5345. What is he—porter?—Yes. I do not know the reason why. He will tell you whether there was influence beyond.

5346. At the time of the last election who was the deputy chairman?—I think Mr. Derry.

5347. Which way is Derry?—Liberal.

5348. During 1863 they were both Liberals?—Yes.

5349. Any influence used would be for the Liberals?—Yes.

5350. How many are there voters?—I think four.

5351. Was James at the railway in 1862?—Yes.

5352. Did he vote for Pender always?—Yes.

5353. John Sloggett Jenkins?—That is the gentleman you asked me about yesterday. He was a schoolmaster in Plymouth one time. He married and got a little money and came here to reside; very bumptious.

5354. Did he always vote Liberally?—That was the first time he voted. I remember the first time he came to the hall he made a speech, a very extraordinary thing for a man coming to a place like that to make himself officious.

5355. Did you think he was a likely person to try?—I think he wants a situation to be a school inspector at 500*l.* or 600*l.* a year.

5356. Did you have any conversation about the power of the Conservatives to help him to that?—No, I had a little conversation to see what he was before he was on the register. I found he was a "Rad.," and then I did not touch him.

5357. Did you try him?—He was one of those persons I could not get at.

5358. Did others?—He was hot, sweet, and strong for Pender.

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5359. Did he vote for him?—Yes, I think he is deputy secretary.

5360. He had been thick with Pender?—He is hot, sweet, and strong, uncommon sweet on Pender. He goes to Mr. Pender's office, for when a friend of mine was there out he came.

5361. What is Jenkins doing now?—Nothing; whether watching the registration I do not know.

5362. What was your friend doing at Mr. Pender's?—I do not know. He was the member you know.

5363. Mr. Kellock, he is a surgeon?—Yes; his father was the mayor, and one of the old staunch freemen who never had a penny in his life, and was as true as a rock.

5364. The next is John Kelland?—He is a tenant of the gentleman described as being six feet long.

5365. Tell us something about him; he voted for the Liberals you say; had he always voted for the Liberals?—Yes; Mr. Manning does not try to coerce him; he does as he pleases.

5366. Did you try to do anything with the two-yard man?—We objected, and that objection made him a Liberal. We can tell who is a Liberal by his looks.

5367. How do you manage to do that?—If you see a Liberal he is sure to have a downcast look.

5368. Then you do not require to have any conversation with them to find out what they are?—No.

5369. Was Mr. Kellock made a magistrate?—He was nominated as such by the council.

5370. When was that?—Before Mr. Webber was made they had had a majority; but Lord Westbury cared as much about the recommendation of the council as about the snap of his fingers; he only cared for his own sons.

5371. He had a recommendation, but was never made one?—No.

5372. Do you remember any one recommended by the council who was not made by the Chancellor?—Yes, Mr. William Bentall and Mr. Thomas Edward Owen.

5373. Were they all Conservatives?—Yes.

5374. How many magistrates have you in this place?—Seven. I saw six here the other day.

5375. At the time they were recommended were there seven?—No, there had been some deaths; Mr. Huxham died, and they put in his son, and when Mr. Soper died they put in two to make up his vacancy.

5376. Was not the reason Lord Westbury refused to make those, that he thought there were enough?—No, because he made others.

5377. (*Mr. Bere.*) You must know that the appointment of magistrates is left to the member of Parliament, and that the Lord Chancellor, except formally confirming it, has no more to do with it than you have?—I was not aware of that.

5378. (*Mr. Coleridge.*) Do not you know any instance in which Liberal magistrates have been refused in the same way?—I never knew an instance.

5379. As to Thomas Kinsman, Fore Street, was he always a Liberal?—He has always been a Liberal.

5380. Was Thomas Kinsman one of the independent Liberals?—He was not exactly an independent Liberal, but he was one of those who wanted a situation for his nephew.

5381. Had he always been a Liberal?—I remember Mrs. Kinsman telling me that Earl Gifford had promised her a situation for young Mr. Kinsman on his leaving the town, and that he did not comply with the promise which he had so made, or adhere to it, and consequently she was rather dissatisfied when Mr. Mills came down here.

5382. Mr. Kinsman always voted for the Liberals?—Yes.

5383. How did you get hold of Kinsman, did you have any conversation with him?—No.

5384. Did you return him as a likely person to be got hold of?—Yes.

5385. For what reason did you think he was a likely man?—He was working with uncle, and was not a man with a very high intellect, a man likely to be tempted with a handful of gold.

5386. But Thomas Kinsman the uncle?—He is not bribed. Young Kinsman, he worked with his uncle.

5387. How did you get hold of him?—His wife was a Conservative, and it is a capital thing if you can get hold of the better half.

5388. And you canvassed her?—No, I did not; she informed us of certain facts.

5389. Little difficulties he was in?—And she would aid us in looking him up. She was something like Cross's party with regard to Putt; the Duke's party, Cross's party, got him and we could not get him.

5390. How much do you think young Kinsman got?—I have not heard the amount.

5391. Who dealt with him?—I have no idea at all; he will tell you, he is in the town.

5392. Thomas Creaser Kellock?—That is the mayor; he would get his fee.

5393. Frederick Kellock?—He is the same, a lawyer.

5394. Edwin Thomas Lizard?—He is what we call the Duke's slave; he is a tenant, that is to say, he rents a farm as well as having a fee.

5395. Is he always Liberal?—He is bound to go that side.

5396. Without any consideration?—Yes.

5397. One of those who expect to get something from their election?—No.

5398. You put him above that?—Yes.

5399. Robert Lake?—He was the Duke's tenant at that time.

5400. Now what part did Mr. Thomas Creaser Kellock take in the election of 1863?—I do not remember; I do not think he took any active part.

5401. He was not an agent?—I do not know.

5402. Did he take any part in the election of 1862?—I do not know.

5403. Did he take any part in the election of 1865?—Yes, he did.

5404. He was returning officer in 1865?—No, he is now.

5405. Tell us what he did in 1865?—I do not know; he did not do anything illegal to my knowledge, I think he went about canvassing.

5406. Was he in your committee room?—Yes, very frequently of course.

5407. In fact he was cognizant of all the goings on of your party?—We never said anything to him about bribery.

5408. I do not say bribery, the general working of the election?—Yes, he went about canvassing.

5409. He knew as much as the other members of the committee who were kept in the dark?—Very likely.

5410. (*Mr. Bere.*) Who kept your poll book or canvass book or whatever you call it for 1863 and 1865?—I think the solicitors would have a poll book of their own.

5411. Mr. Edmonds?—Yes.

5412. (*Mr. Coleridge.*) I think you said you gave yours to Colonel Dawkins?—Yes; that was when he first came.

5413. Edwin Thomas Lizard?—He is the Duke's tenant.

5414. Then Robert Lake?—He was the Duke's tenant.

5415. He voted for you?—He voted for us; he got some money to do it I believe and got turned out.

5416. Did you canvass him?—No, I had nothing to do with him.

5417. You had no conversation at all with him?—No.

5418. (*Mr. Bere.*) You seem to have had very little to do with these people at the 1863 election?—I was not at that class of man at all.

5419. Do you know who did him?—No; he is here and can tell you.

5420. Was it Niner?—I have no idea.

5421. Young Heath?—I do not know, it may be.

5422. (*Mr. Coleridge.*) Do you know at all what he got?—No; a tolerable sum I should think.

5423. You do not know?—No.

5424. How did he vote in 1862?—For Mr. Pender in 1862 I think.

5425. Do you know what he got then?—He told me that Jeffery Michelmore came down to him and told him he would be the ruin of his wife and family if he did not vote, and a host of things of that kind.

5426. Did he tell you that instead of ruining his wife and family he had got something instead?—I do not think he did; I do not remember.

5427. In 1865 how did he vote?—He was not a voter. He rented a mill, which is property of the Duke of Somerset, in the parish of Berry, and he got a young man to take a field of him, so that they objected to him and knocked him off.

5428. Samuel Lane, he voted for you?—He is the relieving officer; I never heard anything about him.

5429. Was he always the same way?—Always a Tory. I believe the only thing that I remember about Lane does not refer to this election. It was about poor Hill, whom Joseph Ferris sent some money to, and he did not carry it to him.

5430. That is not this election?—No.

5431. Then Thomas Laskey, he did not vote I see. Do you know anything about him, why he did not vote in 1863?—He was very ill at the time, and I think they wanted 500*l.* for him.

5432. What is he?—I think of the number that was holding back; he was very ill, and died soon after.

5433. Then he got nothing, or did he get a large sum?—A large sum. I do not know the amount.

5434. Did he get a large sum not to vote?—He was to come down, and was up, dressed, and was waiting to be carried, but old Light was there, and we could not get at him.

5435. Which way was he to have voted?—Michelmore said do not vote, and he said, "If I do I shall "lose my bread," and consequently we could not get at him.

5436. Did he vote for you?—Yes.

5437. You were willing to give him 500*l.*?—Yes.

5438. Which managed him?—I do not know.

5439. Did you go down to see him when he was ill?—No; I went up there once to see his wife, but could not see him.

5440. Did you make any arrangements with the wife?—No.

5441. Did you tell him whether he could have something for his vote?—No.

5442. Nothing of the sort?—No.

5443. How had he voted before?—Always a Tory, a thorough Tory until that, and then we had his last dying speech and confession.

5444. John Light?—He did not vote.

5445. Why did he not vote?—He had money to go away.

5446. Which side?—On our side.

5447. He would have voted against you?—He was always a Liberal.

5448. Did he vote the time before for Mr. Pender?—Yes.

5449. At the last election 1865 he was a Liberal?—Yes; he voted for us on two or three or four occasions, and I think at the council elections his price was 4*l.* We got him all right then.

5450. I suppose having got hold of him not to vote in 1863, he was a man you naturally went to in 1865?—He was fully tempted in 1865.

5451. Screach went to him?—Yes; I think he offered 150*l.*

5452. Did you go at all?—No.

5453. Did not you canvass him at all?—No.

5454. They offered 150*l.* and he voted against you, did not he?—He had more than that from the other side. He is one of those cunning crafty kiddies who knows what he is up to.

5455. Was Parnell the man who did him?—Yes.

5456. Do you know what he gave him?—No. You may rely on it as a certain fact there was more than that offered. We put down 150*l.* as I am informed, and he would not take that. He was up to that, because he had voted for us before, and must have had more to vote against us.

5457. Do you know whether Mr. Windeatt mixed himself up with this?—Yes, and poor old Derry.

5458. (*Mr. Bere.*) He had never voted for you before?—No; but after that election he had money to stay away.

5459. I thought you said that he had voted for you once before?—In the council; but after that he took that money to remain away. He voted two or three years for us in the council, and had 4*l.* a time.

5460. (*Mr. Coleridge.*) After the last election had you any conversation with him about his going round again?—No.

5461. Never any conversation with him since?—No.

5462. Did you ever talk to him about Windeatt, what he did with him?—No.

5463. Did you hear of any correspondence between Windeatt and him?—No, I never had any.

5464. Did you hear of any?—Mr. Windeatt I think was a kind of trustee for him. He was entitled to some little yearly stipend arising from some property, I think at Kingsbridge, and Mr. Windeatt had the payment of the money. I do not know exactly how it was. He was terribly disgusted with Mr. Windeatt, because he is what we call a long-winded chap to get money out of his hands. He was poor and had a large family. I believe him to be a thoroughly honest man notwithstanding that.

5465. Robert Lorimer, he did not vote?—No.

5466. (*Mr. Bere.*) He voted against you in 1865?—Yes. In 1859 he voted for us. He voted for Mr. Mackenzie also.

5467. (*Mr. Coleridge.*) In 1862 how did he vote?—For Mr. Pender.

5468. How did you manage to prevent his voting in 1863?—He was the man who carried up the money to Sam. Hill, and he told me. I remember going up about three or half-past three that day. Whether there was any heavy pressure or anything brought to bear, or what it was, I do not know.

5469. Do you know what your side gave him not to vote?—I believe the other side gave him a heavy sum not to vote.

5470. He voted for them before?—Yes, he voted for them before.

5471. (*Mr. Bere.*) He voted for Mackenzie in 1857, and Dunn in 1859?—Yes.

5472. (*Mr. Coleridge.*) And in 1862 for Mr. Pender?—Yes; but we could not move him after he brought back the money that morning of Hill's.

5473. You saw him yourself?—Yes.

5474. What did you say?—I asked him if it was money he really wanted, if it was to speak out. No, he said, he would take no sum of money at all.

5475. Did he say he had got money from the other side?—No.

5476. What did you think he was going to do, vote against you or not at all?—I thought he was going to vote for us.

5477. When did you offer him money?—I did not offer any money, I asked him if he wanted any money.

5478. When did you ask him that?—I asked him whether he was dissatisfied with anything, and I think he was disgusted with Mr. Hill's conduct, that he had anything at all to do with it.

5479. After you found out that he did not want money, I suppose you thought he was going to vote on the other side?—My impression was at the time that if we could get the other parties, because he asked the question, "How many more have you to

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"vote?" and if his vote was to carry it he would have gone down and recorded it.

5480. Had he got any money in 1862?—Rumour says so; whether true or not I do not know.

5481. He was a man open to conviction?—I should think he was, by means of his lending himself to do what he did.

5482. Was he a man who on either side was a matter-of-course man?—I have heard that Mr. Pender has lent him a good deal of money lately, or some time ago, and that made him strong on Mr. Pender's side.

5483. Had he been Conservative before he voted for Mr. Pender in 1862; was it at that time that he lent him the money?—Mr. Pender was exceedingly friendly there. I do not think there was any house in the town that he called in at so much as Lorimer's.

5484. That was 1862?—And 1865.

5485. Having voted for Mr. Pender, as you say he had in 1862, how came he in 1863 not to vote at all; why did not he vote on the Liberal side?—I cannot tell. There was some secret behind the scenes, I do not know what.

5486. Do you think he was paid on both sides in 1863?—I do not think he was paid on the Conservative side. No, he was honest enough to return the money, and asked to have a receipt as having paid the money back. I think he has the receipt, I do not know from whom, one of the Conservative party.

5487. In 1865 he voted for Mr. Pender again?—Yes; and he is hot, sweet, and strong for Pender now.

5488. Do you know what he got in 1865?—No. He is a very active man, and he is something like me, he would not work for nothing.

5489. Now there is the next, Thomas Lombardini, Fore Street; he voted for Dent?—Yes.

5490. What is he?—A boot and shoemaker. I never heard anything about that gentleman.

5491. Did not you canvass him?—No; he was not on my list at all.

5492. He is one on your side?—Yes; but he is always good and true.

5493. What do you do before an election here; do you divide the people according as you know them into different lists?—Yes; for instance, we should give George Evens his father-in-law for that reason.

5494. George Evens is a regular canvasser?—Yes.

5495. What class would be given to you?—A class above that rather.

5496. You want to deal with them on a more liberal scale?—No. I should have to deal more with those who are considered Liberals, to try and convert them.

5497. To try your powers of persuasion?—Yes, I had to bring my powers of persuasion to bear, and so on.

5498. What class would be given to the Heaths?—They would have to go after me.

5499. They would have to perfect that which you had ingeniously commenced?—If there was a hole in the ballad they would have to go and mend it; the possibility of putting in a spoke.

5500. They were your lieutenants. Who would be the party which Evens would canvass?—Oh! he would have to do with the black man. The black man would order him where to go.

5501. Whom would he canvass among?—The lower class of voters would be left to Mr. Evens and Helms.

5502. Captain Helms?—No. I do not think Helms had anything to do with that election; 1865 I am speaking of.

5503. Heard and Evens canvassed the lower class, and you with the Heaths as lieutenants?—I do not look at it in that light; I never had anything to do with bribery. I should report to them the state the man was in, a high fever or low.

5504. You put the tempter into the voter's way?—No; I should go to ascertain what his views are, whether open to money.

5505. And then you set them in motion?—Yes, take a bag of money with them and try the man.

5506. Who besides the Heaths had you under you?—Screach.

5507. Who besides?—That is all.

5508. Then the next is Thomas Lampen?—That was a gentleman that was mentioned in the olden times.

5509. (*Mr. Bere.*) That is a gentleman concerned in the election of 1841?—A very old man.

5510. He voted for Mr. Dent. Did he vote at the last election?—Yes.

5511. Was not there something said at the last election about considering an old man. Did not he say he was an old man and wanted to be considered?—He never had a farthing at the last election.

5512. So we heard, but did not he ask for something?—No. I rather think I put him down among that class we thought would expect a certain sum.

5513. How much?—20*l.* or 25*l.*

5514. But he did not get it?—Not a farthing.

5515. The door was shut too early for him?—Yes, I suppose so. He was in a terrible tear with me. I wanted to know what was up.

5516. The party had served him very bad after the 1865 election?—Yes.

5517. What did he get in 1863?—I was not aware in 1863 or the time before.

5518. Did he tell you in 1863?—No.

5519. What is he?—A basket maker, living in his own house. I inferred from what he said that he was displeased with something or another.

5520. Did he intimate that he was more generously treated in 1863 than 1865?—No.

5521. John Earle Lloyd?—He was one of the petitioners and one of the freemen.

5522. The partner of Mr. Bentall you spoke of yesterday?—Yes.

5523. Jeffery Maye?—He is a gentleman who did not vote. He received a letter,—I am informed so, I am not aware of the fact,—on the morning of the election from Mr. Thomas Michelmore. He had promised us, I may say, prior to this election.

5524. Was he a tenant of the Duke's?—Yes; and qualified on the Duke's property. He received a letter from Mr. Thomas Michelmore stating that the election was likely to be very close, and begging and praying him not to vote against, that he should be turned out of his living if he lost that election.

5525. Did you ever see that letter?—No.

5526. How did you hear it?—It was the current report. John Maye was another elector very strong with us, and I think they went out there with a carriage for him, and lo! and behold, this letter had come, and he would not.

5527. How did he vote in 1865?—For Seymour and Dawkins.

5528. Do you suppose that any money passed?—No; he was beyond anything of that sort.

5529. James Mitchell?—He was an old Tory. He got turned right over at that time. I do not think he voted at that time for Mr. Pender, but he always feels he is indebted to the Seymour party, and consequently he in that instance gave them a vote.

5530. Is he a tenant of theirs?—No. I spoke of a man yesterday, of his voting in 1865 for Seymour a plumper, and this is the gentleman. He lives on leasehold property. I said yesterday something about his death. I think on the house there is one life left. Perhaps he expects to be living when that life dies, and it is leasehold property.

5531. Where you told us about the surveyor?—Yes; quite so.

5532. John Mitchell?—I should think that gentleman gives his votes without any money.

5533. Which side?—The Liberal man.

5534. He voted for the Liberals?—Always a Liberal man.

5535. Not a tenant of the Duke?—Yes.

5536. Is he a slave?—He always goes that side. He is not a man of very great intellect; he does not read much.

5537. What property, any house?—Yes, he has ome property on this side of the way.

5538. The next man is Thomas Mitchell, Seymour Place, Bridgetown. Is he a tenant of the Duke?—They used to call him "the little China boar."

5539. From what peculiar signs of character?—He was very short and thick.

5540. How did he vote?—He was the gentleman referred to when you were asking Mr. Shute in reference to the manufacture of votes at Bridgetown, where Mr. Michelmore got implicated very seriously in reference to this man's manufacture; Mr. Mitchell paid 10*l.* a year rent, of which 10*s.* was returned to him by Mr. Michelmore year after year, notwithstanding he gave him a receipt for 10*l.*

5541. 10*s.* was returned to him, and notwithstanding that he came and swore it was worth 10*l.*?—Mr. Michelmore always sat alongside and acquiesced in what the man stated when that objection was made.

5542. It is not always the rent paid is the true value of the qualification?—No, just so. As far as that, we found that out in the fields. As soon as let by auction they will make a great deal more than now.

5543. George Randle Mitchell, is he an honest man of the party?—Thomas Mitchell was turned out of the house and is not a voter now.

5544. Is the Duke's property, do you consider, let at its full value?—I should think so.

5545. House property as well as land?—Yes. I should not like to give more than 10*l.* a year for that house.

5546. George Randle Mitchell?—He is the son of James Mitchell a butcher at Bridgetown and a tenant of the Duke's.

5547. He votes according to the Duke?—Yes.

5548. Did you try to get at him at all?—No, not of late years.

5549. When did you last try?—I think I last tried in 1852.

5550. Then it was thought of no use to try him again?—I do not know whether he was tried in 1859.

5551. George Mitchell had not a vote then?—No, had not he?

5552. He had a vote in 1857 and voted for Mills and Gifford, and he had a vote in 1859 and voted for Mills and Gifford. He was tried to be got at in 1859 then?—I think at one of the elections I remember something being said about him, but I do not think he had any money. I think he is one of the class that at the sound of the bugle he must come.

5553. He is a slave?—Yes.

5554. The two following, Thomas and Jeffery Michelmore?—They all come in the same way.

5555. Always come as a matter of course?—Yes.

5556. Now Thomas Michelmore had got the key of the borough in his pocket so far as Liberal interest was concerned?—Entirely. He followed out to the letter the orders of the Duke, and the Duke was very conscious. I am fully aware that the Duke was cognizant of everything going on; because you will bear in mind that according to the history of this borough it is a very rare thing to get the Duke of Somerset to come near us. The last time and the last time but one that he came, on a Sunday, he got salutations that must have been very disagreeable to him. In fact he is afraid to come to the borough, he is so disliked. I recollect that he looked like a man with a tail piping in the latter part of the day.

5557. Do you think that Mr. Thomas Michelmore, by his personal influence as well as being agent for the Duke, was really able to return a Liberal member here?—Independent of the Duke's influence?

5558. No; with the Duke's influence and his own. Had not he a good deal of influence himself apart from what the Duke's stewardship gave him?—No, how could he get any.

5559. He was agent for other people, was not he?—He had not any property in the borough, I believe. He was a tenant of Lord Cranstoun. They were manufactured votes for other places brought in from Buckfastleigh and elsewhere by this company I spoke of.

5560. But they were tenants of Lord Cranstoun?—Whom he brought in, but he had them under his thumb—his control, nothing more than that.

5561. How long had he been steward for the Duke?—For as long as I can remember, and his father before him.

5562. Jeffery Michelmore is his son?—Yes.

5563. He succeeded him?—Yes; they say he is a little more tyrannical than his father, whether it is so or not I do not know. He is fiery, he is ginger.

5564. Robert Morgan?—He voted against us at that time. At the previous election he voted for us.

5565. Was any influence used?—I heard he had 60*l.*

5566. At Dunn's election. Had you been to see him yourself?—No.

5567. Was he not one of the gentlemen whom you considered necessary to influence?—No; I have been thinking who did bribe him, but I cannot remember.

5568. I think in 1865 you saw him and intimated?—I had a conversation with him, but he was not come-at-able.

5569. Had you a conversation with him in 1863?—I think I had a little talk.

5570. Just a suggestive talk that money was to be had?—No; of course we knew he was a money man, because after they have once tasted the blood they are sure to want to again.

5571. Charles Frederick Michelmore, he is the cousin, is not he, of Thomas Michelmore?—Yes.

5572. He is the Charles Frederick Michelmore mentioned in the proceedings before the House?—Yes.

5573. What part did he take in 1863?—He was the recognized man then.

5574. Was his father, Charles Michelmore, alive then?—No, he has been dead some time.

5575. Was he acting as the legal adviser with Mr. Windeatt of the Liberal party?—I think he looked upon himself as the legal recognized agent for Mr. Seymour.

5576. You saw him going canvassing about with Mr. Seymour?—Very frequently. At the last election he said he was not agent then.

5577. William Michelmore, who is he?—A regular old staunch Conservative, who never had a farthing in his life.

5578. Is he related to the other?—No.

5579. George Mitchell, was that our friend the currier?—Yes.

5580. What class did you put him in?—Report says he was bribed in Ricardo's time, and he has been bribed every time now, report says so. John Perrott will come into the witness box and tell you that gentleman bribed him himself, although he professed here on oath that he was a purity man.

5581. So that he was not only a briber but a bribee?—Mr. Perrott told me after Mr. Mitchell gave his evidence here, that he had sworn to the greatest lies conceivable, and that he was one of the 25 that held money for the old party, and John Perrott was the one he received it from.

5582. Was John Perrott then one of the 25?—He was one of the 25 I believe.

5583. When was John Perrott a voter; he was not on the list in 1863?—He voted for Mills and Gifford in 1852.

5584. He did not vote at all in 1859?—In 1859 I think he voted.

5585. He voted in 1859, he split?—Yes, for Seymour and Dent; Penny Sharpham will be able to tell you a little of what Mitchell did to him.

5586. Did you go to Admiral Mitchell?—No.

5587. Perhaps he is not in a position to deserve it. John Michelmore?—I never heard of his having money.

5588. Whose side is he?—Our side.

5589. Did he vote for you last time?—He voted for Pender to my surprise, I do not know how he came to do it, Pender and Dawkins.

SIXTH DAY.

Mr. R. Harris.

29 Aug. 1866.

5590. Has he anything to do with the other Michelmores?—No.

5591. Not a cousin?—No.

5592. He never had any money, and to your surprise voted for Mr. Pender?—Yes, I do not think he would if the contest had been close at all.

5593. Did you talk to him about it at all?—No.

5594. Were you present in the booth when he voted?—No, I do not know that I was.

5595. (*Mr. Coleridge.*) He is one of those who like to vote on the winning side?—I cannot conceive what induced him to vote for Mr. Pender; hints have been thrown out, but I cannot believe them.

5596. (*Mr. Bere.*) What is he?—A coal merchant.

5597. In pretty good business?—Yes; what was the motive he had I cannot conceive, because he was always a staunch Conservative.

5598. If he voted for Mr. Pender then, do not you think the inducement must have been very stong?—I cannot think evil of the man, because I do not really think he would condescend to accept a bribe.

5599. Has he many children?—Only one. Whatever induced him to vote for Mr. Pender I was astonished when I heard it.

5600. Nicholas Manning, he is the "two yards of bad stuff," is not he?—He is on the Conservative committee, and is always very active; I have heard him say over and over again that he never had a halfpenny in his life.

5601. He always voted for the Conservatives?—Yes.

5602. Richard Mitchell; he voted in 1857 for Mackenzie and Gregory, Conservatives?—Yes.

5603. Who are his tenants?—Charles Fitze, William Farley, John Briggs, and William Callard.

5604. How have these four voted?—Callard votes Liberal; Fitze votes Liberal; Briggs has not got a vote yet, he was turned out from the Duke's property; Fitze went into the slave states and Briggs came into the free states.

5605. Had Briggs voted against the Duke?—Yes.

5606. And had got turned out in consequence?—Yes.

5607. At what election was that?—At this very election.

5608. Now as to Farley, can you tell us how he voted?—In 1863 he voted for Mr. Dent, and so did Fitze.

5609. Do not you know that Mr. Manning got a great deal of money for his tenants though he got none for himself?—I do not know that.

5610. Do not you know that Fitze and Briggs both got money?—Briggs would be found in the Bridgetown lot; Fitze voted for Mr. Manning's house.

5611. You do not know at all what sum of money they got?—No.

5612. Did Fitze have his qualification altered?—He has always voted on our side. I have heard Mr. Manning say that those men never had any money.

5613. Mr. Manning was a farmer, was he not?—He was a retired gentleman.

5614. He was very active during the election, was he not?—He attended the committee meetings and so on.

5615. Did you ever see Mr. Manning and Mr. Mum together?—No, he is not the class of man whom we should ever trust with a matter like that.

5616. Then what was his peculiar use?—He canvassed.

5617. He was a good big strong man, was he not?—Yes; but like a good many more in Totnes, he has not read much. For instance, he was not so well versed in politics as I might be.

5618. Then do you not trust any one on the Conservative side unless you consider him to be well versed in politics?—We generally look out for men who are tolerably well up to the mark.

5619. Robert Mogridge?—He is dead. He said before the committee that he was always "Mr. Most."

5620. When did he die?—He was buried about a fortnight ago.

5621. Was he bribed in 1863?—I concluded that he was from his own observation.

5622. Did you canvass him at all?—No.

5623. What was he?—He was a hay dealer.

5624. William Marks?—He is a grocer; he did not vote at the last election. I thought that he was strong on our side. I never heard of his having been bribed by any one.

5625. You never heard of his having been bribed?—No; if there was any money he might have had a 10*l.* note sent him, as he is a working man with a family.

5626. You would send him some money as a matter of course?—Yes.

5627. Then why did he not vote at the last election?—I have been led to think that Mr. Lorimer brought some influence to bear on him, at least that was the rumour. I am afraid of it.

5628. Accompanied with a little coin you may think?—I do not know what was the influence that was used, but I was surprised that he did not vote.

5629. He had been a voter how long?—He had been a voter many years.

5630. And had always voted on your side?—Yes.

5631. Had he voted on your side at the election for the council as well as at the borough elections?—Yes; he was always what is called our man.

5632. John Maye—he is the brother of Jeffery Maye—it was he who gave you all the information about Mr. Thomas Michelmore, and so on?—Yes, he is a staunch gentleman.

5633. What is he?—He is a man of good means.

5634. The next is Thomas Mugford?—He is the cockle man.

5635. Then, when he has not a very good sale for his cockles sometimes, what effect would that have upon his vote?—I do not believe that if you were to offer him 500*l.* he would turn Whig, although he is a very poor man. If there were any money going, I should certainly conscientiously send that man 25*l.*

5636. Do you know did he have 25*l.*?—I do not know that he had, but I should suppose so.

5637. Then if another election was to take place you think he ought to be considered?—The party ought to look after a man like that, who has been true to his colours, and who is a poor man.

5638. He has never come and asked you for anything?—No.

5639. You think that he would accept what was offered him; that he would not haggle about it?—No; he always answered to the call, like the Duke's men would to Mr. Michelmore.

5640. He would come at the sound of the Conservative trumpet?—Yes.

5641. Even suppose he got nothing?—Yes, I really think he would, conscientiously.

5642. Then, supposing that other people of the same class had got 25*l.*, do you still think that he would come and vote for you if you had given him nothing?—I believe that he would.

5643. (*Mr. Coleridge.*) If he found out that that had been done once or twice you think he would still come?—I do not think you would turn him; he is an uneducated man, and is very strongly impregnated with Conservative ideas, and when you get hold of a man like that no power under the sun will turn him. If you speak to him he says, I am a Tory, that is his answer to your question.

5644. Did you ever ask him if he knew what a Tory was?—No; he does not know what a Tory is any more than that book.

5645. (*Mr. Bere.*) Charles George Mason, what is he?—He is a gentleman; one of Mr. Durant's tenants, and he is a thorough Conservative; he said he wished Mr. Dent success, but he could not vote for him, as he was afraid of his landlord. He votes so as to please Mr. Durant; he told me so.

5646. You think he is enchained by that influence?—Yes.

5647. Did you ever ask him if he knew what a

onservative meant?—He is a very respectable gen-eman.

5648. Is he a farmer?—Yes.

5649. A person who farms a large property?—Yes; and he has got large estates of his own at Harberton. I remember to have heard him say in reference to this very election that he wished Mr. Dent uccess, but that as he had qualified under Mr. Durant's property, he felt bound to vote for him.

5650. Did not Mr. Durant come down and try to ee Mr. Dent?—That was at the first election in 862.

5651. And I believe that he was not allowed to see im?—He was not the right colour.

5652. Richard Mortimer, was he one of Lord ranstoun's tenants?—Yes.

5653. And under Thomas Michelmore's influence? es, and voted for him.

5654. What was his qualification?—He voted for a eld at Windmill Down on the Duke's property.

5655. David Manning, what is he?—A butcher. think this was his first time.

5656. He was a person whom you would have exected to vote for you in 1865, and who did not?—es, he did; he voted for Seymour and Dawkins.

5657. I suppose much to your surprise?—I did not nticipate that he would have had any inducement ffered to him to vote for Seymour.

5658. How came he to vote for Mr. Dent in 1863?—That I do not know.

5659. In 1863 into whose district would he have ome?—That I cannot tell.

5660. Would he have come into Evens' district or nto yours?—I do not know; he was looked upon as a afe man.

5661. Giles Narramore?—He is a safe man on the ther side; he is John Bowden's clerk, the cyder nerchant.

5662. Is Mr. Bowden in Totnes now?—I do not now. Perhaps I may be here permitted to say that t has been reported to me I was wrong in reference o the Rev. Mr. James, and that it was Mr. Bowden who lent the money to Mr. James, but you will learn nore of that hereafter.

5663. Philip Kelland Niner?—Yes, P. K. as we all him.

5664. What is he?—A hatter; a man of large roperty.

5665. Was he strong in your favour?—Very trong.

5666. And was not, as you think, to be influenced by the other side or by their gifts?—No.

5667. Is he the father of Arthur Niner?—Yes.

5668. Was he very active do you know?—He went about once or twice with John Heath as a ompanion.

5669. Nicholas Norrish, jun.?—I have heard that e had same tin.

5670. How much, can you say?—I do not know.

5671. Was it in tens or in hundreds?—He is a poor man; it was not a very large sum.

5672. Might it be 40*l.* or 50*l.*?—I should think bout that, I do not know.

5673. Do you know who had paid attention to im?—I should think he would have been in Fred. Evans' class.

5674. John Nickells?—Screach said that he gave im something in 1865; whether that is true or not I annot tell.

5675. What did he get in 1863?—I do not know whether Screach may have dealt with him then or ot.

5676. Had he before 1863 given any vote to you?—I believe he had voted twice.

5677. How does he vote in the council?—He is lue there.

5678. Does he want 4*l.* for his vote in the council?—I never heard of it. I have been sitting there as ssessor, and I do not know about the out-voters.

5679. Lewis John Oldreive; who is he?—A land gent; he is beyond anything of that sort.

5680. Does he live in a house of his own?—He does, in one of the new houses on the top of the hill, overlooking the river; he bought it.

5681. Robert Oldrieve; is he any relation of Lewis John?—No, he is a tenant of Lord Cranstoun's.

5682. Is he under the Michelmore influence?—Yes, he qualified on the Duke's property and voted for them. At the last election he did not vote at all. Mr. Pender got his son a situation I believe.

5683. Was the situation got before the election or after it?—It was after the election. I believe he had the situation for not voting, otherwise he would have voted for us.

5684. Did you hear of any promise given to that effect, about his son having a place given to him if the father did not vote?—No.

5685. (*Mr. Longe.*) Did he ever vote for the Conservatives?—No, but Lord Cranstoun wished him to vote for us on the last occasion, and I believe he would have done so.

5686. The next is William Oldrey?—He is the high bailiff of the town. I never heard that he had any money given to him, nor Thomas Edward Owen, nor William Ough.

5687. He was the clerk to Messrs. Smith and Guscotte?—Yes, he was; he is now connected with the registration for East Kent.

5688. When did he leave Totnes?—Some four or five years ago.

5689. Before Mr. Dent came down here?—Yes.

5690. Thomas Edward Owen; what is he?—He is a gentleman, a surgeon in the town. There was no man there; not with him, nor yet with Mr. Presswell.

5691. Mr. Oldrey votes for you; although he may not receive any money himself, yet he has considerable power to use his influence?—I do not know about that since the new judge came down. The present judge is a Radical.

5692. And so was the late judge, was he not?—No, Mr. Praed was an out-and-out Conservative. Since that time Mr. Oldrey has had nothing to do with politics, but has simply given us his vote; that is all.

5693. Does he not canvass?—No, we cannot get him to move.

5694. Did you ever find that he put in an execution quicker upon a Radical than he would as to a Conservative?—No, I never heard of anything of that kind. Mr. Ough was a Scripture reader here, and there was no money stirring in regard to him.

5695. (*Mr. Coleridge.*) Do you recollect Mr. Presswell being converted to the Conservative faith?—That was in 1859 I think.

5696. He had been a very active partizan on the other side before that?—In 1857 was my first time.

5697. Mr. Presswell was then an active Liberal, was he not?—Yes.

5698. What made him become a Tory?—I have no idea at all what it was.

5699. Was it merely a change of opinion, do you know?—I do not think he liked Mr. Brooking Cuming very well, or there was something of a rumpus between him and Mr. Charles Webber. He was a charity trustee, but I do not think he attended the meetings for years.

5700. I suppose that created as much excitement as if Mr. Michelmore had turned Tory?—No, what influence has Mr. Presswell got beyond his own vote?

5701. Was he not employed at various elections?—I do not know anything about that.

5702. Was it not thought a very strange thing his going over to your side?—I should think all reasonable men ought to be Liberal Conservatives.

5703. Of course you received him with open arms?—Decidedly.

5704. And he brought considerable influence to bear on the Conservative side?—No, we never could get him to move on our side, although we have had a strong Conservative party in the council.

SIXTH DAY.

Mr. R. Harris.

29 Aug. 1866.

5705. Merifield Paige?—He is a tenant of the Duke's, and goes for the Duke without any money.

5706. William Perrott and George Parrott?—I should like them to be asked who paid William Perrott for going to London and looking after these men whom we have heard of. William Perrott went to London and attended to the Liberal interests in these matters.

5707. Was he summoned before the committee?—No.

5708. Did he go up as a guard over Blank?—No, that is Blank's guard over there (*pointing to a person in the hall*); he went after what we call Drunken John the tailor, John Fox Green.

5709. What! were there two of them? — No, William Perrott was for Green and George Mitchell for Blank.

5710. Were they all kept together?—Yes; they were like a limpet on a rock, you could not get at them.

5711. I suppose you looked after the witnesses on your own side pretty well? —Yes; but every one whom we had got on our side went up to tell the truth, whilst they were up there to tell a lot of lies.

5712. Where did you keep your witnesses?—At a house near Westminster Hall.

5713. Do you mean the Westminster Palace Hotel? —No; at some eating-house.

5714. Did you look after the others?—I kept my eye upon the others. Blank promised to tell the truth, and so did Mitchell; but they had got them together so that I could not get at them.

5715. How many Liberal witnesses did you send out a subpœna for?—I should think 40.

5716. And how many on your own side?—Not very many.

5717. The Reverend Major Paul?—He is very strong; he had a portion of the 1,000*l.* for his chapel.

5718. How much did he get?—He was the minister of the Independent chapel at Totnes at the time.

5719. How much did he get?—I understand 50*l.* towards the organ; that was a regular bribe to the chapel.

5720. How had the Reverend Mr. Paul voted before?—That was the first time of his voting.

5721. Mr. Daniel Putt?—We could not get at him; his wife was a Radical, and if you knocked at the door he was not to be found.

5722. The ladies seem to have a great deal to do with the elections here?—An immense lot in this town.

5723. Then you are pretty safe as regards the vote if you can once convert the wife?—Yes; you have made a good point.

5724. Does the wife get anything, do you know? —Sometimes we give her a sovereign to get a good cup of tea at the first going off.

5725. Would they get a new silk dress, or anything of that sort?—No doubt that is very acceptable.

5726. And is sometimes given?—No doubt of that.

5727. (*Mr. Coleridge.*) Did Mr. Pender give away many silk dresses?—Mr. Pender is a very liberal man indeed.

5728. (*Mr. Bere.*) Did you see Mr. Putt yourself? —No.

5729. Who called upon him?—Mr. Dent went over there, and Mr. Edmonds, and she always said he was not in when he was, so that we could not get at him.

5730. Did they try their influence on Mrs. Putt?— She would not go with a Tory; she was a Miss Cross, she was Cross by name and cross by nature.

5731. Had she kept him straight all that time?— The last time he bolted.

5732. Had any of your influence been at work to get him out of the way?—Mr. Evan Evens had.

5733. Where did he go to?—I do not know where he went to; whether he was waiting behind for something strong I do not know. I heard his name mentioned in the committee room.

5734. How much did you hear spoken of?—It was a pretty good sum. Evens will tell you about that.

5735. Then from time to time those things were mentioned in the committee? — When there is a doubtful man of that sort you discuss it; not exactly the question of amount, but that so-and-so is to be had, and is open to a consideration.

5736. You do not know how Evan Evans got over Mrs. Putt at the last election?—Mr. Putt was rather displeased that Mr. Dent did not call upon him, he told me so himself; but they kept him incog., and we could not get at him, he therefore went and voted for the Liberals; he is a Conservative in heart.

5737. How long has he been married?—He went to sea for some years.

5738. After he was married, do you mean?—Yes.

5739. When you have a doubtful man, you hold a sort of inquest upon him and come to a verdict, by which it is decided whether he is worth so much money, say 200*l.*, or not?—Supposing I was conversing with Evan Evens, I might say, "I have seen "so-and-so; I think he is to be had." I should put "doubtful" against his name.

5740. Then the committee all know the price of the man as well as you do?—I do not think they do at first, but they soon find out how heavy he is, and after that they send him to the black man.

5741. Then who decides what is the value of the man?—That is either Mr. Mitchell or the black man.

5742. Then do not the committee have any voice in that?—No, the committee never decide upon the value of a man, whether he is to have 25*l.* or 100*l.*

5743. Then Mr. Kellock would have no knowledge of that?—No, nor Mr. Edmonds.

5744. Then how is it known whether the man has received a sum of money; do you get a receipt?—As a rule receipts are given.

5745. They are kept by whom?—By the black man. The man would say to the voter, "You had "better give me an I. O. U. for it." They get a piece of paper and write it down, and the voter takes the tin.

5746. Then there is some written acknowledgment for it?—Yes, in almost all instances. I remember the instance of a man of the name of Dennis, whose name I think I mentioned before, who had 100*l.* at the last election.

5747. Have you got any of those receipts?—That I cannot tell.

5748. Or has Mr. Heath got them?—I cannot tell; I never saw them.

5749. Are they never held over until the next election to act as a sort of coercion upon the voter? —I believe not.

5750. You know of no instances of their being held over until the next election to be a means of intimidation to the voter?—No; I do not believe that it would stand good in law.

5751. I suppose the candidate never sees these receipts?—No; I suppose not. They bring it down in a lump sum, 1,000*l.* or 5,000*l.*, as the case may be.

5752. What relation is John Putt to Daniel Putt? —No relation at all.

5753. He voted for you?—Yes.

5754. What is he?—I think he was paid to vote for Mr. Dent in 1863.

5755. Had he voted before?—I think he had. I only know this from hearsay.

5756. Who tempted him; in whose district would he be?—That is in Fred. Evens' class.

5757. What particular class would he have to look after?—Men to whom you would have to pay 20*l.* or 25*l.*

5758. How did John Putt vote in 1865?—For us I think.

5759. Under a similar inducement?—I do not know; he is living at Ivy Bridge now. In 1859 they adopted the plan of Mr. Pender's party. There was a man of the name of Smith, a little man, who went round with the money in bags; and there was a man named Satchwell, and another man named Bird, who had 25*l.* a piece; that was at Mr. Dunn's election.

5760. You said in the early part of your evidence hat you had got so near to the rock in 1859 that you ere afraid to do anything of the kind after that?—es; that is the very case to which I then referred; happened in my own house.

5761. In the years 1852, 1859, 1862, 1863, and 1865, have you ever yourself in any instance seen money pass?—No; that was the only case that ever came so near to it, and that happened in my own house.

Adjourned to to-morrow at 11 o'clock.

SEVENTH DAY.

Thursday, 30th August 1866.

Mr. Robert Harris recalled and further examined.

5762. (*Mr. Coleridge.*) Can you tell us how long Col. Dawkins came before the election of 1865?—That letter of mine will tell the date.

5763. Three or four days before the election?—Yes.

5764. Who came with him?—Mr. Smith, a solicitor of London, of the firm of Smith and Guscotte.

5765. Anybody else?—I rather think a gentleman named Turner, I am not certain—Turner, of Exeter.

5766. What sort of looking man is Mr. Turner, of Exeter?—He is a shortish man, a little taller than Mr. Bere.

5767. (*Mr. Bere.*) Do you mean Mr. Turner, the registrar of the Probate Court?—Yes.

5768. (*Mr. Coleridge.*) Anybody else?—No; those three. I think Mr. Smith is Mr. Turner's London agent, and Mr. Smith called upon Mr. Turner to introduce him to Totnes.

5769. Mr. Smith and Mr. Turner were the only people who came with Colonel Dawkins?—Yes.

5770. You are quite sure?—I am quite sure.

5771. Did anybody else join him before the day of the election?—He had his valet.

5772. What sort of looking man is his valet?—He was a soldier, you could see that.

5773. Dark or fair?—A fair young man, about 25.

5774. Good looking?—No.

5775. There was his valet, Mr. Turner, and Mr. Smith?—Yes.

5776. Did anybody join him before the election time?—I do not remember.

5777. You were in and out of his room?—Yes.

5778. You do not recollect anybody who struck you particularly?—No.

5779. Tell us as accurately as you can what Mr. Mum is like. Is he good looking?—Rather what we call a Roman face—longish nose and thin face.

5780. A moustache?—No moustache.

5781. You are sure of that?—Quite sure.

5782. Was he a delicate looking man?—Not very fat; what we call a middle size.

5783. About what age?—I should think about 30 or 35.

5784. Rather a girlish face?—No.

5785. Try and recollect, was there any one else with Colonel Dawkins during the election?—I do not recollect.

5786. No other stranger? If there was you must know?—No.

5787. From the time he came to the time he went away?—I do not remember.

5788. If there had been any stranger constantly about with him you must have seen him?—There was no one constantly about with him.

5789. You are sure of that? Not on and off; not coming and going?—No.

5790. Recollect yourself. Was there a remarkably good-looking young fair man with a moustache, with rather a girlish face?—When you mention that, I think there was.

5791. How came you not to recollect that before?—I did not; but I think there was a young man; what was his name?

5792. I know his name; but I shall not tell you?—I think some baronet's son.

5793. Did he come with Colonel Dawkins?—I did not see him at the time.

5794. You would know him again?—Yes, a thin, neat figure; rather a maiden face, as you say.

5795. When did he come?—I do not know; I saw him with Colonel Dawkins.

5796. You had forgotten all about that till I described him?—Yes; I think he went about with him once or twice in his carriage now you speak of it.

5797. That had slipped your memory?—Yes, it had.

5798. When did he come?—I do not remember.

5799. Did he come with Colonel Dawkins?—I did not see him.

5800. Did you see Colonel Dawkins when he first came?—I saw him the first.

5801. Was that gentleman with him?—No, those three were with him.

5802. When did that gentleman first come upon the scene that you have got the description of? Tell me a little about it.—I do not know; somewhere about a day or two.

5803. Do you recollect when Mr. Seymour, the member, came first?—I do not know the day.

5804. Was it before or after Colonel Dawkins?—I think before; I do not know. I am not positive.

5805. You would not undertake to swear that Mr. Seymour was not in the town before Colonel Dawkins?—I cannot.

5806. Nor that Colonel Dawkins was in the town before Mr. Seymour?—I do not remember.

5807. It was a day or two after Colonel Dawkins came down that this good-looking young man appeared?—I do not think he was good-looking.

5808. That is a matter of opinion. He was a fair young man?—He was about 25, a fair young man.

5809. About one or two days after Colonel Dawkins came down he appeared?—Yes.

5810. What did he do? As you were constantly with Colonel Dawkins, you can say whether he was generally with him?—I do not think he went about with him. When he went out in the carriage he went.

5811. Do you know what he did with him self Totnes is not a lively place to disport himself in?—He might walk about.

5812. Did you see him walking about?—I saw him, but I do not think I spoke to him.

5813. Did you see him going about with Colonel Dawkins or Captain Pim?—I think I did.

5814. By himself?—Yes.

5815. Any of your party with him?—No.

5816. How long did he stay?—I do not think he stayed many days.

5817. Did he stay up to the time of the election? Be careful.—I really do not know.

5818. It is a short time ago; you must try and recollect?—I did not speak to him.

5819. At election times a stranger is a remarkable thing?—There are many strangers at Bridgetown.

5820. But were there strangers with Colonel Dawkins?—No.

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Mr. R. Harris.

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5821. A stranger with Colonel Dawkins must have excited your curiosity. Did you ask what he was doing?—No.

5822. Do you remember hearing who he was?—No; if you were to mention his name I should tell you.

5823. You saw the stranger in the room and made confidential communications to Colonel Dawkins?—I do not think I saw him in his room.

5824. Did this gentleman stay at the "Seven Stars"?—Yes; he had his own apartments. I think so, I am not certain. I never saw him with Colonel Dawkins.

5825. In the house?—Yes.

5826. In Colonel Dawkins' committee room?—Never.

5827. You are certain of that?—Yes.

5828. Did you see him on the day of the nomination?—I do not know.

5829. Come now recollect; a perfect stranger, a friend of Colonel Dawkins, and the nomination day given?—It might be. I never talked to the man at all. He never opened his mouth to me.

5830. Did he go about the town at all or keep himself quite aloof?—I never saw him talking to anybody that I remember. I understood he was a friend of Colonel Dawkins.

5831. Your curiosity was so slight that you never asked him?—He was not the kind of man to do anything in the money way, and consequently I did not want to ask about him.

5832. He was a well-dressed man?—Evidently he was a gentleman. I heard his name several times.

5833. You never took the trouble to make any inquiries about him?—No.

5834. You cannot swear that he was not here on the nomination day?—I cannot swear, he may have been.

5835. From the time he first appeared in the town to the time of his departure from the town, how many days would you say it was?—I do not think he came when Colonel Dawkins came.

5836. So you told us?—Probably a day or two afterwards. I did not see him. I remember seeing Mr. Turner, and Mr. Smith, and Colonel Dawkins.

5837. When did he first disappear from the town?—I do not know; I never spoke to him; had no communication with him.

5838. Was he present on the polling day?—I do not remember seeing him.

5839. You do not remember seeing him on the polling day. You do not know about the nomination day, where did you see him afterwards?—I have not seen him since.

5840. During the time he was here was he in a fitful way? Did he appear in fits and starts; sometimes here and sometimes not?—I do not know whether he went and came or stayed here.

5841. Do you know now who this gentleman was who was going about taking train from Torquay instead of Totnes?—No; I am not aware.

5842. Who was in the habit of going in a carriage from the "Seven Stars," or anything of that sort?—No.

5843. You were so incurious that you took no heed of him?—No.

5844. You do not think he was mixed up in the election in any way?—I never heard that he was.

5845. Had he a valet down here also?—I almost think he had, I do not know.

5846. I suppose at election times the "Seven Stars" is taken entirely by the Conservatives?—No; a lot of strangers go in; all the commercial men and those.

5847. But if any stranger who was not known as one of the commercial men who used the house came in was not he narrowly watched?—Why watch him? There is nothing done but what is clean and above board.

5848. Do you mean seriously to say that at the last election there was nothing done but what was clean and above board that you know of?—There was no fighting, or anything of that sort.

5849. I ask you whether a stranger to the place is not naturally watched when he comes into your camp, and you answer me that there was no fighting! You cannot mean seriously to tell me that there was nothing done that was not clean and above board at the last election?—Suppose the committee had got two, three, or five rooms, if a stranger came into either of those rooms I should inquire, "Who is that "individual?" but if 10 strangers were close by I should not inquire.

5850. You would not inquire if he came with Colonel Dawkins, one of your candidates, who he was?—Of course Colonel Dawkins would not associate with him unless he had confidence in him.

5851. Colonel Dawkins' friendship would frank him into your apartments?—I never saw him there.

5852. You never saw him in the committee room?—No.

5853. He came down for nothing but to admire Colonel Dawkins?—I know nothing about it.

5854. (*Mr. Longe.*) You were with Mr. Mum on one or two occasions?—I spoke to him two or three times.

5855. What was the colour of his hair?—Dark hair.

5856. It was his own hair?—Yes.

5857. When Mr. Screach says he wore a wig, how do you explain that?—I do not know anything about what he may say.

5858. When you saw him he had his own hair?—Well, for instance, a man may have his wig on and a hat, and you may not know whether it is a wig or no, but immediately he removes his hat up comes the wig.

5859. But with you he did not wear his wig?—I never remember seeing a wig or anything particular about his hair.

5860. What was the colour of his hair?—Dark hair he had, and I have seen him since; the same man.

5861. (*Mr. Bere.*) Do you know on the same night that Colonel Dawkins came down, that another gentleman came down as candidate to stand with him, not Captain Pim?—I think that was the man that was talked of at the time; I do not know; he was a young man. It is my private impression it was he, but I do not exactly remember.

5862. Did not Colonel Dawkins inform you that he had brought another gentleman likely to come forward with himself as candidate for Totnes?—No; I do not think that anything was said about that.

5863. Did not Colonel Alexander come down with Colonel Dawkins for the purpose of standing for this borough of Totnes as a second Conservative candidate?—I never heard the name before now.

5864. That was not the name of the young man who was here?—I never heard the name till now.

5865. (*Mr. Coleridge.*) You do not recollect any other stranger except that young man you have talked to me about being down with Colonel Dawkins?—No.

5866. This is how the man is described. Now try and recollect. Colonel Alexander is a man with a good deal of red whiskers, red moustache, florid?—I have very little to do with those. Mr. Bastard and those men will be able to talk to you about that, whether anybody was introduced to them as the committee.

5867. Is it at all possible that a Conservative candidate could be here for the purpose of standing for Totnes without your knowledge?—He was not announced, or any prospective man that I know of. I never heard of the name till now.

5868. Colonel Alexander you never heard of till now?—No.

5869. Or Mr. Alexander?—No.

5870. Or Captain Alexander?—No.

5871. You never heard the name of Alexander?—No.

5872. That is not the name of the young man we have been talking about?—I fancy his name was Abbot.

5873. You will not be certain?—I will not be ertain.

5874. Did you hear the name of Mr. Abbot during e election that makes it familiar?—No. I know was some baronet's son though. They said he was poor man, some poor baronet's son in London; that all I know about it.

5875. (*Mr. Longe.*) You were in the room with creach and Mum together?—No; I never saw them gether during the whole period I was there.

5876. You swear that Mum's hair was black?—I ve no doubt about that—not a shadow of a doubt. can speak to that positively.

5877. Can you explain at all why he should appear his own hair to you and in a wig to Screach?—I ve no reason for that, but he may not have been the me man.

5878. (*Mr. Coleridge.*) You do not know whether ere were two Mr. Mums down?—That may have en. I never heard that there was. There are some rious goings on at these times. These London arpers, they are up to all kinds of things.

5879. They beat the countryman?—Knock him t of sight altogether.

5880. What you do not know they teach you, and hat they do not know you teach them?—No, they are t very communicative.

5881. Now take your list, will you. George Penny, bre Street, he voted for Seymour; what about m?—We understood that we were to have that ntleman.

5882. What were you to give him?—I think he as a large figure man, that man.

5883. What amount—a couple of hundreds?—A ry large sum. Mr. John Heath will be able to tell u all about it. He made overtures to us. I remember seeing him at the "Stars" several times. Whether he was come-at-able John Heath will be able tell you.

5884. How had he voted on the previous occasions?—He has always been a Rad.

5885. But he was open to conviction in 1863?—es, I believe that he said this, that he was aware at his friends and neighbours around took money, d he did not see why he should not have some also.

5886. Have you known him to have money before 63?—I do not know that he had that then.

5887. I did not ask that. Have you known him to ve money before 1863?—No. He was an eccentric aracter. In spite of all these attractions he voted r Seymour.

5888. How did he vote in 1865?—The same way.

5889. Did you try him in 1865?—I did not.

5890. But was he tried by the party?—I should ink that John Heath will come and tell you about at man. He goes down on Friday nights, and gets gratiated down there, and gets into a private conrsation. I dare say that Mr. John Heath knows a od deal about that.

5891. Is he residing here now?—Oh, yes. I do not ow that he had any money; nothing more than hat rumour says.

5892. Do you know what he had from the other de in 1863, that you lost him?—No.

5893. Or 1865?—No. I should think, if bought all, a good round sum. He is one of the ignorant ass.

5894. You do not canvass the ignorant class?—No.

5895. Samuel Parnell?—He is the great briber of e Liberal party. He is now the present postmaster.

5896. He has always voted for the Liberal party I ppose, or he would not have got that?—Yes. That as the gentleman I referred to about Samuel Hill. his man had 25*l.*, so it is reported; of course I only ve it as a report. It is reported that at several elec-ns he received 25*l.* for Hill.

5897. (*Mr. Bere.*) Who received it?—Mr. Parnell ceived it from the Liberal committee, and that he iled to pay it over, and in the course of conversation ith Mr. Hill, when he expressed his dissatisfaction ith the conduct of the party, and one of the heads of the Liberal party said, "Did not you get your "money?" and he said, "I never had a farthing."

5898. Who was the head of the Liberals?—I do not know. Hill will be able to tell you who it was.

5899. Besides keeping back Hill's money, did you ever hear of Mr. Parnell having any money himself?—You may depend that a great briber is sure to take care of himself.

5900. He would take care of himself as a matter of course?—Yes.

5901. Mr. Abel Brown Pulman?—He is a staunch man, and one of the committee.

5902. Did you offer him anything?—No; he is an infidel, and I would not like to have anything to do with such a man.

5903. But he is a pure man?—He and George Mitchell are two infidels. I would sooner sacrifice my life than have anything to do with either of them.

5904. James Pack, he voted for you?—Yes; he has always been a Conservative.

5905. In 1859 and in 1863?—Yes.

5906. And at the last election as well?—Yes.

5907. John Punchard?—He is a tenant of the Duke of Somerset's.

5908. And goes regularly with him?—Yes; I never knew him deviate.

5909. Did you ever try him?—Never.

5910. He is a matter-of-course man?—Yes; he is one of those men who would always expect a little douceur, to have something sent to him. I think his son had a situation given to him at one time; I do not know when it was, but they have got him nailed fast to their colours.

5911. John Pearce, behind the walls?—He is the man; we could not get at him at this election. The election before he was open to conviction. This time he was not available.

5912. He was not convinced in 1859?—No; that is one of the cases you will have to hear of by-and-bye.

5913. How did he vote at the last election?—He voted against us; he looks for a little something.

5914. Is he a tenant of the Duke's?—A small tenant.

5915. Jasper Parrott?—He was a lawyer, but he got struck off the rolls.

5916. He used to vote for you?—He voted for Mills in 1852.

5917. When did he come round?—This was the first election I think. Being a solicitor, he looked on himself as having a retaining fee, though he was struck off the rolls. There was a petition in 1852, and I think they gave him a handsome sum; he knew all their secrets then. They thought he was going to split on them.

5918. Did that petition go before a committee?—I think the committee was struck, the petition was withdrawn.

5919. John Phillips, Broomborough?—He is beyond anything in the shape of corruption.

5920. What is he?—He is now dead, he always voted with us.

5921. John Parnell?—He is a nurseryman; Mr. Pender's men will tell you that he came out in his garden to the man with the white hat and black band and that he offered him a very large sum.

5922. He voted for you?—He did not vote in 1865.

5923. But in 1863?—I know nothing of him.

5924. He lives on the road going towards the railway?—Yes.

5925. James Penwill?—Rumour says that he had money, but I do not know how that is.

5926. Did you canvass him?—No; he always voted on our side.

5927. If he had money where did he get it from?—We do not canvass every man in that way.

5928. You send Mr. Heath to him without any preliminary canvass?—Yes, we look on him as a safe man.

5929. He always voted for you?—Yes. I never knew him to vote the other way. Mr. Michelmore

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I fancy will be able to tell you something about him. It is said there was some money put on the head of a cask on one occasion to bribe him, I remember hearing of it when I was a boy, it was in Baldwin and Blount's time.

5930. Do you know anything of the cask transaction ?—It was when I was a boy.

5931. The next is Thomas Pack, he voted Liberal ?—He is a very poor man, he always goes with the Liberals; he is one of that class who would expect 25*l.* as a matter of course.

5932. And who would get it ?—There can be no doubt in the world about that.

5933. Thomas Pearse, Tollaton ?—He was a tenant under Mr. Cary, he is one of the reasonable men in the town; Mr. Cary is a Liberal who never interferes with his tenants, he is not like the Duke of Somerset. He does not tell you to do this or do that, but to go and do as you please.

5934. Had he any inducement to vote for you ?—No, he is a gentleman far above that.

5935. Had he always voted on the Conservative side ?—Yes.

5936. John Jerman Phillips ?—He voted for us; I never had anything to do with that man. I know that he is one of those men to whom you have to give 20*l.* or 25*l.*

5937. Is he one of those who were always to be found voting with you or the contrary ?—He is a journeyman carpenter, and as I understand Mr. Michelmore turned him out of his work. If you look at the poll book you will find that he voted for Seymour.

5938. What did he do in 1862 ?—I do not think he voted at the election of 1862.

5939. But there were a considerable number who voted for Mr. Pender on that occasion, were there not ?—Yes. I am told that he did not vote at the election of 1857.

5940. Did he vote for you at this last election ?—He did; we have always looked upon him as being a staunch Conservative, we think him one of those who were always to be depended upon.

5941. George Please; what do you know of him ?—He is one of those gentlemen whom you may put in the same class I suppose.

5942. You mean by that one of those who would not feel it an insult if you were to leave 25*l.* for him on the table ?—No, the rich and the poor may be put in a different class at that time, the rich men meet and take their breakfast together, while all that the poor man gets is half-a-crown.

5943. The Rev. James Powning ?—He is a freeman.

5944. Had he anything to do with taking him away from Mr. Durant's ?—I do not believe there is a word of truth in it.

5945. John Pyle ?—I think there is a conversion in that case. I do not know anything about it, how the conversion took place; perhaps it was political.

5946. He was converted in the time of Dent's election ?—Yes.

5947. Did he vote for Pender in 1862 ?—No, he served with us I think at the last election. There was something which he will mention.

5948. Did he vote for you in 1865 ?—Yes.

5949. Was it in 1859 the conversion took place ?—I have not got the books before me.

5950. (*Mr. Bere.*) He split in 1859 ?—Did he, sir; I think it was his first election, he was a half-and-half man, now he is what we call a thorough Conservative.

5951. (*Mr. Coleridge.*) When there came to be a single election the half-and-half men had to make their election ?—Just so, that is the way.

5952. That is the test ?—What I would rely on is this; it is always so in a place like this, and I still maintain that the Conservatives have a majority in the borough; if there is no bribery we can carry our man; but by means of bribery they go on shifting about; they may be a heap of sand at one time, and next time none at all.

5953. You have not then taken into consideration the people who would not come to the poll at all if they were not paid, that does not go for much ?—It is according to the spirit running.

5954. Richard Pengilley, he voted for you ?—He voted. That man Mr. Bourne tried very hard and offered him a lot of money.

5955. What did he offer ?—He got him down to his house. He was authorized by the Liberal committee to go and see him, and he got him down to his house. No, I think I am wrong, this is in 1859; at the election of 1859 Mr. Bourne was an active man.

5956. How did he vote in 1859 ?—For us.

5957. He had some counter-irritant applied that brought him round ?—I never had anything to do with him. He generally voted to please Mr. Bastard. The Liberals knew that, and they tempted him very hard. He was an auctioneer, and he was put on him because he was a furniture dealer, and he attends Mr. Bourne's sales, and it is nice to have the auctioneer in your favour, because down goes the hammer quick.

5958. Is it part of your province or some one above you to arrange who shall go after everybody ?—We look over the list.

5959. Is it part of your duty ?—I should recommend who to put on A. and who to put on B.

5960. You would watch the proceedings ?—I should be called in as the lieutenant, with a captain above me.

5961. Who would be captain above you ?—Mr Edmonds.

5962. The next is William Paige ?—That gentleman votes without any money. At the general election he always splits.

5963. What is he ?—He is a retired farmer, a man of good property. He formerly rented under the Duke of Somerset, and his son at present is a tenant under the duke, therefore he always gives the duke one vote.

5964. What did he do in 1862 ?—He did not vote.

5965. In 1865 he split his vote ?—Yes, he did; Seymour and Dawkins.

5966. William Pengilley ?—That man was bribed at that election.

5967. By whom ?—By us. I think he had 60*l.*

5968. From whom ?—I really cannot tell you. He was one of the party, and had 50*l.* from Screach; afterwards he returned it.

5969. In 1863 he had 60*l.* more ?—Yes.

5970. Did you try him in 1862 ?—I do not try that class of men.

5971. Did you canvass him in 1862, when Mr. Dender withdrew ?—He was right with us then.

5972. It would all have been right with him, but you had none ?—If the purse strings had been untied he would have been supplied on the nomination night.

5973. Mr. Helms having come back with it, he would have been supplied ?—Not that night, the next day.

5974. He did not open it ?—No.

5975. Did he vote for you in 1865 too ?—No; he was one of the renegades.

5976. What did he do ?—He signed the requisition.

5977. What did he do in 1859 ?—I almost think that at this election it was his first vote.

5978. He is a gentleman open to conviction on either side; he comes in that class ?—I should not put him along with the slippery class.

5979. That is the same list ?—No; there are some men open to conviction in a certain sense that are candid; they are the slippery men that will not speak out; they will make use of certain expressions to convey certain ideas, at the same time they are under the rose, and you may treat with two persons at one time; they are the slippery kind of men.

5980. Richard C. Paige ?—I went to see him.

5981. There is first James Page, how did he vote

—He voted for us. He is a clerk in the employ of Mr. Bryett. He voted all right.

5982. Richard C. Paige; he never voted at all?—No, he never voted at all in Totnes.

5983. Frederick G. Putt?—He is one of the slippery company.

5984. Do you know what he had in 1863?—No, I do not.

5985. Did you canvass him?—I had several conversations with him about the election; he is one of the ignorant class.

5986. What do you think he was going to do? Was he open to conviction on your side?—I thought so. I fear there was some conspiracy. This was his first vote.

5987. Who did you put upon him?—I almost think his sister was put on him. I think she offered him 50*l.*, and he agreed to take it.

5988. On your side?—Yes.

5989. Who was put upon his sister?—I do not know. His sister lives with him.

5990. What is her name?—Mary Ann Putt.

5991. She lives with him?—Yes.

5992. You do not know who dealt with her?—No.

5993. That was in 1863?—Yes.

5994. In 1865 what did you do with him?—He was one of the slippery company; then he was one of the seven. He was lost to us; in fact they bound him so tight we could not get at him.

5995. He did not vote at all?—Yes, for the Liberals.

5996. You have no doubt he was paid for doing it?—Not the slightest doubt about it.

5997. Charles Pitts?—He is one of the gentlemen who has got a curious name, about six feet. That is one of his tenants. I have heard that Mr. Manning asked for something for him, but Mr. Manning has told me he never did. I inquired last night if there was any truth in it.

5998. Asked for something from your party?—For this man.

5999. He was not a matter-of-course man?—I should send him something as a matter of course. He is a labouring man.

6000. Did you give him something?—I never did.

6001. Did your party?—I do not know. I have no idea at all. He ought to have something, if he had not.

6002. Who would be the person who would distribute these sums in benevolent charity after the election?—I think Frederick Evens will be able to tell you about that.

6003. Richard Quint?—That was the man who was very near dead when they polled. I have heard he did not speak; it killed him to all intents and purposes.

6004. Did you try him?—No; he was a duke's tenant; he rents a farm.

6005. Did he also vote Liberal?—Yes, he did before he was tied; he had a large farm.

6006. Captain Frederick Rogers?—I thought he was a Tory man. When he came he got converted. After he came up here he voted against us. I do not know whether he was like Captain Sumpter when he did not do any service. Permit me to mention about Captain Sumpter in 1865. I should like to have the Duke of Somerset here. I hope you will have him. This gentleman was made a captain; he was a lieutenant before in the army. Then he came up here and was made a freeman by the Tories a great many years ago. He comes up and takes a room; after he is made a captain he qualifies. He was a Tory before he got it; in three weeks he rises from a lieutenant to a captain.

6007. Do you mean he lives in Plymouth?—Yes. I intend to have a shy at him soon. Captain Sumpter voted at the last election.

6008. As a freeman?—Yes.

6009. As you thought he was going to be a Tory, you would not meddle with his vote?—He was made a Tory, and then he went away and lived. He then was made a captain and got rank, and then under the Lord Chancellor he was made a magistrate. He resides at Plymouth, and has got a house.

6010. Well, then, George Roberts?—He was bribed once, and having once tasted of blood I do not think he will go free again.

6011. When was he bribed?—Mr. Mitchell could tell you about that, the purity man.

6012. Was that in 1859?—No; I think Baldwin and Blount. He was one of the company that slipped through them, and we got him.

6013. Then did they give him something first?—They gave something in Baldwin and Blount and Ricardo's time.

6014. (*Mr. Bere.*) That was the Lapstones?—No, the Mitchell club; he slipped through their fingers somehow or other, and he took our money and voted for us.

6015. (*Mr. Coleridge.*) When did he go away from you again?—He was so disgusted with them, both parties, that he was not a voter for a number of years. He was a person that occupied some property of the duke in Bridgetown, and that was the first time he had a vote.

6016. Did he vote in 1865 too?—Yes.

6017. All right for the duke?—Yes.

6018. Did you know that he was one of the slippery company, did you try him in 1863?—He is one of the class that I should not try; he was a tenant of the duke, and his better half was a strong rabid politician. It was no use going up there.

6019. Did you send anybody over to save your own skin; did you send anybody else to try him?—I do not remember.

6020. Do you know whether the Heaths got him?—No.

6021. James Rees, of Fore Street?—He was the gentleman who gave you a note yesterday of something, and said about his houses; I only gave it as a matter of hearsay about the mortgage Mr. Helms had upon his house.

6022. Is he a voter your way?—He is one of the active men, but he gets dabbling with money.

6023. (*Mr. Bere.*) He voted against you?—Yes.

6024. (*Mr. Coleridge.*) Has he ever voted for you?—No, his brother is one of those who formed the Dartmouth company.

6025. (*Mr. Bere.*) What is Mr. Richardson?—He is dead, poor man. I think he was tolerably true to the party, and I think a very good man. He was a carpenter.

6026. Employed by the duke?—Yes, and buying his timber of the duke. He was a jobber in timber. There is always a way to make up to a man that is true to his colours, "I have got 120 trees to buy up, "say 10*s.* a tree less than what they are worth;" you can go, and that man is safe.

6027. Robert Ryder?—I lost Samuel Hill through that man. He met young Samuel Hill, and report says he was bribed. I do not know whether it was true or not.

6028. This is Robert Ryder, junior?—Robert Ryder, junior.

6029. Who is Robert Ryder, senior?—He is his father, he is a painter, a staunch Liberal.

6030. Influenced by a little money?—I should put a little sum against that man.

6031. At the usual amount?—At the usual amount upon the Liberal side of course, where could they spend the money; if they spent 15,000*l.* it must go somewhere.

6032. Robert R. Rossiter, he is a tenant of the duke?—No, a tenant of Mr. Bowden now.

6033. Mr. Bowden is a Liberal?—Yes, he goes all right, I think, that man.

6034. Samuel Reeve?—He is the father of William Reeve, and he voted for us at this election.

6035. That is the William Reeve you were successful in getting?—Yes, successful in getting the son, not the father.

6036. Did you try to get the father in 1863?—I

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do not think we did, the father was successful in getting away the son from us in 1865.

6037. In 1863 what did you do ?—I do not think he was tried.

6038. Neither the father ?—Not the senior.

6039. He voted for you in 1863 ?—Yes, in 1865 he will tell you of some little conversation he had with Mr. Tucker. He was very anxious, cutting to and fro when Mr. Tucker was here taking the evidence about the petition, Samuel read the links up in his favour.

6040. (*Mr. Bere.*) Can you tell me had you often seen Mr. Tucker of Ashburton before the election ?—He is here repeatedly.

6041. He has not got an office here ?—No, he always does what is the dirty work, that is legal, to be advised about in reference to the dirty work.

6042. He puts up at the "Seymour Arms" ?—He had an interview with the Searles and the Matchams at the "Devon Inn."

6043. That was after the election ?—Yes.

6044–5. I want to know before the election of 1865, did you see Mr. Tucker in the town ?—Repeatedly.

6046. And in 1863 ?—Yes.

6047. Did you see him going about with Mr. Pender canvassing ?—No, I do not think he had any portion of that work.

6048. He still did come and go away again ?—Yes. Is he not on the list that election ?

6049. The son ?—I beg pardon.

6050. James Raymond ?—He is now. I have objected to him, but I did not object to him this year.

6051. What does he vote on ?—On a small shop down in the town. If he has not money he ought to have some, he is a poor man.

6052. If you used your discretion he would have some money ?—Most decidedly.

6053. And about the usual amount on the other side, 25*l.* ?—25*l.* to 40*l.*, it varies.

6054. Robert Ryder, junior, a gentleman about whom you talked this minute ?—We lost Mr. Hill through him.

6055. Thomas Adams Roberts ?—A manufactured vote by Mr. Condy up at the "Commercial Inn."

6056. How does Mr. Condy make him a voter ?—Mr. Condy is the owner of the "Commercial Inn," and this young man or some relative of his does Mr. Condy's work ; he is the owner of the furniture in the house.

6057. Is Roberts rated for the house ?—Yes, he is, and consequently gets the vote. It is *bonâ fide* Mr. Condy's house. This man is rated, and he has got the occupation of it.

6058. William Reeve ?—I think he voted, and had 40*l.*

6059. Samuel Rolstone, what did you do about him, did you write a note to him and ask him to vote for Mr. Dent ?—No.

6060. You are quite sure about that ?—In 1865.

6061. No, in 1863 ?—No, he was here in the town then.

6062. Was he one of the exceptions you made in his favour in canvassing ?—Yes.

6063. Did you go and see him yourself ?—No, I was very friendly with the man ; I never heard him say anything about money ; he is a gardener, and he ought to have 25*l.* or 30*l.*

6064. Does he live near you ?—No, he did at one time ; when he voted then we were living not far from each other.

6065. Did you see him often ?—Very frequently ; he was the gardener of Mr. Phillips of Broomborough.

6066. You never offered it to him ?—No ; now you mention the name permit me to refer you back to 1865. I went up, Mr. Edmonds desired me to go up to Bath ; he had removed from Totnes to Bath. I went up to see him, and he asked me.

6067. You went to see him at Bath ?—Yes.

6068. That was a longish journey to make to see him there ?—That is nothing ; suppose you wanted to go to France to save one vote.

6069. You went to Bath ?—Yes.

6070. Did you do any other voters on the road ?—No, he was the only man ; before he came he had had some correspondence with the man here, and so it was all right.

6071. Who was the friend ?—John Watson.

6072. Is he any relation to the magistrate ?—No, sir ; two or three classes lower than the magistrate.

6073. He was all right ?—Yes, right as the sun.

6074. When did you go, how long before the election ?—Two or three days, or a week perhaps.

6075. Did you go on your way to London ?—Oh, no, I went direct up to Bath and returned again.

6076. Did you not write first of all to Rolstone yourself in 1865 ?—It is more than probable I did ; I do not know ; I came upon him here unawares.

6077. You did not write to Colonel Willoughby ?—I said if he voted as he was going to do it was a misdemeanor because he was beyond the seven miles.

6078. Did you write to Colonel Willoughby that he was not to vote unless he voted right ?—No, I drew his attention to the Act of Parliament as a conscientious man, and a man who would reverence the law, and I said before you can record your vote in the face of that Act of Parliament see that you are not entitled to vote, and you do so under a penalty. He went to Mr. Vincent and he said he should record the vote.

6079. Did he vote ?—He never voted for us ; I am speaking of Colonel Willoughby.

6080. I am talking of Rolstone ?—No ; I say I wrote to Col. Willoughby, whose servant Rolstone was.

6081. He did vote for you ?—Yes.

6082. He was a servant of Colonel Willoughby ?—Yes.

6083. The same objection applied to him that applied to Colonel Willoughby ?—Yes. As soon as I found Colonel Willoughby was going to vote I asked him ; he was sitting down ; he says, "I am, I shall "be down by such and such a train." He says, "Did "you receive a letter from me at Totnes."

6084. You did not warn Rolstone that he would commit a misdemeanor ?—The two would be polled together ; two bad votes ; the two would go against us.

6085. In the event of a scrutiny ?—In the event of a scrutiny you have only two that way, then Rolstone was one of the two.

6086. (*Mr. Coleridge.*) William Reeve in 1863 ?—He is a gentleman who had 40*l.* for voting for Mr. Dent ; he was taken away from Totnes ; he consented to be lugged off, but he came back and got the money.

6087. Do you know the party who paid it ?—No, I do not know the party who paid the money. I do not know whether Frederick Evens had anything to do with it, or Screach.

6088. This is 1863 ?—At this election.

6089. He was taken away in 1865 ?—Yes, he was home then ; he got on the wrong scent.

6090. Taken home by you in 1863 ?—By us in 1863, and by us in 1865.

6091. Richard Soper, he was dead at the time ?—He was a gentleman, one of the magistrates or aldermen.

6092. In 1862 do you know anything of Reeve ?—Yes, the first time he voted ; do you mean in Mr. Pender's time ?

6093. Yes ?—I really cannot tell you ; you have got my sheet before you. I think he was all right with us at that time ; I am not certain.

6094. William Reeve, did he vote in 1862 ?—I think he was with us.

6095. Robert Soper ?—He was dead.

6096. Thomas Searle ?—This gentleman forms one of the slippery company ; he is the father of the manager ; he voted for Baldwin in the early times ; he was for the Tories in the early times ; he turned

over of course; he is a man that men know about as a duke's tenant.

6097. In 1862?—I think Screach will be able to give you a nice history in reference to this gentleman.

6098. James Dimond Searle?—I do not believe that ever he was bribed; he is a large tenant of the duke; he is one of the class that comes to the sound of the bugle.

6099. You never had any communication with him?—No, I know nothing of the sort; he is beyond anything of that kind; no person ever attempted him.

6100. He is a Liberal?—Yes, he is a Liberal; I know the Mortimores under the Earl of Devon were Conservatives, as soon as they got down there they were Liberal at once.

6101. The Rev. James Shore?—He has got an annual stipend from the Duke of Somerset; he is bound to go as the duke goes.

6102. What is that he has got?—A chapel of ease at Bridgetown; I remember two or three years ago there was a row between the Bishop of Exeter and Mr. Shore, and he got 200*l.* a year.

6103. He is the minister?—Yes, appointed by the Duke of Somerset, and he pays him so many hundred pounds a year; as a matter of course he supports that side.

6104. John Sandford Screach?—That is the gentleman that will be able to give a description of himself.

6105. When was his conversion?—I think in 1859 he voted against us.

6106. John Searle?—He is another of the large tenants of the duke; he is always safe on that side.

6107. Did you ever hear of his being paid?—I never heard of any temptation to him; he must go as he is bid.

6108. (*Mr. Longe.*) George Robins Stone?—Poor man, they got him turned out; it was what I call a mean dirty trick to get that man out of Bridgetown; he was renting a house of a person who was independent in a certain house, and what do they do, the Liberal party, Thomas Holman and William Perrott are the principal instigators, they go to the landlord and take a lease of the house at such and such a rent to keep the thing in repair; they gave the landlord 3*l.* a year; they could not take the man out of Bridgetown unless they did it by this mean and dirty trick; they got the house and gave him notice to quit, and he is in a house of mine.

6109. When was that?—Soon after this election.

6110. Do you know how soon?—Soon after; they set about immediately to do it as soon as they could get him out. It may be six or nine months before they could get him out. They got him out soon after.

6111. John Symons?—He promised us to vote for Dent. I do not know what inducement. He is a cyder merchant. He had got a small store there at Bridgetown. The report was brought to the committee room that the man was going to vote for us.

6112. Who brought the report?—I never regarded him as a man that way. He is one of those down-looking men you can never make them out.

6113. They are retired?—I think they are.

6114. Did he ever vote for you?—That is the first time he voted. Mr. William Coulton will be able to tell you about him.

6115. This last election?—He is gone after they once secured him.

6116. (*Mr. Coleridge.*) Is he open to reconversion?—A good many of them are. After they have got the money once, if you have got the same material, in all probability you will be able to keep them.

6117. Unless you are outbid?—Yes, unless you come to the slippery class, and then the danger is they rise more in one year and more the next, and knock you out of the market.

6118. Stephens?—He is a poor man, a matter-of-course man.

6119. John Shute?—John Shute, junior; he was a paid representative of the Duke of Somerset. I hope you will allow me to mention him again, and that you will ask him as to Penny Sharpham about some leather which he gave him. He could give you some particulars about copper leather.

6120. Who is Penny Sharpham?—Not at this election.

6121. 1865?—Some election previous, but I do not know exactly the whole report. I remember the report being in circulation.

6122. What was Penny Sharpham? A shoemaker?—He is now a tenant of Mr. Shute's.

6123. That is all you know about it?—I only knew the report in circulation.

6124. He gave him some leather?—A large quantity of leather; and I think there was some row about it. When you see smoke there is some little fire.

6125. Stephen Francis Shairp?—That man voted for us when Mr. Dunn was here; he is a bank manager. Whether there was anything that induced him to turn against us I cannot tell, but he did.

6126. What bank?—The National and Provincial Bank. I cannot conceive he did it for money.

6127. Did he change his bank?—No; he was the bank manager and brother-in-law of Charles Frederick Michelmore. Whether he brought his influence to bear on him I cannot tell; probably he might.

6128. He married after?—No; he married previous to this. He was married when he voted for us. Strange things occur in Totnes.

6129. (*Mr. Longe.*) If any one knows anything about it, Mr. Michelmore ought?—I do not know; he is a very persuasive man in his way, and he can do things other people cannot do.

6130. William Stoyle?—He always voted our side. He is one of the matter-of-course men that ought to have 25*l.* I do not know that he had, notwithstanding that.

6131. You would have recommended it?—Yes; the class of men I would recommend.

6132. It was but fair?—And legitimately right and proper, according to the state of things in Totnes.

6133. You must know some persons who actually do receive these sums?—You will have it yourself when you have them up.

6134. This has been treated as true, as an acknowledged fact?—I do not go into the money cabinet at all. I am outside. They do not come and tell me what they do.

6135. You seem to know very well they do receive it?—I have handed in a list, and put "money" against the names. These inquiries would be made: "This is all right?" and he was seen, "Yes, he is all "right."

6136. Henry Seaman?—Yes; that gentleman voted for us. At this last election he could not be got at.

6137. That was the election of 1863?—He proposed Mr. Dent, or seconded him.

6138. He is in some position?—He is a very respectable man. I do not know why he did not vote last time. He is living at Gerston in a house with a lawn there.

6139. He is a tenant of the duke?—Yes, he is a tenant of the duke; he was at first of Mr. Baldwin.

6140. (*Mr. Bere.*) Was he at the time he proposed Mr. Dent?—He was.

6141. Had Gerston changed hands before that?—It was some little time running. He was more independent then. I think the lease ran out before 1865. He is now a tenant under the duke.

6142. As soon as he turned to the duke his politics shifted?—He did not vote at all at the last election. I fancy if there had been a close run he would have voted for us; I should fancy so. I cannot conceive that man ever had a consideration; he is above it.

6143. (*Mr. Coleridge.*) He is a tenant of the duke?—Then there is a power brought to bear; there is a heavy pressure brought to bear. A man knows if he goes against the duke out he must come.

6144. What position in life does Mr. Seaman hold?—He is a man living on his means. He is very com-

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fortable up there; he appears to be in a very comfortable house, and he likes the place.

6145. Samuel Sims?—He was an old workman of Mr. Bentall's. I have heard that he never had a farthing in his life, he is one of those honest poor men.

6146. He is a labouring man?—Yes; he ought to have some money sent to him; but I have heard repeatedly that he never had.

6147. Though there are recognized paid Conservatives, that would not include the poorest?—Some poor men would not take it, and I think Sims is one of those: he is a tenant of Mr. Rennie, and has been so for a long time.

6148. Samuel Sharpham?—He is the son of Samuel Penny Sharpham. I never heard anything against him.

6149. William Satchwell?—He was tampered with very heavily by us. I could tell you a little about him in 1859. I have no doubt whatever he had a very large sum at Seymour's election.

6150. Which way did he vote?—In 1857 he voted for Mackenzie. In 1859 he came to my house, and there was a man of the name of Smith who brought him 25*l.* When he got the money he went down to Mr. Bennett in the plains, a friend of mine, and said, "I have got 25*l.*, but I do not intend to vote on their "side." Mr. Bennett says, "Keep it until they come "for it." He kept the money and voted against us. In 1865 I should expect he was bribed by both parties; otherwise a man like that I cannot conceive would vote for Mr. Pender. He was very heavily tempted in 1863.

6151. (*Mr. Longe.*) Who acted for you then?—I do not know.

6152. Did you canvass him yourself?—No; he is a man whom I set my face against after a trap of that sort.

6153. (*Mr. Bere.*) He was one of the two who were bribed at your house?—Yes. I said that I had run so close to the rock then that I would never get so near the shore again.

6154. Samuel Sanders?—He is a coach builder; he never votes; whether he gets anything for holding his tongue I cannot tell.

6155. Did you ever try him?—No; he is one of those slang sort of men who want to please A. and to please B. He works for the "Seymour Hotel" and for the "Stars." He will hold with the hare, and run with the hounds. He is one of those dangerous characters.

6156. Samuel Shillabeer?—He voted against us this time. In 1865 he voted for us. He was a duke's tenant who was turned out; he ought to have had some money; if he voted for them without money they ought to mind him. He is a tenant of mine now, or of Mr. Rennie's. I took him under my wing when they turned him out in 1865. In 1865 he voted for us.

6157. Was he bribed?—I do not think there is any doubt about that.

6158. He has been turned out since the last election?—Yes. I think he required a pretty heavy sum at this election. Mr. Jeffery Michelmore got rather savage with him.

6159. When was he turned out by the Duke; at the end of last year?—They keep a kind of terror or rod of iron over them; they keep on giving them notice to quit. It is the practice of the Duke to do that here. He serves a host of notices on doubtful men, and when they vote against him he is able to put the notice in execution; he did so before the last election; he may say the land will be wanted for building purposes, so he keeps a rod of iron over the poor men.

6160. What was their holding?—A Michaelmas holding.

6161. A notice at Lady-day then would be a right notice?—Yes; if they vote all right they may hold on.

6162. At Lady-day, 1865, it was known there would be a general election?—Yes.

6163. And many notices to quit at Michaelmas would come out?—Yes.

6164. If they voted right the notice would not be put in force; if they voted wrong it would?—Yes; that is the course here, and a more tyrannical course you cannot well conceive. It works the people up to such a pitch that they do things which they would never do in any other place.

6165. What was Shillabeer?—He was a poor dairyman in the town who had held two fields of the Duke.

6166. Of how many acres?—Perhaps five or six. They then connived to make his brother-in-law vote.

6167. Who was his brother-in-law?—Robert Smaridge. I remember seeing Smaridge, and I thought that he was all right, but the duke's people got hold of him somehow or the other. This man was a made vote in respect of a field which was actually occupied. Smaridge had to come up here and swear the blackest lies that are conceivable in the face of the duke's party. The corruption that takes place in the registration court you cannot conceive.

6168. What does he rent under you now?—A field.

6169. What do you let it to him for?—22*l.* a year.

6170. What is it worth?—That is a *bonâ fide* rent; it let for 18*l.* a year.

6171. Edward Shinner?—He is always on our side.

6172. And I suppose always has been?—Yes; he is a man whom I should like to send a little money to if there was any about.

6173. What is he?—He is a coal hauler; he is a very poor man. If we ever had any money I should send him some.

6174. (*Mr. Longe.*) Who is the gentleman who arranged the subscriptions or the annuities?—I should think the black man or Mr. Mum would have a list of that sort.

6175. Who sends that list?—I cannot tell you.

6176. They are only paid when the candidate comes down; your charge is the first?—Mine is the first; the other would be the second charge if these men are faithful to their party.

6177. That is Mr. Edmonds' business?—I do not know that it is.

6178. Mr. Screach has nothing to do with that?—Yes, they would make out a list themselves, I suppose.

6179. Would they waste the services of Mr. Screach on a class such as those?—I do not know about that. You can pay a great many in the course of a few days.

6180. Thomas Searle?—He was the manager of the slippery company.

6181. Where is the "South Devon Inn"?—It is at the higher part of the town near the Plymouth road. It was occupied at the last election by Matcham, Searle's son-in-law.

6182. (*Mr. Bere.*) You had better tell us about the slippery company?—I remember being up the town when Mr. Pender was canvassing the voters with Mr. Cuming, and Mr. Tucker, the butcher, said, "Harris, have you heard what is up? Tom Searle "and that lot are going against them this time; let us "go up and have a glass of beer or a glass of grog." We went up, and when we got there Mr. Pender was just coming out with Mr. Cuming. Searle told Mr. Cuming that if he did not go out of the door he would kick him out; how dare he enter his premises after the treatment which he had received from that party, intimating that there were some very heavy scores due or some promises which had not been performed. I said, "Mr. Searle, what do you mean? we shall be "very glad to have you on our side if an arrangement "can be made." He came down to the "Stars," and he was asked to send in a list of those men in writing, their names, and the amount which they wanted, which list can be produced in court.

6183. Mr. Heath has got that list, I suppose?—He has; we find by that list that an arrangement had

been entered into by which he was to have so much money, I believe a thousand pounds for the seven men, but it soon got out on the night of the nomination that there was a screw loose, and that a reconciliation had taken place; that Mr. Cuming who before that had been considered as a bitter enemy, and a person whom he would not let come within his doors, had taken his seat at the conclave once more, and there they were, as great chums as ever. Then that had to be reported to Mr. Dent; after that we looked at our books and found that we could not win; Searle bought a house soon after that, the house which he now lives in, and the next door to it; he made a large purchase.

6184. To what amount was that purchase, do you know?—I should think about 500*l.* or 600*l.*

6185. Had he been an innkeeper before?—Yes, he was a poor man before.

6186. And after that change he became a rich one?—At all events he was able to buy houses; I know that houses are sometimes bought without much money; but lawyers are generally very shrewd, and will not lend you anything like the full amount you require; you must have some of your own.

6187. (*Mr. Longe.*) That was the only case of combination that you knew of?—It was the only one at that election. The Lapstone club had been broken up for some time; they stood upon their own bottom.

6188. (*Mr. Coleridge.*) And this slippery company was got over by the other side on the occasion of the election in 1862?—Yes.

6189. Do you know whether they got the money, or whether it was only that they were to get it?—I think they got it; you may leave Tom Searle alone for that.

6190. They were to have how much from your party did you say?—They were to have a thousand pounds from us.

6191. To be divided amongst how many of them?—Amongst seven.

6192. And you believe that that money was actually paid?—I have not the least shadow of a doubt of it; and I could give you my reasons from a conversation that I had with "Slippery Jack," as we called him, that is, John Parnell Searle. I do not speak of him in this way with any degree of scurrility, and I hope that the Commissioners will not accept it in that way, but "Slippery Jack" is the common name by which he goes, and I remember very well seeing him shortly after the election; he was hot, sweet, and strong upon us at the time when he thought this arrangement was going to be carried out, which I have spoken of in 1862, and such being the case, I thought there would be no harm in making any overtures to him again individually; so I said to him, "Jack, "what do you say to 150*l.*, will that be of any service "to you;" but I found it was of no use my saying anything to him of any sum like that, for he was not come-at-able at all.

6193. This is one of the very few instances wherein you have dealt with any precise sum in figures; you remember this amount?—Yes; I remember mentioning the sum I have named to this individual on that occasion; I asked him whether 150*l.* would be of any service to him, but he would not listen to such a sum, he was beyond that altogether. They had gone up in the market to an extraordinary height; you could not get at them at all.

6194. This gentleman was one of the same party whom you have spoken of just now as having gone over to the other side at the last moment?—Yes.

6195. And what were you ready to have given them on the occasion to which you have referred?—They were to have had a thousand pounds as I understood at the time.

6196. (*Mr. Bere.*) Slippery Jack has slipped off?—He has gone to America.

6197. (*Mr. Coleridge.*) You have told us in 1862 and 1863 there was money going on the nomination day?—In 1862 it did not.

6198. You say no money was spent on your side, although Mr. Dent went to the poll before he withdrew; but according to your tactics a great deal of money would be spent?—I spoke to you yesterday of a lady and gentleman, Mr. Helms and Mrs. Thomas. Mr. Helms was in communication with Mr. Mitchell, and Mr. Helms told Mr. Mitchell that he did not think they could win from the reports; he told Mr. Mitchell, and he, as the proper adviser of Mr. Dent, would not open the money bags till he could see his way to win.

6199. Helms had got information from Mrs. Thomas that they could not win?—She got the information that the slippery company was against us.

6200. You do not believe a single sixpence was spent in bribery in the year 1862 by Mr. Dent?—Not a single sixpence.

6201. (*Mr. Bere.*) It would have been spent if wanted?—Yes.

6202. (*Mr. Coleridge.*) They were all arranged with about the sums?—Yes.

6203. There was a great disappointment when Mr. Dent withdrew?—A fearful panic in the place; long faces.

6204. (*Mr. Longe.*) William Sawyer?—Mr. Searle and Mr. Sawyer have had a fall out. When Mr. Sawyer comes before you he will be able to tell you all about some interviews in reference to this affair.

6205. About the slippery company?—Yes, I wish you take a note about that. But they had a terrible fall out. After that election I refer to, certain things were said about what Sawyer knew, and what a blackguard Searle was, all that sort of thing and another. I will not enter into that, because I was not present, but I believe Sawyer will tell you all about it.

6206. (*Mr. Bere.*) Was Mr. Sawyer got at by your side?—Oh, no.

6207. You did not try him?—No. He keeps the "Castle Inn," at the head of the hill.

6208. Was the "Castle" his protection?—His father was a Liberal and he was a Liberal. When the registration is going on there is open house for all men that are objected to. They know how to make up bills in Totnes, and Mr. Sawyer knows how to make up his bill.

6209. (*Mr. Longe.*) That is how he is rewarded?—We look upon him as a safe man for that party, and then they put anything in his way they can.

6210. George Sercombe?—I think he was paid by us.

6211. How did he vote before?—He was one of the duke's tenants and turned out.

6212. When was that?—He was turned out because he voted.

6213. (*Mr. Bere.*) He had not voted in 1859?—I think he had.

6214. Yes, you are right, I see he split his vote, Gifford and Dunn?—Yes, because he did not go the whole hog he was turned out.

6215. (*Mr. Longe.*) Did he receive any money?—We should always pay the duke's tenants as a matter of course. We could not expect a man to run the risk of being turned out without some compensation.

6216. William Shinner?—Mr. Michelmore here can tell you something about that if you will take a note of it to ask him about it.

6217. He voted for you?—Yes; but he was tried I have been informed.

6218. (*Mr. Bere.*) You tried him harder?—He was always a Conservative. He was one of the poor men, and ought to have 25*l.*

6219. (*Mr. Longe.*) He was tried by Mr. Michelmore?—Very, very hard, night and day. We had to keep men on guard. They were at him night and day.

6220. Who were they?—The roughs of the place.

6221. Were they voters?—No. Sometimes the Whigs got desperate, and we had to keep an army.

6222. Men from the town?—Yes; we can raise a larger number than they can. They get them from Bridgetown.

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Mr. R. Harris.

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6223. And the Dartmouth roughs?—Yes, they come for the Liberals.

6224. And from Ashburton?—Yes.

6225. The town is full of roughs?—Yes, with sticks and stones and rotten eggs.

6226. They half killed Mr. Seymour?—He looked very well yesterday, I thought.

6227. John Slatter?—He was abroad at the time. He was always a consistent man, and voted on that side. In 1865 he was living at Jersey, he came over and I wrote and told him that it was a misdemeanor to vote, but he took no notice of it.

6228. That is one of the six bad votes?—Yes.

6229. George Stoyle?—He was the man who managed Henry Crawford. I looked upon him as I should look upon Evens with us. He is their subbribing man.

6230. What is he?—He is under strapper to Holman and Parnell.

6231. What is he?—A pork butcher. Crawford had promised us and pledged his word, but they got at him and kept the back door locked.

6232. Was that in 1863?—Yes; Stoyle took him to the "Seymour" hotel, and never let him out.

6233. (*Mr. Bere.*) What is the Liberal special drink? Has it any particular name?—I do not know anything about the drink. I am not a drinking man, and I do not go into that department.

6234. (*Mr. Longe.*) John Sampson?—He always voted for us. I think it was the first vote he had. He was a respectable man. I do not know anything about him.

6235. But you believe he had money?—No, I do not believe he had money.

6236. Nor tried?—Not to my knowledge.

6237. What is he?—He is a grocer.

6238. Searle?—That is "Slippery John," as we call him.

6239. When did he go to America?—On the Monday, I think, as you came here on the Thursday.

6240. The summons having been served?—But he intended to go long before.

(*Mr. Michelmore.*) He went last Monday fortnight.

6241. (*Mr. Bere.*) What has he gone for?

(*Mr. Michelmore.*) His wife's father is living in America, and she went away last year, and made arrangements for him to come.

(*The Witness.*) I should like to have him here; he is a curious man.

6242. A great loss to the Liberal party?—A great loss to this Commission. He is a slippery man, and got into their camp and the others too.

6243. William Sawdye?—He was a tenant of the Duke of Somerset. I believe he got something from their side. I know he was tried on ours.

6244. At Newton Abbot he lives?—Yes; he was out of the seven miles. He was not a good vote. We should not value him so much.

6245. You tried him?—Yes.

6246. You try those outsiders who hold land for the express purpose of giving a vote?—Yes. We try those men; they only hold a field at 10*l.*

6247. What do you suppose is the advantage. Do you think they are strong Liberal politicians and like to advance the cause?—They like it for various motives. I remember conversing with John Barnes. I said, "What can induce you to come and meddle "with us?" He is a paper maker, and he said, "I "do not see why I should not have a vote as a paper "maker. I want my interests promoted in the House "of Commons."

6248. That is a good reason?—Yes.

6249. Are they all equally good?—Yes. John Hamlyn is a tanner at Buckfastleigh, and he wanted to have his interest promoted. Every one has a motive. Mr. Hamlyn has a vote for Ashburton and a vote for Totnes.

6250. Now, the Dartmouth man?—That is another of that class. They take what we call the black red cocks. I do not know whether you know anything about them.

6251. We do not.—That is a cock that will fight to the death and never run. So with these men that come into Ashburton. They pick out the men that never run. No power can move them, and they bring them out here to make votes of them.

6252. They are safe men?—As safe as the sun.

6253. (*Mr. Bere.*) Who tried Sawdye?—I do not know. Sawdye at the time he voted rented a place near Ashburton from Lord Cranstoun, and they took an accommodation field to send cattle for a change. It is handy to have a field to change the cattle; if you want to fatten cattle you must change them. The field is highly advantageous to a farmer, and they bring farmers that they can make sure of supporting the party.

6254. Lord Cranstoun is a Conservative?—Lord Cranstoun had not declared his politics. He was under Mr. Michelmore. It is the man who is the steward who knows. Mr. Rennie does not know anything about the tenants; the steward is the man.

6255. Mr. Sloggett?—I remember having a conversation with him at this election, and he wanted us to buy a house (which he has recently sold) for 300*l.*

6256. That is the 1865 election you said?—No, I did not mean that. It is the 1863 election.

6257. You told us Frederick Evens could tell us all about that?—I think he can.

6258. He mortgaged it to Mr. Hannaford for 350*l.*?—I do not think he wanted that.

6259. It was sold afterwards for 250*l.*?—Yes, he wanted about 100*l.* more than it was worth.

6260. That is the 1863 election?—Yes.

6261. (*Mr. Longe.*) In 1862 which way did he vote?—He is a Liberal. I should look upon him as a monied man on the Liberal side, as a man open to conviction.

6262. (*Mr. Bere.*) What is he?—He was a dyer, and a man with a large family.

6263. (*Mr. Longe.*) A 25*l.* man?—No, he is heavier metal than that. Perhaps a 50*l.* or 60*l.* man.

6264. Though a Liberal?—Yes, he makes himself active, and considered his services worth so much. He worked about for the party. We thought we had him safe, but Sawyer I think followed him, and got him away from us, and he will be able to tell you what he gave. He was offered a large sum I know.

6265. Sloggett was always a Liberal?—Yes, but when we met the other day about the requisition he signed it.

6266. (*Mr. Bere.*) Then he was not always a Liberal?—He was a Liberal. He never voted for our side. He made overtures, but when the time came he slipped through our fingers. He was a man of that class.

6267. (*Mr. Longe.*) He signed the requisition?—He signed the requisition to Mr. Maccay, and he promised to go with us, and all this time we made safe of him, but William Sawyer got him, and lugged him off, by what means I do not know.

6268. Did you ever make offers to him before?—I think he had always been tried. He was Liberal in idea. If Liberal in idea, if an offer comes he goes to the Liberal party and says so-and-so offered so much.

6269. He signed the requisition?—In 1865 he went bad after signing the requisition.

6270. Now Sharpham?—Samuel Penny Sharpham. That is the gentleman about the leather. Ask Mr. Shute about that man. No doubt he would communicate that he was poor. I do not think he is a wealthy man. I do not know that he had anything, but rumour says he had.

6271. Mr. Shute would know about him?—Very likely, I might say, at this last election. Whether that was one of the conditions of his voting I do not know, but his son-in-law Mr. Pender has in his office.

6272. Who is he?—I do not know, but soon after Pender took his son-in-law; I do not know whether that was one of the conditions. At any rate his son-in-law is now in the service of Mr. Pender.

6273. He had never been on your side?—No. I think he only had a vote two or three times.

6274. Henry Wills Stranger?—He did not vote till late in the election, he and Mr. Bennetts.

6275. (*Mr. Bere.*) He is in partnership with Mr. Bennetts. They are corn merchants?—Yes; there was a long conversation about them. Mr. Heath will tell you they had promised to vote for us. I do not know that they wanted money, but perhaps they had some influence brought to bear. They held back, and did not vote till late in the day.

6276. In 1863 do you mean?—Yes.

6277. Do you know when you heard they were going to vote for you?—At the election.

6278. But when?—Some days before when we canvassed him. Mr. Stranger is half a Conservative, so is Mr. Bennetts. In the council I have known them come up, and I believe always when they came they split their votes in the council. I do not think in any case they voted the whole hog. Mr. Seymour was not popular, and Dent was, and we thought that might induce them.

6279. James Shinner?—Hampstead. I never heard of him having an offer of money.

6280. Hampstead, where is that?—Over here. He qualified on Gerston property, but was soon turned out of that.

6281. When was that?—After 1863.

6282. He had voted on the Gerston property?—Yes, but never had a vote since.

6283. When did he use that vote?—I believe that was the first time and the last; he was not permitted to come upon the roll again.

6284. He took it under Tory auspices?—Yes.

6285. He would take it for Mr. Baldwin?—Yes. As long as he was a tenant of Mr. Baldwin he voted as he wished him. When he became a tenant of the Duke of Somerset he refused to vote, and was turned out.

6286. John Southwood?—He is a tenant of Mr. Durant's. Very poor. I know an offer was made to that gentleman.

6287. By you?—By our party.

6288. Who did that?—I do not know the gentleman who was put upon him. Somebody about Diptford where he lives.

6289. Who would it be likely to be out there?—I do not know. I have no idea who was advised about that man.

6290. That was at this election?—Yes, that was at this election. He is struck off now; they would not have him again when they found he was a doubtful kiddy.

6291. What has become of him now?—He is not a voter.

6292. What has become of him, has he left there? No, he is out at Diptford. He has not the qualification now. They found he was not a staunch man, and Mr. Bourne put in a man they could depend on.

6293. Do you remember young Mr. Durant being struck off?—I remember the circumstance, it was in 1857 I think.

6294. Do you remember five votes being created in the place of Mr. Durant's one by the same qualification, or how many were?—All Mr. Durant's property is fully occupied now.

6295. But was it not at that time young Mr. Durant was struck off?—I think not.

6296. (*Mr. Longe.*) When you say it is fully occupied, by how many?—You go by the rate book to see. Supposing it is rated at 3*l.* an acre, when it comes up to 10*l.* that will bear one vote, 20 acres two votes, and so on, and Mr. Durant lets himself in one case, and I hope he will see his error, manufacturing two votes at Ashburton, which men know no more about the field than we do.

6297. Can you give any more than two votes?—There is about seven or eight votes on land, I think he is rather deceived about two, and he will find he has put on two birds who are not safe. Time will tell that there was other influence at work besides Mr. Durant's in that case.

6298. (*Mr. Coleridge.*) John Stanning, what about him?—He is a tenant of the duke, a large tenant, and always goes for that.

6299. He is a large tenant farmer?—Yes.

6300. Did you ever hear of his being bribed?—No.

6301. He came forward at the election?—Yes. He is one of those active men on their side. I think if you summons Marks he will be able to tell you, I understand, whether he was offered any money.

6302. On which occasion?—The last, 1865.

6303. By Stanning?—Yes, and they brought some influence to bear from their neighbours there.

6304. Thomas Smith?—He is one of the railway men. He did not vote for us the last time. I think the railway interest was strong, that kept him away from us.

6305. Was he a porter on the railway?—No, he was a policeman there, and now he is something at Newton Abbot. I think he is a little above that now.

6306. Did he get any money do you suppose for his vote at that time?—He is one of the men whom I should have sent 30*l.* or 40*l.* to.

6307. (*Mr. Bere.*) You would not consider him doubtful, but pretty certain, and you would have sent the money down?—His wife is a Radical, that is the worst of it.

6308. How do you ascertain the politics of the wives?—When you go they soon let you know what their politics are.

6309. (*Mr. Coleridge.*) I suppose they have most of the talk, and you see if the wife is favourable to you?—Yes, and if the wife is favourable she will facilitate the object you have in view, but if she is against you she will throw all manner of obstacles in the way.

6310. She would not object to your bribing the husband at all events; she would not stand in the way of the money?—Some females will say, "I let him do as he likes."

6311. Robert Smaridge?—That is the gentleman I spoke of just now in reference to Mr. Shillabeer. They were both heavily bribed by Jeffery Michelmore himself; at any rate he took them away and locked them up over there. I believe this gentleman here (Mr. Charles Frederick Michelmore) slept with them. If you go through the list with Mr. Michelmore the same as with me he will give you a better description of the men than I can. You are putting me through what I call rather a serious ordeal.

6312. (*Mr. Bere.*) Jeffery Michelmore took people away, you say, where did he lock them up?—At Bridgetown, and this man, Mr. Michelmore, slept with them.

6313. Was that in 1863?—Yes. I believe he locked them up there in some close room five or six at once.

6314. What other voters besides Shillabeer and Smaridge?—I think Mr. Crawford was there.

6315. Who else?—Several, I do not remember now. I cannot enter into the secrets of that over there. Mr. Michelmore will be able to tell you, but I recollect their taking away Smaridge, and I think he was to have 100*l.* from us, I do not know whether 100*l.* or 150*l.* He came to vote for us; they got hold of him, he bolted and got down behind something and hid, and they caught him, and he voted for Seymour.

6316. Do you mean they actually put hands on him?—Oh, yes, bodily; they get a set of men, a mob, and on they go.

6317. (*Mr. Coleridge.*) Edwin Shinner?—He did not vote at that election, the last election of 1865 he voted, when he rather disappointed us, he voted half and half.

6318. What did he get from you?—I do not know whether he got anything from us. He is a brother of James Shinner.

6319. He gave you one vote for nothing?—I do not know. I think he had money for voting on the other side, he would never vote for them without money, though he is a man I fancy who would not take it. I thought he would not have voted for Pender,

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I cannot conceive how he voted for Pender, it is rather a curious vote, and there must have been some influence brought to bear at any rate. Perhaps Mr. Michelmore will be able to tell you when he goes through the ordeal.

6320. William Smale?—He was a man who was offered a lot of money at that election.

6321. He did not vote?—No.

6322. Was it offered by you?—I paid him; what was it? I had a room, a kind of committee room, and paid him 5*l.* a day for the committee room. Mr. Bowden came in there one day, and after Bowden had been in, and in fact prior to that he was under obligations to Mr. Bowden, he had lent him money or something of that sort I think, and after that we could not get hold of him.

6323. Was that in 1863?—At this election.

6324. How did he vote in 1865?—He went against us then.

6325. Did you try to get at him in 1865?—I did not.

6326. Did you try to get at him in 1863?—Some time prior to the election I went to ask him if I could get him a situation, if he would accept a good situation.

6327. And if he would accept a situation he would vote for you?—I never said anything about voting.

6328. You leave that to implication?—I thought he was open to go away from Totnes if he could get a good situation.

6329. (*Mr. Bere.*) How long before the election was that?—Some time before the election.

6330. After you had got your candidate?—We had got our candidate long before that, and were making preparations for the battle.

6331. (*Mr. Longe.*) You hired a room in his house?—That was this election.

6332. Then you lost him?—No; he did not vote at all. I understood at the time that he was not going to vote.

6333. You understood when you took the room that he was not going to vote?—I think he will tell you when he comes into the witness box that a man came and offered him 300*l.*, I believe, for his vote, a large sum at any rate.

6334. Before you took the room?—Before and after.

6335. Which side?—Our side.

6336. Who is the man?—I think Mr. Heath, I do not know exactly; he told me so himself. I have heard him say he offered a heavy sum of money.

6337. When you took the room you thought he was on your side?—I thought he was with us; and when I was in the room Mr. Bowden, I remember, late in the afternoon came in, and he had a secret interview with him, and then he would not poll. I do not say that he had any money.

6338. (*Mr. Bere.*) You paid him the 5*l.*?—I did.

6339. Was he a likely sort of man to be offered 300*l.* on your side, and to get nothing on the other?—I do not know. It was a very heavy temptation. I think he was one of those birds that you must fire a good shot at.

6340. Why did you choose his house?—Because it is on the Plains, close by the booth.

6341. (*Mr. Coleridge.*) Did you pay him this 5*l.* yourself?—Yes, I did, out of my own pocket.

6342. Was this paid out of the election expenses?—I have never been paid to this day.

6343. Why did not you put it down, you say you never did anything in the way of bribery yourself, why did you never demand your money?—I had nothing to do with that.

6344. But you would have. If you spent it legitimately for the party it ought to have gone down. How do you account for that?—There was a committee room at the "Seven Stars," and I wanted a private room, and I took this room and paid him.

6345. How do you account for not putting that down, it was a legitimate committee room?—No. I did not look on it as that, but my private affairs.

6346. You sacrificed 5*l.* to a good cause?—Yes. Mr. Dent made me a present of a purse of sovereigns. He gave 10*l.*, and another 5*l.*, and so on.

6347. And you considered it was covered?—They were kind afterwards; they gave me a purse of sovereigns.

6348. (*Mr. Bere.*) You will save us an immense deal of time if instead of obliging us to use the torture of cross-examination you would tell us what you know. We have to put to you a great many questions for information you could give to us perfectly readily, and you would save us a good deal of time and trouble by pursuing that course. For instance, with regard to Mr. Smale, why did you not tell us at first all you knew about him?

6349. (*Mr. Longe.*) Now Saunders?—I do not know anything about him.

6350. Is he a pure man?—I think he went away with Wm. Reeve. I do not know anything about him myself.

6351. He was the man who took off Reeve?—They went away together I think. I have heard of such a report of them.

6352. How do you mean went away?—When William Reeve and two or three others went away.

6353. (*Mr. Bere.*) On your side?—Yes.

6354. In 1863?—Yes.

6355. He voted?—Yes.

6356. But he came back?—He went away some few days before.

6357. (*Mr. Longe.*) He was taken away?—Oh, yes. I do not know whether he went away with his own consent or not. I have no idea.

6358. (*Mr. Bere.*) What was the object of his being taken away?—I do not know, to be away from temptation.

6359. (*Mr. Longe.*) Then, I suppose, he was paid on one side to get away from temptation on the other?—I do not know for a fact, but I assume such to be the case.

6360. Do you believe the man would go away of himself?—That is what Reeve tells us.

6361. To give such powers to take Reeve away Saunders must have been a man of considerable position on your side?—I believe there were other parties went with them.

6362. Who were the parties taken away?—I do not know.

6363. How many were taken away?—Several.

6364. A dozen?—No.

6365. Half-a-dozen?—Four or five.

6366. (*Mr. Bere.*) Where were they taken to? They were the lame ducks, were not they?—Well, that is what they have been designated.

6367. Were they taken to Torquay?—Somewhere, I do not know where. I know they were taken away, but where I do not know.

6368. (*Mr. Longe.*) Frederick Seccombe?—He did not vote. He is a druggist here. I do not know why he did not vote I am sure; I have no idea.

6369. You have no suspicion of his being bribed?—No, he is beyond that I think.

6370. What are his politics?—I understood when he came here he was Conservative, but he went into a Liberal shop and he has Liberal customers.

6371. When he found his customers were Liberal he stuck to the Liberal side?—Yes. He told me his father was a Conservative.

6372. How long has he been here?—Some four or five years.

6373. (*Mr. Coleridge.*) Do Liberals always support Liberal shops?—As a rule.

6374. Is Mrs. Thomas's a Liberal shop?—A very Liberal shop that. She does not live on Captain Helms, but then he is a bachelor man and she is a widow.

6375. Thomas Hore Taylor?—He is a clerk, and was for years, to old Mr. Windeatt.

6376. (*Mr. Bere.*) He is a clerk in Mr. Windeatt's office?—Yes. He is one of the very few old freemen in the place; he is very poor, but they always put him to work, and gave him something to do. No doubt

e gets a little pay for it, just as we should expect ir. Bryett's clerks or Mr. Kellock's clerks to give iem a little work to do.

6377. John Toms?—He is a gentleman who is ead. I think he was dead then, I do not know.

6378. He did not vote?—No; but he is a gentleman beyond anything of that sort.

6379. Benoni Tozer?—He is the duke's tenant.

6380. (*Mr. Coleridge.*) Is he open to conviction?—No, he is beyond all that.

6381. (*Mr. Longe.*) He is firm?—Yes, *bonâ fide.*

6382. Did you ever hear anything of his politics?—No.

6383. George Turpin?—I do not think he ever had ny money himself; he used to try poor Mr. Moysey, nd Mr. Mogridge, who is dead. You will find it in ie particulars.

6384. He tried Moysey?—Yes.

6385. (*Mr. Bere.*) He was a tempter, not a tempted?—I think that was his position.

6386. That is all you know?—He never had any oney; he worked for their party.

6387. At which election?—Every election he would o what he could no doubt.

6388. Is he a large farmer?—A very large farmer.

6389. He worked in Totnes?—He worked in Totnes and Bridgetown.

6390. Was he trusted with money for the purpose f influencing the election?—No; from what I could ear from Mr. Mogridge this man was taken to Endle.

6391. He threw out hints?—Just so.

6392. Endle was their Mr. Mum?—That is it.

6393. Edward Randle Turpin?—That is a brother f the late George Turpin, I think he was a carpenter nder the Duke of Somerset for 20 years. He always oted right for the Liberal party, but this time did ot like Seymour, and approved very much of Dent, nd he had a desire to vote and voted for him, and I are say for that vote he had a little remuneration, nd was turned out.

6394. (*Mr. Bere.*) I suppose that his desire arose in his mind as soon as he heard of Dent's money?—No, but he did not approve of Mr. Seymour. I have eard him say so, that he did not like Seymour at all.

6395. Seymour and nothing was wanting compared in the balance with Dent and money?—Seymour was backed up with Mr. Pender's money, if he had one of his own you must recollect.

6396. (*Mr. Longe.*) It is rather a question of opinion, but suppose the turning out was a sort of fatality held over him, would he have required any oney?—I should have looked upon him prior to hat as a sort of freeman on the Liberal side. I do not think he had a farthing from the Liberal side, and when he expressed a desire to vote for the Conservatives he might have said, "I shall certainly be turned out." You know when they withhold their vote from hem they are sure to be turned out, and of course we should offer him money to compensate the sacrifice.

6397. Was he one of the chickens you took care of?—I got a house for him.

6398. Did you find him one?—Yes; he is all right now.

6399. One of your own?—No, the late Mr. Hannaford's. I went to Mr. Hannaford and got it.

6400. (*Mr. Longe.*) Richard Tilley?—He always votes on our side. If he had not got money he ought to.

6401. Why?—He is of the class of working men; they ought to have sent him a little.

6402. (*Mr. Coleridge.*) Is he a matter-of course man?—Yes; he always goes right. He is a dairyman and keeps a small shop.

6403. (*Mr. Longe.*) Henry Tapper?—I think you will see at the previous election that is the gentleman that Mr. Bentall spoke about. He used to go for the Liberals, and on one occasion he voted for Mills and Dunn.

6404. That Mr. Bentall has spoken about?—Yes.

6405. He is an old voter?—A very old voter. In 1852 he voted for Mills and Dunn.

6406. Mills and Mackenzie in 1857, or Mills and Dunn in 1859?—Yes, I dare say that is right.

6407. I believe he was one of those gentlemen that received something on both sides?—He is since dead now.

6408. Did you ever buy one vote?—If you cannot get at them in any other way perhaps you try to get one.

6409. That is sometimes done?—Very frequently. That is what the Liberals did last time. That is the way they worked a great many of ours.

6410. (*Mr. Coleridge.*) Is the selection of the one you buy left to you or the man who does it?—Left to us to select the man, because, for instance, there are many people in the town of Totnes who do not like the Duke of Somerset; they are Liberals, but they like one of our men, so they vote for Mills and ours provided they get some money.

6411. (*Mr. Bere.*) In fact they vote against the Duke of Somerset?—They vote against the duke.

6412. They have no political principles at all.

6413. (*Mr. Coleridge.*) And when you get an exceptional vote for Pender and Dawkins say, there must be something very peculiar to make that sort of thing?—No, that is against the duke.

6414. (*Mr. Bere.*) If you get a split for Seymour and Dawkins there must be something curious?—Yes, the Seymour interest must be brought to bear or there must be some money flying about.

6415. On the Tory side?—Yes.

6416. Robert Taylor?—He is dead now, but he never had a farthing. He was perfectly independent, he rented a large farm of Mr. Dacres Adams at Bowden.

6417. Robert Tucker?—I never heard of his having money.

6418. (*Mr. Coleridge.*) Did he always vote the same way?—Yes, he was a Tory.

6419. (*Mr. Longe.*) What was he?—A saddler.

6420. Henry Toms?—He was a printer. Mr. Bourne tempted him very, very hard on the Whig side.

6421. Did you ever hear what he offered?—No; but he was a printer, and he chose to adhere to us, and did our work.

6422. Bourne could have put a good deal of business in his way?—Yes, I have heard Toms say he used to have work to the amount of 40*l.* a year. Immediately he voted for us he took away his printing.

6423. (*Mr. Coleridge.*) You paid him liberally for what he did for you at elections?—The proper charge. He is a man not in want of money.

6424. (*Mr. Bere.*) How did you hear that?—Mr. Toms told me himself.

6425. (*Mr. Longe.*) William Tucker?—He is a grocer. I never heard of his having money, I should not think he ever had any money.

6426. Did he always vote the same way?—Always Liberal.

6427. Edmund Tucker?—He is one of our petitioners. He is what we call one of our pure men in the town.

6428. He is a young man, I suppose?—He has been in business many years.

6429. What is he?—He is a large grocer and tallow chandler.

6430. (*Mr. Longe.*) Stephen Tozer?—If he had not got money he ought to.

6431. Why?—Because he is a poor man.

6432. (*Mr. Coleridge.*) Then would he be a matter-of-course man?—Yes, always right, safe as the sun for the Conservatives.

6433. Richard Parnell Tarring, what have you to say about him?—He voted for Dent then, and he voted for Pender and Dawkins at the last election.

6434. He split his vote?—Yes.

6435. Did you try him?—No.

6436. How did you get him for Colonel Dawkins?—I do not know; he signed the requisition.

6437. For whom had he voted in 1862?—I almost think he voted against us before.

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6438. He voted for Pender in 1862?—I think so. I am not positive. I almost think he did.

6439. How did you get him for Dent?—He was bribed.

6440. Who bribed him?—I do not know.

6441. Did you canvass him?—No.

6442. Who did?—I do not know.

6443. Had you any conversation with him before the election?—No.

6444. Was he not a man with whom you had any dealings?—No.

6445. Who was the man that got him?—I do not know.

6446. Who would be likely to be?—I do not know his name; he was put down as likely to be bribed.

6447. Who by?—I do not know.

6448. Was a list returned to you of all people bribed on your side?—No; we should look on certain people to be bribed beforehand.

6449. Who put his name down?—We should mark them off on passing over the list.

6450. Was that one of your marks (*referring*)?—I think so.

6451. Why did you put him down?—I think he has voted against us before.

6452. Do you mean at the single election when Dent withdrew?—I think in 1859 he voted against us, and he was a come-at-able man.

6453. Did he vote then in 1859?—Yes, for Mackenzie.

6454. How did you know he was a come-at-able man?—I did not know.

6455. Had you any conversation with him?—Yes, I have had conversations almost with every person in the town.

6456. Had you with him?—I do not remember any particular conversation.

6457. You do not recollect anything that gave you an idea that he was come-at-able?—I should think the tenor of his conversation would lead to that conclusion.

6458. Was he a man with a downcast countenance?—Not very pertinent.

6459. Betwixt and between, and therefore doubtful?—Yes.

6460. How did he vote at the 1865 election?—Half and half.

6461. John Tozer; what do you know about him?—He is a gentleman who has voted free.

6462. Always for you?—He is dead now; that is the last time that he voted.

6463. Was he alive at the last election?—No, I believe not.

6464. Robert J. Troake; he voted for Seymour?—He is dead. He was landlord of the "Town Arms"; he voted no doubt that way.

6465. Had he always voted for the Liberals?—Yes.

6466. From first to last?—From first to last.

6467. Would he be a matter-of-course man?—No; he was paralysed, and was taken down at the very last hour. I do not believe he ever spoke, and was not conscious at all. He was taken down in a carriage. I remember being present.

6468. John Tucker, Fore Street?—He was a butcher. I do not know if he was bribed.

6469. Did you try him?—No.

6470. He voted on your side?—Yes.

6471. Did he before?—I do not think he was bribed. He worked very hard for us, and rather complained that he ought to have a little tin.

6472. Then he had not any of the matter-of-course sent him?—No; we did not look on him as a bribery man, but as an active man.

6473. How did he vote in 1862?—Always a Tory.

6474. And 1865 a Tory?—I was going to say that was the first time he voted.

6475. In 1865 did he vote again for you?—Yes.

6476. Did he have any money then?—No.

6477. Did you have a bill at his house?—No; he was a butcher. He was very hot and strong.

6478. Was there any system of giving away meat at Christmas?—In the olden times.

6479. Not latterly?—No.

6480. They do it more indirectly?—Yes.

6481. Robert Tozer?—He is one of Mr. Durant's tenants. They had expectations, and voted according to Mr. Tozer's request.

6482. Tozer voted for you?—Yes.

6483. How did he vote in 1862?—I think he voted against us.

6484. He was one of the Pender lot?—Yes.

6485. How did he vote in 1859?—He was not a voter; Mr. Durant turned him out.

6486. Did he vote in 1865?—He is not a voter; he was qualified by the Durant property, and he turned him out.

6487. He had no vote at this time?—No.

6488. (*Mr. Bere.*) He had in 1859?—No. I think he was not on the register.

6489. (*Mr. Coleridge.*) Had he any money for voting?—No; I think he voted in consideration of the uncle's request.

6490. In consequence of their expectations?—Yes, property from their uncle.

6491. Richard Tope?—He is a railway man, and I never heard he had any money.

6492. I see he voted for you on this occasion?—Yes; that is the only one of the railway men—no, Smith also voted for us.

6493. Had you a good deal of conversation with him?—I never had any.

6494. Never any word with the railway people?—No, my forte was not that.

6495. What was he?—The same as Smith the policeman.

6496. Who would have to do with him?—He is a thorough out-and-out Conservative. I do not think any money would buy him.

6497. Was this his first vote?—Yes.

6498. He voted for the Conservatives, and you looked upon him as a matter-of-course man, and thought he ought to have something sent to him?—No; he had very good pay.

6499. Do you mean that no man, with say 30*s.* a week, is in the position of a matter-of-course man?—No. I do not look on him in that way.

6500. You would not have thought that?—No, he is a pick above that. I should think what you call a degree above that.

6501. Do you mean he was a degree approaching to bribery?—No; he was a man of that class; he was particularly reserved. I do not think that any money would tempt him at all. I do not think he would entertain the idea.

6502. Do you know who canvassed him?—No.

6503. He voted for you again in 1865?—Yes.

6504. Had he a sub. then?—Not to my knowledge.

6505. And you did not when you were making up your lists of people who deserved remuneration for their free and independent exercise of the franchise put him down?—No, I should not; I should put him down as certain.

6506. And not even that he should be rewarded for his political consistency?—No.

6507. Philip Tozer?—He is the duke's man.

6508. (*Mr. Bere.*) A slave?—Yes.

6509. (*Mr. Coleridge.*) And a matter-of-course man?—This man is in the true sense of the word a slave, because he works for the duke.

6510. In what way?—As a labourer. Although he rents a field or two, yet he is constantly at work for the duke.

6511. What work has the duke there?—All about his ground, making hedges and so on.

6512. Does the duke keep any land in hand?—No, he looks after the hedges, premises, woods, and a host of things.

6513. In a position to be regarded as a matter-of-course man?—Yes. I forgot to tell you, if you will permit me to mention it, that his son in 1865—he has a son in Bridgetown—took a sum of money from us

t this last election, but he returned it again, and I hink his father was the means.

6514. Was his son a voter?—Yes.

6515. Was that John?—Yes.

6516. Is he dead now?—No; he did not vote at his election—not the election we are referring to; he is a new voter.

6517. (*Mr. Bere.*) Who gave him the money on your side?—I think his mother-in-law, Mrs. Lombardini; she was put upon him.

6518. Who put her upon him?—The Conservative party, not myself.

6519. Was she the wife of Thomas Lombardini?—Yes.

6520. You do not know who was put upon her?—No, I do not.

6521. (*Mr. Coleridge.*) John Tucker, Rolster Bridge?—He did not vote.

6522. Do you know about his having money to keep away?—He was offered a very heavy sum to vote. He was one of the duke's tenants.

6523. Did you offer it to him?—No.

6524. Did your side?—I rather think we offered him a good sum to vote, and they paid him to keep away.

6525. He would not vote for the duke?—No.

6526. So you offered him a good sum?—Yes.

6527. Do you know how much?—I think 300*l.* or 400*l.*

6528. Do you know by whom?—No; he was offered a very heavy sum at any rate; I do not know exactly what.

6529. Was he turned out for not voting?—Yes; he was turned out immediately.

6530. (*Mr. Bere.*) At what time was he offered?—About three o'clock.

6531. On the polling day?—Yes; they were only conditional sums offered, provided that we could get the remainder, like Coombes.

6532. If they could win the election they were to have these large sums?—Yes.

6533. These persons who were offered large sums late in the day were they to have anything—a smaller sum—in the event of your not succeeding?—I think they bribed the duke's tenants, and we wanted time, as it were, to get him to vote.

6534. Was he an instance of a man taking money on both sides?—I think not.

6535. Are there many who you imagine at the election of 1863 took money on both sides?—No.

6536. Or 1865?—No, very few of that sort.

6537. They were too well looked after?—They were too well looked after.

6538. Is he a tenant of the Grammar School Committee?—Yes.

6539. Are they Liberals?—They were at that time, but since that it has passed into other hands. It was under the hands of Charles Webber, and he brought his influence to bear in this matter.

6540. Against you?—No; the duke was with him in this matter.

6541. Against you?—Yes.

6542. And he prevented this man voting?—This man would have voted for us I think; but they stopped him somehow or other, I do not know how. He promised us, and they stopped him.

6543. In using that influence they prevented him voting at all?—Yes; whether influence or money I cannot tell.

6544. (*Mr. Coleridge.*) Do you know how many Mr. Dent was behind at half-past 3?—Eight, I believe so.

6545. Was he near Seymour at any time at that election?—I do not remember.

6546. He was never at the head of the poll?—He was at the early part of the day I believe, a long time.

6547. How long was he at the head of the poll, do you recollect?—Up to about 12 or 1 o'clock.

6548. Then I suppose the heavy sums were not going as long as he was at the head of the poll?—We lost several men that we anticipated would have secured him; for instance, such as the Hills and various parties of that sort. We anticipated that there would be a majority of 20 at that time.

6549. (*Mr. Bere.*) When did he first come behind?—I think between 12 and 1.

6550. You say they had six bad votes on their side, and you two?—Not that election.

6551. How many then at that election?—I do not remember.

6552. (*Mr. Coleridge.*) How many had you?—I do not remember.

6553. (*Mr. Longe.*) Do you know who it was that operated upon Mr. Tucker then?—No, I do not. I think there was Mr. Charles Webber, the magistrate, on their side.

6554. Who else?—There was some messenger sent out to the "Stars."

6555. Did not you use some of your big guns at that time, some of the leading men in the town?—I do not know.

6556. (*Mr. Coleridge.*) Do you mean that in such an important thing as a bribe of 300*l.* or 400*l.* the business would be intrusted to such a man as a messenger?—Yes. No respectable man would do it.

6557. The Heaths did it?—What I mean is such as a lawyer for instance, a man of position in society.

6558. You do not regard the Heaths as respectable men in the way you use the word?—They were working men. I mean such a class as barristers and solicitors. They might be respectable working men.

6559. It might have been one of the Heaths?—Yes; they were very anxious.

6560. These heavy transactions were generally confided to inferior agents; is that what we are to understand?—As a rule. For instance, I would not have anything to do with it myself.

6561. But you have told us instances where you have had to do it yourself?—Never.

6562. At the same time you mean the heavier the transaction the inferior the agent?—No.

6563. You have told us in almost all cases the Heaths have done it. Do you mean when you come to heavy transactions you would employ some one inferior to the Heaths?—I do not know. When the political fire is burning many parties run and do what they would not in their sober moments.

6564. You have told us of many instances of 60*l.* or 70*l.* in which you have said the Heaths were concerned; now we want to know whether when you come to larger sums you would not be more likely to employ a man of Mr. Heath's stamp than a man of a lower stamp?—I do not know about employing; it is a question of who has influence there.

6565. Do you mean that it makes any difference whether the person tendering it is Smith or Jones? I want to know, you say a messenger went to them, and you have told us lots of cases in which you have said no doubt Frederick Evens or the Heaths have done it?—I do not know who did this.

6566. Who was likely to be the person to be intrusted with it?—I have no recollection.

6567. (*Mr. Bere.*) Do you remember seeing Mr. Presswell, the town clerk, about that time?—He was one of the trustees of the estate, and I think he brought his influence to bear in the same way as Mr. Charles Webber, but he was not strong enough. Mr. Charles Webber received the rents; Mr. Presswell had not much to do with those things, though since I believe he was made a receiver of the rents.

6568. (*Mr. Coleridge.*) You think Mr. Webber got him away from him and prevented his voting?—Yes.

6569. Mr. Presswell tried the same means as Mr. Webber you say?—I think so.

6570. Then you got Mr. Presswell against Mr. Webber by the same means, and then you got an offer on your side of 300*l.*?—It was a very large sum; it may be more.

6571. Then it was 300*l.* and Mr. Presswell against Mr. Webber, and that did not succeed in making him vote?—I think that is a correct version of it.

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6572. From that you would infer that there must have been Mr. Webber and something like 300*l.* also to keep him away?—A very large sum on the other side.

6573. Arthur Venning, Fore Street?—I do not know anything of him personally.

6574. You know nothing about him?—No, he was always a staunch Conservative.

6575. What is he?—A retired gentleman who lives on his means.

6576. You would not think of sending him anything?—I do not know about sending, I would not say he was not bought in. I do not know of my own knowledge.

6577. You have told us of a certain class of people when you went down the list that you have said you sent them so and so?—That is a poor man.

6578. It is a question of amount. I suppose you would not have sent him anything as a matter of course?—No.

6579. John Randle Veasey; he voted against you on this occasion?—Yes, I remember having a conversation with him upon the subject.

6580. Had you canvassed him?—Yes.

6581. When did you canvass him, how long before the election?—During the election.

6582. What did you think from his reasoning, what was he going to do?—He was open to conviction.

6583. What mode did you propose to convince him by?—I think he was joined with Searle's lot and we could not get at him. I remember his being up at Mr. Sloggett's painting when I was there.

6584. Is he a painter then?—Yes.

6585. How did he vote in 1862?—He was Mr. Manning's tenant.

6586. He voted for Mr. Pender in 1862, how about '59?—I do not think he was a voter then.

6587. How did he vote in 1865?—Against us.

6588. Do you know at all what convinced him to vote against you?—Perhaps he stuck to his old party.

6589. The Searles?—Yes.

6590. He stuck to the slippery lot?—In fact after the 1862 vote, after the bargain was closed, I think they felt themselves bound to support in a certain sense the Seymour party even without the money.

6591. (*Mr. Longe.*) Honour amongst thieves?—Yes, I think so.

6592. There is such honour in Totnes as that?—I think you may designate it as honour among thieves. When not required to vote for Mr. Pender, and then when Mr. Seymour came they felt bound to vote for Mr. Seymour without anything at all, that is my opinion about them.

6593. Their conscientiousness bound them?—We have no conscientious men in Totnes.

6594. You have told us of lots of pure voters?—There may be, but very few.

6595. Then James Richard Veitch, Dart Villas, he voted for you?—He is a captain in the navy; beyond anything in that way.

6596. He has always voted for you?—That is the first time he voted. He proposed Commander Pim.

6597. John Venn?—He was one of the manufactured voters. He lived in the same house with Mrs. Thomas.

6598. She kept him straight?—He could not go wrong.

6599. A lodger of Mrs. Thomas's?—Yes. He knew nothing more about that field than a stranger.

6600. Where?—At Gerston.

6601. Is he one of the nine?—Yes.

6602. Being under the thumb of Mrs. Thomas?—He is a retired exciseman.

6603. I suppose you could hardly venture to Mrs. Thomas's house?—I should be very sorry.

6604. Did you ever catch him outside?—No.

6605. Being a manufactured vote you thought it was hardly worth while?—No man would do that, he would swear away a man's life, he is always a dangerous character.

6606. You never attempted to tamper with his virtue?—No; because if I attempted to speak to him he would swear I offered him money.

6607. You did not?—No, never in my life; not about election matters I mean.

6608. Has he always voted Liberally?—This is the first election at which he has voted.

6609. How did he vote in 1865?—For Pender and Seymour.

6610. Mrs. Thomas's influence was still paramount?—I do not think that we tried him.

6611. She would not let anybody in?—No, not to let them remain there. If they had gone in for a halfpenny bun they would soon have to walk out.

6612. John L. Winter, Bridgetown?—He is a freeman, and he is the only instance in which the Duke of Somerset permits a man who is a Tory to remain in Bridgetown as his tenant.

6613. What is the reason of that?—He is a clerk to Lewis John Oldreive, the great land agent.

6614. And he is a Conservative?—Yes; that is the only instance in which the duke has allowed a Tory to remain.

6615. Do you know whether Mr. Oldreive has been employed by the duke at all?—No.

6616. And this man has been allowed to vote as he likes?—Yes.

6617. Henry White?—He is a gentleman in Bridgetown, who, I do not believe, ever had any money. He is a quiet, innocent sort of man.

6618. Is there not some surgeon in Bridgetown who has a house of the duke's, and who yet always votes against him?—If you allude to Mr. Hains, I think he always supports the duke.

6619. Is that the man of whom the story was told of his having been sent away for the purpose?—He had a special case on one occasion; some confinement I believe.

6620. That was Mr. Presswell's secret?—I was not in the secret.

6621. It was an imaginary confinement then?—Yes.

6622. William John Willis, Totnes?—He is one of our active men.

6623. And one who always votes for you?—Yes; he always votes for us.

6624. How has he been remunerated for it?—He was doing the work that was necessary.

6625. Was he paid for his services in a lump sum?—I do not know that; he ought to have been, if he was not.

6626. Then would you put him down as one who had earned his money well? Is that what you say of him?—I should put him down as a certain man.

6627. I am not asking you about your offering him any money during the election, or before the election but was he what you have called a matter-of-course man?—I should say not; certainly not.

6628. Then you think that a 25*l.* sub. would not have been sufficient for him?—I should think that he ought to have had 10*l.* just for his exertions.

6629. He was a lame duck, was he not?—No; I rather think that he took away some of the lame ducks.

6630. He was a sort of decoy to them?—Yes.

6631. You told us that, as to a certain man, because he was poor, you would send him 20*l.* or 25*l.* or some such small sum; if you would send a poor man 25*l.* for doing nothing beyond voting, why would you send only 10*l.* to Willis for voting and giving his services as well? Upon what principle would you do that?—I would send it to him as a sort of gratuity for his services in moving about on our behalf.

6632. Then a poor man, who merely gives his vote is worth 25*l.*, and a man who is not poor, but who is actively engaged, is worth only 10*l.*?—Yes; and particularly if he was one of those who had been expelled by the duke.

6633. Are there not many of these men to whom

are now alluding who are always staunch to you ?
ll that I can say is, if they were not paid they
ht to be. We have a lot of them now in Totnes
hat very state, and I think they are men who
ht to be remunerated.

634. John Woodley, Totnes ?—He is a man of same character; very energetic. I think this was first occasion of his voting. His father, I believe, been a Conservative.

635. John Wright ?—He is a gentleman who ed with us then.

636. How was he in 1862 ?—I think that was first time that he voted.

637. Did he not vote against you in 1865 ?—Yes; was the story about the vessel; the offer that made as to his son-in-law. It has been reported the maid looked through the keyhole, and she she heard a large sum of money offered, 300*l.*

638. (*Mr. Bere.*) Do you know the maid's name ? er name is Honeywell. She peeped through the ole of the door when the man with the white went in, and she says she heard this man make a ain with Mr. Wright for 300*l.*

639. (*Mr. Coleridge.*) Is that the way in which ladies of Totnes influence the elections by peeping ugh the keyhole ?—This person was a servant he house.

640. And she listened at the door ?—There is one g certain, that he always was a Conservative, he signed the requisition and gave a pledge Colonel Dawkins, and afterwards voted against

641. William Willcocks ?—He always voted for Conservatives.

642. What is he ?—He is a painter.

643. And what you have called a matter-of-course ?—Yes.

644. Would you send him 25*l.* ?—No; a little only a little in the drink way. He lives at the y Horse Inn ;" they give him plenty of work, Seymour party.

645. At a double election I suppose he votes one one ?—Not at the last election. There are ing but genuine men who are got over there

646. Edward Woodley ?—He is a thorough sup- er, and never had a farthing.

647. The next on the list is Richard Watson ?— t is the gentleman who was made a magistrate coming over from France. He went away some before the election, when it was known that the ion was about to take place, and I have been rmed that on the platform at Totnes he said——

648. Who informed you of it ?—I heard Mr. swell say so at this very election.

649. That he had gone away, not meaning to ?—He took a fortnight's ticket to France. There been a rumpus amongst them because he could get exactly what he wanted. He got over to ace, and then there was a communication between telegraphic messages, and so on, going to and hither and thither, and they got him back again; immediately that he got back again he was made gistrate.

650. Do you know anything about these tele- ns yourself ?—No ; I do not.

651. William Webber ?—He is now dead. It is right to rake up the deeds of the dead, but that he man who interfered with John Westaway, a e you will find in the list a little below. He was ged to Mr. Dent, and had signed a paper that he ld vote for him. He called upon Webber, who ed him in his house and kept him there all night.

652. At which election ?—At this election, and ght him out in time to poll.

653. How had Webber voted before ?—He was ut-and-out Radical; he was made a magistrate doing that.

654. How did Westaway vote on the last occa- , do you know ?—He was not allowed to vote ; s a gardener to Rear-Admiral Mitchell. At the end of his garden he has a house in which this man lives; the property is sufficient to qualify; and when the admiral found that this man had voted against his wish, he says, I will be rateable in future for the property myself, so that you will not have the vote any more.

6655. John Willis ?—He is one who never had any money.

6656. Do you know what he is ?—He is a butcher and a member of the town council. He always votes on the right side.

6657. Edward Willis ?—I am told that he formed one of the seven of whom I spoke just now; one of the slippery company.

6658. Did he vote in 1862 for Pender ?—He keeps an inn. He was one of those dissatisfied men. There was a bill remaining unpaid before Mr. Pender came, and a portion of the money which Mr. Condy told you of went to his house to pay off the old scores.

6659. Has he ever voted for you ?—I do not remember that he has. All his family were Conservatives.

6660. He has himself always voted on the Liberal side ?—Yes.

6661. Thomas White, Harberton ?—I never heard of his having any money given to him. He is a very respectable farmer on Mr. Cary's estate. At the last election he did not vote ; probably he did not like to vote against Mr. Cary.

6662. Mr. Cary does not vote himself, I believe ? —He did not vote at this election. I think the old cardinal who died the other day was a Conservative, and they have brought their influence to bear on Mr. Cary.

6663. What is Mr. Cary ? A Liberal ?—He is a Roman Catholic. At the late election he would not vote; the Roman Catholics brought their influence to bear upon him.

6664. You have not many Roman Catholics here ? —I believe he belongs to the Roman Catholic church at Torquay.

6665. Frederick T. Waymouth ?—He rents a field of the duke, and likes to give him a vote. He did not vote at all at the last election. He never had any money. He says, "I am a Tory. I vote for my "colours."

6666. Was he turned out ?—No ; he has a field by means of which he makes two fictitious votes.

6667. The next is Walter Worth ? What do you know of him; he seems to have voted for the Liberals ?—He is a Conservative in heart.

6668. If he is a Conservative in heart it is very odd that he should have voted for Mr. Pender in 1862 ?— You will find that he rents a field of Mr. Rennie or of the duke ; the condition is this, that if he pays 30*l.* to the Duke and 36*l.* to Mr. Rennie, he is not to allow any vote to be made on either of the properties. That is a kind of set off; he is to vote one Conservative and one Liberal. That has been the understanding.

6669. Does he have any money for his vote ?—I believe not.

6670. Joshua Weymouth ? — He always votes Liberal, and his nephew, Frederick Thomas, votes Conservative.

6671. Is he a matter-of-course man ?—Joshua Weymouth is right.

6672. John Williams ?—He is dead. I believe Mr. Condy, who did not know anything the other day, tried him very hard, but could not succeed.

6673. And you tried him too ?—He is always Conservative ; he is one of the men whom I should send 25*l.* to.

6674. Is he a poor man ?—Not exactly a poor man ; he keeps a small inn ; they are worse off than labouring men.

6675. He would want it more than a railway porter ?—Yes, because the latter has a permanent salary.

6676. Thomas Willis, Fore Street ? — He is a brother of John Willis, and is all right on our side.

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6677. Should you send him anything as a matter-of-course man?—He is above that.

6678. Has he always voted your way of thinking?—No; in 1859, I think, he voted for Mills.

6679. Then what led to his conversion in 1863?—It was the election before that.

6680. He voted for Seymour and Mills in 1852?—His family were all Conservatives; he deserted the ranks from some little grievance; that Mr. Baldwin did not get him some situation.

6681. Did you ever put him down for money?—No; he is not a money man.

6682. William Willis?—He is the town surveyor; he is all right.

6683. He votes with the majority of the town council?—When they turned out poor Sam Cuming they put him in.

6684. Has he always been Conservative?—Some years ago he was half and half.

6685. Is he open to conviction?—No; he is not a conviction man.

6686. John Watson, "Lord Nelson Inn"?—He keeps an inn; he is under Mr. Heath; he is right enough, but you must give him a little bill.

6687. Has he ever gone away from you?—No; he is true to his colours.

6688. Thomas Widdicombe?—He was the tenant of the duke; a man whose vote was made on Westaway's field, a fictitious vote; he is not on the register now.

6689. Was he a matter-of-course man of the duke's?—Yes.

6690. Would he have had any money?—No, he is beyond that.

6691. James Willcocks?—He is one of the old Tory school who always stuck to his colours.

6692. What is he?—A painter.

6693. What do you send him after the election?—Not anything; his work and labour lies with the Tories.

6694. James Warren?—He is dead; I think he had some tin.

6695. Who did he have it from?—From the Tory party.

6696. Who would give it to him?—That I do not know; I should rather think it was Evens.

6697. Did he vote for you?—Yes.

6698. Colonel Willoughby?—He is all right on that side; probably I may be allowed to say, in reference to the guarantee of Mr. Michelmore and others to some bank in Totnes of a large sum of money on behalf of Lord Seymour, it was currently reported at the time that this gentleman at my elbow (Mr. Michelmore) was very much displeased at the manner in which the subject was being treated and was afraid they should be called on to pay the money. I remember very well a man coming down here, called Moore, they called him Rory O'Moore, the great anti-corn law league man. He came down with Mr. Pender some time after Lord Seymour's election, and I have reason to believe that he came down here to settle the whole affair; this man was a great orator, I believe. There had been some dissatisfaction in the town and communications going on between some parties about the money, but after this man came I never heard anything more of the dissatisfaction.

6699. Do you know who were the parties to that deed?—Mr. Charles Michelmore, Mr. Jeffery Michelmore, Mr. Chaster, Mr. Huxham, Mr. Condy, and various other persons; I only tell it you as I remember it, but it was stated at the time that Mr. Condy was one of the parties who were answerable for it.

6700. Did you hear whether the guarantee was in writing, or whether it was a mere getting of these people to bind themselves to be answerable for it?—It was in writing, no doubt. You may leave bankers alone to advance money on the mere word of any man.

6701. You think even Mr. Derry would not do that?—He would require something in black and white.

6702. (*Mr. Longe.*) What did you refer to be the committee when you spoke of a bill with "A "Seymour" being at the top?—I was asked whe I knew the writing of Mr. Jeffery Michelmore.

6703. And what was shown to you?—An acc paid to Charles Pengilley who went to bribe Bo It was a bill sent in to Mr. Pender and altere Alfred Seymour; they asked me in whose wri the alterations were.

6704. (*Mr. Bere.*) You told us that you had something to Guppy; did you suggest any mea conviction to him; if so, tell us what it was?—I him just outside my house, and he said or intim that he was open to conviction to vote on our I communicated the fact to Mr. Mum, and the ended. I asked him what he would take for bot votes; he said that he had promised Mr. Pender he had not promised the other vote.

6705. He did not name the sum?—I do not t he did.

6706. Did you say to him, if he gave both votes he should have 100*l.* or 150*l.*?—I might have a him whether he would go for both for 100*l.* or 1

6707. Do not you think you did?—Very like did.

6708. And that the money should be coming t house in bank notes or in gold?—I am quite ce of that; his was a vote we did not value.

6709. And when you had given this informa did he say that he was going to vote for Mr. Pe and that he would give you one?—Yes, he did. did not think him of any value.

6710. (*Mr. Coleridge.*) Is that the letter w appeared in the "Times" which elicited your l to Mr. Pender (*handing a paper to the witness* Yes, it is.

"*The Totnes Royal Commission.*

"The following letter appears in Thursday's 'Times'

"SIR,

"IN the report of the proceedings in the Hou Commons on Mr. Bouverie's motions last evening fo issue of a Royal Commission to inquire into the exis of corrupt practices at elections in Totnes, that gentl says that a man named Harris, one of the witnesse amined before the late committee, 'proved that Mr. Pe 'had offered him a situation if he would not take an a 'part against him,' and on this evidence 'they unseate 'sitting member.'

"It is doubtless true that Harris did make a state to the above effect; but that this assertion 'proved charge is open to question, inasmuch as Mr. Bouverie 'an attempt was made to throw doubt on Harris's vera 'but as he was what would be generally called a respec 'man, in appearance and occupation, the Committee bel 'him to be a credible witness.' The result was, that o man's impeached and unsupported evidence, on this allegation of his, all other charges of bribery agains sitting members 'having,' as Mr. Bouverie admits, ' 'stantially failed of proof,' I was deprived of my seat.

"Under these circumstances Mr. Harris has just re to be satisfied with his personal appearance, since it stood him in such good stead on this critical occasion; instances are, I apprehend, rare where the members legal tribunal, engaged in the solemn duty of administe a penal statute, have permitted themselves to be so fascin by the exterior of a witness as to set aside the eviden his untruthfulness out of compliment to the respectal of his looks.

"I have, however, to offer my acknowledgment Mr. Bouverie for procuring the appointment of a C mission, before whom the evidence thus overruled by late Committee will be reproduced, I trust with t effect, and all the circumstances being investigated an shall have the opportunity of demonstrating in perso utter worthlessness and falsehood of this the one sol charge—all others having been abandoned—on which unseated by a Committee of the House of Commons.

"I have the honour to be, your obedient ser

"18, Arlington Steeet, JOHN PENDE

"May 2nd.

"Printed at the office of the 'Western Daily Mercu Frankfort Street, Plymouth."

6711. What room were you in when you hea this offer about the 20,000*l.*?—In Mr. Gusco office.

6712. Where is that?—In Essex Street in the and.

6713. Mr. Guscotte was there, and you and Mr. monds?—Yes.

6714. And Mr. Guscotte came into the room and there had been an offer of 20,000*l.*?—He did, or rds to that effect.

6715. Are you quite certain of that?—I have con-sed with Mr. Edmonds, who is present, and Mr. monds told me that what I stated here the other was perfectly correct.

6716. If Mr. Guscotte should contradict that, would think there must have been some mistake?—I am dy to swear that Mr. Guscotte said that an offer hat description had been made.

6717. An offer of 20,000*l.*?—Yes.

6718. There is no mistake about that you say?—ne whatever.

6719. Do not you know that on behalf of your own y 5,000*l.* had been asked as a compromise, and been refused by Mr. Pender?—I never heard t.

6720. Did Mr. Guscotte say that this offer had been de?—He did.

6721. Who was in the room first?—I rather think as there first; I was waiting for him.

6722. You say you were in the room first; did you Mr. Edmonds go in together?—I think I was iting there. Mr. Edmonds and Mr. Guscotte came ogether.

6723. How did the conversation begin. I think it to tell you that Mr. Guscotte denies all this?—es he?

6724. What was the conversation that occurred n Mr. Edmonds and Mr. Guscotte coming into the m. Was that the first thing which was said?—I not think it was.

6725. Try and recollect, because this is most im-tant, what was the conversation before the offer of 000*l.* was spoken of?—I do not remember the tenor he conversation.

6726. Was it about the election petition?—We e going through the names of the men who were be called first; reading the evidence, and things of t sort.

6727. Did Mr. Guscotte come back and say that s offer had been made, or was it after discussing evidence that he told you this?—In the course of conversation.

6728. If there had been any idea of accepting the er it would not have been necessary to discuss the dence?—I understood that he had telegraphed to lonel Dawkins before our interview that the offer d come through some means, I do not know what ans, and that Colonel Dawkins had sent back using to accede to any terms whatever.

6729. Then he said to you after going through the dence, we have received an offer of 20,000*l.*, and have consulted Colonel Dawkins by telegram, and will not hear of it?—I think there was a word or o to that effect.

6730. You are quite sure that you have made no stake, either as to the amount, or as to the nature the compromise?—I recollect distinctly the sum ing stated.

6731. Are you sure that it was not this sort of ng. We want more than they will give, but we ght to go as far as 20,000*l.*?—No.

6732. You are certain it was a downright state-nt by Mr. Guscotte that such an offer had been ade?—I have no doubt about it whatever.

6733. Did you see the telegram of Colonel Dawkins using it?—I did not.

6734. I asked you on a former occasion who was to ve the 20,000*l.*; whether it was to go amongst the ctors of Totnes; and you said you supposed that . Guscotte, Mr. Edmonds, and yourself were to ve a share of it?—Nothing was said about who was have the money.

6735. I asked you who you expected would have it, d you said that you expected it would have to go amongst the electors and Mr. Guscotte?—Exactly so, I thought it was rather an extraordinary offer myself.

6736. Still you did believe from what Mr. Guscotte said that it was a really *bonâ fide* offer?—I considered it was.

6737. You thought it was a very handsome offer, and you had no doubt whatever that it had been made?—I had no reason to doubt it.

6738. Mr. Guscotte did not speak of it in any way as if he were chaffing you about it, and you believed seriously that such an offer had been made?—I believed then and believe still that the offer had been made.

6739. Then after the offer had been made, did you have any conversation about Colonel Dawkins' refusal to accept it?—No. Mr. Guscotte said that he had received a message from Colonel Dawkins stating that he would not compromise the matter.

6740. Do you mean to tell me there was no conversation between you three men who were so much interested in the obtaining of this 20,000*l.*?—I was as much interested as any other man in Totnes.

6741. Can you state that between you three men who were so much interested in the division of this 20,000*l.*, yourself, Mr. Guscotte, and Mr. Edmonds, there was no expression of regret or astonishment at the refusal of this offer on the part of Colonel Dawkins?—No; I never expressed anything in the shape of regret at all.

6742. Did Mr. Edmonds express any regret at all about it?—No. I will tell you what I think really did occur, and what I think Mr. Edmonds will confirm me in, that if the money was spent amongst the electors of Totnes it would be far better than to turn out Mr. Pender, or something of that sort. You know 20,000*l.* was a wonderful offer. We thought it would be better to have the money spent in Totnes.

6743. Then if that had been so, you and Mr. Guscotte and Mr. Edmonds would not have been able to share the whole amount. Do you wish to recall your expressions in which you said that you expected it would have been divided amongst Mr. Guscotte, Mr. Edmonds, and yourself?—I think I have said that there was a conversation between Mr. Edmonds and myself.

6744. But do you wish to recall that part of your evidence in which you have said that you expected it would have been divided between yourself, Mr. Edmonds, and Mr. Guscotte?—I did not expect so from any conversation between Mr. Guscotte and Mr. Edmonds.

6745. You did not expect that Colonel Dawkins would have put the money into his own pocket?—I thought he was too much of a gentleman to do any such thing.

6746. Unless he had thought fit to repay himself what he had expended during the election at Totnes, he would have handed it over to you and to the two solicitors?—He might have repaid himself the expenses of the election.

6747. What sum should you suppose that Colonel Dawkins left behind him in Totnes?—I should think about 4,000*l.*

6748. I thought you had put it down before as 6,000*l.*?—You should recollect that Mr. Mum brought down a lot.

6749. Then whatever Colonel Dawkins brought down was his contribution, and whatever was brought down by Mr. Mum was the contribution of Captain Pim, or we will say of some one on his behalf?—That I do not know.

6750. Where do you imagine that the money which was brought down by Mr. Mum came from?—That I cannot say. I have read the evidence on the Yarmouth Commission, and there I find that the candidate had a friend in his partner, Mr. Nightingale, who advanced a very large sum on his behalf.

6751. But such friends do not come forward without some expectation of being afterwards paid what

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they have advanced?—There are many persons do more strange things than that.

6752. Then am I to understand that you really did expect that if Colonel Dawkins had received this large sum of 20,000*l.* it would have been handed over to you three gentlemen?—Less the expenses that he had been put to at the election. I fancied so.

6753. (*Mr. Longe.*) I suppose you were considered to be a valuable man against Mr. Pender at the time of the committee?—Speaking for myself, I did not consider my own evidence to be worth much. To be sure it was only a mere matter of conversation between us, and if Mr. Pender with the letters M.P. attached to his name was to be put in opposition to poor Robert Harris of Totnes, why then I concluded that the Committee of the House of Commons would believe him instead of me, notwithstanding that truth must always stand.

6754. (*Mr. Bere.*) Will you be good enough to furnish us with a list of those persons whom you have considered as matter-of-course people in the borough of Totnes on the Conservative side, and who you say as a matter of course would have had money sent to them?—I will endeavour to do so; but I am afraid you are putting rather a severe ordeal on my shoulders. It is certainly very painful for me to be here to delineate the characters of individuals; at the same time I have come here to tell the truth, and the truth I will tell.

6755. We would also wish you to give us a list of those persons whom you believe have received money as a matter of course on the Liberal side, or who have had money sent to them in the way you have described?—Have I not already given you such a list as that?

6756. I mean in regard to the elections of 1862 and 1865?—Perhaps you would take Mr. Michelmore on the other side, and go through the list of 1865 with him. He will be able to give you as faithful evidence as I have given you; he knows all the ins and outs and the host of bribery which has been carried on here just as well as I do.

6757. What do you know of the election of 1859, I shall not take you through the poll book?—I only had those three cases that I have mentioned to you.

6758. Was that the first election at which you were regularly employed by the Conservatives?—I did not look upon myself as being employed.

6759. Were you paid at that time?—I think I received a sum of money for the services I did. 25*l.* I think.

6760. As canvasser?—Yes.

6761. Who paid you?—Mr. Dunn.

6762. Mr. Dunn himself?—No.

6763. Mr. Edmonds?—No, there was a Mr. Cameron.

6764. From London with Mr. Dunn?—Yes, I think that was the gentleman who paid me. The only instances I remember in connexion with 1859 are those three cases I have given before, namely, William Satchwell, who came to my house and had 25*l.* from John Smith, and John Bearne who came there. He voted in 1859 for Mr. Dunn, and he had 25*l.* also. Mr. Smith asked me where John Pearce lived. He lives in a back street, and I went to John Pearce's to show him where the house was. They understood what was going on, and he left 25*l.* and came away.

6765. Where were you?—I was outside the door.

6766. Did you go in?—No, I did not.

6767. You stood at the door of the house and John Smith left 25*l.* inside?—Yes, in sovereigns on the table, so he told me. For the sake of Mr. Pearce I may say; finding on the day of the election he did not vote, I sent a man named John Sampson for the money, and Mr. Pearce said he had got no money. When I saw Smith he said he left it with his wife, and Pearce said he did not know anything about it.

6768. How did he vote?—Against us.

6769. Did he come to your house?—No.

6770. John Bearne and William Satchwell, how di they come there?—They came up the town.

6771. Was it election day or the nomination day?— The nomination evening I think.

6772. Late in the evening?—Yes.

6773. What time of the year was the election?— The 30th of April I think. You will find Bear voted all right and Satchwell voted all wrong. H says he handed the money to his wife and did n know anything about it.

6774. Did they come together?—No.

6775. Who came first?—Satchwell first. Bear was at work for me.

6776. What is he?—A carpenter.

6777. Was Smith in your house at the time?—I came in after.

6778. Did you send for them?—No.

6779. Did not you know from him that they we coming up?—No, I did not.

6780. Were their names on his list?—I do n know.

6781. Had he not asked you about them?—No.

6782. You were beginning to be recognized as a active man?—Yes.

6783. Were these people that you had know intimately before?—I had not anything to do wit the registration up to this time. I was appointed t overseer that year.

6784. Those people come to your house?—Y Satchwell I was friendly with, and Bearne was n carpenter.

6785. Was it the house you are living in now?— No; that is the upper part of the town.

6786. What part of the house?—In my offic Smith asked if Mr. Bearne was there and M Satchwell, and they said yes.

6787. Where were you?—On the other side of t house. I understood from the man afterwards he h given those men 25*l.*

6788. From John Smith?—Yes; and I we after he had given the money to Bearne and Satchwe to show him where Pearce resided.

6789. It was after he had dealt with Bearne a Satchwell that you sent him to deal with Pearce?— Yes, he seemed to have had a list of the parties deal with.

6790. When did you first see him after the tra action with Bearne and Satchwell?—Immediately came on the other side of the house. The house resided in was a double house. The office was one side of the passage and my sitting-room on t other.

6791. Was your sitting-room door shut?—I do n think it was.

6792. The office door, was that shut?—Yes.

6793. Was it shut when Bearne and Satchwell we in or when Smith went in?—They shut it when th went in.

6794. Had Smith to pass your door to get in?— No.

6795. Did you know that Smith had gone into yo office?—Yes, he knocked at the door and asked if t men were there.

6796. The outer door?—Yes.

6797. Did you answer it?—I think I did, or n servant.

6798. He asked if the men were there?—I watched them in.

6799. You knew what Smith had come there fo —No, I did not.

6800. And had no suspicion?—I do not mean say that I had no suspicion. He introduced his ca and he was an electioneering man.

6801. Was that the first time you saw him?—Y

6802. What sort of man?—He is a pock-mark man.

6803. You saw him afterwards?—Yes, in Lond at the committee room. He shook my hand. I sa "How are you?" and he said, "Do not you remem "I was at Dunn's election."

6804. Did he speak about Bearne and Satchwell?

Yes, and I said I got very near that time, and I said I would not do it again.

6805. Was it in consequence of acting as canvasser that you were made registration agent?—No, I think not; Mr. Welch died, he was high bailiff, and I felt anxious after Mr. Windeatt as I thought got me out of the office; I felt a desire to look into the registration to see that the Liberals were well punished for what they had done to me.

6806. Vengeance?—I do not know that it was vengeance, but I intended to look at the register.

6807. Did you look at the register before you were appointed agent?—Yes, free.

6808. Before Mr. Welch died?—Yes.

6809. The knowledge you acquired made you useful as registration agent and they appointed you?—Yes; in due time they saw I knew what I was about, and they asked me if I would consent to take the office if paid, and I consented so to do. On the morning of the election at that time Barnes, now in Galveston in South America, bribed, I believe, Pearce. Pearce drove his cows to the Plymouth Road and Barnes was waiting for him; they had some conversation at the gate, and I believe that is where the money passed over.

6810. Who were their regular bribers?—Fogwill, Barnes, and Parnell.

6811. Evens, was he in it?—I do not know; I may say I had nothing to do with the election save and except voting.

6812. Who were the bribers on the Liberal side?—Fogwill, the postmaster; Samuel Parnell, the postmaster (they seem to have a particular fancy for postmasters); and this Mr. Barnes.

6813. What was Barnes?—He was a schoolmaster, and now I understand he is the British Consul at Galveston.

6814. Parnell, is he alive?—Yes.

6815. Who did you hear received bribes on that occasion?—I do not know.

6816. No notorious names occur to you as having been bribed?—No.

6817. No familiar sounds?—I do not remember any particular event at that period; I might say I heard about that loan affair which Mr. Huxham related, that Charles Webber and Samuel Huxham lent money out of their own pockets, and when they had not enough they became securities by a joint note of hand, I think for 2,000*l.* or 3,000*l.*

6818. On what day?—On the day of the election. But Mills was a capital milch cow, he had got a good udder as we call it.

6819. (*Mr. Coleridge.*) Can you give us any other names on the Conservative side that were bribed in the election?—I think Mr. Parnell in connexion with Ferris bribed John Elliott.

6820. Is he alive?—No, but his wife is alive and can tell you all about it.

6821. Where does she live?—In part of the house of Thomas Mugford. I think the money in that case was put into the teapot; and like the boys when they have got anything sweet they say, "Shut your eyes "and open your mouths and see what God will send "you," so with the teapot, she had to go to the teapot when she wanted a bit of golden tea and she got it.

6822. Did you not tell us something of a man called Dawe?—If Dawe has reported that to be so, I do not think he will tell an untruth, and I understand he says in the course of conversation with him I asked him if 100*l.* or 150*l.* would be of service to him. But I do not think it so likely, because he is not such a man as I should attempt.

6823. I dare say you had the curiosity to compare the returns of 1857 and 1859?—No, I cannot.

6824. You cannot tell whether there were any marvellous conversions?—No, I had not had the registration at all, and I took but little interest.

6825. Had you anything to do with 1857?—That was the memorable event.

6826. (*Mr. Bere.*) The answer was, "John Dawe "at that election says I did not tamper with him, but "I offered him something in 1859." You mean he said so?—Yes; I remember his coming afterwards and my letting him a room; and it is more than probable, if he says so, that in the course of conversation I asked him if 100*l.* or 70*l.* would be of any service that I did. But I had no authority, for I was not in their secrets at that time, not in any shape or form. But I may mention this also, that this election took place in 1859, and Mr. Dawe was dissatisfied with what the Liberals did, and at the election in the council he voted for all four for us. If I promised him money he went to them and they promised him, and he was very disgusted and voted in the council for us.

6827. What was going with the Conservatives in 1859?—A lot of money.

6828. How much?—Several thousands.

6829. Mr. Mills?—There was no limit to that.

6830. Was Mr. Mills as good as Pender?—I think Mills was bled freer than Pender; Pender is a good sharp man.

6831. What do you suppose Mills spent on the elections?—I think 20,000*l.*

6832. How much Pender?—15,000*l.*, that is the current report.

6833. And Dunn?—2,000*l.* or 3,000*l.*

6834. Was any subscription got up?—No, Dunn came down afterwards and was very well pleased with the men, and afterwards got in for Dartmouth; he got in free; he went in and fought Stanley and turned him out.

6835. About 1857?—That was the memorable event in my political life; I was the only man punished in that election by Mr. Windeatt and Mr. Samuel Huxham, at the commencement of my career; I was receiving 100*l.* a year as district secretary, an allowance for a horse, and I had five per cent. on all I did, which made it 200*l.* a year. Mr. Windeatt, who is now dead and gone to his reward, wrote to the directors; they removed me to London, and when I got to London I found it was tantamount to a dismissal, and I sent in my resignation.

6836. (*Mr. Coleridge.*) Why?—They took me out of my sphere; you would not employ a man unless you wanted him; I was out of my sphere; I was able to get my living in Devonshire, but I was not able to get it in London; I sent in my resignation, and I told Mr. Windeatt about it.

6837. Had you voted at that election?—Yes.

6838. Voted for Mackenzie and Gregory?—Yes.

6839. Was money going then?—I do not know.

6840. By Mr. Mills?—I do not know.

6841. Not your side, but Mills'?—I do not know. As the reporters report everything very sharp, it is necessary to be particular. The "Mercury" makes a kind of insinuation that I was discharged from the office or left for a purpose. I state here, before all the reporters, that they may take it down, and I defy the world to contradict it, I was not indebted a single halfpenny to the company, and after my resignation was sent in they asked me if I would sell my commission, because parties had to pay premiums, and I was entitled to five per cent. commission upon it, and they sent to ask me if I would sell the commission, and I did so, and I think I received 60*l.* in cash besides all the salary due to me which Mr. William Windeatt was to hand over, and there was a proper agreement that when up there I was not to meddle with their concerns.

6842. Who succeeded you?—Mr. Barnes and Mr. Windeatt had got a brother near on the other side appointed.

6843. Politically, can you tell us anything about the election of 1857?—No.

6844. Can you tell us who were the acting men on the Conservative side?—I cannot tell you.

6845. Who can?—I do not know.

6846. Was there a black man, or a Man in the Moon, or a Mr. Mum?—I do not know.

6847. (*Mr Coleridge.*) What brought you into

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your present employment? You were not regularly employed in 1859?—No, I went on my own hook for a year without any view of party; we were satisfied, and in 1860 Mr. Rennie came here; he was anxious to keep the thing on the move, and asked me if I would undertake the registration under Mr. Edmonds, to look after the rates, and keep the rates all paid up, and do everything that was to be done that way.

6848. (*Mr. Bere.*) He was regulating the borough?—He anticipated becoming a candidate.

6849. When did he begin to take an interest?—That was the time.

6850. Not before?—No, he was in the habit of seeing Mr. Champernowne; but I thought he had not money enough to fight the battle.

6851. That is all you know of the election of 1857 and 1859?—That is all, I think. I have told you all about Mr. Heath, and Mr. Ackrell told me there was an offer of a large sum.

(*Mr. Bere.*) For reasons of our own as to any prior election we will not inquire into any further back than 1857.

6582. With regard to the duke's interest in Bridgetown, you stated that he had 90 votes altogether?—Yes.

6853. I think you said 40 votes bad?—He can depend on 50.

6854. But bad votes on the register?—Yes, fictitious votes, not a *bonâ fide* holding.

6855. Are they Dartmouth men?—Yes, George Fitze's company?

6856. 40 of that class?—Yes.

6857. The manor of Bridgetown is about 235 acres? I do not know. Perhaps you are about right.

6858. The property of Mr. Durant is filled up, and the duke's property is filled?—Yes, everything is filled up except what is cut off from the Gerston property.

6859. The 235 acres and the Gerston property is filled up?—Yes, every 10*l.* value is to produce a vote somewhere or other.

6860. Do you know any cases? I think you mentioned one, a Mr. Maye who had a letter written to him when he was working the voting for the Conservatives?—He promised the Conservatives, but he was the brother-in-law to Mr. Michelmore, the steward.

6861. Do you know any men who are not pledged, but who have occupation under the duke?—I think he was the only man who was permitted to remain who was not a thorough Liberal and that you could not depend on; but he was the brother-in-law of the steward, and he allowed him to remain. He is the only man of that batch that we could look for for one vote on the general election; but he is, I think, out now. Mr. Jeffery Michelmore has turned him out.

6862. For not voting?—He voted half and half, and Mr. Jeffery Michelmore and the duke will not have that; you must go the whole hog.

6863. Did you hear of any other letters?—No.

6864. I suppose a letter is seldom wanted?—A letter is seldom wanted, but in that case I understand he had promised to vote, and Mr. John Maye went over to Mr. Thomas to get him to come and vote and take him back again; but when he went out he saw this letter there, he was shown the letter, and thinking it would be a very strong thing if Mr. Thomas Michelmore lost his bread by it, we induced him not to vote if he lost the election. The Duke of Somerset was so tyrannical, and he would have turned him out and put in another steward; that was the intent of the letter.

6865. There are a certain number of Parliamentary voters who have not a vote for the municipal election?—Yes.

6866. What number is it? These Dartmouth men would not have a vote?—No.

6867. And the tenants of the duke at Berry Pomeroy?—No. The Municipal Act says it shall be a "house," "warehouse," "shop," not building or land; but in the Reform Act building or land crept in in somebody's clause which was introduced in the House of Lords; and *bonâ fide* you must occupy premises of this description and of this kind to qualify the farmers of the borough of Ashburton. Though they may qualify upon the land, 50 out of the 90, or 60, are not municipal voters, and when you come to the borough of Totnes, for instance, if the late Reform Bill had passed we should be a Conservative borough of ourselves to all intents and purposes. We have on the present register at least 60 more than they, but they swamp us with the outsiders' buildings and land.

6868. That is your opinion of the anomalous state of things?—Yes, I asked your permission to give a kind of analysis before I left as regards the state of the poll, because I felt anxious at the last election. Although I am a humble man, yet I pride myself on having brought Colonel Dawkins into the market, and upon the face of the documents and the facts I thought we had a fair and legitimate majority of votes.

6869. (*Mr. Longe.*) You did not ask him merely to pay the money and to get the votes?—No. On examining the list there was a reasonable prospect of a Conservative catching the election, but when we have to contend against Mr. Pender's money and the duke's influence it is a fearful thing to contend with.

6870. (*Mr. Coleridge.*) On your assumption it is that there should be no bribery on either side, and every one should go to the poll?—I assume that the man who pledges himself to me will stick to me. If he wanted 100*l.* I should try and get it. If he had come and said, I want 150*l.* I would try and get it; and I would say to them, "Do not depart from me" when they are signing the requisition.

6871. That is, assuming there was no bribery, you would have had a majority?—Yes.

6872. No bribery, and that every one should think it worth while to come to the poll?—Yes.

6873. But that is a state of things that you could not expect here?—Yes; but assuming that they sold themselves, I say let me have the first chance; that is what I wanted; but instead of that they would not give me the first chance.

6874. (*Mr. Longe.*) Beginning with 1865, with regard to the tactics of the Liberal party, we want just the leading names, some of those who took a prominent part; there is Jeffery Michelmore?—Yes, and Mr. Charles Michelmore here.

6875. What part did Mr. Charles Michelmore take?—Unfortunately for him I believe they had not placed so much confidence in him; he has taken to drinking, that is, what we call drinking in Totnes. It is painful to relate, but if you ask my opinion it is so, and they have not placed so much confidence in him, and I do not think he has taken that active part that he used to do, a dead go-by; but for some time he did the work and was paid. There was a cheque sent to him—you will find it in Mr. Michelmore's cheque book—from Mr. Seymour for his services not included in the accounts; he received cheques not included in the accounts, and that will come out.

6876. From whom?—From Pender and Seymour; 50*l.* from Pender and 25*l.* from Seymour.

6877. He did not know there was a petition?—Yes, Mr. Narramore saw his cheques. I remember William Godfrey, the tailor, saying he knew it for a certainty.

6878. Charles Frederick Michelmore can tell us about the money?

(*Mr. Michelmore.*) I had the cheques 50*l.* and 25*l.*; I do not deny that.

(*Witness.*) Mr. Griffis told me that Charles Michelmore paid him 50*l.*, and there was Mr. Parnell, the postmaster.

6879. You mean agent?—Yes, an active man.

6880. Have you any other man Mr. Michelmore knows about?—There was that in reference to Mr. Narramore. He was about in every public house treating everybody, feeling the pulse. Mr. Heath saw the poll book, and saw there was marked 100*l.* for one, and 50*l.* for another. This was some few days before the election, and Jonathan Narramore

saw it. That was on the same poll book on which was written, "Robert Harris to be had for a situa- "tion." The "Mercury" had it that it was after the situation was offered by Mr. Pender. It was days before the situation was offered by Mr. Pender that this was seen, and I wish that corrected in the "Mercury."

6881. What part did Mr. Michelmore take? What position did he hold?—I saw him about in the carriages with Alfred Seymour and Mr. Pender canvassing.

6882. About with the gentleman in mourning with the white hat?—He was a pleasant man. I spoke to him once or twice. When I spoke to him it was in this way. When the bills got out I remember carrying two or three bills in the Ashburton Road; this man was coming up, and young Tom Windeatt was with him, the present lawyer, the clerk of the Poor Law Board, and he said, "Mr. Harris, will you please "to give me one of those bills," and I think he came to me another time for a bill; those were the only times I had any talk with him.

6883. You know him by sight?—Yes.

6884. You saw him in London?—Yes, several times.

6885. You know he is not a Totnes man?—Yes.

6886. He was the same as Mr. Mum?—Yes; he was the Mum on the other side. I believe he carried the money about, save and except what Mr. Tom Searle and George Stoyle had.

6887. What others?—Mr. Samuel Parnell, Mr. John Elliott, John Pedrick Callard, clerk to the Duke of Somerset; he went about also; and Mr. Prout, he was running about actively offering people money.

6888. J. B. Prout?—Yes.

6889. (*Mr. Bere.*) He was clerk in Mr. Michelmore's office?—Yes, he was, but he is with Mr. Michelmore of Newton now. I might call them serjeants and corporals. Then there were a lot of under-strappers. One man can tell you that Windeatt put a serjeant upon Baker, and offered him a lot of money. Then Mr. Bovey had Pengilley put upon him. Then there was Mr. Worth was under-strapper to Parnell. He managed old Light. There was a regular staff of old ones. They were up to everything that way.

6890. What time did the work begin? Can you give us any date? When was it known there would be a contest?—As soon as ever Col. Dawkins came into the field. He did not announce he would stand till the day prior to the nomination.

6891. There was some work before that—when Mr. Kennard was announced?—We were then in prospective—everything in prospective.

6892. The Liberals began to protect their seat before that?—Yes; because Mr. Lorimer had told me that Mr. Pender had told him to go to any needy voter.

6893. Had they not begun committee rooms six weeks before, and had there not been open house at the "Seymour Arms" from the end of May?—Yes; long before.

6894. (*Mr. Longe.*) What about Mr. Chaster and Mr. Jenkins?—I think they would go about feeling the pulse, but they would have nothing to do with bribery. They would be doctors taking the symptoms.

6895. And the others the apothecaries?—Yes; and others dispensers of the medicines.

6896. Who was watching you?—I do not know; they were always at me. John McKnight; they gave him a vote for his active services. He was terribly after me. He was not a voter then. There were several of the party; they kept their men down watching at the doors.

6897. And you had your men watching them?—Exactly the same as a matter of course.

6898. Mr. Cuming was an active man?—Yes. I wish you would have him; he would unfold the whole story. I am afraid he is too bad to come here.

6899. Had Pender and Seymour a joint committee?—Yes; I think they had.

6900. Were there handbills about the town "Vote "for Pender and Seymour"?—Yes.

6901. Do you remember when the Seymour faction and the Liberal faction became joined?—Nothing further than by hearsay.

6902. You know nothing of any election before 1857?—No; my father voted in that election, and I was a regular Tory all my boyhood.

6903. What is Holman?—He is a tenant farmer of the duke's, and there are three fictitious votes made in his field. He is a sly bribing man. I should think he would take the higher class of voters than Stoyle.

6904. Such as 150*l.*?—Yes; higher than that. 200*l.* or 300*l.*; he and Parnell would come in for the higher classes.

6905. They were on the committee?—Yes.

6906. Was there a published list of the committee?—I am only giving these statements as matter of opinion.

6907. How long was Holman an active man?—All my life; his father was before him. I may say that I received a letter this morning threatening me; they are going to hang me up by the neck. The Whigs are in a terrible funk about my exposure, and I must come to you and see what protection you can give me. They must be in a terrible stew to resort to things of that sort when the truth is told.

6908. Did you see many strange faces about Bridgetown during Mr. Pender's election?—I do not know; he had his valet with him.

6909. Did you see Mr. Salmon?—I do not know the gentleman unless he is sitting there. If so he was a very good-looking man.

6910. (*Mr. Coleridge.*) I think you had some correspondence beginning in May with Mr. Spofforth?—I had a lot of correspondence.

6911. Are those all the letters you have which you have given to the Secretary?—I think so. At the end of the year perhaps I have a drawer full of letters, and then I should destroy them.

6912. Those are all?—All in the last year.

6913. The first is marked "Private and confi- "dential,"—

"6, Victoria Street,
"Westminster Abbey, S.W.,
"My dear Sir, May 6, 1865.

"I am taking measures to see Mr. William "Dent, cousin of Mr. John Dent, and ask if he will "come forward for Totnes"—

Had you suggested some one of the name of Dent?—Yes.

6914. (*Mr. Bere.*) Who is T. W. D. the voter?—That was in 1859. I do not know; he went abroad.

6915. Nothing to do with this Mr. Dent?—No.

6916. (*Mr. Coleridge.*) Then the letter goes on,—"It is quite out of the question asking Mr. Potter"—who was Mr. Potter?—The chairman of the Great Western Railway.

6917. "It is quite out of the question asking Mr. "Potter to come out. He will not stand for any "place at present, and certainly Totnes would be "rejected by him. Failing Mr. W. Dent, I will "endeavour to procure you a commercial man of the "spirit you require.

"Yours very faithfully,
"R. Harris, Esq. M. Spofforth."

What was the commercial man of the spirit you require?—Perhaps I described the sort of man we wanted; a man who had a good deal of pluck. I do not mean a monied man; you might send an ass laden with money, that would not do.

6918. You think a commercial man has more pluck? Mr. Pender is a plucky man; he will dive in and bring out anything.

6919. Colonel Dawkins is not a commercial man?—No; he is more of the aristocratic class; we want a more dare-devil sort of a man.

SEVENTH DAY.

Mr. R. Harris.

30 Aug. 1866.

6920. I should think the soldier would be more dare-devil than the merchant?—Yes, with the sword in hand; but that is not what we want.

6921. Having but little trade here, you want a commercial man with plenty of pluck?—Yes.

6922. Is it not all nonsense about the commercial man; you wanted the money?—No; I wanted the man who would come and build a mill or do something; that was what we wanted.

6923. What drew forth that about the commercial man with the spirit you required?—I said if we could get a man who would come with plenty of money, and spend his money in a commercial enterprise, in the manufacture of serge, and so on.

6924. (*Mr. Bere.*) To get back the old trade?—Yes; and make the money roll round in the town.

6925. (*Mr. Coleridge.*) Mr. Potter was a sufficiently commercial man if you could have got him?—Yes; he was a first-class man.

6926. Mr. Potter would reject Totnes, whatever he would do anywhere else?—I had an interview with him; he did not seem to reject it altogether.

6927. He did not like the price?—I think he had had a bellyfull of it at Gloucester.

6928. That was afterwards?—No.

6929. Then the next letter is "Private and confidential"—

"6, Victoria Street,
"Westminster Abbey, S.W.,
"DEAR SIR, June 6, 1865.

"I HAD not time to write to you on Saturday to say that Mr. Kennard has gone down to see Mr. Bryett and Mr. Edmonds, and I hope will have met with you before this. He is an unexceptionably good candidate, and I hope will consent to stand, and that you will pull him in.

"Yours faithfully,
"R. Harris, Esq., Totnes. M. SPOFFORTH."

Did Mr. Kennard come down?—Yes.

6930. Why would not Mr. Kennard have anything to do with it?—I think I related the circumstance of Mr. Pender and he being joint directors of the Consolidated Bank.

6931. Then there is another letter of the 19th June "Private and confidential"—

"6, Victoria Street,
"Westminster Abbey, S.W.,
"DEAR SIR, June 19, 1865.

"I HAVE got the poll book back from Mr. Kennard, who is going to stand for Gloucester. You may rely on having two men, but I think they should not seek acquaintance with their future constituents until the last moment. I believe I shall be able to write you in respect of one to-morrow or the next day.

"I am, dear Sir,
"Yours faithfully,
"R. Harris, Esq., Totnes. M. SPOFFORTH."

What had occurred to make it desirable not to have the candidates here?—Because, if we could not get a commercial man, the monied man should come at the last moment. If he were a first-class man he should be sent down at once.

6932. You recommended that the commercial man could come and make himself popular, and that the monied man should come and buy the place at the last moment?—Yes, that is the sum and substance of it.

6933. Was it in consequence of your suggestion that Mr. Spofforth writes here he should not come till the last moment?—I do not know.

6934. Was it your suggestion that he should be kept back till the last moment, or did you adopt that suggestion?—I adopted that; he was well up to the mark.

6935. Mr. Spofforth was well up to the business then?—Oh, yes, he is a "ripper."

6936. He has had a great deal to do with elections?—Yes, he is what we call a "slap bang" man and knows what we want.

6937. He is solicitor to the Carlton?—Yes.

6938. Of the firm of Baxter, Rose, and Norton?—Yes.

6939. The next letter is "Private and confidential."

"6, Victoria Street,
"Westminster Abbey, S.W.,
"MY DEAR SIR, June 20, 1865.

"I AM happy to tell you that we have got Lord Cranstoun's full support, and he will use every influence he has got in the contest for Totnes. The only difficulty is finding a man with plenty of money to carry the seat. This, however, I trust to be able to do, and as soon as we find him you shall know. I will get Mr. Potter to influence the persons you name.

"I am, dear Sir,
"Yours faithfully,
"Robert Harris, Esq., Totnes. M. SPOFFORTH."

Who were the people you requested Potter to influence?—I do not think I mentioned about Potter's influence; I only said if Potter came at least he could influence the railway men.

6940. This subsequent. This is June the 20th; you ask for some people to be influenced, and Mr. Spofforth undertakes to get it done?—That was James Smith and Smale.

6941. The railway people?—Yes.

6942. You told us the influence of the railway was Liberal?—Yes.

6943. How was he to influence them?—He is a director of the South Devon, and at that time there was a talk of amalgamation.

6944. There was a Liberal chairman and a Liberal deputy-chairman at that time?—Yes, but the Great Western, I think, can do what they like with the South Devon.

6945. Mr. Spofforth was to find a man with money and Potter was to influence the voters?—Yes.

6946. Here is another letter "Private and confidential."

"6, Victoria Street,
"Westminster Abbey, S.W.,
"DEAR SIR, June 27, 1865.

"THANKS for your letter. The bearer of this is Col. Dawkins, who has a letter of introduction to Mr. Edmonds. Do the best you can for him, you will not find a better candidate on this side of the general election.

"I am, dear Sir,
"Yours faithfully,
"Robert Harris, Esq., Totnes. M. SPOFFORTH."

After all you did get a soldier and not a commercial man?—Yes.

6947. What others have you had suggested?—None.

6948. Can you give a reason why commercial men avoided Totnes?—I suppose Mr. Spofforth would tell them because Totnes had got a notorious name, and unless you are prepared to come with plenty of money it is no go.

6949. He could not come without his pockets were well lined with gold?—No; but let us have a commercial man and he might do some good.

6950. A commercial man was better than a soldier with money?—Yes, if he would employ it, and we could get a man like Mr. Pender, they might set up something.

6950. Your own object was to get some commercial man with lots of money away from the district; that is what you thought a proper man for the borough of Totnes?—Yes.

6952. (*Mr. Bere.*) Perhaps the commercial men would not oppose each other?—Mr. Kennard knew that Mr. Pender was a likely chap and did not like to oppose him.

6953. Mr. Mum had a list of names given to him?—Yes, I presume he had.

6954. Who gave him that list?—I do not know.

6955. Did you give it to him?—No.

6956. Had you any cognizance of the list having been furnished to him?—No, I should think that was in Screach's prerogative.

6957. There was a list given to Screach; Screach received a list from Mum, so he stated before the

mittee of the House of Commons, and I wanted know where that list came from?—I did not ply it.

958. Did not you give him any names that might influenced by Screach; when you sent to Mr. m did not you say so-and-so is to be influenced, did not he write it on a piece of paper?—No; if w him and he asked me about any person that we not know about he might take a memorandum.

959. Did he make a list in his own handwriting? t is probable.

960. Has Mr. Edmonds a clerk in his office named ggins?—Yes.

961. That is not the John Diggins?—No.

962. What part did he take?—No active part, ept as poll clerk; he is a steady going young .

963. That means a good Conservative I suppose? lis father used to vote Liberal.

964. How long was Mr. Turner here?—I think ame here and returned the same day; he only e to get an introduction.

965. What time did Col. Dawkins come?—He e in the afternoon or the morning; but I think that Mr. Turner did sleep here one night; but Charles Michelmore can tell perhaps.

966. (*Mr. Longe.*) The duke's land is all filled up he full market price?—Over the price; I know in y cases where there is 16*l.* rateable value it makes rent, so that they are let above their value. I d men say that tenants of the duke have to pay a e price for a field, that for that which is worth 8*l.* makes them pay 10*l.* in order to get a vote for that l; so that the field is enhanced in value on account hat, and he makes more votes by so doing than the l is worth.

967. (*Mr. Bere.*) Can you give me any more es than those you have mentioned of persons, nts on the Duke of Somerset's property, being ted for voting against him or not wholly for him? have a list in 1859.

968. Of those who received bribes and who were ted?—This is 1859.

970. Who were evicted?—George Seccombe, holas Norris, William Knapman; then John th rented several fields of the duke, and he was ed out, but he did not qualify on that property. d in 1863, there was John Willis, William Harris, lliam Ellis, Edward Randle Turpin, Thomas tchell, William Kaye Hannaford, William Byne, n Tucker, that is the Tucker we spoke of, Robert e, James Penwill, and George Griffis. I think se are all.

970. Have you a list of every one of those men ted in 1863 who had received bribes upon your ?—My father was not a voter at that time nor . John Willis, I do not think he received a bribe.

971. The father suffered in consequence of the ?—I felt indignant at that; you will have observed he course of my examination I have used strong guage in reference to the duke in consequence of conduct to my father. He was an occupier and ant for 20 years, and when the notice was served n him to quit, the agent said, "You are turned out because your son opposed the duke."

972. If not the same motive, a similar motive to t which caused the eviction of your father caused eviction of others?—Yes; he was a tenant for 20 rs, and paid his rent, and because I would not render to the duke's tyranny (I would rather spill blood) he was turned out.

973. Why do you think the duke personally had thing to do with this, personally as distinguished m Thomas Michelmore?—It was reported in the don newspapers, and if he had not approved of course he would have told the agent to withdraw.

974. Then it was because it was brought to the e's notice, and he did not countermand it?—He cognizant of everything that was going on.

975. If those persons were turned out because y received bribes on your side, what did you do with them?—If they were in that way turned out we kept them of course.

6976. Do you mean to say whether they were turned out for voting or for not voting?—Certainly not.

6977. (*Mr. Longe.*) Would it make any difference at all. All the land of the duke's in the borough they hold on the condition that they vote?—Decidedly.

6978. As a matter of fact no one does vote against that party without being bribed?—I should think so. I think it would be so.

6979. (*Mr. Coleridge.*) Do you not consider that you yourself and your party have contributed as much as anybody else to demoralize the borough by paying the persons who were turned out by the duke?—I do not know that. Supposing a man, who is a sensible man, comes into a duke's holding, he does not understand what the duke's terms are, and he has two candidates, Seymour and Dawkins.

6980. Do you not consider the fact of people knowing that if turned out they will be remunerated by you for being turned out must tend very much to corrupt the constituency?—They would not leave for certain without they were corrupted. But you must bear in mind also that the Duke of Somerset knows a man is bribed. Take the case of Byne, is not that a demoralizing case he has taken into his hands now; the man that he knows was bribed by us, as he tells you this very month; he knew it, and he has taken him into his own fold back again.

6981. Did Byne vote for Pender and Seymour at the last election?—Yes, and the election before; and took 60*l.*, and then he was accepted. This is the principal man in the registration courts; he knew he was bribed, and where he went. A man that would sell himself body and soul. Just fancy the man.

6982. (*Mr. Longe.*) Does he occupy?—The duke has now let him two fields in Down Sharpham Lane.

6983. Two fields, that will give a vote?—Yes.

6984. (*Mr. Coleridge.*) From what you have told us, and from what we have heard from others, are you not of opinion that the Conservatives have spent more in bribing the borough in the last 20 years than the Liberal party?—I should think they had.

6985. (*Mr. Bere.*) Have you given us the names of all the people who after they were turned out by the Duke of Somerset have been taken care of?—William Turpin we took care of, John Ellis, Thomas Rendell, Thomas Mitchell, he is not a poor man, he has not been taken care of; Wm. K. Hannaford, he is taken care of.

6986. You passed over one, William Mitchell; he is not a voter, so he is not taken care of?—He was a voter at the time.

6987. But as he is not a voter you do not take care of him?—He lost his wife, and he wished to go with his son-in-law to reside. He has not a vote now, and he did not wish to be taken care of. But it was necessary for him to be taken care of, and we took care of him.

6988. You put him on the register?—Yes. John Tozer, we took care of him, Robert Lake, and there was John James Rendell, we took care of him, and George Griffis.

6989. How many of those at a less rent than the real rent?—William Ellis, William Byne, John Tucker, and James Rendell are the only four of that sort. When we take houses, or go to the parties and get houses for them, we pay the legitimate rents.

6990. (*Mr. Bere.*) Do you think Mr. Dent's land was underlet at 60*l.* a year?—About that.

6991. What is the proper rent?—Nearly 700*l.* a year. We got no votes at all upon that property.

6992. (*Mr. Longe.*) On the Gerston piece you did?—I do not know.

6993. (*Mr. Bere.*) You wrote a letter to the man?—You asked me whether I did not do it. I do not remember doing it. The man is still in occupation. It is not at all likely I should have done it; it is a thing I disdain to do.

6994. Suppose the Duke of Somerset had been a

SEVENTH DAY.

Mr. R. Harris.

30 Aug. 1866.

Conservative?—There was a rumour the other day that he was turned round.

6995. Would the Conservatives of Totnes turn about too?—I believe candidly that if the duke was to practise the same treatment to the Whig party as he is now doing to the Tory party I should turn round against him. No doubt the Duke of Somerset is tyrannical.

6996. Has he the slightest influence in determining on which side a man votes?—No doubt it is so, and he gets many enemies on account of his conduct.

6997. You remember Mr. Pender bribing the town by giving money to the charities, did the duke ever bribe the town in that way?—He is not a liberal man; he is a skinflint.

6998. Does he exert much influence on the town?—Lord Seymour did when he came forward. He has got some property in Newton.

6999. Is there anything else you wish to say?—No; I think I have given you my bellyfull.

(*The Witness.*) If you require me further I shall be in readiness to attend.

(*Mr. Bere.*) Very well, will you leave your address with the secretary, so that he can communicate with you if necessary.

(*The Witness.*) I would now respectfully ask you to allow me my certificate.

(*Mr. Bere.*) I cannot say anything about that at present; it must stand over till the proceedings are terminated.

(*The Witness.*) And I would also ask you to allow me my expenses.

(*Mr. Bere.*) You must speak to the secretary about them.

(*The witness then handed in the annexed bills:*)

Mr. R. Harris, Totnes,

To Stephen Tozer.

For repairing a house at Victoria Street; repairing, plastering, putting in windows, altering doorways, and other jobs.

1865.		£	s.	d.
Jan. 9.	Self, man, and boy, half-day each	0	3	11
,, 10.	Man, half-day ditto	0	1	7½
,, 21.	Man, half-day, whitewashing	0	1	7½
,, 24.	Man, one day, stopping up holes	0	3	3
,, 22.	Self, man, and boy, one day each, putting in window and other jobs	0	7	10
,, 23.	Man and boy, one day each, repairing plastering	0	4	7
,, 25.	Self, man, and boy, one day each, repairing hailing	0	7	10
,, 28 to March 4th.	Self, five days, repairing flooring and whitewashing	0	16	3
	Man, half-day, stopping up the windows	0	1	7½
Mar. 21.	Man, half-day, putting a top to a chimney	0	1	7½
,, 27.	Man, half-day, finishing up job	0	1	7½
	Cask cement	0	19	0
	Two chimney tops	0	4	5
	Mortar, slate, and lime for whitewashing	0	10	0
		£	4	5 2½

Task Work.

Mr. Fabyn's house, 25 perch, at 5*s.* per perch	6	5	0
Mr. Stone's house, 31 perch, at 6*s.* per perch	9	6	0
Hailing, six square nine feet	6	9	0
Paving 39 yards at 7*d.* per yard	1	2	9
	23	2	9
	4	5	2½
	£ 27	7	11½

Settled, July 17th, 1865.

STEPHEN TOZER.

Bentall Property.

Mr. R. Harris,

To Samuel Hill.

	£	s.	d.
To contract building wall at the yard occupied by Mr. Potter, finding all materials and labour	5	0	0

Settled, July 11th, 1865.

S. HILL.

Mr. Bentall's Property.

To Samuel Hill.

1865.		£	s.
Mar. 24 & 25.	Self, son, and assistant, covering common sewer, labour, &c. for	0	7
	Four load of stone and carriage	0	8
	29 feet of cover stones and mortar	0	6
		£ 1	2

Settled, July 11th, 1865.

S. HILL.

Mr. Harris,

Dr. to W. Light.

1865.		£	s.
March 13.	Three grates	0	14

July 14, paid.

W. LIGHT

Mr. R. Harris,

Dr. to Samuel Hill.

1865.		£	s.
Feb. 1.	One man, one day, altering doorway	0	3
	One and a half laths flath nails	0	3
	Two and a half barrows of made mortar	0	3
	One peck and a half plaster paris	0	2
	Second man, three-quarter day, ditto	0	2
	Half barrow made mortar, whitening, and half peck plaster paris	0	2
		0	17
1864.			
Feb. 4.	Two men, half-day, sweeping chimneys	0	3
,, 27.	Self and assistant, repairing plastering in bedroom and one hod of mortar	0	1
		£ 1	1

1864, July 11, settled.

S. HILL.

Mr. Harris,

To L. Goodridge.

1864.		£	s.
	To bill delivered for 1864	1	5
	Ditto for building a liney in Caronpit meadow	4	0
	Ditto for 65 weeks' rent for room at 9*d.*	2	8
	Ditto, two days' work for drawing dung to Barter's field	0	14
	14 cart load of dung, at 1*s.* 6*d.*	1	1
1865.			
Jan. 10.	Sharpening Drethy a saw	0	0
,, 30.	To rep. a gate to Broomborough	0	1
,, 31.	Self, man, three-quarters, about drawing room	0	5
Feb. 1.	Self, half day, man, three-quarters day, ditto	0	4
	4 ft. 6 in. of three-quarter lead, 2½*d.*	0	0
	A pair of raising butt boxes	0	1
	A box staple and nails and screws, &c.	0	0
Apr. 10.	Self to jobbing	0	0
	Paid for taking out gateway in Sim's orchard	0	2
	A gate for ditto	1	0
	Iron work for ditto	0	9
		£ 10	15

Settled by 10*l.* 6*s.* 5*d.*

J. L. GOODRIDGE.

Mr. R. Harris,

To Henry Foster.

1865.		£	s.
Jan. 9.	Two pair door joints	0	16
,, 10.	Man, half day; window, 8*s.* 6*d.*	0	10
,, 11.	Man, day, man, half day, breaking at door, 8 ft. 3 in.	0	7
,, 12.	Two men, day, 5 feet 6¾ inches, two hooks, 2*d.*	0	7
	New four pannel door	0	10
,, 17.	Man, half-day to windows	1	1
Feb. 4.	Quarter to lintels, 5 ft. 6 in. and 12 ft. by 3, at 9*d.*	0	4
,, 10.	Two men, half day	0	3
	To two new roofs to Fabyn and Stone's	6	0
,, 11.	Man, half day, four flint, 3 ft. and 1 ft. 2 in., with hinges, turns, nails, 12*d.*	0	4

1865.	R. Harris to Henry Foster—*cont.*	£	*s.*	*d.*
Feb. 21.	Two men, day, oak, 9*d.*	0	7	5
„ 22.	Two men, 5 ft. oak, 4 by 3 and 4	0	8	4
	24 feet of half-inch, 12 feet, 2½ by 2	0	5	6
	Hinges, 1*s.* 6*d.*, nails, screws, 6*d.*	0	2	0
„ 23.	Two men, hinges, screws, 4*d.*	0	7	0
	New sashes and frame	1	1	0
	Window shutters	0	9	4
	Weights, 1*s.* 6*d.*; bolts, 6*d*; fastenings, 6*d.*	0	2	6
	23 ft. at 2*d.*, hinge 6*d.*, nails screws 12*d.*, 4 ft. half-inch at 2*d.*, stayem 8*d.*	0	6	2
Mar. 2.	Two men day, man half day, sash frame, 12*s.* 10*d.*	1	0	4
	Two new doors	1	3	4
	Two thumb plate, two bolts, and two hinges	0	3	6
	Two feet of oak, 4 by 2, 4 feet of half-inch, bolt 6*d.*	0	1	7
„ 3.	Man day, man half day, 5 ft. half-inch, 3 ft. in.	0	6	9
	New door and jambs	0	19	0
„ 4.	Man day, 3 ft. inch, 2 ft. half inch, cordweights 18	0	5	8
„ 7.	Man day, man half-day	0	5	0
„ 8.	Two men day, 24 ft. shute 1*s.* 3½*d.*, four cramps	0	15	8
	3 ft. of 3 by 3 1*s.* 2*d.*, two lodge doors 11*s.* 10*d.*	0	11	6
	New locks and frame	1	6	3
„ 9.	Two men day, 13 flint 8 ft. of in. nails 2*d.*	0	11	5
„ 10.	Two men day, railing, nails 2*s.*	0	8	8
	240 feet railing, 16 posts	2	6	0
„ 11.	Two men, three-quarter day, 4 ft. 6 in. of half splint	0	6	6
	20 ft. of inch set and hinge 4*d.*	0	2	10
	Pg. house door 4*s.*, 3 ft. 6 of inch	0	4	10½
	Hasps, staples, nails, 1*s.* 2*d.*, weights, 1*s.* 3*d.*	0	2	5
„ 13.	Man half-day, casement 2*s.* 10*d.*	0	3	8
„ 15.	Two men day, 12 feet of three-quarter, 8 feet of half inch	0	10	6
	Lock staple 3*s.* 2*d.*, thumb plate, 8*d.*, pair hinges 5*d.*	0	3	4
	5 ft. 6 in. of 4 by 2, nails 9*d.*	0	1	8
„ 11.	Man day, fastening 6*d.*, 4 ft. of 3 by 2, bolt 6*d.*	0	4	10
„ 18.	Two men day, 5 ft. 6½-in., 8 ft. 6-in.	0	9	8
	8 ft. of three-quarter, 6-inch bolt 6*d.*	0	2	2
	Pipham door, iron work	0	5	4
	Nails 6*d.*, pair I. hinges, thumb latch	0	2	0
Apr. 1.	Two men day, 24 ft. of 6 shute cramps	0	15	0
„ 11.	Man quarter, bond 8*d.*	1	6	0
		£ 26	15	10

July 11, 1865, settled.

G. Foster.

R. Harris,

Dr. to W. Willcocks.

1865.		£	*s.*	*d.*
Jan. 12.	To work done at tenements, Victoria Street, to new window Fabrian's kitchen, 9½ ft. at 6*d.* per foot	0	4	9
	Painting sashes and sash frame, three coats, three-quarter day man at 2*s.* 7½*d.*, 2½ lb. paint for ditto	0	4	3½
Feb. 21.	Priming door Foster shop, 1 lb. paint, quarter day man	0	1	6½
„ 28.	Priming two doors back house, 1½ lb. paint, quarter day man	0	1	10½
Mar. 1.	At Fabrian tenement, 14½ lb. paint, 2 lb. putty	0	10	4
	One day two men, 3*s.* 6*d.*	0	7	0
	26 panes glass in lead window, 3*d.* each	0	6	6
„ 2.	Half day, man painting	0	1	9
	Part leading and bonding back windows	0	1	8
„ 3.	One day, two men painting	0	7	0
	Self, hanging six pieces paper kitchen, and size, 9*d.* per piece	0	4	6
	To six pieces paper for ditto, 6*d.* per piece	0	3	0
„ 4.	One day, two men painting	0	7	0
„ 8.	To 11 panes glass in wash-house window, sashes 8*d.*	0	7	4
	Painting sash and sash frame, Stone's kitchen, half day painting, and 1 lb. paint	0	2	5
	Primed sash of frame, Stone's kitchen, and glazed, 11 feet at 7*d.* per foot	0	5	6
	New light for casement at Stone's bed room	0	2	6
	To repairing all the back windows, new lead, bond, and nails for ditto, 12 panes new glass	0	5	8
„ 11.	10½ lbs. paint Stone's tenement	0	7	0
	One day, two men, 7*s.*, half day, self, 1*s.* 9*d.*, painting, 1 lb. putty, 4*d.*	0	9	1
„ 22.	To painting outside of the tenements, 18 lbs. paint, stone colour and brown	0	12	0
	One day man, half day self	0	5	3
„ 23.	One day, man painting	0	3	6
„ 24.	Half day, self and man at Stone's	0	3	6
	Nine panes glass Stone's front shop	0	3	9
	Pane, mangle room at Fabrian's	0	1	0
„ 29.	1½ lb. paint for shutter at Foster's shop	0	1	0
	Priming ditto	0	0	6
„ 30.	Half day, man painting brown door shutes at both tenements	0	1	9
	2 lb. brown paint for ditto, 1*s.* 4*d.*, 1 lb. putty, 4*d.*	0	1	8
		£ 6	13	7½

Settled.

Wm. Willcocks.

SEVENTH DAY.

Mr. R. Harris.

30 Aug. 1866.

EIGHTH DAY.

Friday, 31st August 1866.

EIGHTH DAY.

Capt. B. Pim.

31 Aug. 1866.

Capt. Bedford Pim sworn and examined.

7000. (*Mr. Bere.*) Are you a Commander in the Royal Navy?—Yes.

7001. Did you come as a candidate on the Conservative interest for the borough of Totnes in July 1865?—Yes.

7002. How did you first become acquainted with the borough?—Mr. John Heath come to my house.

7003. Where do you live in London? — In Hampstead.

7004. Had you known Mr. John Heath before?—Not in the least.

7005. Had you had any communication with the Carlton Club, or with any one connected with it with regard to standing for the borough?—No.

7006. Did you mention to any of your friends that you wished to stand for the borough?—I tried to get in for Abingdon before, and I suppose Mr. Heath must have known it.

7007. When did you stand for Abingdon? At the last election in 1865?—Yes. I did not stand for it, I went down and went over the borough with some friends.

7008. Had any of your friends any connexion with the West of England?—I believe Mr. Wescomb, of Exeter, and I believe he was the man who mentioned my wish to get into the House to the people of this borough.

7009. Had you known Mr. Wescomb of Exeter long?—Some years.

7010. Did he go with you to Abingdon?—No.

7011. Mr. Wescomb is the editor and proprietor of the "Exeter and Plymouth Gazette"?—I believe he is.

7012. How did you first become acquainted with Mr. Wescomb?—In matters of business about five or six years ago; principally mining in Cornwall.

EIGHTH DAY.

Capt. B. Pim.

31 Aug. 1866.

7013. Have you any reason to doubt that it was through Mr. Wescomb that Mr. John Heath come to you?—No; Mr. John Heath told me he had a requisition signed by 168 electors of the borough when he came to my house.

7014. Did you see the requisition?—I would not be sure. I cannot say that I saw it. I think he had it in his possession; he had a number of papers in his hand.

7015. You cannot say whether you saw it?—I did not ask to look at it, and it was not handed to me.

7016. What did Mr. Heath tell you with regard to the state of parties in the borough?—He said if it was a pure election no doubt a Conservative candidate would be returned.

7017. One or two?—He thought there was a probability of two.

7018. When was this?—I cannot tell the exact date, but I should think some time about the 3rd or 4th of July. I came down on the 7th.

7019. Did you know at that time that Col. Dawkins was in the field?—I had not the slightest knowledge of Col. Dawkins.

7020. Did Mr. Heath represent to you that you were the only Conservative that was going to stand?—Oh, dear, no! He told me Col. Dawkins was down.

7021. And he was come to look for another candidate?—Yes.

7022. Did he show you any poll book or any canvass book?—He had them in his hand, but I was not well experienced in those matters then; not so well as I am now, and did not trouble him to show them to me.

7023. Did you know anything about the political history of Totnes before you saw John Heath?—Yes.

7024. Did you know that Totnes was a place in which bribery was pretty prevalent?—I knew it well. My great grandfather was one of the first men in the place, and my grandfather was born here.

7025. His name?—Harrison.

7026. When Mr. Heath said a Conservative might be returned, did you make any mention as to the purity of Totnes?—No, I did not. I did not intend to bribe, and did not say anything about it.

7027. Was that all that passed?—I asked how much the election would cost, and told him I did not intend to bribe in the least. He said about 300*l.* or 400*l.*, and I said I would be happy to pay it.

7028. (*Mr. Longe.*) Your election was distinct from Col. Dawkins?—Quite distinct; nothing to do with Col. Dawkins.

7029. Did Mr. Heath think 300*l.* or 400*l.* would be sufficient to return you for Totnes?—He positively said so.

7030. Did you say anything more to him or he to you?—I think I told him I would consult a friend or two, and if I decided to come down I would come immediately.

7031. Did you know Mr. Rennie at all at that time?—I did not know Mr. Rennie.

7032. Did you know Mr. Spofforth?—Yes; I was introduced to him by Sir John Rennie a long time ago.

7033. Had you a communication with Mr. Spofforth about standing for Abingdon?—Yes, I talked to him not as a matter of business, but as a matter of friendship.

7034. He knew you were ready to stand as a Conservative?—Yes; but quite distinct from the Carlton Club. Mr. Spofforth knew it from the beginning.

7035. Mr. Spofforth knew, as a private individual, that you were ready to stand as a Conservative candidate?—Yes.

7036. And the recommendation may have come from Mr. Spofforth?—For aught I know it may.

7037. Did you see Mr. Heath again before you left?—I do not know.

7038. Or any other persons connected with the borough of Totnes?—I do not think so.

7039. Or with Mr. Spofforth?—I may have called on Mr. Spofforth. I know I did.

7040. When you called upon Mr. Spofforth and said you were going, what did he say?—He said, "Do not "touch it with a pair of tongs."

7041. Did he give you his reasons?—He said it was a dreadfully corrupt place, which I knew before.

7042. Can you fix the date of Mr. Spofforth saying that?—I came on the Friday the 7th, and it must have been between my interview with Mr. Heath and my coming down. I should say the 5th; somewhere about the 5th.

7043. How long did that interview last with Mr. Spofforth?—I really cannot tax my memory to tell you. It was merely a call upon Mr. Spofforth, not as a matter of business, and Mr. Spofforth's time is too valuable to be taken up long.

7044. Did you do anything more with regard to the election for Totnes while in London before you came down? Did you see any people about it?—No, my own personal friends; nobody else. I cannot remember ever doing so. It has slipped my memory if I did.

7045. Then you came down on the 7th of July?—On the 7th.

7046. Did you have any communication with Col. Dawkins between the 3rd and the 7th?—Never.

7047. (*Mr. Coleridge.*) Did you find Col. Dawkins here when you arrived?—He was at the "Seven Stars" hotel.

7048. Do you know how long he had been there?—He said upwards of a week.

7049. (*Mr. Bere.*) You came to the "Seven Stars" hotel?—Yes.

7050. Did you come by a late train?—I came through the night. I think I left at 10 minutes past 8.

7051. On the morning of July the 7th or 8th?—It must have been the morning of July the 8th.

7052. Then you went to the "Seven Stars"?—Yes.

7053. Did you find Mr. Heath waiting at the "Seven Stars"? First of all, had you written to Heath to tell him you were coming?—No. I write very little indeed, and I think I should have remembered if I had written. I do not remember ever writing to Mr. Heath.

7054. When Mr. Heath left you, did he understand that you would agree to stand as a candidate and come down?—He saw my inclinations were very strong to come down, and I do not suppose it was at all doubtful in his mind that I should come down, but I did not pledge myself to him.

7055. You did not pledge yourself to come on any particular day?—No.

7056. Did you communicate the day to any one on which you might be expected?—I might have done so, but I do not remember it.

7057. When you came did you find Colonel Dawkins here?—Yes.

7058. When did you have the first interview?—I think we breakfasted together, I am not quite sure.

7059. What money did you bring with you?—300*l.*

7060. In cash?—No, I gave a cheque for 300*l.* to Mr. Kellock.

7061. Mr. Kellock who is now the mayor?—Yes.

7062. Did Mr. Kellock act as your agent?—He did.

7063. When did you first see Kellock?—I think on the 8th. It must have been on the 8th.

7064. What did Mr. Kellock tell you about the state of the borough?—Mr. Kellock seemed rather pleased to see me down here, especially when he heard of my family connexion with the borough, and that I was a west countryman, and he told me frankly it was a very corrupt place, but I said I should simply go on the principle I told Mr. Heath, that I would not bribe the least bit, and as far as I was concerned it should be a fair and straightforward election.

7065. I suppose you went and canvassed?—I went and canvassed the best part of the borough.

7066. Before you went to canvass what arrange-

ments did you come to with Colonel Dawkins?—I must tell you frankly that the colonel did not propose to me any arrangement whatever. He was quite prepared to stand on his own bottom, and I the same.

7067. Did you and Colonel Dawkins have a joint committee?—Not the least, we had separate committees.

7068. Who were on your committee?—I do not know their names.

7069. Had you a separate committee room?—Yes, somewhere up in the town near the bar.

7070. If I put the names to you, do you think you would recognize them?—No; I did not take any trouble about it.

7071. (*Mr. Coleridge.*) You confided it entirely to Mr. Kellock to manage for you?—Yes.

7072. (*Mr. Bere.*) You left it in his hands?—Yes. Mr. Kellock and Mr. Hare, who is a very respectable solicitor and well known in the town.

(*Mr. C. F. Michelmore.*) He has not been here six months.

7073. (*Mr. Bere.*) Do you know who was with Colonel Dawkins?—I have a shaky bad memory for names, I must tell you, but there was the Hon. Fox Maule I think.

7074. (*Mr. Coleridge.*) You are wrong there?—At all events he was the gentleman you were speaking about yesterday.

7075. Mr. Lane Fox?—Yes; Mr. Lane Fox. He was with Colonel Dawkins, and they breakfasted together.

7076. (*Mr. Bere.*) Do you know how long he had been down?—Two or three nights.

7077. Do you recollect when he went away?—I think he was at the polling; I will not be quite sure; I think so. It was rather an exciting time.

7078. (*Mr. Coleridge.*) He was living there with Colonel Dawkins?—Yes, quite so.

7079. Do I understand you to say that no arrangements were come to between you and Colonel Dawkins at all with regard to your standing for Totnes?—Certainly not in the remotest degree; do you mean with regard to money?

7080. I mean with regard to money or with regard to any mutual assistance you might give each other?—No; we were colleagues, and we were prepared to go shoulder and shoulder through the bother.

7081. (*Mr. Bere.*) Who went and canvassed with you?—Mr. James Heath.

7082. Is he the son of John Heath?—Yes.

7083. Was he told off as your especial assistant to canvass?—I am not at all aware about that; I only know there is not a finer young fellow in Totnes.

7084. Who directed him to go with you to canvass?—I am not aware.

7085. Who introduced him?—His father.

7086. How did he introduce him?—He said, "You "do not know the borough, and my son will take "you round."

7087. Did you go round with Mr. James Heath alone?—Sometimes Mr. Hare joined us.

7088. Did Mr. Kellock go with you?—No, never. He went to one or two of the principal people. I think Mr. Kellock introduced me to Captain Veitch; I am not sure. He is a brother officer of mine in the service, though I had never met him before.

7089. Did Captain Veitch go with you?—Always.

7090. Did you always canvass separately from Colonel Dawkins?—Certainly.

7091. Did you and Colonel Dawkins ever meet at the house of an elector when you went to canvass?—Yes.

7092. When?—Only on one occasion, and then it was more for a lark than anything else. It was at the house of the Rev. Mr. James.

7093. You and Colonel Dawkins went to canvass him together?—Yes; we went to him together.

7094. Did you see him?—We did.

7095. Did you get his vote?—No.

7096. Did he promise to vote, or did he say anything about voting for you?—He gave us hope that we should have his vote.

7097. Did he tell you about the money difficulties he was in?—Oh, dear, yes.

7098. What did he tell you?—I cannot tax my memory to say word for word.

7099. What was the impression that the conversation left on your mind?—He generally gave us a sketch of his past history, and both Colonel Dawkins and myself certainly inferred that he would not object to receiving some small assistance.

7100. To get him out of his monetary difficulties?—Exactly so.

7101. You yourself were not prepared to give such assistance?—I told him exactly the position I stood in the borough and of my intention not to bribe a bit.

7102. Was Colonel Dawkins of the same opinion?—He hardly spoke. I think I did the better part of the conversation.

7103. You talked, Mr. James answered, and Colonel Dawkins listened?—Yes; Colonel Dawkins listened and laughed.

7104. Was he the only elector whom you canvassed jointly?—I do not remember any other.

7105. Now was it on that first day, July 8th, when you first came down that you saw Mr. Robert Harris first?—I know Robert Harris now especially from hearing his evidence and having seen him at the House of Commons; but at that time I did not know him from Adam, and I do not know how I was introduced to him.

7106. Were you never introduced to Mr. Robert Harris at the "Seven Stars"?—I do not remember.

7107. Although you had a separate committee room and different people acting as your committee, did you never go into Colonel Dawkins' committee rooms at the "Seven Stars"?—Very likely I may have done so.

7108. Did you have a separate canvass book?—Mr. James Heath had the canvass book. I do not believe that I ever had it in my hand myself.

7109. (*Mr. Coleridge.*) Did you live jointly with Colonel Dawkins, or have your meals together?—No; sometimes he dined with me and sometimes I dined with him. We had separate committee rooms, and were altogether quite separate.

7110. (*Mr. Bere.*) Is Mr. James Heath the only person who kept a canvass or poll book for you?—I have not the slightest doubt that Mr. Kellock and Mr. Heath—

7111. John Heath?—Yes; watched the whole course with the greatest closeness, but I am not aware that they did.

7112. Had James Heath the poll book?—Yes.

7113. And you say you do not know whether you saw that at all?—I saw it in his hand repeatedly, but I took his word for the way in which the canvass was going.

7114. And you did not take the trouble to go through it?—No, I took his word for it. Captain Veitch often tottled it up and told me the result. How could I go through it not knowing the names of the persons.

7115. You might have seen whether in figures it was correct?—Yes; but I was obliged to take Mr. Heath's word, and I have no cause to regret having done so.

7116. Did you see any other of the gentlemen who were on the Conservative side; Mr. Bastard, for instance?—I had the pleasure of making Mr. Bastard's acquaintance.

7117. And Mr. Bentall?—Certainly; Mr. Bentall lives in the house that my family occupied many years in this place.

7118. They promised support to you?—Yes, and Mr. Phillips.

7119. Was that all the aid they gave you, or did they go with you to canvass?—No, I do not think they came round to canvass. I dare say they helped me in every possible way, because they said they would do so.

EIGHTH DAY.

Capt. B. Pim.

31 Aug. 1866.

7120. Did it strike you that the electors were ready in their promises or that there was a little hesitation about them?—In some cases there was a little hesitation, but I am bound to say that on the whole I met with a most flattering reception.

7121. Do you know whether in any instance you came to an elector before Colonel Dawkins or his agents had canvassed him?—No; I think we did on one or two occasions.

7122. Can you give us the names of those people to whom you came?—No.

7123. You say that some of them hesitated; can you give us the names of any of those?—The Rev. Mr. Butland was one I particularly remember.

7124. What made him hesitate, or what impression had you?—It is a very unpleasant thing to say what I suppose; you know what made him hesitate as well as I do.

7125. Did he say anything to you which made you understand that he had a reason for hesitating?—It was a very similar conversation to that which passed with the Rev. Mr. James.

7126. Was that about money difficulties or a situation for his son?—Well, it was about a situation for his son.

7127. I think you must tell us, if you please, what he did say, or what the impression left on your mind is. I put it to you, was it to this effect, that he would not vote for you unless you got a situation for his son?—Well, my impression was that if he had a situation offered his son he would have voted for me decidedly.

7128. (*Mr. Coleridge.*) How did he vote?—He voted against us.

7129. Against both of you?—Yes.

7130. (*Mr. Longe.*) How long was the interview?—Some time; because I went with Mr. Veitch who is a neighbour of his, and his son was going out to New Zealand. I have a great interest in Central America, New Zealand, and Australia, and of course there was a good deal of conversation with respect to my own movements out there; so we remained I should think for an hour at his house.

7131. Did he tell you what his opinions were politically apart from the situation or anything else?—No.

7132. You did not find any political opinion?—I did not find any strong bias on either side.

7133. (*Mr. Coleridge.*) You did not find any about Totnes generally?—No.

7134. (*Mr. Bere.*) Had you any power of offering or procuring a situation for Mr. Butland's son?—I had not, strictly speaking, at that time, but I could now for example.

7135. At that time there was no appointment to which you could present him at once?—No, certainly not.

7136. Was there anything else said by him about any other present?—So far as my remarks may go I think he made some observation about a handsome bracelet having been presented to some one.

7137. To whom was it given?—To some one or other, I do not know whom; it is a matter that was brought out in conversation, and has been retained in my memory as something curious.

7138. Cannot you remember the name of the fortunate lady who had received the bracelet?—I cannot tax my memory with it, but he said that a bracelet had been given to the wife of one of the electors worth sixty guineas.

7139. Was it by Mr. Pender or by any one else?—I think by Mr. Dent, he was an old friend of mine in China.

7140. Do you know Mr. Mitchell of London?—No.

7141. He was a great friend of Mr. Dent's?—I do not know.

7142. Is he a member of the firm of Palmer, McKilloch, & Co., or of the other house of Dent & Co.?—It is Dent & Co. They have a large house at Hong Kong. I was very badly wounded when I was in China, and he nursed me the whole time I was in the hospital.

7143. Was this all that the Rev. Mr. Butland hesitated about?—If we could have made it square about the situation for his son I think we should have had his vote.

7144. Was there any one else who hesitated?—I could not tell their names, but those two instances impressed themselves so forcibly on my mind, because from their social position I should have thought they were men who would not have done anything of that sort.

7145. Did their hesitation always take the same form?—No; the electors said we have not made up our mind.

7146. Did they accompany that with any gestures from which you could gather what they wanted?—No, they simply said that; it was thoroughly well known in the town that they would not get anything from me.

7147. Did you hear any specific sum mentioned by any one for which they would have made up their mind?—There were eleven men I understood who had signed a requisition for the Conservative candidate to come down.

7148. Who has got that requisition?—I suppose Mr. Heath; I have never seen it myself.

7149. Was that requisition the same one that had been sent to Mr. Macleay?—I do not know.

7150. (*Mr. Coleridge.*) Did you find that the voters who had answered favourably to Colonel Dawkins would not promise you?—No; I think all that promised Colonel Dawkins said they would split their votes for me.

7151. Was it well known that you were standing on purity principles?—Yes.

7152. And was that at all thrown in your teeth by the voters?—No; I received the greatest kindness here. I do not think I heard an unkind word even from the most rabid Radical.

7153. They knew pretty well that the other Conservative candidate was not standing on pure principles?—I dare say they knew that.

7154. Then you were made a sort of cat's-paw for them?—It is not a very pleasant thing for a man to admit that he has been placed in such a position, and I do not admit it, though the result was not very favourable to me. I thought the chances were very largely in our favour, and I believe at this moment that we should have won if the other party had not brought heavier guns to bear upon us.

7155. (*Mr. Bere.*) How often did you see Colonel Dawkins during the time between the 8th and the 11th?—Constantly.

7156. Did he ever say he would have to spend money, and was spending it?—I am positive of that. I never hinted to him to share his expenses, and if you knew him you would quite understand that he is not that sort of man.

7157. Did you hear from him that he had brought down a large sum of money?—I knew that he had, but not from Colonel Dawkins.

7158. From whom?—From Mr. Smith, of Smith and Guscotte.

7159. Did he tell you the amount?—No.

7160. Did he give you any idea of whether it was hundreds or thousands?—Thousands.

7161. Have you any idea where that money came from?—Not the least idea.

7162. Or whether it was in Totnes?—No; he did not say a word about it.

7163. When did Mr. Smith tell you this?—Probably on the 10th.

7164. The election was on what day?—The 12th.

7165. (*Mr. Coleridge.*) Did he tell you the money was in Totnes before the nomination?—No.

7166. That was on the 11th?—Yes.

7167. Did he tell you that Colonel Dawkins was ready to spend money, or had brought it down?—That he was ready to spend money.

7168. He did not say whether it had come down?—Not the slightest hint of his informed me that the money was actually in the town.

7169. Do you know when that money arrived?—No.

7170. (*Mr. Bere.*) On the Monday afternoon did you hear that more money was wanted?—I did.

7171. Do you know of a telegram being sent to London for more?—I knew that more money was wanted. I did not know the means which were taken to bring it here.

7172. You knew nothing of any telegram being sent?—Nothing whatever.

7173. Or of any telegram being received from London on the evening of Monday?—No.

7174. (*Mr. Coleridge.*) Did you never have any communication that a person was expected from London by the mail train?—Not the slightest. Mr. Smith managed Colonel Dawkins' financial business entirely, he kept it to himself, he simply told me that more money was wanted.

7175. What money did you spend over the 300*l.*?—Captain Veitch wrote to me for 50*l.* more for certain little things which were wanted to be paid in the borough. I never asked for the items; I simply sent him the cheque, knowing what was his character, and from his having stuck to me from beginning to end, that it was not for the purposes of bribery.

7176. The whole election cost you 350*l.*?—350*l.*, nothing more on my honour.

7177. And that would include all your legal expenses?—Yes; every thing.

7178. (*Mr. Bere.*) Did Mr. Smith tell you what money more would be wanted? He did not tell me so, it was palpably evident. I had no positive proof of it.

7179. Do you know what amount per head was to be paid on the nomination day?—My only means of knowing that was an incident of this nature that on the day before the polling day a man came to me, I cannot tell you his name, and as it was about two o'clock in the morning, from what I then saw of him I think it is by no means likely that I should know him again, and even if I felt that I had any strong conviction about him, I should not like to point out any man to injure his character, if one may say so.

7180. Was it Mr. Harris who was here yesterday?—No.

7181. Was it that gentleman (*pointing to a gentleman in court*)?—No; without being perfectly positive I would rather not mention any one. This man came to me and said that himself and 10 of his mates had signed this requisition, that they were Conservatives, but that the other party had promised to give them 250*l.* a piece, and that unless I could cap that they were very sorry but they must vote on the other side, and they did vote on the other side.

7182. Do you know who this person was?—No. I have already said I should not know him again.

7183. You did not know his name, the man who said this?—No.

7184. Did he say he was one of those 11?—I understood him to be the captain of the 11.

7185. You did not hear the names I suppose?—No, I was rather disgusted. I got a list and read out the names afterwards on the hustings.

7186. Where did he come to?—To me at the "Seven Stars."

7187. Had you a private sitting room at the "Seven Stars"?—Oh, yes.

7188. What number was that?—I think No. 3, I am not sure.

7189. What names did you read out?—You will find them in the Torquay paper; the only paper that published the names was the Torquay paper.

7190. Those are the names of the men who signed the requisition?—I believe they were the names of the men who had signed the requisition. Mr. Heath told me so.

7191. (*Mr. Coleridge.*) Did they vote against you?—Yes.

7192. (*Mr. Bere.*) Do you remember the names of any one?—I think one was a man named Diggins.

7193. John P. Searle, Slippery Jack?—I think he was one.

7194. Bland, was he another?—I think so, I have not looked at the list.

7195. Edmund Tawing?—Very likely.

7196. Fox Green?—Yes, now you refresh my memory.

7197. Sloggett?—He was one.

7198. Pengilley?—I think he was another.

7199. Do you not remember the name?—I cannot remember at all. I do not think I could swear to him if he was brought before me now. It was quite dark, and you can easily understand it was an exciting time at two o'clock in the morning before the election.

7200. (*Mr. Coleridge.*) How did you get at the names you have just told us?—John Heath gave them to me, and I read them from the hustings.

7201. (*Mr. Bere.*) Who introduced you to this man, who brought him up to your room?—He came straight up to me. I was walking about in the lower part of the hotel, the entrance part.

7202. Was he in the house?—He was in the house; he was a Conservative until the polling day.

7203. Did he see you alone?—No, it was not in the room at all; he spoke to me and took me on one side.

7204. Who were about the house at the time?—There were a great number in the house all night.

7205. Did you have a conversation with him?—I told him I could not cap it; he wanted me to cap the 250*l.*, and I said that I had not a hat that would fit him.

7206. It was for each one of them?—For each one of the 11.

7207. You said you could not do it?—Yes.

7208. What became of him then?—I really do not know, I thought he was gone.

7209. At that time was there a mysterious stranger in No. 13?—I really know nothing about the mysterious stranger.

7210. Are you quite sure you were never in that room?—I may have been in the room with the mysterious stranger, but he never attracted my attention.

7211. You would know the room again at the "Seven Stars"?—The room that I had?

7212. No. You told us there was a room No. 13, should you be able to tell whether you had been in that room if you saw it?—Most certainly, I think I know every room in the "Seven Stars."

7213. (*Mr. Coleridge.*) Where was it you were present with Mr. Mum?—I know nothing at all about Mr. Mum, I had no Mr. Mum myself, and I know nothing of anybody else's Mr. Mum.

7214. (*Mr. Longe.*) The mysterious stranger might have been in the room with you?—I dare say he might have been in the room with me.

7215. What room would it be?—I should say it was in another room in the "Seven Stars" during the election. I really cannot tell you in what room I met him.

7216. It would not be your own room?—Certainly not. It might have been my own room, there were lots of people there in and out all day and night, and in Colonel Dawkins' room.

7207. Was it at all likely he would be in your room?—If I had seen a man in my room I do not think I should have gone out of it. I should not have taken the slightest notice of him.

7218. (*Mr. Coleridge.*) You thought he was one of the party?—I thought so.

7219. (*Mr. Bere.*) Had you any person when you and Colonel Dawkins and Mr. Harris were by yourselves in the room together, any fourth person?—I never was in the room with Colonel Dawkins, Mr. Harris, and a fourth person.

7220. Were there always more?—Always more.

7221. Did you see any person on the night of the nomination day whom you did not see about the hotel before?—No, there were so many faces I cannot say.

7222. Did you see a man with a wig?—I never heard of the man with a wig till yesterday.

7223. Did you hear of him before the committee?—No, I did not hear about him. I think the first day I was in the House of Commons I missed a great deal of the evidence given, I did not hear Mr. Screach's evidence, I was in the City. I never heard about the man with the wig till yesterday.

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7224. (*Mr. Bere.*) Having heard on the Monday that money was wanted, did you hear on the Tuesday that money was found, and that it came down from town?—On the contrary, my impression was that it had not come.

7225. Mr. Smith spoke to you about it on the Tuesday?—He was in a very excited state indeed, it was a most exciting time, and he said very little to me, good, bad, or indifferent.

7226. May I take it that you did not hear that money had come down upon the Tuesday?—Most certainly I did not.

7227. From no person at all?—From no person whatever.

7228. (*Mr. Coleridge.*) About the names you read out on the hustings, was Thomas J. Searle one of them?—I do not know, the Torquay paper can be easily obtained.

7229. You will find he was one?—There was a great deal of disappointment, the whole election was exciting, and it has escaped my memory.

7230. Does it seem familiar to you?—Yes, it does.

7231. You could not tell whether he was the person that came that night to the hotel?—No, I could not; I should be afraid to do so.

7232. (*Mr. Bere.*) When you canvassed James and Buckland did he canvass with you?—Harris was in the room.

7233. He was there with you?—With us.

7234. On both occasions?—Yes.

7235. What took place, had you a note against those names?—I had no note made against those names. I never came across a more excellent young man than James Heath, or one who did his work better; I left it entirely to him, and I did not interfere with him in the least, not a bit. I took everything for granted which he told me.

7236. Did you think when you left Butland he was lost to your party for ever?—I gave Mr. James up for myself certainly, whether Colonel Dawkins could make any arrangement with him, I know nothing about that.

7237. Did you suppose some other steps would be taken with regard to those men?—No; I knew at the time Mr. Butland's vote was lost and also Mr. James's. I had a moral conviction that they would vote against me from looking at the two men again alone.

7238. Then the polling day came, did you receive information from those that assisted you that the election was virtually over before 9 o'clock in the morning?—Yes, I was standing at the bow window of the "Seven Stars;" several people came in.

7239. Mr. Harris among others?—Yes.

7240. Mr. Kellock?—At that time I did not notice Mr. Harris, he may have been in the room, very likely he was.

7241. Did Mr. Kellock come in and tell you so?—He did not tell me so, he may have been present with a number of others. He said, "The election is lost "to our side."

7242. Did he tell you the reason that the men who had signed the requisition, and whom you expected to vote for you, had gone to the other side?—There was a good deal of execration lavished on those men.

7243. At what time did you leave Totnes?—I slept in Totnes that night, and went away the next day.

7244. Did you see any people go away from the hotel, did they remain there that day?—I am not sure whether Mr. Lane did, I think he did.

7245. (*Mr. Coleridge.*) Mr. Lane Fox?—Mr. Lane Fox. As soon as I possibly could I went to bed.

7246. You had been up all night?—Yes, and I was very tired.

7247. Did you see No. 13 in the course of the day at all?—No doubt. I was in and out of the sitting room.

7248. We have been told it was locked at 9 o'clock, and no more money was to be had out of No. 13?—I assure you I did not know that No. 13 was the treasury at all. I had not the faintest idea of it.

7249. You did know who was the treasurer?—I had not the slightest idea of it. I am on my oath, I could not tell whether any one was paid or not, I have a strong conviction of it.

7250. And who gave the money?—I have not the slightest idea.

7251. You have no doubt large sums of money were paid on the Conservative side?—I am sure of it.

7252. Did you reap the benefit of it?—If you put it to me so strictly as that I think that Colonel Dawkins reaped the benefit of my coming down.

7253. You think your popularity as a townsman was a set off against Colonel Dawkins' influence?—More than a set off.

7254. (*Mr. Bere.*) I see you divide the votes evenly between yourself and Colonel Dawkins, 147 each, and none split between you and any of the other candidates?—I was not aware of it until yesterday, from your room I obtained the pamphlet you are looking at, and then I saw it for the first time.

7255. Neither you nor Colonel Dawkins got any plumpers?—I did not know it till I looked at the book yesterday, I got it from your room upstairs.

7256. (*Mr. Coleridge.*) What were the election expenses returned?—266*l.* and some odd shillings.

7257. Does that include your agents' fees?—I have not looked at it, I have got them here, and I can show them to you at this moment. I could not tell you the items; I paid the bill.

7258. How many days were you in Mr. Heath's house altogether?—I came down on the Friday, and went away in five days.

7259. Did you bring a servant with you?—No, I came down entirely by myself.

7260. And your expenses came to 110*l.* 15*s.*, do you consider that a good hotel bill?—I do not know.

7261. Is that the sort of sum you have paid before?—Sailors always do pay much higher than other people.

7262. Have you ever paid anything like 110*l.* for staying a week at an hotel?—Most certainly I have abroad.

7263. In one week?—Yes, and I have done more. In Spanish America I have had to pay that.

7264. Have you paid that in England?—No, certainly not.

7265. Have you ever paid it for a week at an hotel?—I think I have at Dartmouth, and that is close by here.

7266. Was that at an election time?—No, it was not.

7267. (*Mr. Bere.*) Your hotel expenses did not appear in your expenses of printing, &c., at Totnes?—I do not know. I gave 300*l.* to Mr. Kellock, I never asked any questions about it at all, and I sent 50*l.* to Captain Veitch to make it up.

7268. I see returning officer's expenses, I see 15*l.* 11*s.* 10*d.*; who is Mr. J. F. Phillips?—He was the returning officer.

7269. Professional assistance 50*l.*, that is two sums of 25*l.* each, one to Mr. Kellock and one to Mr. Hare?—I have not got the hotel expenses here.

7280. I dare say horse and cart hire may be included in the hotel expenses, 27*l.* 10*s.*?—There was a good deal of it.

7271. What was that?—We went everywhere, I went to every elector in the borough.

7272. They were not very great distances, were they?—There were some considerable distances; Buckfastleigh for example.

7273. And Ashburton?—I think I went to Ashburton.

7274. Dartmouth?—I did not go to Dartmouth at all.

7275. (*Mr. Coleridge.*) There is Diggins, advertising in the "Exeter Gazette" newspaper and for papers, 23*l.* 8*s.* 8*d.*; H. T. Hodden, advertising in "Western Morning News," 6*l.*; H. Toms, printing and stationery, 16*l.* 5*s.*; John Denner, ditto, 9*l.* 10*s.* 6*d.*; "Torquay Times" office, newspapers, 8*s.* 4*d.*; H. T. Hodden, as poll clerk and for copying work, 4*l.* 2*s.*; G. S. Lane, ditto, 4*l.* 2*s.*; W. D. Narramore, copying work, 2*l.* 2*s.*; Wm. Hamlyn,

poll clerk, 2*l.* 2*s.*; John Johns, ditto, 2*l.* 2*s.*; Bishop, preparing Guildhall, 1*l.* 3*s.* 6*d.*; what that?—I do not know.

7276. F. Bartlett, as messenger, 10*s.* 6*d.*; F. Hill, tto, 10*s.* 6*d.*; John Willcocks, ditto, 10*s.* 6*d.*; Chapple, jun., ditto, 10*s.* 6*d.*; Totnes ringers, ging, 3*l.* 3*s.*; Samuel Matthews, posting bills, 14*s.*; tal, 253*l.* 9*s.* 1½*d.* Commission to election agent, e per cent., 12*l.* 12*s.* 8*d.*; total, 266*l.* 2*s.* 7½*d.* In e 110*l.* were your carriage expenses included?—should think it very probable, everything I think.

7277. The committe rooms were not included, are ey, they are not in the extra 50*l.*?—Captain Veitch n tell you that; I am perfectly sure that he would t lend himself to any bribery and corruption of that rt. He told me it was necessary and I sent it to n.

7278. It was paid out of the 300*l.*; did Mr. Kellock urn anything to you?—I wrote to him and said I ped he would accept the balance.

7279. For his professional services?—He had taken reat deal of trouble for me, I was only sorry it was small a sum.

7280. Have you got your hotel bill?—No; I have t one here that I looked at this morning, and that ay explain part of it.

7281. I wanted to see whether carrying voters to e poll was included?—No; these were sent up to , and I asked Mr. Heath to give the servants 10*l.* en I went away. That would make the bill 90*l.* stead of 100*l.*

7282. That is 120*l.*?—That is included in the l.

7283. That would make the bill 120*l.*?—I cannot ll all the expenses now.

7284. Do you know Captain Veitch's address?—e is the governor of a gaol in Liverpool.

7285. You found, of course, in your canvass that ere was a strong hostility to the Duke of Somerset?—Very strong, indeed.

7286. Did you join in it yourself?—I felt strongly gainst the Duke of Somerset as a naval officer. I ve been on a naval inquiry or a committee for the t few years, and I have practically seen the dread- l state of the navy.

7287. Did you find it was rather from a feeling in mmon with you that any of the voters had hostility wards the Duke of Somerset?—I think the remarks nanated from the voters.

7288. Did you take those remarks with your special owledge of the Duke of Somerset's shortcomings?—all depends upon the style of person I am speak- g to.

7289. Did you work your hostility towards the uke of Somerset as a topic amongst the voters in nvassing?—No; I did not condescend to do that. verybody knew I was opposed to the administration the navy at that time.

7290. How did everybody know it?—I should think erybody knew it. James Heath would tell them.

7291. In fact, if James Heath told it the feeling as worked?—Thoroughly well known.

7292. And made use of?—If it could have been ade use of I should have thoroughly approved of it ing made use of.

7293. You made use of it on the hustings?—Most idedly.

7294. Did you hear of Mr. Alexander coming down re to stand?—I never heard of him until you men- ned him yesterday.

7295. You told us what Mr. Spofforth said to you uching this place; did you hear those letters read sterday from Mr. Spofforth?—No, I was not here the afternoon. If the letters have been read it ust have been late in the afternoon.

7296. Should you be rather surprised if Mr. Spof- rth, after what he said to you, had recommended nother gentleman to come down here and write to r. Harris?—Yes.

7297. Should you be surprised to hear that Mr. ... before he saw you on this subject, had been doing his best to get some gentleman to stand for this place?—I should not be surprised now, but I should then.

7298. And that he should have been writing in this strain, "the only difficulty is finding a man with "plenty of money to carry the seat?"—I should have been surprised then.

7299. You would have been surprised?—Most certainly.

7300. It would be difficult to reconcile the two?—I could not have reconciled the two.

7301. And also another expression, writing to Mr. Harris also, "Failing Colonel Dawkins, I will en- "deavour to procure you a commercial man of the "standing you require;" did you hear what Mr. Harris said about that, what he meant by a commercial man?—I can quite understand what Mr. Harris inferred.

7302. Mr. Harris said his great object was to get down a commercial man, and neither a soldier or a sailor?—I never heard it.

7303. He said he wished to have a commercial man to bring up the place in a commercial point of view, and he must have plenty of pluck and plenty of money?—I heard that.

7304. Were you told they were doing all they could to get some one of that nature to come down?—Most certainly not.

7305. All this intriguing for a commercial man was unknown to you?—Entirely unknown; I do not think I should have come if I had known it.

7306. If you had known of it probably you would not have come; if you had seen the letters of Mr. Spofforth after you came down?—I should have gone to town immediately.

7307. (*Mr. Bere.*) You were, to a certain extent, a commercial man?—I can say I could have been of great use to this town, and that was one of the ideas that brought me down.

7308. You were going to establish a certain line of steamers?—Yes, certainly.

7309. To make Dartmouth a port?—It would make a splendid port, and support for a line in which I am deeply interested. Totnes was a very flourishing place, and there seems no reason why it should not be made so again.

7310. (*Mr. Coleridge.*) You know there was a petition sent from here?—Of course.

7311. Did you hear of any compromise being talked of on behalf of the Liberals?—Nothing more than a rumour; nothing definite was ever proposed by Mr. Pender.

7312. Did you tell this gentleman here that you ever heard from Mr. Smith, of the firm of Guscotte & Smith, that 20,000*l.* had been offered to withdraw the petition?—No.

7313. You never heard it mentioned before?—Oh, no.

7314. Did you hear of any sum being asked on your side to withdraw the petition?—No; Colonel Dawkins will give the facts; he will tell his own story. Colonel Dawkins undertook the petition, and rather against my advice at first, because the evidence showed Totnes either was not worked up as it ought to have been; if it had been it would have made the petition perfectly certain. Colonel Dawkins, in talking it over, went into the position of the matter. It was an understood thing between him and me that I should pay one half the expenses, simply between us as gentlemen.

7315. Is all the account closed now?—Oh, dear, no.

7316. What was the evidence you thought ought to have been worked up to make the petition certain?—Mr. James's 50*l.* note.

7317. What was that?—It was a note which had passed from Mr. Pender and through certain banks, which could have been traced very readily by the Conservatives, but which up to the last moment was not traced.

7318. Was there any other thing that ought to have been brought out against the other party that was

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not?—It seemed to me a very strong case if you could bring the 50*l.* note from the Rev. James's hands into Mr. Pender's hands; it seemed quite sufficient to carry the case.

7319. Tell us any other case that you thought was omitted that you know of?—I was very anxious they should mention the eleven men, but I was overruled; I considered it was such an astounding thing to do.

7320. Have you a copy of the Torquay paper you mentioned?—No, I have not. I have certain extracts from speeches taken from the Torquay paper.

7321. Had Mr. Kellock told you this place was very corrupt?—I cannot say that he positively told me; but it was a thoroughly understood thing.

7322. Did he give you to understand that it was?—He had no occasion whatever to do so.

7323. All your plans were formed upon the supposition that the place was corrupt?—I would not have spent any money myself, because I knew the place was corrupt. I hoped by fighting it bravely we could carry the Conservative feeling.

7324. You never had the slightest idea of coming in under the wing of Colonel Dawkins, but that you could have fought it firmly together?—That is a point I never took into consideration; coming in under the wing of another candidate; it was rather the other way, in a sailor's way of putting it. I should not think of anything of the sort.

7325. You had no notion but that you could do it gamely; but you knew that the assistance of the other candidate must help you in your election; was not that so?—I had not given any consideration to Colonel Dawkin's movements. I left him alone.

7326. You say it was so perfectly understood that the place was impure, and you think that from your presence and your local interest you were going to make it a pure election?—I thought I was going to be elected.

7327. You did not suppose that anybody standing upon the same principles you stand on would have been elected?—I stood upon the principle of minding my own business. If a man chooses to sell himself, let him do so; if Colonel Dawkins chose to buy these people, let him buy them.

7328. You did not imagine that the nature of the constituency was likely to be altered?—I was utopian enough to hope that there might be a change in the place; and I had the vanity to suppose that I could infuse a little feeling into the place, and to have got in at some future time.

7329. You did not imagine that there could possibly be a pure election while all that was going on?—Now, speaking about that, I do not know that it would have been absurd. Every one said that the place was rotten in itself; there was no disguising it.

7330. You did not understand at all about it?—I had nothing to do but to attend to my own business, and I did not attend to anybody else's business.

7331. (*Mr. Longe.*) You did not interfere?—I have taken some little interest in politics for the last 10 years, and I cannot believe that there is a borough in the kingdom that has not the same going on. I did not come down here a baby; but the idea of 250*l.* apiece to 11 of them!

7332. (*Mr. Bere.*) Do you believe there was any chance of your being returned to the exclusion of Colonel Dawkins?—Not the slightest. I should have been very sorry.

7333. If a difficulty had arisen should you have given way?—I admire Colonel Dawkins immensely; I think I should.

7334. You are an independent gentleman. You have some grievance?—No, I have not; quite the contrary. I have on the whole been a fortunate man. Colonel Dawkins has a grievance, and a very great one, I conceive.

7335. (*Mr. Coleridge.*) Nobody split with the Liberals?—I was not aware of that till I looked at the pamphlet I got from your office.

7336. Several split for Colonel Dawkins?—They did.

7337. Probably under the influences brought to bear?—No doubt of it.

7338. Let me ask you one question. You told us you knew nothing about Mr. Mum being down here. I think you also had a letter that on the nomination day the money had not actually come; did you know before the day of the polling somebody had come down from London?—No; I had not the slightest idea that anybody had come; on the contrary, I thought from Mr. Smith much money did not come.

7339. What was it that gave you the impression that there had been some hitch about the money on the nomination day?—I am accustomed to discipline and handling bodies of men, and I saw there was something going on in the camp.

7340. Could you gather from his manner whether it was owing to the actual absence of money, or owing to the insufficiency of it?—I should have said it was the insufficient quantity.

7341. You would have gathered from his manner that it was not the absence of money, but the insufficient quantity of it?—Yes, from all I knew.

7342. At a later period of the nomination day, from his manner could you infer that things had been put right; did he become more satisfied?—No, he was in the same excited condition all through the election—very excited indeed.

7343. You gathered from that that there was an insufficiency of the ready money, or that he might have been outbid by the other party?—That was my impression certainly.

7344. (*Mr. Bere.*) That he was outbid by the other party, or that there was an insufficiency of money?—Outbid by the other party.

7345. What time did you get up in the morning on the nomination day?—I fancy I was out of bed the whole time I was down here. I do not think I went into bed.

7346. Were you up when the mail train arrived on the morning of the nomination day?—Yes, I was.

7347. At the "Seven Stars"?—Yes.

7348. Did you see some person arrive with the fly?—I think Mr. Pender's son came by that fly with a very large bag.

7349. He did not get out at the "Seven Stars"?—He came, unfortunately for me, to the "Seven Stars"; it was a "Seven Stars" fly.

7350. Was it on the morning of the election or the morning of the nomination?—I think the morning of the election.

7351. Did somebody else come in the fly with him?—Yes, decidedly.

7352. Did he get out at the "Seven Stars"?—He got out and stopped at the "Seven Stars."

7353. Did he have a bag?—He had a bag with nothing but clothes in it, and a friend of mine going on some mining business to Cornwall, Mr. Murchison, a stranger to him, was with him. He was in the carriage with Mr. Pender's son, and it appears from his information that Mr. Pender's son had this money; it was put into a very heavy bag, and put into Mr. Murchison's fly, and they were brought to the "Seven Stars."

7354. Were they the only two that came down in the fly?—No one else—not that I am aware of; I know those two from a circumstance that tickled my fancy.

7355. Are you quite certain as to the person that came down in the fly to the "Seven Stars"?—I did not see him come out of the fly. I did not even see Mr. Pender.

7356. Did you see anyone arrive at the house that night?—Do you mean from London?

7357. Yes?—No, certainly not. I did not even see Mr. Murchison get out of the fly.

7358. Did you see him until he came into the house?—He came straight to my room.

7359. And the chambermaid was sent to him to get him a bed?—He did not go to bed.

7360. When did he go away?—Not till almost the next train; he had some breakfast and went to Liskeard.

7361. Did he go away after nine o'clock ?—It must ve been after nine. I assure you he did not come wn with any election views or any finance business nected with our election.

7362. Where did he breakfast ?—With me.

7363. Though he did not go to bed, did he change clothes, so that you could see what was in his ?—I do not think so ; he opened it to take out a sh to brush his hair and make himself comfortable.

7364. You could not see in the bag ?—I could not ear it was not full of sovereigns, except by the ight.

7365. (*Mr. Longe.*) What could have kept you up night ?—I took a great interest in the whole elec- . I stopped up every night.

7366. You were in communication with Colonel wkins and the other parties, who would tell you at they knew ?—For a special reason I minded my n business ; I had never done anything of the sort ore, and therefore I stopped up all night.

7367. You could not canvass in the night ?—No ; I am accustomed to stop up at night. It was no d-ship to me. I stopped up to see what was going on.

7368. To see other people's motions ?—The whole ce was alive.

7369. To see the entertainment going on ?—Yes.

7370. (*Mr. Coleridge.*) Did Mr. Murchison tele- ph to you to say he was coming down ?—By-the- very likely he did. I can easily find it out.

7371. Had he written to say so ?—He may have e so ; it did not strike me before.

7372. You said you expected him, and you could e found a bed for him ?—Very likely. In fact, v I remember I must have done so. The fly was for him ; that was the way Mr. Pender hap- ed to come to the "Seven Stars" in the fly.

7373. How came he to meet Mr. Pender ; did they e the fly at the station ?—That is the reason I ember it; they were great friends on the way .

7374. You cannot say whether he wrote to say was coming, or whether he telegraphed ?—He may e done both.

7375. (*Mr. Longe.*) Did you order the fly to go n ?—I sent the fly for my friend.

7376. (*Mr. Coleridge.*) On the morning of the ination ?—I think it was.

7377. It was four o'clock in the morning ?—Yes.

7378. Was it on the Monday or the Tuesday ?—I uld expect it was the Monday, and that he had elled through the Sunday night.

7379. Can you give us his address ?—Yes ; 8, tin Friars.

7380. Can you tell me whether it was one of those es which I will read to you; Thomas Blank, boot shoemaker ; John Parnell Searle, butcher ; Slip- y Jack ; James Matcham, innkeeper ; William gilley, shoemaker ; William Byne, shopkeeper ; liam East, John Bridges, Samuel Hill, James unds, John Tozer, Bridgetown ; Robert Jackson, kfastleigh ; was the person who came to you in house, and wanted you to cap the 250*l*, one of e men ?—No doubt he was one of those.

7381. Can you tell us which of them it was ?—I ld not tell you by name, because I do not know names of the people here.

7382. You would not be likely to swear to any one his appearance ?—No, it is not a very pleasant g to do ; one may make a mistake. The person o came to the hotel was a perfect stranger to me, you would not again easily recognize a person m you once saw in a crowd at two o'clock in the ing.

7383. You have no doubt he was one of those ers ?—Not the slightest.

7384. (*Mr. Longe.*) You heard what Mr. Harris about Mr. Mum ; is it your belief or not that such person did come down here that night ?—I eve that a Mr. Mum is usual on those occasions.

7385. But do you believe that any one came down n London that night to the "Seven Stars ?"—If any one did come, I am utterly ignorant of it up to this moment.

7386. But do you believe that this person, Mr. Mum, did come to Totnes that night ?—If you ask me my belief, I should think he did, for this reason. According to the habits of Totnes the election was managed capitally. My belief is that a Mr. Mum did come, but I have no positive knowledge one way or the other.

7387. (*Mr. Coleridge.*) Can you let us know which night it was that Mr. Murchison came down from London ?—He came down from London on mining business, and by reference to his books he can tell you. I will write and give you the information with pleasure. I think he must have come down on the Sunday night, for this reason, that Mr. Murchison has a great deal of business, and makes the most of his time.

7388. (*Mr. Bere.*) Do you know Mr. Edmonds the solicitor by sight ?—Yes, I know him now. I did not know him then.

7389. Do you remember seeing him at the "Seven Stars" a great deal ?—Yes, he was there a great deal.

7390. Had he a room to himself ?—I cannot say that. I had what was called a private room, but the door was always open, and people were constantly coming in and out, and in Colonel Dawkins' room the same.

7391. (*Mr. Longe.*) Mr. Edmonds was not Mr. Mum ?—No ; he is thoroughly well known here, and highly respected.

7392. (*Mr. Coleridge.*) Mr. Edmonds was about the place all the day before the nomination ?—Yes. No doubt the coming of Mr. Mum was made known to the free and independent electors of this borough.

7393. They did not let you into the secret ?—No. I would tell you directly if they had.

The witness handed in the following document :—

Totnes Election, July 12, 1865.

Bills owing by Captain Pim, R.N.

Namesof Claimants.	For what incurred.	Amount.		
		£	s.	d.
J. F. Phillips, Esq., Returning Officer.	Professional assistance, tradesmen's bills, &c.	15	4	10
Mr. John Heath -	Hotel expenses, &c. -	110	3	4
H. Kellock -	Professional assistance	25	0	0
F. J. Hare -	Ditto - -	25	0	0
J. Diggins -	Advertizing in "Exeter Gazette," and for newspapers.	23	8	8
H. T. Hodden -	Advertizing in "Western Morning News."	6	0	0
H. Forus - -	Printing and stationery	16	5	0
John Denner -	Ditto ditto -	9	10	6
"Torquay Times" Office.	Newspapers - -	0	8	4
Mr. H. T. Hodden	As poll clerk and for copying work.	4	2	0
G. L. Lane -	Ditto ditto - -	4	2	0
Mr. D. Narramore	Copying work - -	2	2	0
W. Hamlyn -	As poll clerk - -	2	2	0
John Johns -	Ditto - -	2	2	0
John Bishop -	Prepairing Guildhall, &c.	1	3	6
F. Bartlett -	As messenger - -	0	10	6
F. Willis - -	Ditto - -	0	10	6
John Willcocks -	Ditto - -	0	10	6
Totnes ringers -	Ringing - -	3	3	0
Samuel Matthews	Posting bills - -	0	14	0
		253	9	1½
Commission to election agent, 5*l.* % -		12	12	8
	£	266	2	9½

Returned by Mr. Presswell and retained by me for current expenses - - - 0 16 4

WM. HAMLYN,
Agent for Election Expenses.

I hereby certify that these bills have all been paid by me, and the vouchers handed over to the town clerk (G. Presswell, Esq.), as required by Act of Parliament.

W. H. 12/9/65.

EIGHTH DAY.

Mr. J. S Screach, junior.

31 Aug. 1866.

JOHN SANDFORD SCREACH, junior, sworn, and examined:

7394. You assist your father, who is an innkeeper at Bridgetown?—I do.

7395. How long have you lived there?—A great number of years. I was born there.

7396. Have you always lived in the same inn?—We have not been in the public line more than 11 years.

7397. He has carried on the boot and shoe trade?—Yes, and he does still.

7398. How old are you?—Thirty.

7399. Have you been mixed up in election matters for many years?—I have had some little to do with them. My first connection was with municipal affairs.

7400. When did that begin?—I think I may fairly put it as 1861.

7401. Was that the first time you had had anything to do with elections?—I have some faint recollection of having something to do with the previous municipal elections.

7402. That is the first time you took any interest in it?—Yes.

7403. On which side were you in 1861?—On what is called the Liberal side.

7404. In 1863 and 1865 you were on the Conservative side?—Quite right.

7405. What had caused the change of your opinion?—Simply because my father had felt disposed to change, and I followed him.

7406. When did that conversion take place?—I think soon after the 1861 municipal election.

7407. Was it before Mr. Pender came to Totnes?—There was a dinner before that with my father and the parties.

7408. Do you remember when Mr. Condy paid his bill?—I remember my father making repeated applications for a bill of 11*l.* for matters respecting the previous election.

7409. That bill had been left unpaid for some time?—Yes, before the death of Mr. Mills; and when they fancied they required my father's services again the bill was paid.

7410. Paid by Mr. Condy?—Yes.

7411. At that time had you changed sides?—Nothing had transpired at that time.

7412. Was there a contest in the council in 1862?—I think not.

7413. When the election took place on Mr. Mill's death, did you take any interest in the parliamentary business of the borough?—Not the least.

7414. Not until 1863 did you take any interest in the elections here?—That was the first time.

7415. Have you a vote?—I have never had a vote for the borough.

7416. What interest did you take in the election of 1863. Were you employed by Mr. Dent?—I took a very active part in the election with some few men.

7417. Were you employed by Mr. Dent?—I never had orders from Mr. Dent. I was acting on the part of the Conservatives.

7418. From whom did you get your orders in 1863?—From some fellow who was there. A Mr. Mum.

7419. Mr. Harris has called him a black man?—He was a very dark complexioned man, not a decided black man.

7420. Where did you see him. At the "Seven Stars"?—At the "Seven Stars."

7421. And in Number 13?—That was the room I always used to see him in. It was a bed room.

7422. (*Mr. Coleridge.*) This black man had a very dark complexion indeed?—He was a dark man, not particularly dark.

7423. With short curly black hair?—I am not clear about his hair. I think he had dark hair, and very large whiskers, which came down on the side.

7424. What height was he?—I should think he was nearly six feet.

7425. Did he stoop with his head now, and walk with his head rather forwards?—I cannot say; I only saw him, to the best of my recollection, in his bed room.

7426. You never saw him walking about?—No.

7427. Did you ever hear any name given to him—No.

7428. When did you last see him?—It was one or two days prior to the contest of 1863.

7429. Did you see him about the galleries of the House of Commons when the Committee was going on?—I do not recollect seeing him there.

7430. Should you know him if you were to see him again?—I do not think I should.

7431. Was he not a very dark man?—Not particularly so.

7432. Was he not almost as dark as he could be—He was very dark.

7433. (*Mr. Bere.*) Can you tell me what sum of money was spent on the other side on the occasion of the municipal election in 1861?—In 1861 the Duke of Somerset's wood ranger came to my father's in the morning, a man of the name of Hodge, and said he wanted to borrow 10*l.*, and that as soon as the bank was open he would return it. That money was distributed amongst a parcel of men who came round there in the morning, and wanted a little something to drink.

7434. That was the common way in which things were carried on at that time of day; by keeping open houses, and paying a certain sum of money to each voter after the election?—That is about it.

7435. Do you know about what was the price to the voter?—I do not. Before dinner I had not taken a very active part in it. Then at dinner time Hodge borrowed another 10*l.* of me, and said he was short of money; he then asked me if I would begin to stir my stumps, and I then went and paid Samuel Simms and Thomas Simms 3*l.* each. I managed to keep George Heath away from the "Stars" at that time.

7436. You say you spent as much as 10*l.* or 20*l.* on that occasion; do you at all know what was spent on the other side?—I do not know at all myself; but have heard there was as much as 200*l.* spent on each side.

7437. It would come to as much as from 300*l.* to 400*l.*?—In many elections that has been the case.

7438. Who was your commander-in-chief upon these occasions?—It was Hodge who came up and got this money in the way I have told you early in the morning.

7439. Had not Mr. Parnell something to do with this matter?—I am not quite sure of that.

7440. Did not Mr. Charles Michelmore do a good deal on this occasion?—I think he was one of those who were active in 1861.

7441. And did he not use his influence on the Liberal side?—Yes; he behaved very handsomely to me at that time. I think he gave me a sovereign, and again ten shillings during the day.

7442. Had you a vote yourself?—I had no vote.

7443. But your father had a vote we understand?—Yes; my father had a vote.

7444. Did your father have anything for his vote—I am not confident.

7445. This is the election of 1861?—Yes.

7446. There was no contest in 1862?—No.

7447. Was there a contest for the council in 1863—Yes; I was on the Conservative side.

7448. Who was your commander-in-chief?—George Heath.

7449. Did you receive money?—Yes.

7450. What quantity of money?—I think 32*l.* or 33*l.*

7451. How did you spend it?—I have a list of names.

7452. Did you spend that amongst persons, bribing them for the Conservative side?—Most decidedly.

7453. Are those persons whose names you have given there 10*l.* householders, or persons below that rank—I do not think 10*l.* householders.

7454. Are those persons voters? — Not in the ough affairs.

7455. Not for a member of Parliament?—No.

7456. You distributed 32*l.* or 33*l.*?—Yes.

7457. Amongst how many men did it go?—Twenty.

7458. Did you give more to one than another? es.

7459. What did you give?—I think in the contest 863 the highest was 2*l.*

7460. And what the lowest?—I paid one as low 5*s.*

7461. Who else besides you acted for the Conatives then?—I think Mr. Frederick Evans had little to do with the municipal affairs.

7462. Was he the only other person?—No, there others.

7463. Who else?—Mr. George Heath took an ive part.

7464. He distributed the money himself?—Yes.

7465. Did Heard have anything to do with it?—I k I did hear of Mr. Heard; of his being a payer.

7466. Do not you know that he got money from rge Heath, and distributed the money like you?—id not see him get the money; but I should say did.

7467. Mr. John Heath, had he anything to do with —Yes; I should say he took an active part in it. all events he did in the advising, if he did not in paying part.

7468. Did all the money you received come from rge Heath; or did you get any money in 1863 n anybody else?—I think I had the whole from rge Heath; I think I may say I am certain.

7469. Is that all you have got; or did you have a icipal election in 1864?—I do not think any since . I have not spent any money since.

7470. How many men are there, as far as you w, of the municipal electors who are open to bribe Totnes?—I really cannot say; I never felt so rested in the numbers as that.

7471. Are there a great many?—I should say ndreds.

7472. I do not mean persons who want to be repensed for losing a day's work, but who would e for one side if no bribes, and vote for another if ribe was offered?—I do not exactly understand.

7473. We have heard there was at one time a tem of paying half-a-crown and a breakfast?—Yes.

7474. I do not mean persons who would want for a day's work; but persons who want money an inducement to vote?—Those men are generally ongst the labouring classes. I do not think the desmen look out for money at such times.

7475. I suppose 1*l.* or 2*l.*, or even as high as 4*l.*, is sufficient temptation to a tradesman?—I should not.

7476. Had you anything to do with the election of . Pender and Mr. Dent in 1862?—Yes; I had ly one case at that election.

7477. When Mr. Dent withdrew?—Yes.

7478. What was that case?—I was deputed to go see Mr. Thomas Edmonds, then living at Torquay.

7479. Where was he living?—With two ladies ed Taylor, on the hill.

7480. What was he?—Gardener.

7481. Was his wife still living in Totnes?—I lieve still living in the same service at Marldon.

7482. Did you see him?—Yes.

7483. What passed?—I offered him 50*l.* the first e, and he said if I could double it he would support r side.

7484. That is for Dent?—Yes.

7485. Who had sent you in 1862 to Edmonds?—I s sent for to come to the "Seven Stars" at three lock in the afternoon, and on entering the front or I saw a gentleman in conversation with Mr. .

7486. It is not the contest in 1863 with Seymour d Dent?—I understand. I saw a gentleman in nversation with Mr. John Heath.

7487. A stranger?—Yes.

7488. What was the stranger like?—That gentleman had ginger whiskers, red sort of whiskers.

7489. What height was the man?—Middle height.

7490. Stout or thin?—Rather a bulky man.

7491. What age?—I do not recollect; I could not say; a youngish man.

7492. What passed between you and this gentleman; but how came you to go to the "Seven Stars"?—I was sent for.

7493. Who came for you?—A youngster named Pack, the under "boots."

7494. Mr. Heath wanted to see you?—I think so.

7495. Where is Pack?—I do not know.

7496. You went to see this gentleman?—Yes.

7497. Tell us what passed?—Mr. John Heath and the gentleman deputed me to go to Torquay.

7498. What did they say?—He said go over to Edmonds and offer him 50*l.*

7499. He must have asked you some questions before whether you knew Edmonds? — That was represented by Mr. Heath, I should think.

7500. You were to go to Torquay?—They told me to go and offer 50*l.*

7501. Had you the 50*l.* before you went?—Yes; I think I had.

7502. In what?—In gold.

7503. Did you take the 50*l.* in gold?—Yes.

7504. Did you tell Edmonds that you could give him 50*l.*?—I think I made a mistake; I had not the money the first time. It was when I had the 100*l.*; the second time.

7505. You went and offered him the money, and he wanted 100*l.*?—Yes.

7506. Then did you come back?—Yes, I came back and reported. I am confounding the Marldon affair with other elections; I am confounding the 1865 election; I was sent to get Edmunds in the first affair; to get him at any figure from 100*l.* to 150*l.*; I had no money then; the money was not given to me then. I was confounding the two elections.

7507. You went to Torquay and saw Edmonds?—Yes.

7508. What did Edmonds want?—He came home with me under the impression of having 120*l.* when he came to Totnes.

7509. What time did you get back?—12 o'clock.

7510. By train?—No, I had a saddle horse; and he would ride a mile or two, and then I would.

7511. You went to the "Seven Stars"?—Yes.

7512. When you came did you receive the distressing information that Mr. Dent would not go to the poll?—Yes.

7513. And you did not get the 120*l.*?—No, no money was spent.

7514. Did you hear of the slippery company in 1862?—Not at the time.

7515. Did you know whether any overtures had been made to your father to join the company?—I remember perfectly well Mr. Thomas Searle, jun., who kept the "South Devon Inn," coming and asking father to come and join a little batch of men at his house; I remember hearing his asking the governor the words in our bar, and the governor said, no, he should not have anything of the sort. What Mr. Harris said yesterday as to his reading the names over to father is false.

7516. He says he heard of it?—He did not.

7517. Were you present?—I was in the passage, and I was curious enough to listen.

7518. Did you hear the names mentioned?—Mr. Searle did not mention the names; he merely asked the governor to come and join the party.

7519. Did he say what the party was for?—No, but it was dear enough.

7520. You knew?—Yes.

7521. Your father would not go?—He declined to act.

7522. Is that all you know about the election of 1862?—Yes.

7523. (*Mr. Coleridge.*) Do not you know of any people paid by the Liberal party at that election?—

EIGHTH DAY.

Mr. J. S. Screach, junior.

31 Aug, 1866.

I do not know; there are rumours, but it is useless for me to come here and condemn my neighbours on rumour.

7524. Confine yourself to what you know. What was the sum you finally offered Edmonds?—120*l.*; if he would not come I was to go to 150*l.*

7525. Was that the only sum?—That was the only case I had.

7526. Was that the only case you were employed to bribe?—In borough affairs, for a member of parliament.

7527. It was in 1862 that this gentleman with the ginger whiskers sent you to Edmonds?—Yes.

7528. And in 1863 the black man?—I am not sure about dates.

7529. When Dent withdrew was the time when the ginger whiskered man was here?—Yes.

7530. And 1863 the black man?—Yes.

7531. (*Mr. Bere.*) Have you seen the ginger whiskered man since?—No.

7532. What was he like?—A middle sized man, rather bulky.

7533. There was an election in January 1863, in which Seymour and Dent were candidates?—Yes.

7534. Were you employed on Dent's side?—I was.

7535. How many days before the election did you begin to be employed?—I am not clear as to the number of days.

7536. A week or a fortnight?—I should say a week.

7537. Who employed you?—I was sent for to go to the "Stars" by Brown.

7538. Did he call at your father's inn and ask you to come down?—I am not clear as to that, but I know I went.

7539. Between the two elections had anything been going on in a political way in the borough?—I do not know of anything.

7540. Nothing you knew of?—No.

7541. When you got to the "Seven Stars," did you see Mr. Heath?—I did not.

7542. Whom did you see?—The waiter was there remaining in the lobby for me.

7543. Did you go with the waiter anywhere?—Yes.

7544. Where?—To No. 13.

7545. When you got to No. 13 did you see that gentleman about whom you have given us a long description?—Yes, this black man was in the room.

7546. Did the dark man give you a list of the names?—He did.

7457. How was he dressed?—He had on a long frock coat, similar to the gentleman on your left; but I do not remember his dress much.

7548. Had he a slouching way of walking and moving himself?—I cannot say. It was in a bed room, a small room; and there was not much room to walk about.

7549. Should you know the man again?—I think not; I should tell you it was one night when I saw him.

7550. What time?—The days were short then, somewhere about six or seven o'clock in the evening; I cannot tell to an hour.

7551. How long before the election?—I think a day or two previous; I cannot tell the day.

7552. Was this the first information of his being employed by the Conservative party at that election?—It was.

7553. You said you were employed for nearly a week before?—That was only one particular case.

7554. We must have that. This was not the first occasion at that election that you were employed for the Conservative party?—Really I am not clear as to the exact time.

7555. What was the case you were employed upon before you saw the black man?—I think Edmonds asked me if I would come and see him.

7556. Where was this?—He was living at Marldon; I do not know whether it was Marldon or Torquay.

7557. Where did you see Edmonds?—He belongs to the Forester's society to which I did.

7558. Does that meet at your father's house?—No, the "Oxford Arms."

7559. How long before the election was that?—I should think it must have been months prior to the election.

7560. You are making a mistake; you remember there was only about a month between the two elections?—I did not take any notes; I am not correct about it.

7561. Was your being sent for to go to the "Seven Stars" in Seymour's election the first employment of you by the Conservative party with regard to the election?—I should think it was some few days before.

7562. (*Mr. Longe.*) Do you remember hearing of the death of the Earl of Gifford?—I do.

7563. How soon after that were you employed?—It must have been within a day or two.

7564. Was it soon after Lord Gifford's death that some communication was made to you?—I should say not for some days; I cannot tell exactly the time.

7565. (*Mr. Bere.*) Can you say how many days before the election the interview with the black man took place?—I cannot say positively.

7566. Three or four days?—I should say it was about that time.

7567. (*Mr. Longe.*) Did you expect to be employed when you heard of the death of Lord Gifford, by the Conservatives?—Yes, but I did not know positively.

7568. You looked out for some work at the election?—Yes.

7569. (*Mr. Coleridge.*) Have you had to do with Edmonds twice?—Yes.

7570. You say you were employed first in 1863, which was something about going to see Edmonds?—Yes.

7571. Had you promised to go and see Edmonds in consequence of offering the money in 1862?—That is right.

7572. In consequence of your offering money in 1862 Edmonds wished you to go, in case of any money going?—Yes.

7573. How long before you saw the black man did you go and see Edmonds?—I cannot say; but he gave me a list of names.

7574. Then it was after?—I am not clear. I think it must have been.

7575. Did you go and see him?—Yes.

7576. Tell us the second story about what took place; where did you go to?—I went to Torquay. I am pretty certain it was Torquay.

7577. You think it was after you saw the black man?—I think so.

7578. Now what took place?—I went, I think, and offered Edmonds 80*l.*

7579. Had you got the money with you?—No, I had not then.

7580. What did he say?—He said he could not promise, as he had seen a man named John Callard and John Elliott, and he could not give me any answer before he had seen them again.

7581. Did you then spring your offer?—No, I came home.

7582. Did you report that to the black man?—I reported it to the black man.

7583. What did the black man say then?—He said he was not in a position to say anything about figures higher that day; he would see me on the following day.

7584. Did you see him on the following day?—I did.

7585. What did he say then?—He gave me 100*l.*

7586. What did he give you the 100*l.* in?—In gold.

7587. Did you go to Mr. Edmonds?—I did.

7588. What did you offer him then?—I offered him the money.

7589. Did you show it to him?—I did not open the

, but I said, "Here is the money, if you choose to
it."
590. What did he say?—He said he could not;
the figures would go up.
591. Did you take the money back to the black
again?—I took it back and reported it that night.
592. (*Mr. Longe.*) Whom at that time did you
besides the black man?—No one.
593. (*Mr. Coleridge.*) Was he in the same bed-
n as before?—No. 13. I never went into any
r.
594. What did the black man say about that?—
t him be, we won't trouble any more about him."
595. Did you trouble any more about him?—I
I went down again on the nomination day.
596. What did the black man tell you to do then?
e told me to offer him 200*l.*
597. And did you have the money with you?—
598. What did Mr. Edmonds say then?—He said
ould be home in the morning, and then would
me.
599. That would be the election day?—That
d be the election day.
600. Did you come back and tell the black man
?—Yes, I came back and reported it, of course.
601. To the black man?—To the stranger.
602. Was anybody else present?—No.
603. Did Edmonds come to see you?—No, he was
d by this man Callard.
604. Then in fact Edmonds got nothing from
—No.
605. (*Mr. Bere.*) When you first saw the black
did he give you a list?—He did.
606. What were the names on the list?—I have
here.
607. Read them?—Joseph Hannaford, Edward
r.
608. Who is he?—A tailor, living at New Walk,
the Plains. John Nickells, blacksmith, William
gilley, shoemaker, Fore Street.
609. Whose writing is that list in?—It is my
writing.
610. But did he give it to you written out?—
611. Have you it now?—No, I did not take any
unt of it after the election was over. William
, Charles Pitts, Edward Turpin, Shillabeer, he is
keeper at Warland.
612. Samuel Shillabeer?—Yes. James Raymond.
613. Who is Raymond?—He is a man who keeps
le shop in Fore Street.
614. Was there anything else on the list besides
ames?—No.
615. No sums of money?—No; he told me to
me myself to a figure.
616. What figure did he limit you to?—To get
men for about 40*l.* or 50*l.*
617. How high might you go?—He did not tell
go any higher the first time.
618. Did you succeed?—I could not do anything
them at forties.
619. (*Mr. Coleridge.*) Did you with 50?—I did.
620. (*Mr. Bere.*) Take the first name on your
—Joseph Hannaford.
621. Did you go and see him?—I did.
622. What is he?—A baker in Fore Street.
623. Had he been a Conservative or Liberal in
es before?—I think he voted for the Conservatives
or twice.
624. Had you anything to do with him in the
ions for the council?—No, never.
625. Did you know how he voted in the elections
e council?—I think he was a Conservative for
elections.
626. You went to see Joseph Hannaford?—Yes
627. Tell us what passed?—I cannot tell the exact
s.
628. Did you offer him money for his vote?—I
to close the bargain with him.
629. Did you offer him money for his vote?—I did.
7630. What sum of money did you offer him?—50*l.*
7631. Did he ask for more?—He did not.
7632. Did he say anything about the other side having offered him more, or being likely to offer him anything?—I do not recollect his telling me anything of that sort.
7633. (*Mr. Coleridge.*) Did you pay him the money?—Yes.
7634. Before he voted?—Before he voted.
7635. (*Mr. Bere.*) Then you took the money with you the first time?—I am not clear as to that. I had to see some of them several times before I could come to a bargain.
7636. When did you pay Hannaford?—About a day or two previous to the election.
7637. (*Mr. Coleridge.*) What did you pay him in?—In gold.
7638. (*Mr. Bere.*) Did you get the gold from the black man?—Yes.
7639. In No. 13?—Yes.
7640. Did you see where the black man took the money from?—I believe I can tell you.
7641. Where?—I believe a large bowl that was on the bed; a china bowl that looks like a punch bowl.
7642. (*Mr. Coleridge.*) Did it belong to the house?—I do not know.
7643. (*Mr. Bere.*) Was any man with you and the black man at the time the money was handed over?—No.
7644. Did he hand you over the sums for each voter, or did he hand you over a round sum and tell you to give some to each man?—I had the different sums from him.
7645. What sums did you receive. Am I to understand that you had sums for each particular voter, or that you had 300*l.* or 400*l.* to be divided?—I drew sufficient for four or five.
7646. How much did you get at one time, say the first time?—The first time I got 200*l.*
7647. What did you do with that 200*l.*?—I am very sorry, but I am giving you all the particulars of the 1865 election. It never occurred to me till that moment. It is all of it the particulars of 1865.
7648. (*Mr. Coleridge.*) There was no black man in 1865?—There was a stranger.
7649. But not a black man?—No. I am confining myself to the 1865 election.
7650. Is all this about 1865?—Yes, all about 1865.
7651. (*Mr. Bere.*) All this list is about 1865?—Yes, all the list is about 1865.
7652. Then we will go on with 1865. It was not the black man but the person you saw in No. 13, we must have a description of that first?—I think it was No. 15 on the last occasion.
7653. Is that a bed-room too?—Yes. I would not be certain, the waiter can tell you as to the last rooms.
7654. Describe this man whom you saw in 1865?—An elderly meagre-looking man, with grey whiskers.
7655. Beard or moustache?—I think he had at the time.
7656. (*Mr. Coleridge.*) A very thin wizen-looking man?—He looked a careworn man.
7657. (*Mr. Bere.*) A man of 60 or 70?—I should not think he was as old as 70.
7658. (*Mr. Coleridge.*) Do you know his name?—No.
7659. What did he go by?—No, not even the nickname; I did not know the name of Mum before I came here.
7660. Who sent you to this man?—The same man, the waiter, fetched me.
7661. (*Mr. Bere.*) That is the man whom you met on the bridge?—Yes. Brown.
7662. Was it Brown you met on the bridge, or was it this man, this stranger?—It was Brown.
7663. And he came to you and said you were to go to the "Stars" and see a gentleman?—Yes.
7664. Where did you see the gentleman first?—In the bedroom.

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Mr. J. S. Scrutch, junior.

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7665. Are you quite sure about that?—Yes, certain.

7666. You are quite sure that you did not see him in the lobby first of all?—I do not know whether he was standing at the end of the staircase when I came in.

7667. When, in 1865?—Yes; I am sorry I so confused it.

7668. Did the waiter go up stairs and leave you down stairs?—I did not return with the waiter.

7669. You did not go back in company with the waiter?—No.

7670. Did you find the waiter in the house when you came to the "Seven Stars"?—He stood in the lobby.

7671. Was the strange gentleman there too?—I think the waiter said, as near as I can recollect, "There is the gentleman that wants you," and I followed him up stairs.

7672 You went to No. 15?—I believe it was No. 15.

7673. Then he gave you that list from which you read the names?—Yes, that is right.

7674. And then he gave you the money from the bowl?—Yes.

7675. Did he give you the money from the bowl before you went away to see the people whose names are mentioned?—No.

7676. Then did you see all the men whose names are on the list before you went back to the stranger?—I do not know that I did; I think not.

7677. Did you see most of them?—I did.

7688. Did you find that most of them wanted prices higher than you were authorized to give?—Yes, I did.

7679. Did you then go back to the stranger?—I did, and reported it.

7680. This was on the nomination day?—I cannot swear whether it was the nomination day or the day previous; I think it was the nomination day.

7681. What was the time that you first saw him, what time in the day?—I think it was some time in the afternoon, somewhere about 2 or 3 o'clock. I cannot tell you to an hour.

7682. Was it before your dinner time or after?—I rather think it was before.

7683. It would not be so early as that, I mean your dinner hour. I suppose you dine about 1 or 2 o'clock?—About 1. You see that I cannot tell for an hour or two.

7684. (*Mr. Coleridge.*) It was not as early as 10?—I do not believe it was that time in the morning. I think it was the day before the nomination; I am not clear, I never took a note.

7685. (*Mr. Bere.*) What was the first time the stranger gave you any money?—It was either the nomination day or the day prior to the nomination.

7686. Did you go to him more than once before you had been to see the voters, or was it after you had been to see some of the voters and came back and reported to him, that he gave you the money?—I think I went twice, and then got the money.

7687. How much?—I had it in two or three different lots.

7688. You told us 200*l.*?—That was 1865.

7689. How much?—I think I had 400*l.*

7690. Was that the first lot?—That was the first lot, I believe.

7691. What did you do with that, the first lot that you had?—I can give you the names and how much I paid. I paid Joseph Hannaford 50*l.*

7692. *Mr. Bere.*) Give us another name?—Edward Baker.

7693. Who is he?—A tailor living at New Walk.

7694. Did you see him before you went back to the stranger, first of all?—I am not certain about that.

7695. When did you see him then, on the nomination day?—I saw him, unquestionably, when first I had the list. I paid Baker.

7696. What conversation had you with him before you paid him?—I merely told him my business.

7697. What business?—I came to know whether little money would be of any consideration to him, a he said it would.

7698. (*Mr. Coleridge.*) Whom was he to vote fo —Pim and Dawkins.

7699. And Hannaford the same?—Yes, and Ha naford the same.

7700. (*Mr. Bere.*) You mentioned of course f whom he was to vote?—Well, of course that was t understanding, that he was to vote for the two.

7701. And then did he ask for a particular sum, did you say you would give him 50*l.*?—I think I sa 40*l.*, and he said he supposed I could manage anoth 10*l.*, and I said yes.

7702. (*Mr. Coleridge.*) Did you give it to him gold or notes?—Gold. I may say in that case that told me he had been tempted on the other side b man named Punchard, of Leet Garden.

7703. Who was the next that you gave money t —I paid William Pengilley.

7704. How much?—I am not clear as to the amou exactly, but somewhere about 40*l.* or 50*l.*; I thi about 45*l.*

7705. Had you any conversation with him?—Y of course; I had to make the bargain.

7706. Did he vote for Pim and Dawkins?—Y for the same side.

7707. Did he ask any more?—He did not.

7708. How did you take the money about?—I bag.

7709. In your bag?—Yes.

7710. (*Mr. Bere.*) A canvass bag?—No, a bro holland bag.

7711. Was it yours or the black man's bag?—T stranger's bag.

7712. You have the list; do you know wh handwriting that is in?—No, I do not.

7713. What sort of handwriting is it, was i legible roundhand?—I cannot say, I have no id He had the list prepared when I got into the room.

7714. Where was the list, was it lying on the tabl —He took it from a drawer.

7715. Did he open the drawer and take it out? I think it was a drawer in the dressing table.

7716. Had he three or four?—I do not know; only saw the one he gave me.

7717. What did you do with that list?—I do know what became of it.

7718. (*Mr. Coleridge.*) Have you got it at hom —I do not think I have.

7719. (*Mr. Bere.*) Have you looked for it?—N

7720. I wish you would?—I will; I do not thi I have it, if I have you shall see it.

7721. John Nickells?—I think he had 34*l.*

7722. Had you any particular conversation w him?—No; he was always a Conservative.

7723. That is an odd sort of sum. How did happen that he had 34*l.*?—I have heard that the C servatives generally made it a practice of sending h the same amount.

7724. (*Mr. Coleridge.*) He is a matter-of-cou man?—Yes.

7725. We have heard that the matter-of course were not paid till after the election, generally, this was before?—Yes. I had a little conversati and I said 34*l.* will satisfy you, and that I paid hi

7726. Who next?—William Allen.

7727. How much did you give him?—80*l.*

7728. What did he say?—He said he had offered heavy sums on the other side.

7729. Did he say who offered him?—He did I dare say he can tell you.

7730. (*Mr. Bere.*) Where did you give it to h at his own house?—No.

7731. Where did you pay him?—At Joseph H naford's.

7732. Is that a sort of place where these men on list meet?—No; they are brothers-in-law.

7733. (*Mr. Coleridge.*) Did you make these p give you receipts for the money?—Never; at lea only took one receipt, from William Pengilley.

7734. Have you that?—No, I gave it to the stranger.

7735. You say you gave Hannaford 50*l.* and Allen 0*l.* at the same time?—Yes.

7736. Did they know what each got?—No; I never paid one man before another.

7737. You did not?—No, I made a plan of paying separately.

7738. Was Hannaford at his house at the time you paid Allen?—Yes.

7739. You had to go back to the stranger and ask him whether you might give him 80*l.*, as being above your figure?—No, I do not think then. You understand he limited me to 50*l.* first, then I went back, and he, running down the list, said, so-and-so and so-and-so want so much, and they must have it.

7740. How came you to take a written receipt from Pengilley and not the others?—Because I was requested to do so by this man. I think you will find from the evidence that he acted very shabby on two or three occasions, and they rather distrusted him.

7741. Was he the only one who acted shabbily of his party?—That I do not know. That was the only man who I received a receipt from at that election.

7742. Who is the next man?—Charles Pitts.

7743. What did you give him?—Either 40*l.* or 50*l.*, I am not certain.

7744. Did you have any particular conversation with him?—No. He was always on the Conservative side.

7745. Where did you pay him?—In his own house; no, I beg your pardon, I met him in the street, and he took me into his employer's cellar and I paid him. I think it is Bennett and Stranger.

7746. Were any other people present?—No.

7747. Who is the next on your list?—Edward Turpin.

7748. What did you do with Edward Turpin?—I paid him 60*l.*

7749. Where did you pay him 60*l.*?—I do not know; but I think it was in the smoking-room of the "Stars."

7750. Was the smoking-room of the "Stars" open to anyone?—I think I called him in out of the "Seven Stars" tap.

7751. Was there anybody in the smoking-room?—No; by day that is very dark.

7752. Those all voted for Pim and Dawkins?—Yes; barring Pengilley, they all went right.

7753. (*Mr. Bere.*) Who was next; Samuel Shillaker, cow-keeper, Warland.

7754. How much did he have?—I think 60*l.*

7755. Where did you give it to him?—I paid his wife then.

7756. At his own house?—At his own house.

7757. And James Raymond?—Yes, he had 80*l.*

7758. How came that?—Well, there was a few of them held out for rather a stiffer figure than the rest, that is the only reason I can assign.

7759. (*Mr. Coleridge.*) That is the whole of your list?—Yes, on the last election when Dawkins and Pim were here.

7760. (*Mr. Longe.*) Did you complete all these transactions in one day?—Yes, I paid every penny in one day.

7761. (*Mr. Coleridge.*) This was done on the nomination day?—Either the nomination day or the day preceding.

7762. (*Mr. Longe.*) You said some days before the election you were introduced to him; that is what you said before the Committee?—If you refer to that evidence, I was so badgered about by Mr. Serjeant Ballantine, that there are many little things said there that I was not so exactly correct as I should have been as regards time, for if you see he pulled me most cruelly.

7763. (*Mr. Coleridge.*) Bring your mind to it, and try and recollect. How many days did you see the stranger at all? Was it more than one day?—I think I must have seen him on two different occasions. I saw him two or three times the day the money was expended; that I am certain of.

7764 You saw him on the polling day of the election?—I never saw him after the nomination day, not the stranger.

7765. Was not the nomination day the only day on which you saw him?—I am not clear on the subject; I know the day I paid the money, it was very close around the "Stars," where many of them lived, and it did not take me a minute.

7766. It may have been the nomination day or the day before?—The day preceding the nomination.

7767. You have finished your list?—That is for that election.

7768. (*Mr. Bere.*) Was there anybody else you offered any money to?—Yes, offered.

7769. That is the list of people whom you offered bribes to and they were accepted?—Yes.

7770. You have told us how many persons you offered a bribe to who accepted the bribe. Now tell us those whom you tempted, and who resisted the temptation?—Yes, John Drew, he is living at Bridgetown, and is one of the duke's tenants.

7771. How much was offered to him?—A small sum of 400*l.*

7772. Was he a man to whom John Heath, junior, and Niner, had gone to?—I do not understand.

7773. Was he one of the men that John Heath and Arthur Niner had gone to?—This man is not a farmer; he votes on buildings and land; he keeps a horse and cart.

7774. Is he one of the linhay lot?—No, he has a house and field, and not buildings and land.

7775. What day did you offer it to him?—The election morning.

7776. What time?—Four in the morning.

7777. Where?—I knocked at his door, and he came to the bed-room window.

7778. How far from you does he live?—In Seymour Place, just above where we live, down on the right there.

7779. On the right as you go up the hill?—Yes.

7780. (*Mr. Bere.*) When he came to the window, what occurred?—I asked him if he had determined on voting, and he said, Yes, he had, and I said, "Here is 400*l.* if it is any consideration." Well, no, I was too late. I think that was the only remark that passed.

7781. Then did you go away?—Then I went away.

7782. Who had authorized you to offer that 400*l.*?—This old gentleman who was there, the stranger.

7783. Had he given you his name. This man, the stranger, had he given you Drew's name, for instance?—I received a list of names from him that morning, that were to be had, it was the last effort, at any figure.

7784. What time did he give you that list on the election morning?—I should think about half-past three; I saw Drew about four o'clock.

7785. There were other names on that list?—Some two or three names.

7786. How many?—Thomas Pack.

7787. Just give us the list of names on the list he gave you?—I have not the list, but to the best of my recollection I will give it to you; I think he gave me the name of John Drew, John Wright, James Edmonds, and Thomas Pack; I think those were the four names.

7788. You saw John Drew at his bed-room window, and you asked if 400*l.* was any object to him. Had the stranger mentioned any sum that you might give him, or had you unlimited power?—The stranger passed this remark: If they are not to be had at that figure——

7789. What figure?—400*l.* You may go anything above it to make the other side pay.

7790. (*Mr. Coleridge.*) Did he give you the money to do it?—No, not a farthing.

7791. (*Mr. Bere.*) Was that all that passed between you and Drew?—That is all I can recollect.

7792. Did not he come down stairs?—No, nothing of the sort. He told me that I was too late; that he

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had promised last night; so you see he did not promise till the night before the election.

7793. Is he a Liberal?—Yes.

7794. (*Mr. Coleridge.*) Did his wife get up too?—I did not see his wife that morning; nor had I been to him prior.

7795. (*Mr. Bere.*) Did he call out of the window when he came to it, and ask, "Who is there?"—He asked who is below, or something, and then I looked up, and the conversation took place which I have given.

7796. Is that all that passed?—All; I believe; I do not recollect of anything more.

7797. Had he always voted right before?—I believe he had always gone on the other side.

7798. Always for the Liberals?—He had always gone for the Liberals.

7799. He was a man who seems to have given some little trouble. Had you seen him during the nomination day or before the election?—Yes, with his own party.

7800. Did you not get at him before?—No, had not a word.

7801. Did you say to the stranger, when you gave him the name of John Drew, that he was not a likely man to be got hold of, because he was one of the regular Liberals?—I did not know that I did.

7802. Did you and the stranger ever discuss the chance of getting particular men whose names we mentioned?—Never; the only thing that transpired was to the effect that you must try so-and-so, and here is a list; where he got it from I do not know.

7803. You have not that list?—No. Evidently somebody must have furnished him with it who knew the affairs of the borough.

7804. Did you refer to that list when you went home; did you find it during the adjournment?—There was not time to go to Bridgetown.

7805. Now what did you do with Thomas Pack?—Well, I think I offered Pack somewhere about 200*l.* or 300*l.* that morning.

7806. Who is Pack? Does he carry on business as a pork butcher opposite the church?—He is a labouring man.

7807. (*Mr. Coleridge*). As to Mr. Drew, you had begun tampering with him earlier in the election than this?—Never.

7808. Had you never written to him?—Never written to him.

7809. The first time you went to him you knew he was holding out?—I did not know it: I will tell you why. In Mr. Harris's evidence I think he said something about a poll-book being found, and in that we found "D" carried out against John Drew's name as "doubtful," and that put us on to him I suppose.

7810. Who put you on to him?—The stranger.

7811. The stranger put you on to John Drew, and you imagine that because he had a "D" in Harris's poll-book, the book which Mr. Charles Michelmore says was stolen from his pocket, that the consequence was that you, or at least your party, thought he might be had. The stranger did not go about?—I do not recollect seeing him out of the room.

7812. Then the stranger must have got his information from somebody who had Mr. Michelnore's poll-book?—Unquestionably.

7813. Tell us about that poll-book?—That is the only thing I can tell you, confining myself to John Drew, that the letter D was carried out against his name, and that of a good many others thought to be staunch Liberals.

7814. When did you get informed that there was a D against his name?—I think the nomination night.

7815. Before you tempted him with the 400*l.*?—Yes.

7816. Whom did you communicate your knowledge to that there was a D put against his name?—I did not communicate it to anyone.

7817. Who told you?—Mr. Narramore told me.

7818. Had he been much about the "Stars"?—Mr. Narramore was an active agent as well as myself.

7819. Do you know whether Mr. Narramore had ever been in the room with the stranger?—I do not know.

7820. You had never been in the room with him?—I was always alone. I beg to say I have been in the "Seven Stars" and the waiter has gone and said "the "gentleman is engaged; you cannot see him for a few "minutes."

7821. When he has said that, have you seen any body come out of the room?—No, I never did.

7822. So you cannot state of your own knowledge that anybody went to see the stranger except yourself?—You are quite right.

7823. You know people did, but cannot say whom—No.

7824. In consequence of what Mr. Narramore had told you about this D, somehow or other it came to the stranger's knowledge?—It must, I suppose.

7825. That is the reason you went to him?—That is the only reason I can assign. I do not know that that even was the case.

7826. (*Mr. Bere.*) When did you go to Thomas Pack?—The same time. I think it was the same morning.

7827. After you went to Drew or before?—After Drew. Drew was the first I saw.

7828. Where did you see him?—At his house.

7829. Did you go into his house?—It was about 6 o'clock.

7830. Did you go in?—I went as far as the door.

7831. Did you knock at the door?—I did

7832. Did somebody come down and open it?—He was preparing to go away to work. He is a labouring man, working for Mr. Searle of Weston one of the Duke of Somerset's tenants.

7833. John Searle, not one of the slippery company?—No, he is not anything of that sort. This Mr. Searle stands very high.

7834. You say he came down and opened the door?—He did.

7835. What did you offer?—300*l.* as a consideration.

7836. Did you ask him for his vote beforehand?—I had never seen him before.

7837. Had not you known him before?—I was very well acquainted with the man.

7838. Is the Mr. Searle whom you speak of at Weston alive?—Yes.

7839. Does he qualify in respect of Spark Hays near Weston Road, Bridgetown?—I believe that is right.

7840. (*Mr. Longe.*) What is Pack's qualification?—I think he votes for a house in Fore Street, the house he lives in, it is close in front of the church.

7841. (*Mr. Bere.*) What did Pack say to you when 300*l.* was offered him?—He fancied another hundred would be about the thing.

7842. As you had offered Drew another 100*l.*, could not you offer Pack another 100*l.*?—I did not do so.

7843. Why not?—I cannot give any explanation. I will tell you why. In my humble opinion I do not think my party intended to pay a single farthing. It was merely to raise the figures on the other side, because I had not a penny, though I was offering these men so much.

7844. And you did not think you could get it, and you went back?—I did not believe they would have paid it, that's candid. I did not believe, when the Matchams turned sides, as you have heard in evidence, that they would carry it.

7845. But they did not turn sides till 8 o'clock in the morning?—They had an idea.

7846. Had they, do you think?—I think I have heard so from parties. They were seen about in company with parties the night previous.

7847. If they had known Matcham's turning, would not that have made such a difference in the election, that it would have been no use bribing these three or four men?—Very likely, but I think it was

hispered that they had withdrawn the night previous at a late hour.

7848. Where did you hear the whisper?—About the "Stars." There were plenty of people waiting about to see and hear what they were doing. I heard that they were in company with the other side.

7849. Is that all that passed between you and Pack?—That is all.

7850. Have you ever seen Pack since you talked to him about it?—Never.

7851. (*Mr. Coleridge.*) Do you know what Mr. Pack had from the other side?—I have no idea.

7852. What did you hear?—Not anything.

7853. How did he usually vote?—Always on that side.

7854. Did you use any endeavours to persuade him, or did you think the money was sufficient. Did you have any conversation at all?—No; I did not think our party intended to pay him; the Conservatives and I merely made the offers.

7855. You said you had not a farthing of money at that time. How much money had you received in all from the stranger or anybody else during the election?—Some 500*l.* or 600*l.*

7856. Can you give us exactly?—No, I cannot. I cannot, because sometimes he would say to me "You will find so-and-so at different times of the day when I saw him there. He says we will allow you your expenses."

7857. Was it as much as 600*l.*?—It was 500*l.*, or rather more, I should say.

7858. Are you sure it was not over 600*l.*?—I am not sure. I am not sure it was not 700*l.* I am not sure about it. I dare say that by-and-by the figures will be put together.

7859. Are you quite sure it was not 700*l.*?—I am not. I do not know the figure.

7860. You cannot swear it was not 700*l.* Will you swear it was not 800*l.*?—I will not swear anything about it. I do not know the exact figures. It was somewhere about 500*l.* or 600*l.*

7861. Will you swear it was not 1,000*l.* If Mr. Drum should appear here and say it was 1,000*l.*, should you be prepared to contradict him?—I never spent the money.

7862. Did you receive 1,000*l.* at the last election from the stranger or anybody else?—I did not.

7863. You will swear it was not 1,000*l.*?—I will swear I did not receive that amount of money.

7864. Will you swear you did not receive 900*l.*?—I will swear it.

7865. Will you swear you did not receive 800*l.*?—I am not certain.

7866. That is the nearest you can get to, that you are not certain about 800*l.*?—600*l.* is the nearest number.

7867. You will not swear you did not receive 800*l.*?—I do not believe I did.

7868. Will you swear that you did not?—I think I may swear that.

7869. Will you swear that you did not receive 700*l.*?—I cannot swear that I did not.

7870. Will you swear that you did not receive 550*l.*?—No, I cannot tell you the amount, about 500*l.* or 600*l.*

7871. Just think again, and tell me whether you are prepared solemnly to swear you did not receive 600*l.*?—I can solemnly swear it.

7872. You will not swear you did not receive 550*l.*?—I could not undertake to do it.

7873. It is only 50*l.* difference, so you must have a margin in your mind. Now we will go on with the offers.

7874. (*Mr. Bere.*) John Light?—Yes, I offered Light some money.

7875. What did you offer him?—60*l.* at Bovey Tracey.

7876. Did you go over to Bovey Tracey?—I did.

7877. When?—I think it was the nomination day.

7878. (*Mr. Longe.*) How did you manage to do all those on the nomination day?—The nomination day and the day preceding the nomination day.

7879. (*Mr. Bere.*) How did you go over to Bovey Tracey?—I went by train as far as Newton.

7880. Then how did you go on?—I had a cab at the station.

7881. What time did you get out at Bovey?—I should say somewhere about 4 o'clock.

7882. Four in the afternoon or the morning?—The afternoon.

7883. What is John Light?—I think he keeps a school there.

7884. Where does he keep a school in Bovey?—I do not know his address.

7885. Where did you go in Bovey?—All I know is, it was at this end of the village, on the right hand, nearly opposite the church. I asked parties when I came there who were passing on the road.

7886. I know Bovey; you had better think what you are saying.—It is opposite the church, I mean the church on the left, with a lot of tombstones in it.

7887. That is generally called the chapel. Does he live in one of those new houses?—He lives in one of those houses on the right. I was not aware it was a chapel, I thought it was the church. I was never there before.

7888. Did you see him there?—I did.

7889. What did he say to you; was he suprised to see you there; had he known you before?—I do not know that I had very much conversation with the man before.

7890. How long had he left Totnes?—I cannot tell you.

7891. Did you begin the conversation and tell him what you had come about?—Yes.

7892. What did you say to him?—I told him that I had come up from Totnes to see him, and to know whether 60*l.* would be of any consideration to him for his vote.

7893. What did he say to that?—He said it would have been a day or two prior, but that he had promised to come over to Totnes on the election day with a man who, I think, he said was a doctor there, a gentleman who had canvassed him for his vote on behalf of the Seymour party.

7894. Did he give the doctor's name?—I do not remember the name. He did, but I have forgotten it.

7895. Are you sure he said the gentleman was a doctor?—I am pretty certain.

7896. At Bovey Tracey?—Yes, or there close within the neighbourhood, and he would come over with him on the day of the nomination; whether he said nomination or polling I am not certain, I rather think polling, and before he saw him he could not give me any decided answer. He either said nomination day or polling day, and I says, "The money I "have brought you is no account to you."

7897. How much had you?—I had 100*l.*

7898. Who gave you that?—This fellow at the "Stars."

7899. Was it part of the money that you had given you in a lump sum or other money?—I think I must have had that money in a second draw that was made to endeavour to go and get Light. I think he gave me 100*l.* to go and see whether I could get him.

7900. When did you leave Totnes?—I left Totnes by the express some time in the afternoon, about 3 or 4 o'clock.

7901. (*Mr. Coleridge.*) When did you get back?—I came back as soon as I could, the very next train. The coach drove at a wild gallop, and I came back the same evening and finished up my work in the town.

7902. Whom did you see when you came back to Totnes?—I saw the same man, and I told him that Light was coming with this man, and he could not say anything till he came down, not as regards agreeing to any figure.

7903. (*Mr. Longe.*) I think you say this was the day before the nomination day?—Or the preceding

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day; I am not clear. Either one or two days before the election; I think so.

7904. According to your account, then, the stranger was down two days before the nomination day?—I do not know anything about the name of Mum, the stranger.

7905. The stranger was it?—Yes.

7906. (*Mr. Bere.*) I want to know generally, had not you money long before this stranger came down to Totnes at all?—Not this last election.

7907. In 1865?—Nothing of the sort.

7908. No money at all till the stranger came?—No; I believe it was either the day or the day preceding the election.

7909. Now, James Edmonds is the last name on your list of offers. What have you to say about him?—[No answer.]

7910. (*Mr. Longe.*) When you went to Bovey Tracey it was either one or two days before the nomination day?—Yes.

7911. I thought you said just now the nomination day?—No, the nomination day or the day preceding. Which day I would not be clear.

7912. You are confused about that a great deal; are you quite certain the stranger came down before the nomination?—I do not know when he came.

7913. You could not have gone to Bovey Tracey before he came, because you would have no money?—I had when I went.

7914. You had money, and it may have been the day before the nomination day. Be careful. You had money before the nomination day, and you went to Bovey Tracey with this money. When you went to Bovey Tracey with this money, you must recollect this, was it after you had bribed Baker, Nickells, and those people?—I believe it to be in the afternoon of the same day that I paid them in the morning. I will not swear it was, but I believe it to be so.

7915. Was it before or after you went to Thomas Pack and that other man you named, John Drew?—I did not go to them till the following morning.

7916. This man Light, to whom you went to offer money, was not one of those to be had at any price?—I was about to remark with respect to Light—

7917. Answer my question first. Was he one of those persons who was to be had at least at any money?—I do not know. He went the other side.

7918. You said there were certain names, and you read Light amongst them, Drew, Light, Edmonds, and Pack, and you said, with regard to the offer to Drew, that he was one of those who were to be had at any price. Now you say Light was previous to that occasion?—He was previous to that.

7919. Then you put Light in the wrong class?—I saw Light, I should say, after he came over.

7920. You saw Light over at Bovey Tracey?—And saw him at Totnes.

7921. Let us have the Bovey Tracey business first. And you offered him this money, and he said it was too late. Is that so?—That is right.

7922. Then supposing the stranger not to have come down till the nomination day, and this happened the day before, where did you get the 100*l.*?—The stranger and I went to Bovey Tracey.

7923. Do you mean, on your oath, that you did not receive any money except that from the stranger?—I will swear not a penny, not anything.

7924. Colonel Dawkins was down the week before?—I do not know.

7925. How long had you seen Colonel Dawkins before the time you went to Bovey Tracey?—He was in the town many days before I saw him; there is no question about that.

7926. Was not money going about in the town before the stranger came down?—Not to my knowledge.

7927. You put the stranger's arrival as on either the nomination day or the day before?—I do not know when he came.

7928. (*Mr. Bere.*) It must have been three or four or five days before the nomination?—He might have been the whole time with the colonel. I never saw him.

7929. (*Mr. Coleridge.*) You did not see him till the nomination day or the day before?—Yes.

7930. Will you swear you never saw the stranger till the day before?—Unless it was the day before.

7931. (*Mr. Longe.*) You are not certain as to the day?—No. It is useless to say that I am. If you ask a dozen times I cannot swear it.

7932. (*Mr. Coleridge.*) Will you swear you ever saw the stranger earlier than the day before the nomination day?—I really cannot swear to a day.

7933. On how many days will you swear you saw the stranger at all?—I never saw anything of the stranger after the nomination day till the following morning at 4 o'clock.

7934. On how many distinct days will you swear that you saw him at all?—I am not prepared to swear.

7935. Did you see him more than two days?—I do not know, it may have been.

7936. Did you see him more than three days?—I cannot say.

7937. Did you see him more than one day?—The day that I went; certainly I did.

7938. This is trifling?—I am not, indeed.

7939. You must have seen him more than one day?—I admit that I believe it to have been on the election day, the nomination day, or on the day preceding the nomination day.

7940. You saw him on the nomination day, are you certain of that?—Of course I am.

7941. Did you see him on the election day?—I did, very early in the morning. I did not see him after the poll was opened.

7942. Will you swear you did not?—I cannot say whether I did or not.

7943. Will you swear you saw him on the election day and on the nomination day?—I saw him on the nomination day, and I have given you proofs of my seeing him then.

7944. Yes; pretty strong ones. You will not say you did not see him the day before the nomination day?—I really cannot swear.

7945. Did you or not see him on the day before the nomination?—I am not clear upon that.

7946. Did you see him at all except on the days you have mentioned?—I am not clear when I did see him.

7947. You cannot say whether you saw him more than three days in all?—I will not undertake to swear to a day before or after.

7948. Did you see him as many as four days?—I cannot say?—I did not make a note of anything.

7949. Do you mean to tell us that this stranger being down here on such an occasion as this, you cannot say how many days you saw him?—I cannot, really.

7950. (*Mr. Longe.*) You told us about paying money to these men whose names you have mentioned, and also going to Bovey Tracey?—These men live within five minutes' walk of each other, and after making a bargain with them, it would not take me long to count out 400*l.* or 500*l.* I could pay double as many in a day if they lived as near to one another.

7951. You swear you went to Bovey Tracey, and also went to these men on the same day?—I cannot swear that it was either the same day or the day preceding.

7952. That is a fact that you must remember if you think of it?—I came here to tell the truth of it as far as my recollection serves me.

7953. Cannot you remember?—I cannot by possibility recollect; I would willingly do so if I knew it.

7954. I am speaking only of what you did on this day; you must remember, surely, whether you went to this place and dealt with these men on the same day?—I went either on the nomination day or the day preceding.

7955. You think it was all on the same day?—I do not know; I cannot say positively.

7956. Were you engaged in the same kind of busi-

ss for two days ; if it was only one day's work, there n be no confusion about it ?—I had been engaged making bargains with these men some time previous the election.

7957. Do you mean for two or three days ?—I nnot say.

7958. There cannot be any mistake about it, you ink ?—I think not ; I am not like Mr. Harris ; I not like to give a lot of daresay evidence.

7959. But you must know whether you were em-oyed one or two days or more ?—I never kept a note anything or gave in any bill.

7960. But common sense would tell us that you ust know ?—I cannot say.

7961. (*Mr. Coleridge.*) Had you offered any money anyone before you saw this stranger ?—There were rtain inducements held out.

7962. Had you yourself been the vehicle of offering oney to parties before you saw the stranger ?—rtainly ; I had made offers, but I had nothing to ay.

7963. Tell us whom you made any offer to before you w the stranger ?—Some of these very men ; I was ld to inform them that they were not to promise eir votes, because there would be money down here.

7964. (*Mr. Bere.*) Had you yourself been to these en who afterwards received a bribe ? Take James imonds, for instance, of Warland ?—As to James lmonds, he had been offered a terrible figure on two three occasions.

7965. Had you seen James Edmonds at Warland fore this election ?—Yes.

7966. Before the stranger came down ?—Yes.

7967. How long before ?—I had seen him before ; cording to the evidence given in London it is said made a very extravagant offer to him of 200*l.*

7968. Who had authorized you to make that offer ? —I do not know ; I was sent by some one to say that ere would be a gentleman here, and that they were ot to sell themselves.

7869. Who authorized you to go to Edmonds and fer him 200*l.* ?—I do not know whether it was George eath ; I am not clear about that.

7970. Where did you go from ?—From the "Stars."

7971. How did you go ?—I drove there in a horse d gig.

7972. How far is it from here ?—From three to ur miles.

7973. Was James Edmonds working in the garden hen you got there ?—I put up at the public house d sent for him.

7974. Who ordered the horse and gig for you ?— came out of the yard of the "Seven Stars."

7975. Did John Heath go and order the horse and g to be got ready ?—I said to Mr. Heath that I anted to go there, and he ordered his man to put the rse in.

7976. Did you tell Mr. Heath what you wanted the rse and gig for ?—I did.

7977. To go over to Edmonds ?—Yes.

7978. Where did you speak to John Heath ?—I ink it was in the lobby of the "Stars."

7979. Had you just come out of the Conservative mmittee room ?—I was never admitted into the mmittee room.

7980. Had you seen any member of the Con-rvative committee ?—Not to my knowledge.

7981. From whom did you get your instructions to o to Warland to James Edmonds ; who authorized u to go and offer money to James Edmonds for his te ?—I am not quite clear, but I think it was George eath.

7982. You may be quite clear ; it is a matter you annot forget ?—I never took a note of anything.

7983. If it was George Heath, where was it ?—omewhere about the "Stars."

7984. Where ?—In the lobby, or somewhere there-bouts ?—I think George Heath would know.

7985. Then George Heath was employed ?—Yes ; e was a very active agent.

7986. Why did he not go himself ?—Perhaps he thought he should not have any great weight with the man ; I have been very friendly with him for many years before he went out in the service, when he kept a dairy.

7987. Where did George Heath come from when he told you to go to Edmonds ?—I do not know.

7988. What time of the year was it ?—It was the same day when Captain Pim's meeting was held in the hall ; that has just occurred to me.

7989. (*Mr. Bere.*) Can anyone present give us that day.

(*Mr. Stone.*) It was the Friday before the election.

7990. (*Mr. Bere* to the witness.) Had you been to Captain Pim's meeting ?—No ; I think I went away from the "Stars" just previous to the meeting.

7991. Was it not John Heath ?—It was one of the Heaths ; I am not clear which it was.

7992. Had he not just come out of the Conservative committee room ?—I do not know.

7993. Where was the committee room, up or down stairs ?—I do not know ; I was let into nothing more than the spending of the money.

7994. Was it a back room with a bow window ?—I do not know where it was.

7995. Was there a room into which a number of gentlemen used to go from time to time who were known to be Conservatives, and whom you saw going in and out of that room ?—I have seen many gentlemen go in and out of the large room, but I was never inside.

7996. Did John Heath come out of that room before he gave you the order ?—I could not see that room from the lobby.

7997. Did he come down stairs ?—I believe he did ; I am not certain.

7998. Was it John Heath, not George Heath ?—I think it was the old gentleman.

7999. At that time did you know what members of the Committee were up stairs ?—I did not.

8000. Was Colonel Dawkins in the place ?—I do not know if he was in the house at the time.

8001. Had the people who were going with Captain Pim, to hear his address, started from the "Seven "Stars" at that time ?—I do not think they had when I went away.

8002. Were they assembled there in order to go with him ?—There were a great number stood round the front of the door when I went away.

8003. Was Captain Pim there ?—I cannot say.

8004. Was Mr. Kellock there ?—I think I saw Mr. Kellock, Mr. Edmonds, and Mr. Bastard.

8005 How far were they from you when John Heath gave you directions to go to James Edmonds ? —Just the length of the passage.

8006. (*Mr. Coleridge.*) Will you undertake to swear that during the election of 1865 you never received money from anyone but the stranger ?—I will.

8007. If the stranger did not come there till the day of nomination, must you not have made some mistake as to your dates ?—I am confident that I never received a farthing but from the stranger.

8008. Do you know anyone from whom you got money except from the stranger ?—I do not, so help me God.

8009. Who told you that you were to get money from the stranger ?—The waiter at the "Stars." He can tell you who the stranger is.

8010. Did the stranger tell you who had recommended you to him to be the recipient of the money ? —There was no conversation of that sort.

8011. Did he say nothing to you ?—There were passing remarks as to how things were going on, and if I had succeeded in getting the men.

8012. How did the stranger know that you had been trying to get the men ?—He had given me a list.

8013. The first time that you saw the stranger, how did you begin business with him ?—He handed me a list of the names.

8014. What did he say to you ?—He asked me

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whether I was going to get those men at a certain figure.

8015. Did he ask you if you had tried those men ?—He did not.

8016. You are quite certain that the first time you ever received any money was from the stranger ?—I will swear it.

8017. And that the last sum of money you ever received was from him ?—I never received any money from anyone as to the election of members of Parliament but from a stranger. I have on municipal elections.

8018. Who gave you instructions to make the bargain with these men ?—I think it was Mr. John Heath.

8019. (*Mr. Bere.*) Will you tell us anyone who gave you instructions to go to anyone before the stranger arrived ?—I believe that Mr. John Heath told me, if I felt disposed to speak to any man relative to the coming contest, I was to give them the opportunity of knowing that there would be some cash, and that they were not to promise their votes.

8020. How many people did you then go and speak to on this subject ?—There is no doubt that I saw all those men whom I told you I paid.

8021. Did you return a list of the men whom you had seen and whom you thought you could influence to John Heath ?—I did not.

8022. Did you tell Mr. John Heath that you had been to so-and-so, and you thought you could do something with him ?—I used to report principally to the stranger.

8023. Keep the stranger out of your mind for a moment. John Heath having given you general instructions that money was coming, you saw most of the persons who are named on that list ; did you report to him the names of the persons who had promised you, and with whom you had negotiated before the stranger came ?—I reported to him that I had seen so many, and no doubt they would be right as soon as the party came.

8024. Did you report to anyone else but to John Heath ?—I did not.

8025. Where used you to give these reports to John Heath ?—At his house.

8026. Where ?—At the "Seven Stars."

8027. In what part ?—In the bar or in some other part of the house. Sometimes I saw him in the smoking room.

8028. Used you to send for John Heath ?—I have seen him often about there in the evening.

8029. Were there other persons present when you gave these reports to John Heath ?—I dare say there may have been some parties present.

8030. Who were they ?—I have had conversations with Mr. Kellock as to the number of persons whom I have seen. He never sent me.

8031. Thomas Creaser Kellock ?—Yes ; so I have with Mr. Edmonds.

8032. And you have reported to Mr. Kellock and Mr. Edmonds the fact that you had been to certain parties, and that they would be right when the money came down ?—That I had seen those parties and they would be right ; they would say, "We have nothing "to do with money affairs."

8033. You have seen those two gentlemen at the "Seven Stars ?"—They were there giving directions.

8034. After they had a knowledge of what you were doing in the way of money, they told you that they had nothing to do with money affairs ?—Yes.

8035. (*Mr. Longe.*) You were never asked to go and talk about politics with anyone who was there ?—No ; we were talking of money matters.

8036. (*Mr. Coleridge.*) What had you to do with tempting Liberal voters in 1865 ? What did you do as regards the Liberals ; did you see many of them ?—I do not recollect more than the list I have mentioned.

8037. Do you mean that the list you have mentioned is the sum total of all those whom you have tried in any shape or way ?—If there are any others I am no correct.

8038. Cannot you give us any other names of persons who voted on the Liberal side, whom you trie and found hopeless ?—I cannot. I have given yo four names.

8039. (*Mr. Longe.*) Before any money was sent t you, how soon were you employed to negotiate at a with any of the electors ?—It may have been a week perhaps.

8040. Or a fortnight ?—I should not think it was fortnight.

8041. Your operations were confined to money matters ?—Yes ; I never had anything to do with other matters.

8042. You have mentioned Mr. Kellock, Mr. Edmonds, and Mr. Heath ; were there any other gentlemen who authorized you in any way ?—I do n think so.

8043. You were frequently talking with them ?—Having conversations as to how things we going on.

8044. And acting, in fact, under their sanction ?—Yes. Mr. Heath was the man who took the principa lead in ordering me to see parties. "Go and see so "and-so, and say that there will be some money i "the field." Mr. Edmonds and Mr. Kellock were careful not to meddle with money affairs.

8045. (*Mr. Bere.*) Did he ever suggest to yo certain persons on whom your influence could b used ?—No.

8046. Or make any remarks as to how they migh be best influenced ?—No.

8047. Did he ever send you to Mr. Edmonds, the solicitor, with a message about the voters ?—No. recollect saying to Mr. Edmonds once as to the Warland case, when I went to see James Edmonds, tha he said he had seen a man named Callard prior t that, that he had been there about a week before me and said that 200*l.* was no object.

8048. Did you report that to Mr. Edmonds ?—Yes I did.

8049. And what did Mr. Edmonds say to that ?—That he was very much surprised, and hoped tha their party would not give any such figure.

8050. That is all that you recollect ?—That is about the only thing.

8051. Were Mr. Kellock and Mr. Edmonds constantly down about the "Seven Stars" at all times o the day and night ?—No, I think not.

8052. Did you ever see any canvass book or any poll book made up ?—No.

8053. Did you keep a canvass book yourself ?—No. I knew nothing of the ins and outs of their affairs except my bargaining with regard to the money matters. I never was in the committee room.

8054. The china bowl which you spoke of was at the election of 1865, as I understand ?—I think so ; it was like a large basin with money in it.

8055. Have you told us all that you know about 1865 ?—I believe that is all.

8056. (*Mr. Coleridge.*) And of the conversation with Mr. Kellock and Mr. Edmonds ?—To the best of my belief I have.

8057. You reported to those gentlemen what you had been doing ; can you recollect any conversation that you had upon these reports ?—I have mentioned one ; that is all I am clear about.

8058. (*Mr. Longe.*) From what you remember of the business when you commenced to pay money, you knew that there had been a great deal of money spent before ?—Not to my knowledge. I do not recollect ever having heard so. In 1865 I do not believe there was any money paid before I begun to pay.

8059. You heard what Captain Pim said here this morning ?—Yes ; I have no reason to believe it.

8060. You did believe it ?—No ; for this very reason, that if it were so they would not have sent me to the men to say there was any money to be in the field; they would have closed the bargain previously.

8061. (*Mr. Coleridge.*) Has it been the habit of the

ople here to trust voters with money several days fore the election?—I have heard of instances where ey have been settled with before, but not to my nowledge.

8062. How long before the election have you ever own a voter to have been paid?—Some two or ree days before the election.

8063. Give us an instance of anyone who has been id three or four days before the election?—I think can give you one in 1863.

8064. Can you give any instances in 1865?—I annot.

8065. (*Mr. Longe.*) We have heard from Mr. arris that the class of voters on your side would be fe men, men who had been in the habit of receiving douceur when they voted?—I heard the evidence Mr. Harris upon that, but I am not acquainted ith their affairs sufficiently to know the ins and outs yond money matters.

8066. (*Mr. Coleridge.*) Did you ever pay any oney after the election?—I never did so. I have ard of it.

8067. (*Mr. Longe.*)—You do not know that there as not such a thing?—I do not know. What I have ne I am willing to tell you.

8068. (*Mr Bere.*) About how long before the elec- n in 1863 did you begin to work for the Conserva- e party?—I should think four or five days before.

8069. Was Mr. Dent here when you began to work?—Yes.

8070. Do you know Mr. Henry Helms?—I do.

8071. Was he down with Mr. Dent at that time?—I used to see him about the "Stars" with Mr. itchell.

8072. Did Mr. Mitchell come down with Mr. Dent?—I do not know when he came.

8073. Did you see Mr. Mitchell before you saw Mr. ent?—I think I did.

8074. And you think some few days before the ection?—Yes.

8075. What did you then begin by doing?—I saw e man in the moon, the stranger here.

8076. That was the black man?—A tall dark man.

8077. How many days before the election did you st see him?—I should think four or five days, it ay be a week, I cannot say.

8078. You have told us that the same waiter, rowne, introduced you to the black man in 1863?—he same man.

8079. Did he send to you at your father's, or did e come and meet you?—I think he met me on the idge, and said I was wanted at the "Stars."

8080. And having received that intimation, did you o to the "Seven Stars"?—He went away, and I fol- wed him about 10 minutes after.

8081. Did you go back home?—I did not. I left e bridge and went straight to the "Stars."

8082. Did you see the black man there?—I think am pretty clear about this, that he was standing at e foot of the stairs near the bar when I first went in.

8083. Did the man speak to you?—Browne says, This is Screach;" the gentleman beckoned me and followed him up stairs into No. 13 bed-room.

8084. What time of the day was this?—Somewhere tween 1 and 3, I cannot be certain to an hour.

8085. What passed between you and the black man hen you were up in that room.—He asked me if I new anything about Edward Turpin, Thomas Mit- hell, John Diggins, and Joseph Hannaford.

8086. Had he got a paper from which he was read- ng?—He had not then.

8087. What answer did you give to him?—I told im I knew them all very well.

8088. What did he say?—He said I dare say you ave got an idea of my business; then he said I should o and see them, and endeavour to get them at about 0*l.* each to vote for Mr. Dent.

8089. At that time had you seen any of these en?—I had not.

8090. To whom did you go first?—I cannot tell to hom I went first; I called on all four of them.

8091. During the same day?—Yes, I think so.

8092. Tell us first what passed between you and Joseph Hannaford?—I saw Joseph Hannaford.

8093. Does he live near the "Seven Stars"?—Close by.

8094. Then it is likely you would go to him first?—Yes.

8095. At his own house?—Yes.

8096. What passed between you and him?—He did not beat about the bush very much; I asked him if 50*l.* would be of any use to him; he asked me if I could get it; I said yes; from instructions I had had I could get it, and he said he would accept it.

8097. How did he vote?—He voted that way.

8098. Who did you go to next?—I am not clear, but I think it was Turpin.

8099. What did you say to him?—It was a very similar conversation; he said if I could get it he would willingly go on that side.

8100. Had he gone on the other side at other elections?—I do not know anything of him beyond that.

8101. To whom did you go next?—I saw Thomas Mitchell; I made a similar bargain with him; I cannot repeat the words; I offered him 50*l.*

8102. And then did you see Diggins?—I did.

8103. And did you have the same conversation with him?—Nearly so.

8104. Was there not some difference between the conversation with Diggins and that with the other people; was he as willing to vote for you as the other people were?—He told me so at that time, and I made a bargain with him.

8105. After you had seen those four men, did you go back to the black man?—I went back and reported that I had seen them.

8106. Did you report that they would each of them take 50*l.*?—Yes, and I believed they were all safe.

8107. What did the black man do then?—He said there would be no money for some two or three days, at all events that he had no money at that moment.

8108. Did you see any of these four men after that before the election?—Yes, I think I squared with them some two days before the election.

8109. Where did you get the money from to square with them?—From the stranger.

8110. How much did you get?—I had 200*l.*

8111. Did you get in No. 13?—I did.

8112. Then had you gone to see him?—He told me when he expected the money would be down, and I was to come on that day.

8113. What did he tell you?—That he expected the money would be down in about a couple of days.

8114. He said it would be down in that time?—That he would be able to let me have the money in a couple of days. I do not know that he had it not then.

8115. Did you receive any information from him that the money had come down?—No; I was to call again in a couple of days. It was late when I commenced with the election.

8116. You went to him and saw the black man again?—I did.

8117. And he gave you 200*l.*?—Yes.

8118. In sovereigns?—In sovereigns, the whole of it.

8119. Where did he take it from?—I am not clear about where he took it from, what part of the room.

8120. Was it from a bag under the bed?—I am not clear about that; he went round the bed and brought me 200*l.* in a bag. I did not see him take it; I heard him.

8121. Had he the bed between you and him for some time?—For four or five minutes.

8122. And you took the two hundred sovereigns to Turpin, Mitchell, Diggins, and Hannaford?—I paid the four of them 50*l.* each, and took all their receipts.

8123. What did you do with those receipts?—I carried them back and gave them to the black man.

8124. Do you mean stamped receipts?—No; merely an I O U to exonerate me.

EIGHTH DAY.

Mr. J. S. Screach, junior.

31 Aug. 1866.

8125. When did you pay this money?—On the nomination day or the day before that.

8126. When the black man went to get the money were the curtains of the bed drawn?—It was white furniture, and the curtains were drawn where I had to stand from one end of the bed to the other.

8127. Did you pay these men at their own houses?—I did.

8128. Was anyone present at your payment of the 50*l.* to any one of them?—Yes; Mrs. Hannaford was present when I paid her husband.

8129. Did you pay John Diggins the 50*l.*?—Yes, I did.

8130. You afterwards lost him, I believe. Is that not so?—Yes; he returned the money to me afterwards.

8131. When did he do that?—I got it from him by using a threat after the election was over.

8132. He voted on the other side after all, did he not?—Yes.

8133. What did he tell you about it?—He told me in the morning when I called on him to refresh his memory, that if I could get him 200*l.* he should be good for our side.

8134. Did you call on the others to refresh their memory—No, they had polled early in the morning.

8135. Did you go to the black man to intimate to him that Diggins wanted a refresher?—I did not when he did not vote right. Mr. John Heath said to me, "How is it that Diggins has not polled?" and I then said I would go and see.

8136. About what time was this?—It was near dinner-time. Then he said he had been offered 200*l.* on the other side; and I said to him in reply, probably they would give him the same amount on our side.

8137. Did you go to the black man to see whether 200*l.* could be got for him?—I went back, but I never saw the man afterwards.

8138. Did you see John Heath after that, and tell him about it?—I think he voted shortly after that.

8139. Do you remember the state of the poll about this time?—It was getting a pretty close run then.

8140. Then his vote would have been of real value at that time, would it not?—Yes, it would have been of great value.

8141. Were you sent to try and get other votes?—That is the only thing I did at that election, those four cases.

8142. What after the election?—I went to his house. Mr. Diggins did not happen to be at home. I saw Mrs. Diggins, and I said, "I am surprised Diggins "has not voted for our side." She said, "We are pe- "culiarly situated, living in the duke's house. I do not "know what caused him to go against you." I smiled, and I said, "Our London agent, the gentleman I have "had this money from, that is what I am sent to tell "you, will sue you unless the amount of money is "returned;" and I think she became frightened, and returned 50*l.*

8143. What kind of receipt was it?—Merely an acknowledgment.

8144. An I O U?—To keep me harmless.

8145. What did you do with the 50*l.*?—It was given me as a retaining fee.

8146. Had the black man left the town?—I do not know.

8147. To whom did you go with the 50*l.* that you got from Diggins?—To Mr. John Heath; he went away, and after a short time he returned and said I might keep that as a retaining fee, as they did not expect to get it.

8148. Would you have got anything?—I do not know.

8149. What did you get?—I got a pound or two to pay expenses, and the horses I wanted I got from the "Stars," and John Heath gave the bill for that.

8150. You had no regular agreement?—No.

8151. You got the 50*l.* as a retaining fee?—Yes.

8152. You would not have got anything except for that?—I do not know.

8153. Is there anything more about the election o 1863?—That is the only case I know.

8154. What became of Turpin?—He was turne out of his house.

8155. Where is he living now?—At Warland.

8156. Edward Turpin?—Yes; I paid him twice.

8157. In 1865 and 1863?—Yes, I had nothing do with private affairs.

8158. (*Mr. Coleridge.*) You said you were goin to give us an instance; all those persons you paid the nomination day, or the day before, you said?— That is in the 1863 election?

8159. Yes?—I believe so.

8160. I was asking you about 1865, and you sai you would give us an instance in 1863 where th voter was paid a considerable time before the electio What is that?—I do not recollect any.

8161. What do you mean by this, then? Whe was asking you whether it was usual to trust peop till just before the polling, and you said in 1863 yo would give us an instance of where they were pai before?—I do not think I understood the questio If so I would willingly explain it.

8162. To pay them before the nomination day, i contrary to rule?—These are elections which I ha to do with, and I will tell you when I paid them.

8163. How is it you can give us no instance anybody being paid in 1862, when Dent did not go the poll, if they were in the habit of being pa before?—I cannot tell; Mr. Heath, perhaps, can te you. I had but one case, and that is Edmonds case. He came back with me under the impressi that he was to have 120*l.*, and when we came bac the thing was over.

8164. In 1862 nobody was paid, because the pe did not go on?—I do not believe a penny w expended, not on Dent's side.

8165. In 1863 they were paid on the day of th election, or the day before, and in 1865 on the day the nomination?—I think so.

8166. (*Mr. Bere.*) Did you see Mr. Kellock a Mr. Edmonds, the solicitor, on the day of the polli in 1863, about John Deane?—I went to Stoke teignhead with Mr. Willis to bring some of tho lame ducks.

8167. Where were the lame ducks?—At Mr. Jam Sopers'.

8168. Who took them there?—Mr. Willis to them there, and I went with Beer, as he did not kno the road, the driver, or cabman.

8169. Did you drive them?—Yes.

8170. Were some kept at Kingsbridge?—I not know.

8171. Who were the lame ducks?—A man name Mogridge, Nicholas Norrish, and William Stoyles.

8172. Did they come back in time to vote?—Ye we came home early; we left before daylight long.

8173. (*Mr. Coleridge.*) What did you get for th job?—I did not get anything; it was not my job, was Willis'.

8174. You were sent as assistant?—I went becau Beer did not know the road.

8175. You told the Parliamentary Committee th you could give a splendid account of the Liberal pr ceedings from 1852; will you give us that accou which the Committee did not ask you for, but whi we do?—I was so bewildered by Serjeant Ballanti that I do not know what it was.

8176. You say you were employed by Jeffe Michelmore on the Liberal side?—That is the m nicipal election.

8177. Did you mean the council election of 186 —Yes.

8178. Had you been employed by Jeffery Mich more in any election concerning the borough? Never.

8179. Had you anything to do with the Libe party in connexion with the borough?—Never.

8180. Did you know of your own knowledge an thing concerning the doings of the Liberal party wi

ard to the election 1862, 1863, and 1865?—I do ; my father can give you an account.
181. You told us your father had changed; you your father had changed together?—Yes.
182. In 1862, 1863, and 1865, the elections in ich you were yourself concerned on the Conservative e and about which you have given us particulars on ir side, can you tell us anything that happened on Liberal side?—I do not know anything about it, I said. My father will be able to give you a le account of that. I know that in 1852 father l the paying of a party.
183. We had better confine ourselves to what you w yourself?—I do not know anything except by rsay.
184. (*Mr. Longe.*) About 1862, 1863, and 1865? 852 father can give you some information about.
185. (*Mr. Bere.*) I want the three elections about ch you can speak?—I cannot prove anything. I e heard a lot of speculation rumours, but I do not h to state anything or implicate any man by that ch I cannot prove myself.
186. Do you know the Conservatives that signed requisition and voted for the Liberals?—I know re were men, but I do not wish to speak anything inst men unless I have some proof. I do not it to give evidence as other parties have done on rsay.
187. We are not asking you to give hearsay evi-ce, bnt if you will communicate anything you w to the Secretary, we shall feel obliged to you? there is anything I hear I will communicate it; t I can prove.
188. We want you to tell the Secretary what you e heard yourself, and then we shall investigate it see whether it is true or not?—There is one g I feel it my duty to name on behalf of my er; that there are two men whom I should wish you as gentlemen, to take particular notice of, that is, in reference to the origin of that scurrilous report and rumour with reference to the Lapstone Club. I will proceed to state that yesterday I had a conversation with a man named Callard, the Duke of Somerset's clerk; I said to Callard, "Now then, Cal-"lard, I shall have the opportunity of asking those "gentlemen that are sitting on the Commission; have "you an explanation to offer why you, in connection "with Elliott, Fitze, and others, got up that scurrilous "bill which Mr. Theodore Hannaford, I was told, "printed and was paid for—the Lapstone Club; it "will be of material interest to find out whether "such a thing existed."

(*Mr. Bere.*) In all probability it will not be necessary for us to find out about the Lapstone Club, but if it should become necessary, you and your father shall have an opportunity of rebutting anything that is said.

8189. (*Mr. Longe.*) Did any of those notorious men who signed the requisition for the Conservatives in 1865 vote against you?—There is one case.

8190. Any notorious case?—There is one case I can prove, that is James Edmonds; I drove to Marldon and he signed the requisition.

8191. With regard to the other men; was not it talked about how they were bought over?—I do not recollect anything that I could say, but I can clear that case up.

8192. Did you have any conversation with any of those men who signed the requisition, in the course of which you learned for how much they had changed their mind?—No, never.

(*Mr. Bere.*) For the present we do not require your services as a witness, but you must not leave the town without leaving your address, or it may be inconvenient for you.

(*The Witness.*) My name has been up all the week for attendance.

(*Mr. Bere.*) Apply to the Secretary.

Mr. Frederick John Evens, sworn and examined. *Mr. F. J. Evens.*

193. (*Mr. Bere.*) What are you?—A cabinet er and general furniture dealer.
194. How long have you lived in Totnes?—All lifetime.
195. How long has that lifetime been?—I am 30 s old in November next.
196. Have you always been a Conservative in ties?—Always.
197. Have you taken from early times an interest he political affairs of the borough?—Yes, always en an interest.
198. Both in the council and for members of Par-ent?—Yes, both council and members of Parlia-t.
199. When did you first begin to interest your-?—The first opportunity I had of interesting elf to any purpose was in Mr. Dunn's election in
00. Did you continue from that time down to the election to take great interest in all the elections? es.
201. Were you employed as agent for the Con-ative party in all those elections?—Yes.
02. As a paid agent?—As regards pay I never w what I was to have till the election was over, I was made a present.
203. What amount was the present in general?— one occasion I had 20*l.*
204. Is that the highest amount you ever had?—
05. What election was that?—In Mr. Dunn's ion in 1859.
06. The first time you were employed?—Yes.
207. When did you get the largest sum?—The st sum was in Seymour and Dent's time, and I pretty much to do with it; that was in 1863.
08. What did you get then?—50*l.*
09. Can you tell us anything about the municipal ions other than what we have heard from Mr. T.

Harris and Mr. Screach?—I think you have heard that a great many are paid.

8210. Did you yourself ever pay money for the purpose of influencing a municipal election?—Yes; a great many.

8211. We do not want the names; but are they persons who are voters?—The persons whom I paid for municipal elections were not voters for the borough; there might be one or two.

8212. It was an exceptional case to have voters for the borough?—Yes.

8213. Was the sum you paid per head varying from 10*s.* to 1*l.*?—From 10*s.* to 1*l.*

8214. Have you paid in many instances as large a sum as 5*l.*?—I have on one or two occasions.

8215. Were those occasions near about the time for the election of the borough or not?—No.

8216. In 1861 did you pay a great deal of money?—No.

8217. In 1863?—I think in 1863 there was some money spent.

8218. Was that the first time the Conservatives got a majority in the council?—I think not; I think they had a majority before that time; I cannot swear to it.

8219. They spent a good deal then?—There was a good deal spent.

8220. Was that the time you gave the 5*l.*?—Yes; I found there were several men who had to be paid.

8221. Were the men you had to give 5*l.* to people accessible to the influence of the same kind on the Liberal side?—I cannot say they were accessible to influence; but they were people who were offered money by the Liberal party.

8222. Had they told you that they had been offered money?—Yes.

8223. Had they told you the amount?—Yes, they told me the amount they had been offered.

8224. And you outbid them, and got them?—Yes.

EIGHTH DAY.

Mr. F. J. Evens.

31 Aug. 1866.

8225. Did you keep them?—I did not keep them long.

8226. Had you no contest in 1863?—No; in the council.

8227. What class in life were these people?—Labouring class.

8228. Agricultural labourers or fishermen?—Such as we call edged-tool carpenters.

8229. What sort of wages did they get?—I should suppose 16*s.* or 1*l.* a week. Some in business for themselves perhaps got more. I did not mention any sum I gave them, what I thought they deserved.

8230. (*Mr. Longe.*) In the municipal elections whenever there is a Liberal and a Conservative opposition, does the whole Liberal party come forward, or is it confined to the borough on this side of the bridge?—The whole party comes forward.

8231. The duke's influence, is that brought to bear?—Yes.

8232. As much as possible?—Where they can bring the duke's influence to bear they do so.

8233. Are you a Conservative by conviction, or because the duke is a Whig?—I have been a Conservative all my life.

8234. Because the duke is of a different way of thinking?—No, not at all.

8235. Would you become a Liberal, supposing the duke became a Conservative?—I have nothing to do with the duke any more than the duke has to do with me.

8236. In 1865 you were employed as one of the Conservative agents?—Yes.

8237. Was a certain district assigned to you?—No.

8238. Were certain people mentioned to you, whom you were to go and see?—Yes; I was not limited.

8239. I mean were there a certain class of persons to whom you were to go?—No, not at all.

8240. When did you first begin to canvass on behalf of the Conservatives in 1865?—I think about a week or 10 days before the election.

8241. Who employed you?—A gentleman at the "Stars."

8242. Were you sent for to go to the "Stars?"—No, I happened to be at the "Stars" in the morning. I cannot say the date.

8243. Try and fix the date. Was Colonel Dawkins down as a candidate?—He was down as I understood. I had not seen him.

8244. You had not seen him yourself?—No. I was at the "Stars" one morning about 11 o'clock. I went to have a glass of bitters if I recollect rightly, and when I was coming out one of the servants came to me.

8245. Man or woman?—An elderly woman.

8246. Was her name Martha Gale?—No.

8247. Do you know her name?—No.

8248. Is she there now?—I cannot say; I have not seen her since the election.

8249. Had she been there before?—She was an elderly woman, and came to me and said, "Is your "name Mr. Evens?" I said "Yes." She said, "There is a gentleman in No. 13 wishes to speak to "you." Accordingly I went to No. 13. I knocked at the door, and the gentleman opened the door.

8250. Give us a description of him?—He was about middle height, dark hair, slight, grey whiskers; middle aged man, about 50, I should say.

8251. (*Mr. Coleridge.*) Was he a very slight man?—Not very slight; medium.

8252. (*Mr. Bere.*) Had he a wig on?—No, he had not a wig; dark hair.

8253. Who began the conversation?—I said, "Good "morning" directly he opened the door. He said, "Your name is Evens, I suppose." I said, "Yes, it "is." "Come in and take a chair."

8254. Are you not confusing 1863 and 1865?—1865 you are asking me questions about.

8255. Yes. Are you not confusing 1863 and 1865?—I am certain I am not.

8256. What passed between you then?—Well, the gentleman sat down, and I sat down as well; then he asked me if he was to go over the list with me, whether or not there were a few parties that I could have to do with, and we went over the list, and I told him I had a deal to do with them.

8257. Had you got a list yourself?—I had not.

8258. Had you got a list?—I saw a list in his hand.

8259. Do you know in whose writing it was?—It was a printed list of voters.

8260. Was it one of the list of voters printed for the election of Dent and Seymour?—Yes.

8261. You went through that list with him?—Yes; and as I came to certain names I ticked them off, and made a small memorandum of them myself.

8262. Have you got the memorandum with you?—No, nothing; none whatever.

8263. Can you remember the names you ticked off?—I may, if I heard them.

8264. Did they begin with Thomas Blank?—Yes.

8265. William Foote?—Yes.

8266. John Rotherfold Putt?—Yes.

8267. John Jerman Phillips?—Yes.

8268. William Stoyle?—Yes.

8269. William Shinner?—Yes.

8270. William Sloggett?—Yes.

8271. Arthur Venning?—Yes.

8272. William Vallance?—Yes.

8273. Nicholas Norrish?—No; not in that election.

8274. Charles Pitts?—No; not in that election.

8275. Were those all the names?—Those were all the names.

8276. Did he write them down, or did you write them down?—I took them down myself.

8277. After you had taken them down what passed between you and the stranger?—All that passed between the stranger and me was that I gave him to understand that those men would require something for their vote.

8278. Did not you say so plainly?—I told him so plainly that they would want something for voting, and he said, "Mr. Evens, you had better just hear "what they would require."

8279. Tell me before you go on, did he say who had mentioned your name to him?—No.

8280. He knew you?—He sent for me and considered no one else, I suppose, would come to his room.

8281. He having intimated that you were to go and see them, did he tell you what you were to offer them?—He told me to get them as cheap as I could.

8282. Was not there a man called Smith amongst them?—Yes, there was a man named Thomas Smith.

8283. You went to do what you could?—Yes.

8284. Was that all that passed between you then?—Yes.

8285. Did you see any money then?—No, none at all then; I beg your pardon, I did. I had a large family of my own, and I knew going to see those gentlemen that I should require something, and the first thing they ask is, "We must have a drop of gin "or something," or "all nations," as you were told the other day; something of that sort, and I think he gave me 1*l.* or 2*l.*

8286. For your expenses?—Yes, for my expenses; more than that, he told me if I required any more I was to go to him.

8287. With this 2*l.* did you go out?—I went to see those men.

8288. Can you remember whom you saw first?—I think I went to the old favourite.

8289. Who is he?—Old Blank; we liked to pinch him first.

8290. He had been pinched right in 1863?—Yes.

8291. You pinched him to a purpose?—Yes, I think I put him right in 1863.

8292. You saw him in 1865, what passed?—He was in the shop; he saw me pass the window, and I went a little way up.

8293. Did you look in?—Yes, I gave him the wink and he took it very well.

8294. He was used to it?—Yes, he knew pretty ll.

8295. Then you walked up the street?—I went up ittle way and came back, and bolted up the pas- e.

8296. Was he standing in the passage?—No; I ew where to go, I bolted down the passage; his fe was there, and she said, "hush!" holding up r finger; but I saw they were watching me higher the town, the Liberal party, and I bolted into the chen.

8297. Where was he?—When I came in I found r. Blank was seated in an arm chair. "Well sir," says, "Ah, ah, ah, you have come again." So I s, "Yes, old boy, I am, I hope you will be very lenient this time." "Ah," he says, "I do not know about that; I do not know about that at all." says, "I heard last time people had a lot of money; I intend to myself this time." "Well," I says, "If you expect to have a lot of money you will get the eed altogether; the fact is, our man will not stand." ell, he still held out that he wanted a lot of money. is a man who has got two or three shoemakers to rk for him, and in a moment in comes one or two those men.

8298. Were they voters?—No, sir, no voters whatr. As soon as those two made their appearance in kitchen I made manners to him, we must have it somewhere else. He touched me by the shoulder, id up his finger, as much as to say come on. We nt out behind and got into a wash-house, I think it s, and sat up on the top of a table. "Well," I s, "now do not keep me too long here, I do not are about stopping here to-day." I says, "What s it you require this time; you say you want a hundering lot of money." He says, "You must ell me what you mean to give me." "Well," I s, "will 50*l.* do for you?" "Oh, no, that will ot do." He made a terrible fuss about it. I says, Will you tell me what you require?" and he says, No, it must be more than that." I says, "Will you name some sum, what you want." He says, "I want to do something this time for myself." He nped off the table and sat up again, and he says, I want 100*l.*" "Oh," I says, "that is what you want, is it?" I says, "If that is what you do want, I had better go away;" accordingly I went ay and left him to himself, sitting on the table in wash-house. I left him to himself.

8299. Did you ever go back to him?—Yes.

8300. How soon afterwards?—I think I left him a day or two.

8301. Did you begin to feel him again?—Then I gan to feel him again; I went in at him again. I rd that he had made up his mind thoroughly that would have a heavy sum this time, as he termed it. went to him a third time.

8302. Did you mention any sum to him the second e?—Yes, I rose from 50*l.* to 70*l.*

8303. Had you seen the stranger in the meantime? Yes, I had.

8304. Were you authorized to raise it?—I was thorized by the stranger to do what I thought oper. The third time I went back with an authoy to give this Mr. Blank what he required, 100*l.* fact things were considered to be driving rather ht.

8305. Was it on the nomination day?—No; before nomination day.

8306. Do you recollect Mr. Pim's meetings; before after that?—I do not recollect it. I never attended e meetings; I do not know of them.

8307. You went back to him?—I went back to him th an authority to offer him 100*l.* "Oh," he says, No, no use. I would not take 100*l.* My dear fellow, that is of no use at all to speak to me again. I would not take 100*l.*" I felt so disgusted that I nt away out of the passage and never saw more of s.

8308. You did not offer him 150*l.*?—I never went near to him. I understood other parties were put upon him.

8309. Of your party. Do you know who they were?—John Sandford Screach. I heard he got up a rise at one time.

8310. Were you authorized to offer what you pleased?—I understood I was authorized to offer him what I pleased.

8311. Why did you not offer him more than 100*l.*?—I thought I was observed, and I thought I could go and get another man for less money.

8312. So much for Mr. Blank. Who did you get after Mr. Blank. Whom did you see. When did you go to Mr. Foote?—I think he was the next man; he was a very near neighbour.

8313. What happened between you and Foote?—He was very facetious; he tried to close too light.

8314. Heling Palms?—I went to Foote and asked him what he intended to do.

8315. What is he?—A scavenger; one who cleans the streets.

8316. Picks up anything he can get?—Yes, I suppose he is very ready to pick up what is offered to him at all events.

8317. Did you see him at his own house?—I saw him at his own house.

8318. What happened between you and Foote?—I had more to do with the wife than I had with him.

8319. What happened between you and Mrs. Foote?—Mrs. Foote, as soon as I put my foot inside the door,—she had got a nice little parlour,—asked me to come inside; I went in and sat down, Iwas rather frail at that time. It was just about my lunch time, I said, before we say anything more we will have a drop of something, I sent for a quart of ale.

8320. Did you spend any of your money in giving Mr. Blank entertainment?—I had a little drop of gin with him.

8321. You had ale with Mrs. Foote?—I had the ale for Mrs. Foote, I said, "Now missus, there is an "election coming on again, I am rather in danger in "being in this house, I was away on the last election." "Oh never mind us, I do not care for Mr. Kinsman, "and nobody else, us has got ourselves to look after," I says, "Very well, what is to be figure then?" she says, "You know, you must name the figure." I says, "I "suppose 50*l.* will be enough?" "Oh, bless you no, you "know he must have more than that, you must try to "get more than that." I asked whether 60*l.* would be sufficient. "No, that is not sufficient at all," I says, "Well what do you require." "Oh bless you, we have "been offered more than that, so we shall not vote. My "master will not vote without he can get something "handsome. "Well," I says, "I am not in a posi- "tion to offer you more than what I have mentioned." We drank up our ale, and she gave me a bit of bread and cheese. She was very kind to me, and I left the house, and told her she had better consider the offer I had made her, and let me know, and I would call in again the same evening or the next morning. Accordingly I left the house and returned. I think it was the next day in the evening. Well, when I came the next evening I was met by her, and I then got the same reception as I had before. She told me that her husband had been offered a great deal more money. I asked her by whom, she would not tell me the name, but she gave me a hint or two that young Mr. Cuming knew her husband well. I could not get out of her that he had offered her any money at all. So I offered her the 100*l.*, which she would not hear of.

8322. Was her husband at home on either of these occasions?—No, it was the lady that had got all to do with it.

8323. Did you see her again?—I left them alone entirely from that time until the nomination morning, and then I went up to the house and saw Mrs. Foote, as usual, I says, "Is master in"? "Oh yes, he is in, "he is all ready," I said, "Well, what do you intend "to do." "Well," she says, "I want to have 150*l.*" Well, I rather hesitated for a time. I says, "Will "you do it"? "Yes, oh yes. I shall not do anything

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else," says I, "if you have the 150*l.* you must come "along with me," so she says, "Oh yes, I am ready to "go with you, and so is William," and accordingly they went with me. I fancying it was a heavy sum of money, thought I had better not give it to him without securing the bird first. If I could get him secured I could venture to do it for him.

8324. Where did you get your cage ?—I found a "cage for him" at the "Seven Stars."

8325. In the smoking room ?—No.

8326. Where did you keep him ?—I kept him upstairs.

8327. And his wife with him ?—No, I liked to part them; the fact is we rather wanted for the sum of money to be mentioned about, so as to raise the market a little and make the other party spend it.

8328. The wife went home ?—Yes, she went off very comfortable and let it out.

8329. How long did you keep him ?—Till the next morning.

8330. Did he poll all right ?—I polled him all right.

8331. What time was this ?—This was in the morning of the nomination.

8332. You locked him in ?—No, I did not turn the key on him; I had got another old gentleman there; I had got a military gentleman there.

8333. Who was that ?—William Stoyles.

8334. Perhaps we may as well have his history next ?—As you think proper, sir.

8335. Is he the only one you locked up besides Mr. Foote ?—I put him on the top of the house, I did not think he would find his way down.

8336. Did you give him some "all nations" ?—Yes, I did, and he had some tobacco.

8337. They were very happy ?—They were very happy.

8338. Were they the only two in this condition at the "Seven Stars" ?—I think so.

8339. Now then the history of the other one, Mr. Stoyle ?—He is a good old gentleman, sir; he is a very old man, but he is a man that at an election gets greatly tantalized by the other side, and one of his torments, who I suppose has got quite a right to do so, is a brother of his.

8340. Which is that brother ?—George Stoyle. The way I came to get him I will tell you; I think it was on the evening before the nomination I was at home having my supper with my family, some one come down to me and told me George was in with William Stoyle, and his wife was there, and he was afraid they were going to take him away. I said, as soon as I have had my supper I will come up and see; accordingly as soon as I finished my supper I went up and found George Stoyle in the room and his wife also, and Mr. William Stoyle in bed and his wife at the foot of the bed. As soon as I came in Mrs. Stoyle, that is William Stoyle's wife, said she was very glad I was come, and said they should not interfere at all with him; it was not very long before I thought George Stoyle began to get rather fidgetty, consequently I asked him whether I should tell him in the room. I think that he had heard they were going to take him away; having put him away at some previous election they were afraid I was going to do the same thing. He said, "Do not you think you are "going to take away my brother this time," or words to that effect; I said, "My dear man I will not attempt to "take away your brother, I will take good care that "you shall not tell where he is." Words arose between Stoyle and me which was very convenient to me. The fact is old Mr. Stoyle thought I had better go, and I thought I would go, and I went out of the bedroom door and I saw one of the watchers. They do very foolish things, they watch at the house at the elections of Totnes; there are some men put out to watch at the gates, and they sometimes knock each other down just for amusement. I happened to meet one of those men; I was rather in a difficulty how to get away this William Stoyle, and something struck me that I had got an old tunic at home and I would send for it and dress him up and get him away quietly; so I went after the tunic and I went in and got up stairs just to see where George Stoyle was; he left the room; as soon as he left the room, indeed before he left the room, I had got my bundle on my arm, and as soon as we were alone the old gentleman was put into the breeches and we got him down stairs. George Stoyle was at the door but he did not know his brother and we got him away all right; I took him to my own house, in the morning I had a fly and took him down to the "Stars" and I polled him all right.

8341. When did you raise the money matter with him ?—I raised the money matter a day or two before that.

8342. (*Mr. Coleridge.*) What was he to have ?—He was to have 30*l.*

8343. He was cheap ?—He was one of the staunch men, but too old and feeble, and he could not be easily taken away.

8344. Was he a matter of course man ?—Yes.

8345. (*Mr. Bere.*) Did he receive 30*l.* ?—No, I am sorry to say that he did not get all the money.

8346. How much did he have ?—The bag was running short, when the money is going they cannot have it.

8347. What did he get ?—He rather pulled himself out of my hands, and the consequence was he did not get the money, and he was obliged to come to me again; they had not more than 20*l.* to give him, the bag was so short there was only 20*l.* for him.

8348. You got his vote ?—Oh yes, I got his vote all right.

8349. (*Mr. Longe.*) That class of men are generally made right ?—No, they generally are left almost to the last.

8350. (*Mr. Bere.*) When did you pay ?—On the morning of the nomination.

8351. In sovereigns ?—In sovereigns.

8352. You got the money from the stranger ?—I got the money from No. 13.

8353. How much money did you have altogether from the stranger ?—I have not made up the sum of money; I should think about 300*l.* or 400*l.*

8354. Was it more than 400*l.* or less than 400*l.* ?—I can soon make it up.

8355. (*Mr. Coleridge.*) Foote had 150*l.* ?—His wife had; she carried it home in her apron, and what was worse she showed it about after she got home.

8356. (*Mr. Bere.*) Now take the next person, John Putt is in order ?—I do not think there is any man that can give you very much history about all the others that had money.

8357. What money had John Putt ?—John Putt had 60*l.*

8358. Where did you pay him ?—In the bake house.

8359. In his own bakehouse ?—In his own bakehouse.

8360. Did you pay him before the nomination day ?—Yes; he wanted a fearful lot; he thought he was a man very badly served; they got tittling and making a deal of him; this man had a lot of money.

8361. Some people got more than he had in 1863, and therefore he was not going to be done in 1865 ?—That is it.

8362. Did the other side get at him at all, or is he one of the staunch men that wants a little ?—He is a man that gave me to understand that if he did not get his price he knew where to go. I rather think that he told me a certain gentleman of the name of Browse, of Bridgetown, had got a little to say to him. I think he was the relieving officer of the union. I think the man was supplying the union at the time with bread. He gave me to understand he could get more than I offered.

8363. What did you offer him ?—20*l.*

8364. You had to spring up to 60*l.* ?—I had to spring up to 60*l.*

8365. John J. Phillips, he is one ?—He is a staunch man.

8366. Did you have to pay him ?—I paid him 40*l.*

hink, I am not exactly certain to a pound or two ; ave no notes.

8367. You could trust him ?—As soon as he got e money he was right.

8368. When did he get the 40*l.* ?—I think it was ree nights before the election that I paid Phillips.

8369. William Shinner ?—He is one of the staunch ries ; he is a man that must have a little, he is an extravagant man.

8370. What did you get him for ?—20*l.* he had.

8371. Was that the sort of sum he usually had ?—metimes ; I have given him 50*l.* before now.

8372. Did you give him 30*l.* in Mr. Dent's elec-n ?—In Mr. Dent's election I think he had then *l.*

8373. Now William Sloggett ?—That is the man I uld not get at very much.

8374. Did you try ?—Oh yes, I tried him very rd.

8375. Did you see him ?—Oh yes.

8376. What did he want ?—I could not get at him th what he wanted.

8377. There was a Mr. Most ?—Yes.

8378. Did you ever dress Mr. Most up ?—I think others did the very morning of the nomination.

8379. What did he have offered ?—I heard at the ne 200*l.*

8380. He would not take it ?—He would not hear it.

8381. Did he tell you how much he was likely to t ?—No, he would not tell me how much he was ely to get.

8382. He voted the other side ?—I offered him 200*l.* d he would not listen to it.

8383. Arthur Venning ?—I think he always goes.

8384. What did you give him ?—I think I gave m 40*l.*

8385. Thomas Smith, what did you give him, he s to stay away, he did not vote ?—No, he did not te, he would have voted had he been required.

8386. I suppose it was late in the day when you und the election was gone ?—When I found the ection was going I had offered him 40*l.*, at that he ng out.

8387. He stood out for 60*l.* ?—He stood out for 60*l.*, gave him 40*l.*

8388. Was he a man who usually voted for you ?—e was a man who voted for us, once before he voted r the Liberals.

8389. William Vallance ?—He is a man that goes l right.

8390. What did he get for it ?—He had 50*l.*

8391. (*Mr. Bere.*) Do you know anything about r. Light ?—No.

8392. Anything about Crawford ?—In 1865 I know thing about Crawford.

8393. Do you know anything about him in 1863 ? -No, I heard nothing about him.

8394. John Chapple ?—No.

8395. William Cole ?—No.

8396. James Dering ?—He did not vote in 1865.

8397. You had something to do with him in 1863 ? -Yes.

8398. Edward Shinner ?—Not in 1865.

8399. Richard Taring ?—No.

8400. Tozer ?—No.

8401. Veasey ?—No.

8402. John Light ?—No.

8403. (*Mr. Coleridge.*) You used to have money om the stranger in 1865 ?—When I required it.

8404. How many different sums ?—I cannot say.

8405. How long before the election did you have e first money ?—As I told you just now it was the rst interview I had.

8406. When did you have money first from the ranger ?—I rather think I had some payments about ree or four days before the election.

8407. That was the earliest ?—That was the arliest.

8408. You had seen the stranger about 10 days ? -Yes.

8409. Between the time you first saw him and the first payment of money was he every day here ?—I saw him every day.

8410. Did he go away between the last time you saw him and the time of the election ?—He might have.

8411. You did not miss him ?—I did not.

8412. Did you see him the day before the nomination ?—I am sure I did.

8413. What time ?—I saw him in the daytime.

8414. Did you see him upon the Monday before the nomination day ?—I do not think I did.

8415. Did you see him the Saturday before ?—I must have seen him.

8416. Did you see him late on the Saturday evening ?—I cannot say that I did. I think about 2 or 3 o'clock I saw him last.

8417. What time does the mail train arrive ?—8 o'clock.

8418. Did you see him after the time of the mail train ?—I did not.

8419. You did not see him on the Sunday ?—I did not.

8420. Do you say you saw him on the Monday ?—On Monday I saw him.

8421. What time did you see him often ?—Different times, the first time was about 11 o'clock in the forenoon, I saw him again about 1 or 2.

8422. Had he told you money was getting at all short when you saw him on the Saturday ?—He never told me any such thing.

8423. Did he say there was any difficulty about money at the latter end of the week before the election ?—No difficulty at all.

8424. There was as great facility about money when you saw him on the Monday after ?—No difficulty at all, I got what I required.

8425. Did you see him on the nomination day ?—Yes.

8426. Did you see him on the polling day ?—Yes.

8427. At what time ?—It was early in the morning.

8428. You shut up about 9 ?—Between 9 and 10.

8429. You saw him before 9 o'clock ?—Yes.

8430. When did you last see him ?—It was on the polling day.

8431. You did not see him at all after 9 o'clock on the polling day ?—I never saw anything of him.

8432. When did he go away ?—That I cannot tell you, the last time I saw him he put 30*l.* in my hand, and he says you have been a very useful man at this election and here is a present for you.

8433. Did you see him at the time of the petition ?—I had nothing to do with the petition.

8434. Have you ever seen or heard anything of him since ?—No.

8435. What name did you call him ?—I did not call him any name, I heard he was called Mr. Mum.

8436. Do you know who sent him down ?—I should suppose from the manner he had that he came from London.

8437. Did you have any talk with him about other election business, what he had done at other places ?—No, the only conversation me and him had was as regards the election that was going on.

8438. (*Mr. Bere.*) You always saw him when you wanted him at at the "Seven Stars" ?—Sometimes I was somewhere else with him.

8439. Did you always see him alone ?—Always alone.

8440. Did you go up to his room ?—I used to go up and knock at his door ; if he was alone he would open the door, and then if he did not I knew there was some one with him.

8441. Was the door locked ?—Yes.

8442. To whom did you make your minutes with regard to your success in regard to these different voters ?—No one but him, if I did want to meet the agent it was Mr. Edmonds or Mr. Kellock, as I was going in I would say good morning, how are thing

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going on. they might say how are things looking up, favourable, he said I am glad to hear it.

8443. Did they ask yon how affairs were going on, and did you tell them ?—Perhaps, on two other occasions he might say do you think you will be able to get Foote or one of the others, and I might say yes.

8444. Who did say that to you?—Mr. Edmonds.

8445. Do you recollect Mr. Kellock asking you?—He might have said the same.

8446. (*Mr. Coleridge.*) Do you recollect any pa ticular vote Mr. Kellock asked you about?—No.

8447. You are sure they asked you about son voters ?—They asked my opinion concerning thei whether they were likely to go or not.

8448. (*Mr. Longe.*) They knew what you we doing, you were not employed to talk politics ?—Th was not my business at all, it may be I would tal something else to them than politics.

Adjourued till to-morrow at 11 o'clock.

NINTH DAY.

Mr. F. J. Evens.

1 Sept. 1866.

NINTH DAY.

Saturday, 1st September 1866.

Mr. Frederick John Evens, recalled and further examined.

8449. (*Mr. Bere.*) When you used to go to the "Seven Stars" from time to time, did you see Mr. John Heath ?—Yes ; I used to see him at times.

8450. And talked to him about what occupation you had been on ?—No. I might on some occasions say, "I think we shall be able to get so-and-so."

8451. Did you see Mr. Kellock and Mr. Edmonds ?—Yes ; I have seen them all.

8452. And spoken to them ?—Yes.

8453. And said to them, "I have seen so-and-so, "and they are all right" ?—No.

8454. What did you say ?—I have asked them how they thought the election was going on, and they might say, "It is going all right." Nothing more than that.

8455. Mr. Kellock and Mr. Edmonds were the managing party ?—Yes ; they were the heads.

8456. Why did not you tell them when you got a vote and secured it; they were the persons most interested ?—The gentleman whom I had seen and who employed me used to say I need not say anything to any person but to him.

8457. Did you first receive orders to say nothing about the voters from that gentleman?—Yes ; from that gentleman.

8458. Had you not to pass the door of the committee room to get to No. 13 ?—It is on the landing.

8459. You can see the door of the committee room as you go to No. 13 ?—Yes.

8460. Can you see the door of No. 13 from the committee room ?—No ; it is on another story.

8461. As you go into the Conservative committee room can you see the door of No. 13 ?—No.

8462. (*Mr. Coleridge.*) People can see into No. 13 from the other side of the road ?—I cannot tell you ; there is a great wide space.

8463. Used the blinds to be down when you went to this gentleman ?—The blinds were completely down.

8464. Were they kept down during the whole of the election ?—I cannot tell ; whenever I went they were pulled down close.

8465. Now, as regards Mr. Kellock and Mr. Edmonds, did you purposely abstain from making mention of those persons ?—Yes ; I might have said, "I have "been to so-and-so," but never mentioned the money matters.

8466. Should you mention that you had been canvassing so-and-so ?—Yes.

8467. Should you mention those to whom you were going to give money, but not telling them about the money ?—I might have mentioned them.

8468. Has Mr. Kellock on any occasion said, "Well "get him if you can ; but mind, I have nothing to do with money matters" ?—He never told me anything of the kind.

8469. Has Mr. Edmonds said when you have mentioned these things, "Well, get them if you can ; but "mind, I have nothing to do with money matters' —He never said such words.

8470. He reserved those words for Mr. Screach ?—I have never heard them.

8471. You are quite sure he did not say, "Mind "wash my hands of money matters ?"—He never sa any such words.

8472. You never heard of his having money ?—No.

8473. You would take care never to mention mon to Mr. Kellock or Mr. Edmonds ?—Yes, and I did for my own safety as well.

8474. And for the safety of Mr. Kellock and M Edmonds ?—Yes.

8475. And for the safety of the seat ?—Yes, th seat as well.

8476. Is there anything else you wish to tell about the election of 1865 ?—No ; I think I have to you all I can recollect in 1865. There is one litt error I made yesterday, mentioning a man's nam whom I did not pay. I made arrangements, but did not pay him, perhaps he may be brought up by and-by and say I did not pay him. That is Willia Vallance. I did not pay him, but I arranged wit him. I sent him to the "Stars."

8477. When was it you made the arrangement wit him ; after you had the money given to you by th man at the "Stars" ?—Yes ; but I recollect h coming to me one morning and I had no money, an he said he wanted money. I told him "If you are i "such a hurry as that for the money you had bett "go to the "Stars" and see Mr. Heath." I told hi I had no money in my possession.

8478. Was that before you received the money ?—No ; but I had run short then.

8479. (*Mr. Coleridge.*) I do not think you hav told us how much money you had altogether at the election ?—I think I did.

8480. You gave us the sums but you did not ca them up ?—No, I have not.

8481. I would be a great convenience if you woul let us have a list of persons to whom you gave mone the sums you gave, the total sums expended, and th total sums received. If you will let us have that i the course of the inquiry we shall be glad ?—That will do.

8482. (*Mr. Bere.*) You had a great deal to do wit the election of 1863 ?—Yes.

8483. The election between Seymour and Dent ?—Yes.

8484. When were you first employed in that elec tion ?—I should say a fortnight over, a fortnigh before.

8485. Do you remember the election when M Dent had five votes polled for him ?—I recollect perfectly well.

8486. Had there been dealings with the boroug

ng on between that election and Seymour and nt's election?—None that I am aware of.

8487. You began about a fortnight before Dent's ction?—Yes; the election between Dent and Sey- r.

8488. That took place on the 20th of January 3?—Yes.

8489. There was about a month or rather more; ut five weeks between the two elections?—Yes.

8490. When did you first hear that Lord Gifford s likely to die?—It was rumoured about a long e before he died.

8491. Before Mr. Mills died?—Yes.

8492. (*Mr. Coleridge.*) Upwards of a year and a f he was in a dying state?—In a dying state, sup- ed about 12 months.

8493. (*Mr. Bere.*) It was before you heard of his th that you began to be concerned about the elec- ?—No, I do not think it was. It must have been r his death.

8494. Do you know when he did die?—I cannot I have no notes made of the thing.

8495. He died on the 22nd December 1862; when you begin to work for the Conservatives?—The tion was in 1863.

8496. When did you begin to work?—About a night before the election.

8497. That is about the 3rd or 4th January?—Yes.

8498. Who first gave you instructions to work?— ere was a stranger came in this affair.

8499. (*Mr. Coleridge.*) A fortnight before the elec- ?—It might be longer.

8500. As much as three weeks before?—Scarcely e weeks, more than a fortnight.

8501. How did you become acquainted with the nger?—I was in the smoking room one evening he "Stars," and the waiter came.

8502. (*Mr. Bere.*) What waiter was that; Brown? es; that was Brown. He came and called me and asked me to go to No. 13, a gentleman wished me.

8503. Is that the same room that the stranger was n 1865?—That is the same room.

8504. What passed between you and the stranger? went to No. 13, knocked at the door. This tleman came forward and we passed compliments ach other.

8505. Did he ask your name?—Yes, he asked if name was Evens and I said Yes.

8506. What sort of gentleman was this?—A tallish tleman; a youngish man.

8507. What coloured hair?—Sort of brown hair.

8508. Curly hair?—Not particularly curly.

8509. What complexion?—Light complexion.

8510. In 1863?—In 1863.

8511. Is that the man nicknamed the black man? cannot tell you I am sure.

8512. How was he dressed?—He was dressed in a etable suit of black.

8513. What sort of coat?—A frock coat.

8514. A long frock coat?—A long frock coat.

8515. Was he a tall man?—He was a tallish man, a man of from 5 feet 10 to 5 feet 11.

8516. Then you passed the time of day with him he asked you your name?—He handed me a ir.

8517. (*Mr. Coleridge.*) Now, let us understand . You said brown hair. Could you tell whether e a wig or not?—I cannot tell you for certain.

8518. Are not you a little mistaken about his com- on. Had not he a dark complexion?—I am not aken.

8519. The blinds were always down?—The blinds e put down.

8520. What colour blinds were they?—White.

8521. Is there plenty of light when the blinds are n?—Yes, plenty of light.

8522. Are you sure about his being a light com- ed man?—I am sure.

8523. He is not the same man as Screach saw then? I cannot tell what Screach saw.

8524. You say he was a tallish man; did you see him otherwise than sitting down?—Yes; I saw him standing.

8525. Did he stoop a good deal?—No, there was no stooping about him. He stood up like a man.

8526. What age man?—I should say a young man.

8527. What about?—About 30 to 40 years.

8528. How often did you see him?—I used to see him frequently.

8529. Had he always a light complexion?—I never saw him turn.

8530. And always brown hair?—Always brown that I saw. I used to sit down with him.

8531. How did he become nicknamed the black man?—I cannot tell. I never heard it till I heard it here.

8532. Was there more than one stranger down at the election?—I cannot tell.

8538. You were in the habit of being about the "Stars," and seeing who was there?—Yes.

8534. Was there no one else?—No one; I never saw but this gentleman I speak of.

8535. I do not mean to say that you saw in that particular way in No. 13. Was not Mr. Mitchell there at that time?—I saw Mr. Mitchell in and out.

8536. Did he go in and out of No. 14?—I never saw him there.

8537. What other stranger besides Mr. Mitchell had Mr. Dent with him?—I never saw any other person but Mr. Dent with him. I might see one of the committee.

8538. Did you ever see the mysterious stranger and Mr. Dent together?—Never.

8539. And the impression on your mind is that he was a fair complexioned man?—Yes, a fair complexioned man.

8540, Had he any moustache?—No, he had no moustache.

8541. Was there anything particular about the appearance of the eyes?—Nothing at all.

8542. Any protruding?—I did not take any particular notice of the man. Most times as soon as we got to his room we had a conversation.

8543. (*Mr. Bere.*) You know No. 15 bedroom in the "Seven Stars?"—I think it is on the same landing.

8544. Did you go into that in 1863?—No.

8545. Never?—Never.

8546. Have you got to pass No. 15 in order to go to No. 13, or is No. 15 beyond No. 13?—No. 13 is right at the top of the stairs.

8547. Is No. 15 on beyond?—No. 15 is on beyond. You have to go to the right, straight over the stairs, to get to No. 15.

8548. There may have been a person in No. 15 whom you did not see?—There may have been.

8549. You say this stranger asked your name, what passed between you then?—We sat down, and went over the list. We had got a list.

8550. A printed list?—A printed list, and there were several names I thought I would have to do with, and the words he said to me.

8551. Did he take a printed list and you too?—No, he took a printed list, and I took a pen and a bit of paper.

8552. You wrote down all the names?—I did begin it.

8553. Did you finish it?—No.

8554. How many did you write down?—I daresay I wrote down five or six, but I should then tell you that he found I had to do with so many men that I had better take a printed list, and do the best I could; accordingly I did do it.

8555. Did he limit you to any particular sum?—He confined me rather not to go above 50*l.* just at that time.

8556. Can you tell us how many were mentioned to him as names of individuals you could influence?—I do not think I mentioned to that gentleman at the time more than six or seven before he said, "You had better

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"take a list; do the best you can, and let me know what you are doing."

8557. You were the person principally employed in money matters at that election?—I think I had the principal to do at that election.

8558. Then I suppose you went out and went to see the people whose names you mentioned?—I went out and saw them; as many as I could.

8559. Did he give you any money then?—Yes; nothing more than a few pounds for the expenses.

8560. Did you see where he took it from?—He took it out of his pocket.

8561. He gave you money of course from time to time afterwards?—He gave me money from time to time afterwards.

8562. Where did you see him take the money from?—He had a nice little bag.

8563. Did you ever see him take it out of a china bowl on the bed?—No.

8564. When did you first get any money from him?—I think I first got some money about a week before the election.

8565. How much did you get then?—I think I had enough to pay two men. I think two forties. I won't be exact to the sum—a 35*l.* and a 40*l.* I think.

8566. How much had you altogether from him at that election?—I had 1,400*l.*, or 1,500*l.*

8567. Perhaps you will he good enough to make the same list with regard to 1863 as we have asked you to do with regard to 1865?—If I go over the list, perhaps I may recollect those names.

(*Mr. Coleridge.*) With the sum of money you gave or offered.

8568. (*Mr. Bere.*) Who were these men you went to? William Allen, was he one?—Yes, he was.

8569. Who is he?—He is a man who keeps a seedsman's shop in the higher part of the town.

8570. When did you go to him?—I went to him I think about four or five days before the election.

8571. Was he one of the men who had usually voted for the Conservatives?—Yes, he had usually voted for the Conservatives.

8572. He was a matter-of-course man?—He was rather over a matter-of-course man.

8573. You had to give him a little more, had you?—Yes.

8574. How much did you give him?—As far as I recollect I gave him 60*l.*

8575. How much had you offered him when you first saw him?—I offered him 40*l.*

8576. What did he say when you offered to him the 40*l.*?—He would not say. He would not take it, he might do better.

8577. Did he say that the other side had been at him and offered him more money?—He said he knew where to go and get more money, but would rather vote on his own side, he called it. He would rather vote on the Conservative side, provided he got some money.

8578. How many times did you see him?—I think three or four, or it might be five times.

8579. It was not till the fourth time that you arrived at any agreement?—It was not till the fourth time that I made an arrangement.

8580. How long was it before the election?—Four or five days.

8581. When did you pay him?—I think three days before the election.

8582. You paid him 60*l.* in gold?—I paid him 60*l.* in gold.

8583. In his house?—In his house.

8584. Now, John Briggs?—Yes.

(*Mr. Coleridge.*) One question, first, about Allen.

8585. In 1862 you mentioned that money was supposed to be going, although none was eventually spent in 1862?—Yes; I made many arrangements.

8586. Did you in 1862 make any arrangement with Allen?—No.

8587. You did not?—No.

8588. Was there any mysterious stranger down in 1862?—Yes, there was a stranger.

8589. Was he the one that was down in 1863?—No.

8590. What was he like?—He was a shorter man.

8591. Was he dark?—That man was dark.

8592. Very dark?—Very dark; I saw he had da[rk] hair.

8593. Was he as dark as a half-caste?—We[ll] similar.

8594. Was he about 5 feet 10, or shorter?—Shorter I think he was 5 feet 5 or 6 inches.

8595. What was it that you did with Briggs in 1863?—Sent him away for change of air.

8596. How did you get him taken away?—In a carriage.

8597. Did you take him yourself?—Yes.

8598. Where to?—Kingsbridge.

8599. Whom else did you take to Kingsbridge?—I took five altogether.

8600. Thomas Kinsman?—He was one I took aw[ay] with him.

8601. James Deane?—I took them to Kingsbridg[e] but that was after.

8602. You took Briggs and Kinsman?—Yes.

8603. Where did you take them?—To the Anch[or] hotel.

8604. How long before the election?—Seven days.

8605. Had you made a bargain with them as t[o] what they were to have for voting?—Yes.

8606. What were they to have?—Briggs was t[o] have 25*l.*

8607. What was Kinsman to have?—40*l.*

8608. This man lived next door to Foote?—H[e] lived in the same house.

8609. He had voted before for the other side?—Yes, that was the reason I got hold of him on tha[t] occasion.

8610. He came over from the other party?—Yes.

8611. Had Briggs voted for the other side?—H[e] had never voted before; the way I came to get a this man was I heard that he had been offered 20*l.* a Mr. Pender's election by his aunt in 1862, and o[n] hearing of this little grievance, and that there wa[s] another election coming on in 1863 I made it m[y] business to call on him.

8612. Had the aunt offered him money for Dent o[r] Pender?—For Pender.

8613. Who is his aunt?—Mrs. Kinsman, he wa[s] working for her at the time.

8614. Where does she live?—Opposite the Ply[-] mouth Road; Kinsman's wife, who is an out-an-ou[t] Tory, told me this.

8615. Was it with the wife you negotiated?—I di[d] more with the wife than with the man.

8616. When did you take him away?—About seve[n] days before the election. I took him in a close carriag[e] to the "Anchor" at Kingsbridge.

8617. How long did you keep him there?—Onl[y] one night.

8618. Were people after you?—Yes. I stopped ther[e] myself that night for I was tired. I agreed with the[m] that they should keep themselves quietly in a room I did not stint them as to what they should hav[e] they might have anything that was proper, I wen[t] into the smoking-room myself; I had not been ther[e] long before one of the servants came to me and sai[d] my two men had gone out, I had every confidence i[n] them, and knew they had not gone far. I took m[y] hat and walked round Kingsbridge and found the[m] getting rather intoxicated, on the way I met Mr[.] William Tucker's son, who noticed these men, and thought he was a dangerous man to know they we[re] there, the next morning I decided that I would giv[e] them a ride a little further.

8619. Where did you take them to?—To Hort[on] Gifford, to a wayside inn, between there an[d] Modbury.

8620. How long did you keep them there?—[A] week.

8621. Did you stay there all that time?—No, I g[ot] some one to watch them.

8622. Who was he?—A young man of the nam[e]

mith, called Sandy Smith. I set him to watch
n, they did not know where they were.
523. Did you take care that they had no money in
pockets?—Yes, they had money.
524. When did you take them to the poll?—On
morning of the election, I went down and fetched
n myself.
525. Did you try to do anything with Briggs or
sman in the election of 1862?—Not with Kins-
. I asked Briggs if he would go for us, he told
he did not know, he had not promised, he was
working for Mr. Frederick Distin who is a
ral, he did not know exactly how he should vote.
d not press him very hard, as I did not fancy they
ld go to the poll.
526. Did you tell him if they did you would offer
an inducement?—I did.
527. Did you mention the sum?—I told him about

528. Would that have satisfied him then?—Yes.
529. You gave him 25*l.* in 1863?—I gave him
. I agreed with him for 25*l.* in the first place, but
eard that the other parties were having more, and
as obliged to raise his.
530. He found out that Kinsman was getting 40*l.*?
suppose they had whispered together.
531. When did you pay them?—I paid them
re I took them away. I think I gave Briggs'
25*l.*
532. Did you give Kinsman's wife anything?—I
k I gave Kinsman's wife 30*l.*
533. (*Mr. Coleridge.*) In 1862, when you arranged
Briggs, had you had any money from the mys-
ous stranger?—None whatever.
534. You had seen him before this?—Yes.
535. What did the stranger tell you in 1862?—
told me to go and see how many I could get.
536. What did he say would be the figure on that
asion?—He told me that the men must not be
ravagant, there was a little money to be spent, but
heavy sum was wanted they would not go to the

537. 1862 was not so heavy as 1863?—No, they
gone up in the market considerably.
538. In 1862 did you see any money in the
nger's hand?—No more than what he gave me
my private use.
539. What would that amount to?—Some 7*l.* or

540. You did not see any poll book?—No.
541. He gave you fully to understand that money
uld be ready if it was required?—If I could have
the consent of the parties to come to the poll
y would have had their money.
542. (*Mr. Bere.*) Briggs and Kinsman were not
only persons whom you carried off?—No.
543. Was James Dean another one?—Yes.
544. Was Sercombe another?—Yes.
545. And Stoyle?—I sent him away, I did not
e him away.
546. Dean and Sercombe you did take away?—
s.
547. Where did you take them to?—To Kings-
dge.
548. To the same place, the "Anchor" inn?—
.
549. When did you do so?—Four days before the
tion.
550. Did you know then what they were to have?
Yes.
551. What was Dean to have?—20*l.*
552. What was Sercombe to have?—50*l.* Dean
voted for us before.
553. Was he a matter-of-course man?—Yes; he
s very feeble, and the Liberals had been teasing
n by going to his house.
554. Had he any relations, or a wife?—She was
roughly on our side; she told me they had made
n tipsy one evening at Sawyer's.
555. Who was Sawyer?—He was a Liberal.
556. What was he?—He kept the "Castle" inn.
I remember the old lady saying that he had gone to Sawyer's and got tipsy; on the next morning his wife came to me and asked me whether I did not think that the Liberals would take away her husband; I said that I would take care they should not do that, for I would take him away myself, and I did so.

8657. Whom did you take away?—I took Dean and his wife to Kingsbridge.

8658. About what time of the day was this?—About dinner-time.

8659. How did you go?—In a carriage.

8660. You did not drive up to the door, put them into the carriage, and take them away?—They live in a place in Totnes called Pipe Alley, there is a passage or lane near where they live that comes out at the end of the Kingsbridge Road, I got him and his wife to go through the lane, and meet me with the carriage at the turnpike in the Kingsbridge Road.

8661. Then you got into the carriage and drove off with them?—Yes.

8662. Did you come back from the "Anchor" that day and leave them there?—Yes.

8663. When did you get hold of Sercombe?—Two days before the election.

8664. Did you do anything with Dean at the election of 1862?—Yes, I always paid him.

8665. How much did you pay him in 1862?—No, I did not pay him, I promised him something.

8666. How much was he to have?—He was to have 20*l.* then.

8667. That was the usual figure?—That was the usual figure.

8668. The wife's price?—The wife's price, what the wife said the man must do.

8669. Is the wife younger than he?—Yes, sir, rather.

8670. You got hold of Sercombe two days before the election?—Yes, two days I know it was.

8671. That was the first time you had got his vote?—It was; he was one of those made votes by Mr. Durant or by the duke.

8672. One of the Sharpham votes?—Yes.

8673. How did you get hold of him?—He was at Luscombe.

8674. Is that under Sharpham?—Just above Sharpham.

8675. How did you get him away?—I took him away in a carriage.

8676. On the same day that you went up to see him?—Oh, no, sir; I made arrangements with him the day I went to see him; I made arrangements that I would meet him at the barn on the Harberton Road in the morning.

8677. The next morning?—The next morning.

8678. Early in the morning?—No, in the middle of the day.

8679. Was there anybody watching you when you went to the "Seven Stars"?—Lots of them watching me, but I knew my way about the town, I would go one way and they would be going another, I would dodge them that way.

8680. Did you have a fly from the "Seven Stars"?—No.

8681. Where from?—From a man of the name of Heard.

8682. On all occasions?—Not on all occasions, on those particular occasions.

8683. Those occasions in 1863?—Yes; Mr. Heard lives up out of the town on the Kingsbridge Road.

8684. What did you do with Mr. Sercombe, did you take him to the "Anchor" in the Kingsbridge Road?—I took him and put him at the "Anchor" with Dean.

8685. Did you stay with him yourself?—No.

8686. Who watched him?—I got one of the staunch men to go with him.

8687. Who was it?—Stephen Tozer, he was a voter.

8688. Did you leave him with him?—With Dean and Sercombe and his wife.

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8689. (*Mr. Longe.*) Who hired the carriage?—I did.

8690. (*Mr. Bere.*) Whom did you charge it to?—I took it out of the common fund.

8691. Out of the money given to you?—Out of the money I had in my possession.

8692. Out of the 1,400*l.* or 1,500*l.*?—Yes.

8693. Did you poll him yourself?—Yes.

8694. You brought him back?—I brought him back myself; it was hinted to me that certain young men put an oath to it that they would get at him for certain; I thought it was rather dangerous to let him remain there any longer, that was the night before the nomination.

8695. Who were the young men who swore they would have him?—One was Mr. Pulling.

8696. What is his name?—William Pulling.

8697. Does he live here?—Yes, he is a cabinet-maker, and Vasey.

8698. Which Vasey?—William Vasey.

8699. I think he is not a voter?—I do not think he was at that time, and Mr. Mitchell of Bridgetown, the butcher.

8700. George Mitchell?—George Mitchell; I heard that those men were going to take away my lame ducks, and hire them from Kingsbridge, accordingly I went to Heard and hired a trap and went to Kingsbridge at once.

8701. Did you find your ducks when you got there?—Yes, they were all right.

8702. At what time did you get there?—At about seven o'clock in the evening, while the man was putting away the horse I went up to the bar and had a glass of ale, I had not been there two minutes before those men came into the bar, Pulling, Vasey, and Mitchell; they were very kind and shook hands, that was the first time and the last time we shook hands together, we were very friendly just then.

8703. Who told you that they had sworn that they would have him?—It was about the town, we soon get hold of it if there was any danger at all. I thought I must get rid of those men by some means or other, one asked me to have a glass with him, I had a glass with him and I made a feint to go outside; I got outside and told Heard to be on the alert at the back door. I told him I was going to get them in the smoking-room and we were going to have a pipe together, and he was to take these men out at the back door and drive them up to the turnpike gate and wait for me. I got the men in the smoking-room and we sat together. In the meantime Heard was getting them out in the carriage; I rose up and told them they must excuse me as I had to go to Salcombe, and I should be back in an hour or two; instead of that I went on home. Where they went I cannot tell you.

8704. You brought the ducks down?—I brought them down.

8705. And put them in their houses?—I lodged them at the "Stars."

8706. Sercombe you gave 50*l.* to?—Yes.

8707. And Dean 30*l.*?—Yes.

8708. You say you did not take William Stoyle away?—I sent him away.

8709. Who did you send him away by?—Young William Ellis.

8710. He is the same voter you dressed up in 1865?—Yes.

8711. Where did you send him to in 1863?—To Capstow Head.

8712. To Mr. Soper's?—I think it was. I told William Ellis to take him away.

8713. Was he the only one you sent away with William Ellis?—No, three.

8714. Who were they?—Stoyle, Mogridge, and Nicholas Norrish.

8715. Did you see these men before you went and agreed what they were to have?—Yes.

8716. And paid them?—Yes.

8717. Some of it?—Most of it.

8718. Stoyle, what did you agree to give him?—30*l.*

8719. He was a matter-of-course man?—Yes.

8720. In 1862 what had you promised him?—promised him 30*l.*

8721. What made you rise him?—He rose it himself.

8722. You were obliged to come up to his mar—Yes, to his figure.

8723. Mogridge, what did you promise him?—I promised him 40*l.*, he had 50*l.* in the end.

8724. How much did you give him before you w with him?—40*l.*

8725. Who did you pay it to, to the wife?—Yes

8726. At his house?—At his house.

8727. Had Mogridge been tempted by the oth side?—I am not aware of it.

8728. Did he tell you so?—All he told me w if you do not like to give me what I ask I shall to the other side.

8729. That was the first time he voted?—I do know.

8730. Nicholas Norrish?—Yes, sir.

8731. How much did you give him?—30*l.* to h wife.

8732. He was a matter-of-course man, was not h —Yes, sir, he was a man that always voted w our own men; Mr. Willis told me he was a man th this; he was got away by the Liberals.

8733. Was he an old man?—About 60.

8734. Is he alive now?—Yes.

8735. (*Mr. Coleridge.*) Had you arranged w him in 1862?—No, I do not think I had anythi to say to him in 1862. I do not think he wa voter.

8736. How did you arrange with him in 1863?— I think I told him there was something going.

8737. And Mogridge?—Mogridge in 1863 w one.

8738. (*Mr. Bere.*) Are those all the people yo had taken away yourself in 1863?—Those are all took away.

8739. To whom else did you offer bribes wh accepted them?—I have not the list; I destroy everything.

8740. Henry Crawford?—Yes, he was offer money.

8741. Did he accept it?—He did not.

8742. Will you give us a list of men to whom yo offered money who did not accept it?—That is th only one that did not accept it.

8743. What did you give him?—I offered hi 60*l.* I must tell you I did not offer it myself; h wife is a Radical, one of those severe ones. The wa it came up was through a young man of the name Mitchell who worked with him.

8744. What Mitchell is that?—George Mitchell his name.

8745. Is he a voter?—No, he is no voter.

8746. Is he a relation of the butcher?—No, a relation at all; that is another family.

8747. You got at him through George Mitchell?—Yes. George Mitchell came to me in the evenin and told me that he thought Crawford was to b got. Well, I says, if you can get him try what yo can do, I said if you can get him at anything reason able at all, come to me and I will let you have th money. There was a confidence; there was onl me and him in the company. He says I think can get him; he says it is no use for you to g to him; I says, no I will not go near him, not fo ever so. He said I will try him.

8748. Why would you not go near him?—He wa such a Radical that if I went near him to say a wor to him he would split on me.

8749. (*Mr. Coleridge.*) How did he vote in 1859 —Mills and Gifford. I was afraid to trust him.

8750. Had he voted for Mr. Pender in 1862?—Ye

8751. (*Mr. Bere.*) He did not vote at all in 1862 —He did not. Young Mr. Mitchell went to hi and told him that he had made arrangements wit him, and he had promised him faithfully to vote fo him, insomuch that Mr. Mitchell came to me and ha

to take to him, and he took the 60*l.* to him, and he meantime, so Mitchell tells me, he thought e one else had been there and offered an easier .. When Mitchell came back with the 60*l.* he ld not accept of it.

752. Did you try him again?—Oh, repeatedly.

753. How much did you authorize Mitchell to him?—I authorized him in the first place to r 60*l.*

754. After he refused the 60*l.* Mitchell went to again?—Yes.

755. You were obliged to increase the offer?—I thought he was one of those characters that ad better not have anything more to say to.

756. Did Mitchell take it to him?—He offered 40*l.*, 50*l.*, and 60*l.*, and he agreed to go for 60*l.*

757. He did not go?—No.

758. He voted against you?—He voted against and Mr. Mitchell returned me the money.

759. That is the man who had the carriage called Seymour company's coach?—Yes, that is the gentleman.

760. (*Mr. Coleridge.*) That is the time that he it?—That is the time that he did get it.

761. He voted for Seymour?—Yes.

762. At the last election?—For Seymour and der at the last election.

763. (*Mr. Bere.*) Was that the only person to m you, by your own self or by means of anybody offered a bribe who did not accept it?—That is I can think of just now.

764. Tell us of John Diggins, did you see him 863?—Yes.

765. What happened to him in 1863?—That man uld not get on with at all.

766. Did you see him?—Yes, I saw him and red him money.

767. What did you offer him?—I offered him .

768. He did not take the bribe?—He did not.

769. What did he want?—I did hear he wanted *l.*

770. How much did he ask you for?—He did not me; he was put off on some other party at that e.

771. Who had to arrange with him?—I rather k Mr. Screach had.

772. Old Mr. Screach?—No, the young one.

773. Did you offer him any money at all?—Not r that; I did not go near him at all.

774. How much did you offer him that time?—., and he would not hear of it.

775. He voted against you in 1865?—Yes, he . I can tell you a little of him in 1859.

776. You heard Mr. Harris say he wanted 200*l.* 1863?—I heard him say so. I do not know the ticulars about that man.

777. Had you anything to do with Diggins in 62?—No.

778. Had you been to him at all?—No.

779. Not seen him?—No.

780. John Godfrey, what did you do with him 1863?—In 1863 I paid him some money.

781. What did you pay him?—I paid him 30*l.* I ink.

782. Was he a matter-of-course man?—One of e displeased ones of the Liberal party.

783. He polled Mills and Gifford in 1859?—Yes, 1863 he voted on our side.

784. How did you get at him?—I got at him ough hearing him say himself that he should not te again for his own party for they had served him ry bad.

785. How had they served him bad?—They had mised him money and he never got it; he had a tion.

786. Did he tell you how much they gave him 1859?—No.

787. Was he alluding to the election of 1859 or 62 when he said that?—I think 1863 was the st.

788. When you heard him say he was badly used by his party, at what election had he been badly used?—1859.

789. Mills' election?—Mills' election.

790. Did he say anything about having 5*l.* from Mr. Pender in 1862?—He never told me about it.

791. You found he was dissatisfied and you thought he might be appeased?—I tried to mark him.

792. Did you go to his house and see him or his wife?—I had nothing to do with his wife. I went and saw him.

793. What is he?—A tailor by trade.

794. A master tailor or a journeyman?—I think he is working for himself now.

795. Was he working for himself then?—No, with a brother. He has been a Liberal. I had got a difficulty in getting at him.

796. You got him for 30*l.*?—Yes.

797. Did you pay him any of it before the election?—It may be 40*l.* I cannot tell to a pound or two. I can scarcely call to my recollection what I did pay him to a few pounds.

798. How many days before the election did you pay him?—I think it was the night before the election, the nomination night.

799. How many days before that had you seen him last?—I saw him, he went into the country with me one time.

8800. You took him for an airing?—Yes.

8801. Where did you take him to?—He went out to Luscombe, where Sercombe lives.

8802. What did you take him out for a week for, to keep him out of the way of the Liberals?—No, he had made up his mind so thoroughly he did not want to be kept away, I thought a little air would do him good.

8803. What became of him in 1865?—In 1865 he continued firm.

8804. He voted for Dawkins and Pim?—Yes.

8805. What did he get for doing that?—I had nothing to do with him.

8806. Who had to do with him then?—I do not know.

8807. Had you tried Godfrey in 1862?—No, I cannot recollect trying him in 1862.

8808. Thomas Mitchell of Bridgetown, what did you do to him?—I had a conversation with him and I recommended him to go to the "Stars."

8809. He was a new voter?—No, an old voter.

8810. He was the other side?—Thomas Mitchell in 1863. I had nothing to do with him in 1863.

8811. Had you in 1865?—No, nor in 1865 or 1859.

8812. In 1863 you had nothing to do with him?—No.

8813. Who managed him?—He came over from the Liberal party.

8814. To the Conservatives?—That was in 1859.

8815. No, he voted for Dunn in 1859; he split in 1859, and voted for Dent in 1863?—Yes; I tried him hard in 1859.

8816. You did not try him again?—No, there was some one else on to him.

8817. Did you hear who it was?—I heard so.

8818. Who was that?—I heard that Mr. Screach had got something to say to him.

8819. (*Mr. Longe.*) Which Screach?—The young man.

8820. (*Mr. Bere.*) John Terman Phillips, what had you got to do with him in 1863?—I paid him some money. He was always a staunch Conservative, one of those matter-of-course men; we knew pretty well what to give him.

8821. How much did you pay him?—35*l.*

8822. You did not send anybody to watch him?—He did not require anything of that sort.

8823. You told us in 1859 you sent George Mitchell down to the "Stars," whom did you send him with when you sent anybody down?—In 1859.

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8824. It does not matter what year, when you say, I sent a man down to the "Stars," what do you mean by that?—I told him to go to No. 10.

8825. Did you tell anybody in 1863 and 1865 to go down to the "Stars"?—No.

8826. You had the money?—I had the money.

8827. In 1859 the money was to be had at the "Stars"?—I went with it, but the man that had got charge of it went with me.

8828. Charles Pitts, what did you do with him in 1863?—I paid him 30*l.*

8829. Was he a matter-of-course man?—He was a man that we knew would require money; if one party did not give him money, and he could get money from the other, he would take it.

8830. Was it the first time you paid him?—I cannot tell you that, that is the first time I ever had anything to do with him.

8831. How did you get at him?—Through running down the list and knowing him.

8832. Had you anything to do with him in the election for the council?—Yes.

8833. How did you find him vote then?—With the Conservatives.

8834. Always after a little money had been given him?—Yes, he would require it.

8835. Was he a person that wanted 3*l.* or 5*l.* or what?—He wanted a sovereign for a day's work.

8836. What was he?—A labouring man, working for Mr. Bennett.

8837. Did you go to his house and see him there?—I did.

8838. Did you go to him more than once?—I went once and made an agreement, I went a second time and took the money.

8839. Did you pay him then before the election?—Yes.

8840. Paid him all of it?—Yes.

8841. Did the other side try to get at him?—Yes, I believe he will tell you and will tell you of the other side.

8842. Did he mention names?—On one occasion he did mention some name.

8843. What was the name?—I think it was Mr. Parnell had been speaking to him in the cellar, some one immediately spoke of him.

8844. (*Mr. Coleridge.*) That was to raise the price?—No doubt.

8845. He raised it at last?—I believe it was raised.

8846. Samuel Rolstone, what did you do to him?—I paid him some money.

8847. How much did you pay him?—30*l.*

8848. Was he a matter-of-course man?—A Conservative; he called himself a Conservative.

8849. And always did receive money?—I do not know about always, that was the only time I had anything to do with him.

8850. You paid him as a matter of course?—Yes.

8851. Was he tempted by the other side?—I do not know, I never asked him the question, I asked him what he required. I was told, and there it ended.

8852. Did you ask him himself?—I asked him himself.

8853. William Shinner?—Yes, he was one of the old establishment.

8854. The old established Conservatives?—Yes.

8855. Good and true?—Yes.

8856. How much money?—I took him 30*l.* in 1863.

8857. He asked for 30*l.* and he got it?—He asked for 30*l.* and I gave it to him.

8858. William Sloggett, jun.?—He is the only one that ever dodged me, and he did do me a little bit.

8859. How did he do you?—He got 20*l.* out of me at one time.

8860. In 1863?—Yes.

8861. How did he manage that?—I agreed with him.

8862. Who is he?—He is a dyer, or was a dyer, I think he has gone to America. He was a dyer the town.

8863. He went away last Monday?—Yes.

8864. (*Mr. Coleridge.*) After he received t summons?—Yes; he came to me some months befo the election; we were brought up and reare together and always very friendly. He came a told me that his own party had served him ve bad.

8865. (*Mr. Bere.*) When did he tell you that?—I dare say it might be a month or two before.

8866. In 1862?—In the 1862 election.

8867. He voted for Pender in 1862?—I recolle this, he thought of turning over and voting for o side, he was complaining they had served him very ba he says, "Now the next time there is an election he "do not forget me." We had several conversations that sort; he lived next door to me, we used smoke a pipe together in the evening, and he wou often hold out to me, he did not intend to vote the Liberal party any more, he mentioned Mr. Cu ing, and had promised him.

8868. Which Mr. Cuming?—Frederick B. Cu ing; he never got it what they had promised, a accordingly when the election came in 1863 I we to him, and told him there was a chance for him no if he wished to be done honourably by, he had bett have something to do with me, I would let him ha what I promised him; accordingly he agreed with n to vote for our side for 150*l.*

8869. How long before the election was this?—This was four or five days. I think it was the ve evening before he came to Mr. Kellock.

8870. Had you the power to offer him 150*l.*?—By the stranger when there was anything like a go vote to pay it.

8871. (*Mr. Coleridge.*) A conversion?—It w as good as two votes, and I took it especially myself to give him a good bit.

8872. Did you tell the stranger you had paid him —Yes.

8873. Did he confirm your power?—He told me was quite right in what I did to any man like that I could get him. After making this agreement wi me he came to my house on the day I told him to p him. He says, I am rather in difficulties, I wa some money, can you manage to get me a few pound I said I do not think I can, I did not like the idea trusting him with the money until I could secure hi to go to the poll; I was fool enough to be led away b him, and I gave him 20*l.*

8874. And he voted against you?—He vote against us; and what was the worst of all he neve returned the money.

8875. Has he ever returned it?—No.

8876. Have you asked him for it?—I have aske him for it repeatedly.

8877. What did he get on the other side?—H must have got a good sum certainly, if he could hav got 150*l.* from me he would not have gone for the for nothing.

8878. Henry Tope, how did you deal with him i 1863?—I gave him 30*l.*

8879. Was he a matter-of-course man?—Yes, h said I should like to have the same as the rest, I trus to you; I gave him 20*l.* in 1862.

8880. He voted for Mills and Dunn in 1859?—Ye I paid him in 1859.

8881. Stephen Tozer?—He is a regular good ol fellow.

8882. You never gave him any money?—None a all; he was one who went and looked after the lam ducks.

8883. You used to pay him?—I never gave hi anything.

8884. What did he get?—He never took a half penny.

8885. Did you send him to the "Stars"?—Never he was on his own hook, he would not take money.

8886. Richard Tope, what did you do with him i 1863?—I gave him 40*l.*

8887. What is he?—He is on the railway.

8888. Is he good and true?—He likes to have a tle money when it is going.

8889. Had you dealt with him in 1862?—I think had asked him to vote for us.

8890. Arthur Venning?—He is one of the old aunch Conservatives.

8891. What does his staunchness procure him?—bout 30*l.* or 40*l.*

8892. What part did he take in 1863?—I gave m that sum in 1863.

8893. Did you promise him 20*l.* in 1862?—In 1862 called me one day in passing, and said if anything as going about I was to recommend him.

8894. You told him he would have the same as the hers?—Yes.

8895. He was a matter-of-course man?—Yes.

8896. John Westaway?—He had 30*l.*, and it was turned again, or rather he sent it to the "Stars." do not know who took it.

8897. When did you give him this money?—Four ys before the election.

8898. Had you talked to him?—Yes, to him d his wife, and made everything straight, as I ought.

8899. He was not a voter before?—He had been ving in a house belonging to Admiral Mitchell; went to his cottage on purpose to try if I could not et him, and I found they were very much pleased ith what I said.

8900. Did you mention any amount?—20*l.* He id I suppose you will give us more than that.

8901. Was Mrs. Westaway there?—I never saw em both together.

8902. Which was most anxious for money, the hus-and or the wife?—I think the wife was the most nxious.

8903. (*Mr. Coleridge.*) Is he the man who lives the admiral's cottage?—Yes.

8904. After this election he lost his vote?—es.

8905. He voted Liberal in 1863?—Yes, he re-urned me the money.

8906. The admiral we understand is a Liberal; ow came he to take away his vote?—That I cannot ell you.

8907. We have heard the admiral took away his ote because of his voting at the last election?—He oted for the admiral's side at that election, and eturned me the money; he said the admiral had urned him out.

8908. In 1865 he had no vote?—No.

8909. You do not know how he lost his vote?—I annot tell you.

8910. (*Mr. Bere.*) He did not vote for Pender n 1862?—No; I only had to do with him in 863.

8911. What sum did you at last offer him?—I ave him 30*l.*

8912. That was sent back to you?—It was sent to he "Stars."

8913. Who got that?—I do not know, I never eard to this day.

8914. How did you hear it?—His wife told me hey had sent back the money, and he as well; he ound it was not possible for him to vote for our ide.

8915. Except for their statement you do not know hat it was sent back?—That is all.

8916. They may have kept it, and have voted on he other side?—For all I know. I think they were onest in the matter.

8917. You never heard Mr. John Heath or any of hat party say it was sent back?—No.

8918. (*Mr. Longe.*) When did Westaway tell you e had sent it back?—He polled the very first man n the morning. I was going down the street when e was coming up. I said, Well, John, I suppose it s all right; he shook his head, and then told me he nd found it impossible to vote for our side, and that he had sent back the money. I think he told me his wife took back the money.

8919. Did you ever inquire of Mr. Heath or of the stranger whether the money had been sent back?—I never inquired anything; I thought if it was sent to the "Stars" it must be all right.

8920. It was money given to you, and you were responsible for it?—If they had not received it at the "Stars" no doubt I should have been told of it.

8921. Surely those who gave you the money would know whether it was distributed properly?—They did not know how I had distributed the money, no one in Totnes knew how I had distributed the money until this day.

8922. Did you take receipts?—No, never, from anyone.

8923. Or at any election?—Not at any election.

8924. Then this money might have been kept by Westaway or by yourself?—All that I know is that I never had it, and I believe that Westaway returned it to some one.

8925. (*Mr. Bere.*) Had you anything to do with Thomas Blank at the election in 1863?—Yes; I always had a little to do with him.

8926. What did you do with him in 1863?—I paid him in 1863.

8927. Was he a matter-of-course man?—No.

8928. How had he voted before, do you know?—I think I got him in 1859 as well.

8929. Had he voted before that for the Liberals?—I cannot tell you. I know nothing of any election before 1859.

8930. How much did you give him in 1863?—I gave him 60*l.*

8931. That was nearly double the usual price?—He was a man of that sort, but he would have it.

8932. At what time did you pay him that money?—I think I paid him on the night before the nomination.

8933. You knew that the contest would be a tolerably severe one?—Yes.

8934. Who had told you about that?—This gentleman whom I have spoken of.

8935. Had you seen Mr. Kellock about that?—I asked Mr. Kellock and Mr. Edmonds about it. This gentleman had always the poll book made up, and he would be able to tell me what I required to know.

8936. Did you ever ask Mr. Kellock or Mr. Edmonds by how many votes they expected to win or expected to lose?—I think it is very likely I did say so to them.

8937. And do you remember what they then told you?—Mr. Heath told me one evening that we should win by seven or eight, or by eight or nine.

8938. And that made you believe that it would be rather a close contest?—Yes.

8939. And that every vote would be of value?—Yes, I thought so.

8940. You then got hold of Blank for 60*l.*?—I had made an arrangement with him before. You were obliged to go to him as soon as ever it was known that there was any probability of there being an election, as soon as ever anyone was authorized to go electioneering he would expect to be spoken to first.

8941. (*Mr. Longe.*) When Mr. Heath told you this it was after you had given him your information?—I never gave him any information.

8942. (*Mr. Bere.*) When did Mr. Heath tell you this?—I think either on the nomination morning or the evening before.

8943. How many times a day did you go to the "Seven Stars" during this period?—Sometimes three or four times a day, sometimes not more than twice.

8944. And used you to see Mr. Heath or Mr. George Heath, or some of the people of the house?—I always saw some one belonging to the house.

8945. Did they say to you, "How are you getting "on Evans?"—They never asked me; they never

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knew what I was about or what I was doing until this very day.

8946. (*Mr. Coleridge.*) You carried a poll book with you, did you not?—No, I generally carried it all in my head. I might sometimes have put it on a slip of paper.

8947. Then to whom did you report the success you had met with on such day?—I reported it to this gentleman in Number 13.

8948. But did you not report it to Mr. Kellock or to Mr. Edmonds?—No, I did not report anything to them. I might have said to Mr. Edmonds when I saw him, "I think so-and-so will vote for us."

8949. Did you not tell him that you had been to so-and-so, and that you had been trying him?—No, I never mentioned it. I might have said I have seen so-and-so, and I think he is rather inclined to vote for us.

8950. But what did you do in such a case as this: supposing that you had a person whom you had put down as a doubtful vote, did they not say how are you going to deal with him, what influence are you going to bring to bear upon him?—No, they never mentioned any such thing.

8951. They never said anything of that sort, or seemed to have the slightest curiosity whatever about it?—No, none whatever.

8952. But was not one of those gentlemen whose names I have just mentioned, Mr. Edmonds, the election agent for your party?—Yes, he was.

8953. (*Mr. Longe.*) When you spoke to Mr. Heath and he told you of the state of the poll, and so on, did not Mr. Heath know what it was that you had been engaged in previously?—He knew about this gentleman I suppose.

8954. (*Mr. Coleridge.*) To come back to Mr. Kellock and Mr. Edmonds, who you say never asked you any questions as to how you had been employed, was it not necessary for Mr. Edmonds to know how things were going on?—I should fancy it was.

8955. Were you at any time present when the poll book was made up by any of the gentlemen to whom you have referred?—No, I was not.

8956. Or when the prospects of the election were gone into or discussed between them?—No, I was not. I had always plenty to do out of doors.

8957. Then your only regular reports, if you made any, were made to the stranger?—Yes, that is so.

8958. When were these matter-of-course men paid by you?—I paid them all.

8959. Did you pay them before or after the election?—I paid them before the election, every man of them.

8960. Mr. Harris in his evidence said something about money having been paid to them after the election, you say that all the matter-of-course men were paid before the election?—Yes, they were all paid before the election.

8961. And in no one instance did a man vote who was going to get money without having been first paid?—Only Sloggett.

8962. Then if Mr. Harris has said that money was sent to any of them after the election that would be a mistake altogether?—Yes, no doubt it is altogether a mistake. I do not think Mr. Harris knew anything about that.

8963. Then there are not many instances which you can tell us of in Totnes where men have taken money on one side and then voted on the other; Sloggett is the only one of that class of voters who ever got anything from you?—Yes, I believe he is the only one.

8964. Have you heard of many taking money one way and voting the other?—No.

8965. Have you heard of their taking money and returning it?—Yes.

8966. Do you know instances of men taking money from the Liberals and voting for you?—No.

8967. Or vice versâ?—No.

8968. There was a sort of honour amongst them that if they did not vote they returned the money?—It appears to be so.

8969. As to the stranger, when was the last time in the election of 1863 that you saw the stranger?—The last time I saw the stranger in 1863 was on the morning of the election.

8970. What time?—About six o'clock in the morning.

8971. Was money going all through the day of the election?—No.

8972. What was the last sum of money you paid?—20*l.*

8973. How late in the election day?—That was about eleven o'clock.

8974. Who did you pay that to?—To William Stoyle.

8975. That was the latest payment you made?—That was the very last.

8976. Did you make many payments on the nomination day?—A good many.

8977. The earliest payment was about five days before the election?—Yes, it must have been six or seven days before, because I got these men away.

8978. The last day you saw the stranger was at six o'clock on the morning of the polling day?—Yes.

8979. Do you know when he went away?—No.

8980. Have you ever seen him since?—Never.

8981. Had you ever seen him before?—No.

8982. Do you know whether from the time he came in 1863 to the time he left he was always in the town, or did he go away?—I never found him wanting.

8983. Did you see him every day?—I did not see him on Sundays.

8984. Every day except Sundays?—Yes; I may have escaped a day, some time in the evening.

8985. Now tell me, are you quite sure that this man was in Number 13 all the time?—Yes, whenever I went to the "Stars" I found him there.

8996. You never went to No. 15?—I never went to No. 15.

8987. He always paid you the money from a bag and not from a bowl?—Yes.

8988. You never saw anything of the china bowl?—No.

8989. You still say he was a man with brown hair and fair complexion?—Yes.

8990. The man in 1862, had you seen him before?—No.

8991. Never seen him since?—No.

8992. Did you see Mr. Helms in 1862?—Which Helms is that.

8993. Henry Helms, Captain Helms?—Yes, I have met him.

8994. In 1862 was he about with Mr. Dent?—I saw him talking with Mr. Dent once or twice.

8995. Did you ever see him talking to the stranger in 1862?—Never saw him.

8996. Was he about the "Stars"?—I saw him at the "Stars."

8997. Did you know of Mr. Helms fetching any money down?—No.

8998. Nor taking any away?—No.

8999. Did Captain Helms go about in 1863?—Yes.

9000. Was he canvassing?—There were rumours going about, some had faith in him, that he was doing all he could for Mr. Dent, and others were of opinion that he was well connected with Mrs. Thomas, and they were rather doubtful of him. There were rumours flying about, but I did not take much notice of them.

9001. In 1863 did you see him with the mysterious stranger?—No.

9002. He was about with Mr. Dent?—Yes, I saw him talking with Mr. Dent once or twice.

9003. He was supposed in 1862 and 1863 to be working for Mr. Dent?—He was supposed to be.

9004. Do you know of his leaving the town and coming back again?—No.

9005. You do not know of his having money in 863?—No.

9006. (*Mr. Bere.*) There is one man whose name I ave, Edward Shinner; did you have to do with him n 1863?—Yes.

9007. What had you to do with him in 1863?—I ave him 60*l.*

9008. Was he a matter-of-course man?—Yes.

9009. (*Mr. Coleridge.*) Are there any other names ou recollect that you had to do with in 1863?—erhaps there may be more.

9010. When you make out the list which you have een asked to make out, if there are any names you ave not told us to whom you offered money or gave oney, put them down?—I will.

(*Mr. Bere.*) Run your eye down these, because ou have not accounted for 1,400*l.* or 1,500*l.*

9011. (*Mr. Coleridge.*) Do you know of any istance of people being bribed on the other side, here people themselves have told you?—No, it is o use saying what I have heard.

9012. If you can give us the names of any which ave not been mentioned it would be useful; but if ot, it is not worth while?—How many names have mentioned in 1863?

9013. 21?—I think that is about the number.

9014. That is about all you had to do with your-lf?—Yes.

9015. When you last saw the mysterious stranger id you money to return?—Yes, I had.

9016. How much?—50*l.* or 60*l.*

9017. Did he give you that back?—No.

9018. How were you remunerated?—After that he ade me a present.

9019. When did you last see him?—The last time saw him he made me a present.

9020. Six o'clock in the morning of the polling ay?—Yes. I gave him some money. They had t hold of something which made them think that it as no use to fight the election; and the fact was, hen I went down that evening, he said, "Do not spend any more money;" he did not see that it as any good whatever.

9021. How came you to spend 20*l.* on Stoyle?—ecause I promised to give it, and I kept 20*l.* back.

9022. You returned the balance?—Yes.

9023. When you saw him the next morning what id he give you?—He gave me 50*l.*

9024. In 1862, when there was no money spent, hat did you get for your trouble then?—There was o money spent; I think I got 10*l.*

9025. From the stranger?—Yes.

9026. In addition to the 50*l.* you received in 1863 om the mysterious stranger did Edmonds or Kellock ay you anything?—No.

9027. Did you receive anything from anybody lse?—No.

9028. Nor in 1862?—No.

9029. (*Mr. Bere.*) When you were with the tranger in 1865 where did he take the money from?—He had got a box. I saw a box lying here similar o that.

9030. Did you see the box yourself?—Yes.

9031. Used he to go to the other side of the bed id get some money from somewhere that you did ot see, and give it to you?—The box, if I recollect ightly, was on the other side of the bed.

9032. He went on the other side and took out the ox and counted out the money?—Yes, he counted it t, and I had several little bags made for the urpose.

9033?—Who was acting with you in 1863; there as young Screach and yourself; was Heard acting?—I do not know anything about Screach.

9034. Was Heard acting in 1863?—Heard was my river.

9035. Not only your driver, but did he distribute oney?—No, not that I am aware of.

9036. He might have done so?—Yes.

9037. George Heath; might he have done so?—es, but not that I am aware of.

9038. (*Mr. Coleridge.*) At any time that you were with the mysterious stranger, do you recollect when you gave the names of certain people that the stranger sent something in writing to Mr. Heath to have information?—No.

9039. Not in 1862 nor 1865?—No.

9040. He never sent any writing to Mr. Heath asking for information as to their respectability?—No.

9041. He never sent anything out of the room?—No, I never saw anyone in the room.

9042. When you came in did you lock the door behind you always?—Yes.

9043. In 1862, 1863, and 1865 you went into the same room?—Yes.

9044. Always 13?—Yes; only on one occasion I went to another room.

9045. When was that?—In 1859.

9046. You never used No. 15?—No.

9047. How far is it off?—Two doors.

9048. On the same landing?—Yes, I think so.

9049. Only one door between?—Yes.

9050. (*Mr. Bere.*) You say in 1862 you told them money was going, did you actually pay anybody?—No, I do not recollect telling them they would be paid, but just saying if they meant to be lenient some one might stand.

9051. Was the election of 1859 for the borough the first one you had any experience of?—Yes. "Experience!" I have always been electioneering, when quite a boy.

9052. This was the first parliamentary election you took much interest in?—This was the first election I ever took any part in.

9053. What part did you take in that?—Similar to that I have mentioned to you.

9054. Just tell us how it was done then?—In a very similar way.

9055. How long before the election?—About a week or 10 days before the election.

9056. Were you sent for to the "Seven Stars"?—No, not that time. There was a man called at my shop.

9057. What name?—He introduced himself as Mr. Higgins.

9058. Had you ever seen Mr. Higgins before?—No, I never saw him before.

9059. What was Mr. Higgins like?—He was a very short man; sandy whiskers, sandy hair—very sandy.

9060. When Higgins introduced himself, what took place between you and Mr. Higgins?—He asked me to come to the "Stars" and have a glass of grog.

9061. And that was an invitation you accepted?—Yes.

9062. You went to the "Seven Stars"?—Yes.

9063. Where did you go to then?—No. 10, on the other side of the house.

9064. Is that a bedroom too?—That is a sitting room.

9065. Which side of the house is No. 10?—That is the left-hand side going in.

9066. When you got to No. 10 what did you and Higgins talk about?—He told me he was come down with some money to fight this election.

9067. Was Mr. Dunn down at that time?—I think he was.

9068. How long was this before?—About 10 days before the election.

9069. Did he say how much money?—No.

9070. Did he intimate that he had a great deal?—No, he gave me to understand that I was to get those men as cheap as I could.

9071. Did he give you a list?—We called over a list.

9072. Had he a poll book?—He had one of the printed lists.

9073. He went over the list?—Yes.

9074. Did you take it down in writing?—I ticked off the names.

9075. You have not that list?—No.

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9076. (*Mr. Longe.*) You told us, in the case of Mitchell, of your sending him to the "Stars"?—Yes.

9077. Did you often send people there? — No, never; that was the first election I had to do with.

9078. That is the only man you ever sent to the "Stars"?—That is the only man I sent. I sent Vallance; that I corrected just now. I sent him. I told him to go to the "Stars." He was rather anxious to get his money.

9079. When you saw Higgins you went through the list and wrote down the names I suppose?—I ticked off the names.

9080. Then you went out and saw them?—Yes.

9081. Who were the people you went to in 1859; John Diggins, did you go to him?—Yes.

9082. You got him to split then, did you?—Yes, he was got in hand; there was great difficulty. That was the means of my sending Mr. Mitchell to the "Stars." I should tell you that Mr. Mitchell, Edward Turpin, and this Mr. Diggins were there together.

9083. Thomas Mitchell, Edward Randle Turpin, and John Diggins?—Yes.

9084. He lived in Bridgetown?—Yes, and what you did with one you had to do with the lot.

9085. They were a sort of company?—They stuck together.

9086. Did you negotiate with them all?—I negotiated with them all separately.

9087. How much did you get Diggins for?—I did not get him at all myself; I offered him money.

9088. How much?—60*l.*

9089. Did you offer him 60*l.* to vote for Gifford and Dunn, or Dunn only?—He gave me to understand that he could not vote a plumper; he must support the duke. He was living in the duke's house.

9090. You gave him 60*l.*?—No.

9091. You offered it to him to split his vote between the duke's candidate and the Conservative?—Yes, I offered 60*l.* each, and they would not accept it. I went four or five times. I could not come to any arrangement with them, and I told Mr. Mitchell that he had better come with me and see this Mr. Higgins himself; I could not stop beating about the bush any longer.

9092. How long before the election was this?—I should think two or three days before the election.

9093. Did you and Mitchell go to the "Stars" together?—Yes, we went to the "Stars" together.

9094. Whom did you see?—I directed him where to go.

9095. To No. 10?—Yes.

9096. Did you go with him?—No.

9097. He went to No. 10, and you suppose saw the stranger?—Yes.

9098. Did you see him when he came down?—No, I never saw him again till he polled.

9099. Did you go through the same process with Diggins as with others?—No, he managed with them.

9100. He did not succeed with Turpin?—No.

9101. Did you hear from Mitchell, Turpin, and Diggins how much they got?—No, never.

9102. Did the stranger never tell you?—No.

9103. Did you never have the curiosity to ask how he arranged with Mitchell?—No, I never had the curiosity to ask at all, because there were other names that Mitchell had to do with in the election.

9104. Whom else had Mitchell to do with in that election?—I cannot tell; I do not know, but I know there were other men he said he should have to do with to this Mr. Higgins, and I think Mr. Higgins put him on to them.

9105. (*Mr. Coleridge.*) Have you seen Higgins since?—Yes, I met him once.

9106. How long after?—I should think two years after.

9107. Had you any conversation then about what took place?—Merely had a laugh, and Higgins said he should like another such job to come down to Devonshire, and I told him I should not mind.

9108. That was about 1861? — About 1861 I think.

9109. You have never seen him since?—No.

9110. He has not had jobs since that?—No.

9111. Where did you meet him in London?—I am rather at a loss about that; at some tea gardens.

9112. Not Cremorne?—No.

9113. Rosherville tea gardens?—No, it was a common.

9114. Clapham Common?—No.

9115. Cricklewood?—No.

9116. East, west, north, or south?—I do not know.

9117. Which side of the river was it?—This side of the river.

9118. Vauxhall do you mean?—No.

9119. Do you mean the London side?—Yes.

9120. Where were you staying?—I was staying with my brother.

9121. Where does he live?—At Deptford.

9122. How did you get back from these tea gardens?—I went back to London Bridge in a cab. It was not gardens; it was on some heath; Hampstead—that is the place.

9123. Was Mr. John Heath with you? — In London?

9124. Yes?—No, he was not with me at that time.

9125. Did Mr. Higgins, when you had this conversation, tell you any other places that he had been to have an equally good job at?—No.

9126. Dartmouth or Ashburton?—No, he never told me.

9127. Did any of these mysterious strangers tell you where they had had similar jobs before?—Never.

9128. (*Mr. Bere.*) So much for Higgins, Mitchell and Turpin in 1859. Now Mr. Blank; you had the same dealings with in 1859 that you had in 1863 and 1865?—Yes.

9129. What did you give him in 1859?—40*l.*

9130. Did the other side try to get at him then?—I cannot tell you.

9131. You did not get the money then, did you?—No.

9132. Did Higgins go to him with you?—Higgins went round with me with the money at that time.

9133. Had Higgins a good many cards with names on them; had he a card or two with John Smith on it?—I did not see it.

9134. He went round with you and paid the money?—He went round with me and paid the money.

9135. This was the first time that you had been engaged in that?—Yes, the first time.

9136. You first went to each of these men and agreed with them, and came back and told Higgins and then he went and paid them?—We made an appointment a certain evening to come.

9137. You went round to their own houses separately?—Yes.

9138. John Brown is a man we have heard of before, the "Market House Inn"?—That was one of our old staunch Conservatives.

9139. What did he require as a refresher?—He had 20*l.*

9140. (*Mr. Coleridge.*) What had Mitchell, Turpin and Blank each?—I offered them.

9141. (*Mr. Bere.*) James Dean; that is the same man that you took away to Kingsbridge?—Yes.

9142. What did he get in 1859?—He had 25*l.* at that time.

9143. Samuel Hilley; what had he in 1859—Samuel Hilley of Fore Street?—I gave him 30*l.*

9144. Was he a staunch Conservative?—I think he had been on the Liberal side before.

9145. You handed him 10*l.* more?—He had 30*l.*

9146. Samuel Hilley in 1859 voted for Mills and Gifford?—I think he did.

9147. How did you get him round?—I merely offered him the temptation, and he accepted it.

9148. When did you offer him that?—About three or four days before the election.

9149. (*Mr. Longe.*) This was the first time you

in this way. Now when you and Higgins went
l were you ignorant of these men?—No, I had
ng idea.
50. Had not Higgins?—Had he?
51. Did he know anything about them?—He
what he was doing.
52. Had not he a book with the marks to the
who were known?—I never saw any book.
ad a list of voters.
53. You commenced quite *de novo*?—Sir?
54. What led you to pick out certain men to go
I thought of those men I had to do with.
55. How did you get the information of those
; this was your first time?—I went to those
thinking to get them, and got them. It was like
I thought money could do anything.
56. You had knowledge of some of these parties
e?—I had a slight knowledge that such was the
before.
57. Whom had your education been confided to;
rought you up in the way you should go in that
f life?—I think I may say I am self-educated
t sort of life.
58. You never assisted in the humble distance
ler man in this sort of way?—Not particularly.
59. You had not been an outsider in the 1857
on at all?—No; always on the one side.
60. And you had dived into the middle of things?
the first place there used to be a great row here
e time with two bands, a Whig band and Tory;
llect as boys we used to fight about it frequently
which of the bands was to come out, but I was
s on one side.
61. You were self-taught?—I was self-taught.
62. You and Higgins then began with no know-
except your own ideas and views particularly?
.
63. (*Mr. Coleridge.*) And your local knowledge?
id my local knowledge.
64. (*Mr. Bere.*) Did you suggest the names, or
Mr. Higgins suggest them to you; did you say
ave looked down the list, and I can do such and
h a thing with so-and-so"?—Yes.
65. (*Mr. Coleridge.*) Did you meet Mr. Higgins
entally at Hampstead, or did you go with him?
met him quite accidentally.
66. Did he look the same at Hampstead as he
t Totnes?—Just the same.
67. He had no disguise at Totnes?—No dis-
.
68. (*Mr. Bere.*) They do sometimes disguise
selves, these strangers?—I have heard so, but I
r found it.
69. They put on women's clothes, and so on?—I
r found that.
70. Did you never know of it happening in
es?—Never.
71. (*Mr. Coleridge.*) Did you ever see Mr.
of the 1865 election with a wig on?—I never
him with a wig on.
72. (*Mr. Bere.*) How did you manage to get at
uel Hilley in 1859?—I met him in his shoemaker's
.
73. Is he a master shoemaker?—He is a master
maker.
74. Was he dissatisfied with his own party?—
as dissatisfied.
75. What had they done to disturb him in his
tion?—I cannot tell you.
76. Did not he tell you?—He did not tell me;
ld me that he should not vote for them again;
ed his wife was a thorough Conservative. I think
lways voted under difficulty when he did vote for
Liberal party.
77. Did you get at the wife first?—No, I went
ght to him.

9178. You promised him the 30*l.*?—I promised him the 30*l.*

9179. He said he would vote, and did vote for you?—Yes, he voted for us.

9180. Did you see him before the election?—Yes.

9181. Robert Morgan, you got him in 1859, did you not?—Yes.

9182. How did you manage him; he had voted for you before; was he a staunch and true man?—He was considered to be staunch and true, but he wanted the consideration.

9183. What did he get for his faithfulness?—60*l.* I gave him.

9184. That was a large sum considering that he was staunch and true?—He was a large man.

9185. Had he influence over others then?—No, he had no influence whatever over any one.

9186. Then you mean by a large man a man opening his mouth wide?—Yes.

9187. John J. Phillips, you had him too in 1859?—Yes; he was always a staunch Conservative; he was a matter of course.

9188. What did you give him?—20*l.* I think.

9189. William Stoyle 20*l.*?—Yes.

9190. And William Shinner 20*l.*?—Yes.

9191. Had you anything to do with Edward Shinner at that election of 1859?—No, I do not think I had anything to do with him.

9192. Or Nicholas Norrish?—No. Several names that Thomas Mitchell will be able to give you.

9193. Now be good enough to go through all those lists. I dare say the secretary will supply you with copies, and if you have omitted the names of anybody you bribed or offered bribes to you will just add them to the end of the lists and hand them to us on Monday?—Yes, I will do so.

9194. You were not the only person who gave bribes in 1859?—I was not aware of any one else. I know that Mitchell did.

9195. That was through you, as it were?—Yes, through me.

9196. You were the only Conservatives then in that election who were the active ones?—Yes, we were the only active Conservatives. The agent do you mean?

9197. Mr. Kellock and Mr. Edmonds, were they agents?—Yes; they are still the agents.

9198. Were the Heaths acting at that election?—Yes, always active in that election.

9199. Had Mr. Heard anything to do with that election?—No; Heard was a very young man at that time.

9200. You took your instructions from Higgins, and no one else?—Higgins, and no one else.

9201. (*Mr. Coleridge.*) Did Mr. Presswell act at that election?—No, we did not see much of Mr. Presswell.

9202. (*Mr. Bere.*) Do you know anything of John Wright?—No.

9203. At none of the elections?—No, none.

9204. (*Mr. Longe.*) Was there no one else acting with Mr. Higgins besides you, and in the same capacity that you were acting?—I am not aware of any one.

9205. You know at this last election Screach was?—I did not know that Screach was, but I heard that he was.

9206. You do not know it?—I do not know it.

9207. You and Screach had communication together?—No, we never had conversation. As for Mr. Harris, I think he stated that I was a sub-agent of his; I never knew more about Harris than the greatest stranger, or Harris about me.

9208. (*Mr. Bere.*) Is there anything more you wish to tell us?—Nothing that I am aware of.

9209. (*Mr. Longe.*) Higgins had information from other persons besides you as to the character of the different voters you went to?—No doubt about that.

Mr. JOHN HEATH sworn and examined.

Mr. J. Heath.

210. (*Mr. Coleridge.*) You are the landlord of the
even Stars" hotel I believe?—I am.

9211. How long have you been the landlord of that hotel?—Ten years last midsummer.

NINTH DAY.

Mr. J. Heath.

1 Sept. 1866.

9212. And ever since you have been the landlord of that hotel that has been the head-quarters of the Conservative party, has it not ?—Yes.

9213. Before you came to the "Seven Stars" who was the landlord?—There was a Mr. Harris and a Mr. Webb ; my immediate predecessor was Mr. Webb.

9214. How long have you been a voter for Totnes? —Since 1836.

9215. Have you always voted on the Conservative side?—No.

9216. When did you first vote on the Conservative side?—In 1836 I first voted on the Conservative side.

9217. There was no election in 1836. How often did you vote on the Liberal side ?—Perhaps at the election in 1837 ; I will refresh my memory ; I voted for Sir George Adams.

9218. (*Mr. Bere.*) That was on the 25th July 1837 ?—Yes.

9219. How often had you voted on the Liberal side before that?—I never voted before.

9220. That was the first vote ?—Yes.

9221. Ever since that have you voted on the Conservative side?—I voted for Mr. Blount because he was a son-in-law of the Duke of Somerset, and was a man I knew.

9222. Do you hold your house under the Duke of Somerset ?—No, it is my own house.

9223. The only two occasions were that first election and Mr. Blount's election, when you voted Liberal ?—Mr. Blount was the only one I voted for. He might be termed a Liberal on account of his connexion with the duke. (I voted in the council,)—that is, for a member of Parliament.

9224. On that occasion that you voted for Mr. Blount were you Conservative in principle, but for some reasons you voted for Mr. Blount?—I was.

9225. I may take it that you have been a Conservative all your life?—Yes.

9226. And ever since you have been the landlord of the "Seven Stars" hotel that has been your principle ?—Yes.

9227. I am going to take you in the first instance to the last election. Of course you all knew here a considerable time before the election that there was going to be a general election ?—Of course we did.

9228. When did you first begin here to move in the matter of looking out for a candidate ; how early in the year did you begin to move to look about for two Conservative candidates?—In 1865 ; it took place in July.

9229. July 12th, I think ?—I should think about a month before.

9230. Was that the earliest ?—I am not aware of anything prior to that.

9231. Just consider a moment ; do you know of a correspondence between Mr. Spofforth and Mr. Harris as early as the middle of May ?—I do not.

9232. Did Mr. Harris ever show you the correspondence that has been read in this court that he had with Mr. Spofforth ?—I do not know what he has read in this court ; I have not seen any correspondence that passed between Mr. Spofforth and Mr. Harris.

9233. Have you heard of a correspondence between Mr. Spofforth and Mr. Harris ?—I heard of a correspondence between Mr. Rennie and Mr. Harris.

9234. You heard of a correspondence between Mr. Rennie and Mr. Harris ; when did you hear of that correspondence ?—From time to time since Mr. Rennie first came into the borough.

9235. I am asking you as to the election of 1865. I want to know when you first heard of a correspondence between Mr. Rennie and Mr. Harris as to members for the election of 1865 ?—It is impossible that I can remember dates. It may have been a month or two before the election.

9236. Did you also at that time hear that a correspondence was going on between Mr. Harris and Mr. Spofforth ?—I did not.

9237. When did you first hear that a correspondence was going on between Mr. Harris and Mr. Spofforth as to a canditate for the election here ?—I never heard that Mr. Harris was in communication with Mr. Spofforth on the business at all.

9238. Not at all ?—Not at all.

9239. Did you ever hear he was in communication with Mr. Spofforth though not on the business ?—I did not.

9240. Then, in fact, till those letters were read in this court did you not know that there had been correspondence between Harris and Spofforth ?—I in the first place I have not read the evidence nor do I know of any letters that have been read in this court and I was not aware of any correspondence or communication between Spofforth and Harris.

9241. Then you do not know that Mr. Harris has received any letters from Mr. Spofforth at all in 1865 —I do not.

9242. Mr. Harris never showed you any letter of Spofforth's ?—He did not.

9243. Or communicated any letter ?—He did not.

9244. You knew Mr. Spofforth to be the acting solicitor for the Carlton Club ?—Yes; the solicitor for the Carlton Club.

9245. Do you know Mr. Spofforth personally ?—I do.

9246. When did you last see Mr. Spofforth ?—June prior to the election of 1865.

9247. Where did you see Mr. Spofforth ?—I saw him at his office.

9248. In Victoria Street ?—Down in Westminster I do not know the name of the street.

9249. What took you to Mr. Spofforth ?—I accompanied Captain Pim to Mr. Spofforth's office.

9250. Did you hear a conversation about the probability of Captain Pim standing for Totnes between him and Spofforth ?—I heard a short conversation, but was not present with them during the time they were together.

9251. Let us hear what the purport of that conversation was?—The conversation was to this effect that a second candidate was necessary in order to secure, to make the best of our case, and that Captain Pim would consent to become a candidate and if there was no bribery on the other side, we had not the slightest doubt that Colonel Dawkins and Captain Pim would be elected.

9252. Who said that ?—I said so.

9253. Did you hear Mr. Spofforth say to Captain Pim that Totnes was a place that he would not touch with a pair of tongs ?—I do not remember hearing anything of the kind.

9254. Do you recollect Mr. Spofforth rather dissuading Captain Pim from coming forward for Totnes —Not in my presence.

9255. Was that in consequence of some persuasion on Mr. Spofforth's part that you made that statement as to the probability of Captain Pim being returned if there was no bribery on the other side ?—I made that statement to the same effect in Captain Pim's house prior to our going up to Mr. Spofforth's office.

9256. What was it that drew forth that explanation from you as to the probabilities of Totnes when you were at Mr. Spofforth's office ?—Explanation. I repeated what I had stated to Captain Pim at his own residence.

9257. Who asked you the question when you were at Mr. Spofforth's office, Mr. Spofforth or Captain Pim ?—It is impossible to say ; I do not know that such a question was put.

9258. There were present only Mr. Spofforth, Captain Pim, and yourself ?—For a short time, when I was requested to leave, and Captain Pim was left with Mr. Spofforth.

9259. Was what you have now told us the whole conversation ? Was the one speech that you made and that took place before you left the room ? Did Mr. Spofforth make no answer to that ?—He declined to have anything to say while I was present on the business.

9260. (*Mr. Bere.*) Mr. Spofforth did ?—Yes.

9261. (*Mr. Coleridge.*) Now at the time of the

ersation Colonel Dawkins was already in the , was he not?—He was.

62. How long before the election was Colonel kins in the field?—I handed my books to your tary to-day.

63. What books do you wish?—Our house books, otel books.

264. I do not quite see how that will help you. n not asking you now when Colonel Dawkins came down, but how long he was known of as a idate for Totnes before the conversation held at Spofforth's office took place?—I should think e or four days.

265. Then how long had Colonel Dawkins come n here himself before the election?—I think the s will refresh my memory on the subject; it about a fortnight.

266. Before Colonel Dawkins was in the field had r candidates been talked of?—What, the same immediately or before?

267. Yes; I mean to say within two months re the election for Totnes had any other candi- s been considered about on the Conservative except Colonel Dawkins?—I do not remember.

268. You were, I suppose, in communication as ading Conservative with Mr. Edmonds, Mr. ock, and Mr. Harris, were you not?—I had ing to do with Mr. Harris in his correspondence. l nothing whatever to do with procuring candi- s. When they came to my house I treated them should treat every other person.

269. That is not an answer to my question.

Mr. Bere.) I am very sorry to hear that.

Mr. Coleridge.) Yes, after seeing Captain Pim's

269*. First you were of course made aware of the plans of the campaign of the Conservatives , not only close upon the arrival of the candi- s, but I want to know when did you first know y gentleman being likely to come forward on onservative side?—A day or two before Colonel kins arrived.

270. That was the first that you knew of any servative candidates coming forward to contest borough?—It was.

271. Had not you heard from Mr. Edmonds re that that they meant to endeavour to bring ard two candidates?—I heard Mr. Edmonds and other gentleman who had the management say—

272. Who was the other gentleman who had the agement who was consulted?—Mr. Kellock.

273. Mr. Harris?—No. That we had better two candidates than one.

274. At what period was that determination come After Colonel Dawkins was in the field.

275. Now do you know of any endeavour to get ntleman to stand for this borough before Colonel kins was in the field?—I do not remember any es at present.

276. Did you ever hear of an attempt to get Mr. nard to come forward?—Not during the year ; prior to that I did. He came down here. Kennard came here; there was another gentle- before him; I forget his name.

277. Was it Alexander?—I never heard of his e as a candidate.

278. Do you know of Colonel Alexander coming n here?—Until to-day, when I was looking at my s in the presence of the secretary, I was not re of a person of that name being in my house, we found his account, which I have produced.

279. You do not know in 1865 of a requisition ng been sent up to a Mr. Kennard to come down stand for this borough?—There was a requisition to some one, but whether to any Conservative idate or what name it was addressed to I cannot I signed some requisition.

280. Do you know of a requisition? Is that your dwriting? (*handing a paper to witness.*) Do know of a requisition to Mr. Macleay?—That is (*referring*) my handwriting to whomsoever directed.

9281. When was this requisition to Mr. Macleay sent up; the only date is 1865 at the top?—I do not know what part of the year it was forwarded.

9282. Then you do know that there was an attempt to get another Conservative candidate besides Colonel Dawkins and Captain Pim in the year 1865?—Yes; but I do not remember the day at which that requisition was signed.

9283. Who brought you this requisition to sign?—I think it was brought by Mr. Harris.

9284. Then Mr. Harris was to your knowledge busying himself at that time about the election?—He was paid agent at that time on behalf of the Conservatives.

9285. Do you know that in addition to this requisition to Mr. Macleay, a correspondence took place between Mr. Harris and some one in London as to Mr. Kennard coming down?—I do not.

9286. Did you never hear the name of Kennard in any way mentioned?—Mr. Kennard has been here.

9287. When did Mr. Kennard come down here?—I think it must have been in the year 1865.

9288. Refer to your books and tells us. (*The witness referred to the books.*) Never mind the exact date, but do you know that some time in the year 1865 Mr. Kennard came down here?—I am not certain about the year even, but I remember Mr. Kennard being here.

9289. Did he come to your house?—He did.

9290. Whom did he come with?—I do not remember whether he had any one with him.

9291. Did Mr. Edmonds meet him at your house?—He did.

9292. By appointment?—I do not know.

9293. I mean when Mr. Kennard came was Mr. Edmonds there to meet him?—He was not to my knowledge; I am not at home half my time.

9294. How long after Mr. Kennard came down did Mr. Edmonds see him?—I saw them together, but what time elapsed I cannot say.

9295. Do you know the purpose for which Mr. Kennard came down to Totnes?—I do.

9296. What was it?—To look at the state of the register, and see whether he would like to become a candidate for the representation of the borough.

9297. Now you see we have two names you have told us, Macleay and Kennard, who did come down for the purpose of looking at the borough, and you told us just now that until Colonel Dawkins was in the field you knew of no other gentleman?—I thought you meant to say within a short time of that.

9298. I put it generally as to the whole year of 1865?—Perhaps 20 names were mentioned.

9299. Now I have Macleay and Kennard, will you tell me any other gentleman who thought of contesting the borough on the Conservative side?—Within what period?

9300. Within the year 1865?—If you mention a name and ask if such a person was here, if I ever heard it mentioned I will answer, but I do not recollect any other name.

9301. Did you ever hear of a sort of fancy list made out by Mr. Harris of the probabilities of the voting, if Mr. Macleay and Mr. Rennie stood on the Conservative side, and Mr. Seymour and Mr. Pender on the Liberal side?—No.

9302. Did you ever see it till now it is put in your hand that list (*handing it to the witness*)?—I do not know that I ever saw it; I might have seen it, but I do not remember seeing it.

9303. You will not swear that you have not?—No.

9304. Did you ever hear Mr. Rennie talked of as a candidate?—Yes, some years ago.

9305. But at this last election?—No.

9306. Then of the first person, Mr. Alexander, of Colonel Alexander you know nothing?—I never heard his name mentioned as a probable candidate.

NINTH DAY.

Mr. J. Heath.

1 Sept. 1866.

9307. By looking at your book can you tell us when it was that he did come down here; was it not between the time that Colonel Dawkins came and Captain Pim came?—He was here on the 4th of July 1865, and slept at our house, and he appears to have left again on the 5th.

9308. I do not ask you for an exact answer to this, but do you happen to know whether the time he came down was the same time as Mr. Seymour came down?—I did not know until I saw this name in the book to-day that such a gentleman had been here.

9309. Will you tell me when Colonel Dawkins first came?—There is an account opened to him on the 28th June 1865.

9310. Who came with him?—I do not know who came with him, but there are two dinners entered that day.

9311. Was Captain Charles Lane Fox his companion on that occasion?—There was a gentleman known as Captain Fox here during his sojourn, but we have no such name on the books.

9312. You do not know whether that was Captain Lane Fox or not?—No.

9313. But there are always two things charged to him, two beds, two breakfasts, and so on. You say he came on the 24th?—He came on the 28th of June.

9314. Who did?—Colonel Dawkins.

9315. And what is charged that day?—Two dinners.

9316. And two beds?—Apartments, but it does not say how many beds.

9317. Can you tell by the charge?—I should think very likely it is two beds.

9318. Colonel Dawkins had a valet with him, had not he?—I think he had.

9319. And Captain Fox?—I do not know.

9320. Can you tell by your book whether two servants' beds were charged there?—On the 30th there are three dinners charged.

9321. Can you tell whether two servants' beds are charged?—I do not see such a charge.

9322. Do you see one?—Apartments 7*s.* appears to have been charged on the 28th and 29th. That would include the sitting room and probably two bed rooms.

9323. Two gentlemen's beds, and then how would the two servants' beds be charged?—I do not know whether they were on board wages or not; I have very little to do with the house myself.

9324. After the bill we have seen before us we are curious to know, do you mean that Colonel Dawkins' sitting room and two bed rooms would be charged only 7*s.* in your house?—His own private room would not be charged more than 3*s.* for the day.

9325. His own private sitting room?—Yes, and the two beds 2*s.* each.

9326. And you mean to say that 3*s.* is the charge for one of the best sitting rooms in your house?—Yes.

9327. When a gentleman has a sitting room and two bed rooms do you always charge servant's room or not?—Certainly we do if they sleep in the house.

9328. Can you find any charge there either for the maintenance or the beds of the valets of these gentlemen? Who keeps your books?—Sometimes the barmaid and sometimes my daughter enters.

9329. Is that your own handwriting?—No.

9330. I will ask you as to your own memory without the books?—That is the better way, I had very little to do with that book.

9331. Do you recollect whether Colonel Dawkins had a valet with him or not?—I do not think he had.

9332. Do you recollect whether Captain Fox had?—I do not.

9333. But would there be two strange men servants about your house without your knowing it for a week together?—Very likely.

9334. Do you really mean seriously to state that two men servants could be staying in your house without your knowing it?—When there is such a bustle as there is at elections it is impossible to kno everybody.

9335. This was a fortnight before the election least. Do you mean, when it is a fortnight before election, you would not know whether there w two valets staying in your house. Come! M Heath?—If I knew I should give you an answer i moment, but it is useless to say that I do know wh I do not.

9336. You really do not know, you know so lit about your own house?—The indoor business.

9337. About your indoor business that you cann say whether there were two valets staying in yo house or not?—I do not know.

9338. Are you sure whether there was?—I sa one servant there.

9339. Having seen one servant there, did you see another with him?—I do not remember to h seen another.

9340. When Colonel Dawkins and Captain F came down Captain Pim was not in the field, was h —No.

9341. We will confine ourselves at present Colonel Dawkins. How many sitting rooms Colonel Dawkins take?—Himself?

9342. Yes.—I am not aware that he occupi more than one himself.

9343. What was the number of the sitting room, d you know, you will probably recollect that?—I thi it was No. 20.

9344. When Colonel Dawkins had one you put just now down to himself, what other rooms wer taken on his behalf by any one?—The gentlem who went there to do the ordinary business, and receive despatches and letters, &c., occupied ve nearly the whole of the house, all the sitting roo there.

9345. Will you tell me the rooms and bed roo occupied by these gentlemen, and then give me t names of the gentlemen?—I should have been pr pared with this evidence if I had had any notice th I was requested to produce it, but it is impossible f me to remember.

9346. I do not ask you to remember very accurate about it, but tell me. Colonel Dawkins you have to us had one private sitting room and two bed roo and had a valet, how many sitting rooms are there your house?—Ten.

9347. How many private rooms for the use of t family? Do you include the smoking room in the 1 —No.

9348. Do you include the coffee room?—Yes.

9349. That leaves nine?—That leaves nine.

9350. What else do you exclude from the 10 exce the coffee room?—None.

9351. How many private rooms are there in yo house?—Ten, nine besides the coffee room.

9352. Is there a ladies' coffee room besides t commercial room?—Yes.

9353. Do you include that?—No.

9354. Then there are nine available strange rooms?—Yes.

9355. Colonel Dawkins had one, how were t other eight employed at the time Colonel Dawki came down?—After his arrival?

9356. After his arrival?—There were several the rooms used by three gentlemen who were appoint by a committee to approve of the candidates for t election.

9357. First of all tell us what the names of the three gentlemen were?—Mr. Bentall, Mr. Gill, a Mr. Bastard.

9358. How many rooms did it take these th gentlemen to sit in?—They had one for their ow use.

9359. What number was that, you know you we frequently in and out to them, Mr. Heath?—I v frequently in and out?

9360. Were not you frequently in and out wi those gentlemen?—No, I was attending to m business that I had to do.

9361. Were not you a member of the committee ?—
).

9362. Not a member of the Conservative com-
ittee ?—No.

9363. Those three gentlemen formed the whole
mmittee ?—Yes.

9364. Who was chairman ?—I do not know.

9365. (*Mr. Bere.*) Do you mean to tell me that Mr.
ellock and Mr. Edmonds were not on the Conser-
tive committee ?—They have never been recognized
such, they have been legal advisers.

9366. (*Mr. Coleridge.*) We have got to Colonel
awkins' room, we have got to the second room
ey asked for themselves. Were Mr. Kellock and
r. Edmonds constantly in that room with them ?—
r. Edmonds had a room to himself, where despatches
re brought to him.

9367. That is No. 3. Now we have three sitting
oms, now we want you to account for the other
ting rooms in your house. How were they occupied
that time ?—One was occupied by friends to the
use who felt disposed to come to glean information
om time to time.

9368. Tell us who those friends to the cause were ?
Oh, any of the voters, I do not remember any in
rticular.

9369. We must have their names. Was Mr.
arris one of them ?—Mr. Harris was occasionally in
d out.

9370. Was Mr. Heard one of them ?—He was not,
never saw him there.

9371. Who were they ; come, you must recollect
is. Was George Evans one of them ?—George
ans was not at that part of the house, he had a
mmunication with a gentleman in the bed room.

9372. He had another room, I want to know about
se sitting rooms ?—I will tell you who was in the
bit of visiting the house, that is the better way
ferring to a book.)

9373. May I take it generally, while you are con-
lering that, that Colonel Dawkins took up the whole
use ?—The greater portion of the house was
cupied for the purposes of the election.

9374. Were any sitting rooms in that house, sitting
oms mind, charged to anybody during the time that
olonel Dawkins was there except to him ?—I cannot
swer that question without referring to the
cuments.

9375. It is not your handwriting and you did not
ake it, so you cannot tell ?—I do not remember.

9376. Do you recollect anybody, from the time
olonel Dawkins came down till the time of the
ection was over, occupying a sitting room and paying
r it himself ?—I do not remember that they did.

9377. Will you swear they did not ?—I will not.

9378. You do not believe that they did, the
hole house was taken up with the election ?—I
ould not say that, because the book may show, there
the book before you, and it may show that there
ere private families there occasionally during that
.

9379. Do you believe there were ?—I have not the
ightest recollection.

9380. The whole time this was going on you have
o recollection whether any one else came into the
ouse ?—To occupy private rooms ?

9381. To occupy private rooms ?—I do not
member.

9382. Would not any stranger coming to your
use at such a time be looked on with some suspicion ?
No.

9383. Any single gentleman coming down with a
g in his hand, and asking you for a private sitting
om, you would give him it at such a time without
king any questions ?—A private sitting room ! I
not aware that we had any such visitor.

9384. I am only asking you if such a person came
own whether you would not have regarded him with
me suspicion ?—I should like to have known who
was, but we do not ask people who come who they
e, they bring their luggage.

9385. After that answer you cannot tell me whether any stranger came into your house and occupied a private sitting room but Colonel Dawkins ?—A private sitting room ?

9386. A private sitting room ?—There were bed rooms occupied.

9387. That we will come to presently ; but did anybody occupy or pay for a sitting room otherwise than Colonel Dawkins and his friends during the time he came down up to the time of the election ?—I do not remember.

9388. You do not remember that ?—I do not.

9389. And you will not go further than to say you do not recollect ?—That is all I know about it.

9390. Now we come to the bed rooms, who occupied No. 13 bed room at any time between Colonel Dawkins' arrival and the morning of the election ?—Do you want No. 13 in particular.

9390*. Yes ; No. 13 we will start with ?—There was a mysterious stranger who occupied a room in the house.

9391. Did he occupy No. 13 ?—I think it was No. 13.

9392. Had you been instructed at any time to get a room ready for a mysterious stranger who was expected down ?—I had not.

9393. Then when the mysterious stranger arrived and occupied this room, which we call No. 13, you did not know that he was coming ?—I did not know ; I did not have any intimation of the arrival of such a person; but a man came to the house and said he was sent from the club in London to manage this election.

9394. Did he say what club he was sent from ?—I did not ask him ; no, he did not.

9395. What did you understand by "the club" ?—Why, a club that conducts elections generally.

9396. Do you know the name of it ?—I do not know what the club is.

9397. Did not you ever hear of the Carlton Club ?—I have heard of it.

9398. Do you mean seriously that by the club he did not mean the Carlton Club ?—That is what he said, that he was sent by the club to conduct that election.

9399. Did he mention Mr. Rennie's name ?—He did not.

9400. Have you ever been to Mr. Rennie at the Carlton Club on election matters ?—I have never been to the Carlton Club.

9401. Do you know that Mr. Rennie is a member of the Carlton Club ?—He did not tell me so.

9402. He never told you so ?—No ; we are not friendly.

9403. You are not friendly now, but at any former period did not Mr. Rennie tell you he was a member of the Carlton Club ?—No.

9404. Do you mean seriously to say that by "the "club," the mysterious stranger did not mean the Carlton ?—He did not say so.

9405. Did not you know by "the Club," he meant the Carlton ?—I knew nothing but what he said.

9406. Did you think he meant the Reform Club ?—I did not think of any.

9407. Did you think he meant the Carlton Club ?—I should not imagine the Carlton Club would undertake to send messengers out to resort to the practice of bribery, for that was his commission.

9408. Do you mean to say that he told you that ?—He said that he was come down to act as agent at that election.

9409. Do you mean by that you thought it must mean to carry on bribery ?—No doubt about it.

9410. And you thought the Carlton Club would not lend itself to such a proceeding ?—I do not imagine that they would.

9411. Did not you know, on your oath, that the club he came from was the Carlton ?—No ; I did not wish to know, and would not ask any questions.

9412. But without asking questions, did not you believe in your own mind that it was the Carlton Club ?—I did not.

NINTH DAY.

Mr. J. Heath.

1 Sept. 1866.

9413. You seriously mean to say that you did not know he came from the Carlton Club?—I did not.

9414. Then why did you trust him?—Because he was ready to pay his account.

9415. You have been mixed up in all these political matters, why did you trust this man if you did not know what club he came from?—Because we have had other such men before who have always paid their accounts, and who have been accredited upon the same business.

9416. Then do you really mean to convey to us that the reason why you trusted this man was that you thought he would pay his account?—It was.

9417. Did not Colonel Dawkins pay it?—He did not.

9418. In what name did this man pay his account?—He was entered in as No. 13, or whatever number he occupied, and we dubbed him, as we usually do, Mr. Mum.

9419. Did he pay it in a cheque or in money?—He was only there three or four days; he paid it in cash.

9420. Then you trusted him simply because you thought he would pay his account, not because you knew where he came from?—We expect that all who come to our house are respectable people until we find out the contrary, and we treat them accordingly.

9421. Was it because former mysterious strangers had paid their accounts that you thought he would pay his account, and therefore you trusted him?—I knew that business of that description had been carried on here before, and that there must be some gentleman to do that description of work.

9422. And you knew that this gentleman had come from the Carlton Club?—I never heard him say so or any other person say so.

9423. When he said he came from the club, did you think it was the Carlton Club?—I did not ask him any questions.

9424. Then what club did you believe it to be that he came from?—There are various clubs in London.

9425. Did you think when he said "he came from "the club," that he meant the Conservative Club?—No.

9426. Or the Reform Club?—I never gave the matter any consideration.

9427. You have heard of the existence of the Carlton Club?—Yes.

9428. And you know the effect that that club has on the Conservative elections in different parts of the country, yet when this man says, "I come from the "club," you had no idea where he came from?—I simply avoided asking him any questions because I would not know.

9429. Had you a conviction that it was not the Carlton Club?—I had no conviction about it.

9430. And you believe that the Carlton Club had nothing to do with it?—I do.

9431. You think it was not the Carlton Club?—I do.

9432. Did he bring you any credentials?—None whatever.

9433. Did Mr. Edmonds mention anything about credentials to you?—Never.

9434. Or did you to Mr. Edmonds?—Not that I am aware of. Only on the next morning I told Mr. Edmonds that there was such a person who had arrived, and he was in the house.

9435. Did he ask you to tell Mr. Edmonds?—No.

9436. What made you tell him?—Because Mr. Edmonds had the conduct of the election.

9437. Did you go and tell Mr. Edmonds this because you thought he was in the confidence of the party?—That who was?

9438. The stranger?—The stranger must get his information from some one.

9439. Then not knowing that the stranger had come from the Carlton Club, who was the first person who called to see the stranger?—I was not at home to see.

9440. Do you recollect once being rather taken in by a gentleman who said that he had come from the club, and who turned out to be an impostor?—There was a person of that sort.

9441. At which election was that?—I think it was at Mr. Dunn's election.

9442. He was a spy who had been sent down?—I do not know who he was, but I believe he fleeced Mr. Dunn afterwards; that is a good many years ago.

9443. You had been imposed on once by a man who pretended to come down in your interest, but who in reality was engaged on the other side?—We had no evidence that he was on the other side. There was a man who came down without being employed, and who undertook to call on certain voters. After the election was over he threatened Mr. Dunn with proceedings if he did not pay him a certain sum, which I believe he eventually extorted from him.

9444. You had been rather taken in upon that occasion?—Yes.

9445. Then would you not be rather cautious how you received this gentleman without any credentials?—I had not the management of this election.

9446. But did you not under those circumstances feel that a certain degree of care was requisite as to who you received?—I did not take the trouble to inquire into it; the man remained there, that was the best proof to me that he must have been an accredited agent of some one who knew the party.

9447. Did not the gentleman who took you in also remain and pay his bill?—He remained one night only.

9448. And paid his bill you say?—He paid his bill.

9449. Did that give you an idea that he was an accredited agent also?—This man said he had been sent, the other came as a volunteer to assist.

9450. If you had understood that he had come from the Carlton Club that would have been sufficient *primâ facie* evidence. You say that you do not believe he came from the Carlton Club?—I do say so.

9451. Do you think the club he came from was the house of Messrs. Baxter, Rose, and Norton, where Mr. Spofforth is a partner?—No.

9452. Then what was the club that you imagined he came from?—The Bribery Club.

9453. Where is that held?—I believe its head quarters are in London, but where I do not know.

9454. Should you think they were at No. 6, Victoria Street?—I do not know, I never was there.

9455. At the same place where you saw Captain Pim and Mr. Spofforth on one occasion?—I had no introduction to them.

9456. Then on the supposition that he had come from a bribery club you trusted him?—Yes, I did; they generally pay their way.

9457. And that was the ground on which you trusted this stranger?—Yes.

9458. Will you tell us when the stranger arrived?—He arrived on the 7th of July. There is the book before you with his account.

9459. What time did he arrive, how long after Colonel Dawkins?—I think the day after.

9460. Did you know that he was coming down?—No.

9461. Did you not know that some one was coming for whom a bed room was to be kept?—I had no orders for a bed room.

9462. What time did he arrive?—I think he came by the late express at 11.18. I am not certain.

9463. Was there a fly of yours waiting for him at the railway station?—We send a fly or omnibus to every train except the morning mail.

9464. Had you sent a special fly to meet this train?—No.

9465. Where you in the house when he came?—I was in the house.

9466. Were you up then ?—I was.

9467. Did you see him ?—I did.

9468. Whom did he ask for ?—He asked me if he ld have a bed for that night, and he was sent by club in London to conduct the election.

9469. What did you say to him ?—That no doubt could give him a bed room.

9470. Is there a room in your house into which u show men such as this ?—Not that I am aware

9471. Then if the mysterious stranger in 1863 and mysterious stranger in 1865 occupied No. 13 it quite an accident ?—I do not think he did occupy same room. I think in reference to one of them occupied No. 13, and as to the other, No. 16.

9472. Is it not No. 13 and No. 15 ?—I think the k says it is No. 16.

9473. Will the books say whether these rooms re occupied ?—I think so.

9474. At that time of night there were in the house at other people ? Colonel Dawkins, Captain Fox, l what members of the committee were in the use at this time ?—I do not remember, I did not any of them after the arrival of the train.

9475. How late did they generally sit up about a tnight before the election ?—About twelve o'clock.

9476. Did you see them there that night ?—I did t.

9477. What did the stranger do when he got there ? He had some refreshments, a glass of grog at the , and then he went to bed.

9478. Was Mr. Harris in the house that night ?— s.

9479. Do you know whether Mr. Edmonds was re that night ?—No.

9480. Then whom did the stranger see that night ? None but our own family and the domestics.

9481. Who was your barmaid at that period ?— iss Prout.

9482. Is she with you now ?—She is.

9483. Then who was the chambermaid with you en ?—Martha Gale.

9484. Is she with you now ?—No.

9485. Miss Prout, the barmaid, you say is still th you ?—Yes.

9486. You had a man named Clarke who was the iter ?—I do not know whether he had left then.

9487. And a waiter of the name of Brown ?—He there now.

9488. Was he there at the election of 1865 ?—Yes ; arke was the assistant waiter.

9489. Was Pack the name of the porter and boots ? Yes ; he was the head porter, the boots was another an.

9490. What was the name of the boots ?—The man o was there at that time has left, I think his name s Pack.

9491. What was the name of the cook ?—I do not ow her by any other name than "cook."

9492. Is she with you still ?—She is.

9493. And the scullery maid, is she there still or t ?—I think she is the same.

9494. And there were two private servants ?—Yes.

9495. Are they with you now ?—I think one of em is gone to Cheltenham.

9496. You had three assistant waiters, do you ow their names ?—There was one a female waiter, the name of Clarke, and another, an assistant, of e name of Mary Farley.

9497. Is she with you now ?—When required, she not a permanent servant ; I do not know her me.

9438. That makes five waiters and waitresses ; at at time you would say that the house was full ?— es.

9499. And occupied by Colonel Dawkins ?—Nearly e whole ; they had the commercial room downstairs attend to.

9500. And, with the exception of that, the whole the house was occupied by Colonel Dawkins ?—The greater portion of the sitting rooms were occupied on the election account.

9501. And the whole of the private rooms ?—I do not say the whole were ; I think the greater portion of them were.

9502. Who would have showed the mysterious stranger to his room ?—I should expect the chambermaid. I did not.

9503. What was the first communication with the mysterious stranger in the morning ?—I did not see him in the morning ; not until the evening of that day.

9504. Where did he breakfast ?—In his bed room I believe.

9505. And who would be the person who would have taken his breakfast up to him ?—It is customary for the chambermaid to wait upon all who are in their bed rooms ; whether any other arrangement was made as to him I do not know.

9506. Martha Gale would have been the person to have taken up his breakfast ?—She would.

9507. About what time did you let Mr. Edmonds know that this stranger had arrived ?—I saw him during the day and said that a man had arrived.

9508. How early did you see him ?—About 10 or 11 o'clock.

9509. Where did you see him ?—He used to come to the house repeatedly every day during the election.

9510. Whom had you told of the arrival of the stranger before you told Mr. Edmonds ?—No one.

9511. Had you not told Mr. Kellock ?—I did not tell him ; I did not see him until afterwards.

9512. Did you tell Mr. Harris ?—I did not. I told Mr. Edmonds. I did not tell any other person.

9513. You are quite certain about that ?—I am.

9514. Who was the first person whom you knew of as going to the stranger ?—Late in the evening of that day I saw Mr. Frederick Evans go upstairs.

9515. Before you had seen Mr. Frederick Evans go upstairs, did you receive anything from Mr. Edmonds for the stranger ?—I do not think I received anything the first day.

9516. Can you tell us when did you first receive anything from Mr. Edmonds for the stranger ?—On the Saturday before the election I think.

9517. Was that the day after he came ?—Yes, if he had come on the Friday.

9518. What was it that you received ?—I received a bag from Mr. Edmonds.

9519. Do you mean that you received it into your own hands ?—Yes ; it was a black bag.

9520. Was it a little hand leather bag ?—Yes.

9521. Was it heavy ?—Yes ; perhaps it was some seven or eight pounds weight.

9522. From your knowledge of these transactions should you say that it contained a thousand pounds in gold ?—I have no doubt of that, or more.

9523. Has Mr. Edmonds since told you that that bag did contain a thousand pounds or more ?—He told me that the first bag contained more than that.

9524. What was the amount ?—It was 1,500*l*.

9525. Did you give it to the stranger ?—I did.

9526. Where did you give it to him ?—In the bed room.

9527. About what time did you go up to the bed room ?—I should think about 12 o'clock in the day.

9528. Were all the blinds drawn down ?—I do not know that any of them were drawn ; there was only one blind in the bed room.

9529. Was that in the bed room drawn down at that time ?—I do not think it was.

9530. Can the houses which are opposite look into that bed room ?—It is an open square.

9531. When did Mr. Edmonds next give you anything for the stranger ?—I was out of town on the Monday.

9532. Did he give you anything on the Sunday ?—No ; I was out of town on the Monday, and when I returned on the evening of Monday there was a parcel which had been left in the bar to be intrusted to me to deliver to this man.

NINTH DAY.

Mr. J. Heath.

1 Sept. 1866.

9533. Are you quite sure that it was on the Saturday and not on the Friday that you had this 1,500*l.* given to you by Mr. Edmonds?—I had a bag, I did not know what it contained, given to me on the Saturday.

9534. And the stranger left your house, you say, on the Saturday?—I do not know whether it was on the Saturday or the Sunday that he left; I think it was on the Sunday.

9535. How long was he away?—I should think from 12 to 18 hours.

9536. What train did he leave by on Saturday or Sunday?—I do not know.

9537. Are you sure that it was not on the Saturday night that he left, and not on the Friday night when you received this money from Mr. Edmonds?—If he had come on the Thursday, the bag containing the money, as I presume, would have been given to me on the Friday. It was in the forenoon of the day that he had the money, and during the evening of the day after he arrived here he had been round the town.

9538. On the first night he came late, and nothing could by any means have been done that night. You saw Mr. Edmonds the next day, and told Mr. Edmonds that the stranger had arrived; was that the same day on which you received the bag from Mr. Edmonds?—I am not quite clear about that.

9539. As I understood you, the stranger was out and about the town in the forenoon of the day after he arrived here late at night?—No, on the evening of that day.

9540. Then was it on the evening of the day on which you say the stranger was about the town that you received the bag from Mr. Edmonds?—I am not clear about that.

9541. You have told us that about 12 o'clock on that day you received a bag from Mr. Edmonds?—That is so.

9542. Where did you receive the bag you have been speaking of?—In a waiting room adjoining the bar.

9543. Then was it after receiving, as you say, this money from Mr. Edmonds for the stranger that he was out and about the town?—I think he had been out before that, he had been out the evening before.

9544. Then, supposing that the stranger had come down on the Thursday, and he had been out on the Friday, you would have received the bag on the Saturday?—I think so.

9545. Then you are not certain that the stranger did not come down to Totnes on the Wednesday night by the late train?—If I had my diary with me I should be able to tell you the date. I think he came on the 7th.

9546. Are you quite certain about that?—It was not sooner than that (*the witness looks at a book*), the 7th was the day on which he arrived.

9547. How do you know that it was on the 7th, from memory?—There is the book to prove it; the 7th was on the Friday.

9548. Then how do you know that it was on the Friday that the stranger arrived?—Only from reference to the book. I see that his account is begun on that day.

9549. He came late in the evening on the first day; is there anything that appears in his name on the Friday the 7th. What day is the glass of grog which he had in the bar charged to him?—He appears to have arrived on the 7th, and is charged a bed for that night; and then there is his breakfast on the following morning.

9550. Is the breakfast down on the 7th of July?—The breakfast is down on the 8th.

9551. You say now that the first breakfast that he was charged was on the 8th, on the Saturday, and you have told us in the former part of your evidence that Colonel Dawkins arrived here on the 28th of June, and that the stranger came the day after. Will you try and recollect when it was?—This stranger came on the 7th of July.

9552. Let us see whether there was not another stranger. You had Captain Pim there at that time?—I would wish to be correct. Colonel Dawkins' account is carried forward from the 6th of July. The first time the stranger came was on the 7th of July; that appears to have been on the Friday.

9553. When do you say that Colonel Dawkins came to your house?—On the 28th of June.

9554. Then what you have stated in the previous part of your evidence is not correct, that the stranger arrived the day after Colonel Dawkins arrived?—It might have been so.

9555. What made you make a mistake of a whole week in your calculation?—Upon reference to the account I see that one of the headings there begins on the 6th; I think that was the commencement of the account. Unless I look at the book I cannot remember the dates.

9556. I have asked you whether from your memory you would be able to give us any account of the stranger's arrival; you stated in the commencement of your evidence that he was here on the 28th, or on the day after Colonel Dawkins' arrival, and now you say this man came on the 7th; it must have been a mistake if you said that he came on the day after Colonel Dawkins?—It was a mistake if I have so stated.

9557. You certainly must perfectly well recollect how long Colonel Dawkins was in the house before the man whom you call the stranger came?—I do not recollect any more than the books refresh my memory.

9558. Then Colonel Dawkins may have been eight or nine days in the house before the stranger came?—I think he was.

9559. Did you hear the evidence of Evens, who was examined to-day?—I heard a part of it.

9560. He stated that this mysterious stranger, whom we have been talking about, was here for 10 days before the election?—I did not hear that.

9561. If he has said so, and said that he saw the stranger, he must have been mistaken?—I do not know whether he saw him or not.

9562. And that into No. 13 of your house, if it were that number, the stranger must have come and gone away again?—That is very likely.

9563. That being so, you will not swear that Mr. Mum did not come here some 10 days before the election, and may have gone away and come back again on the 7th of July?—I do not remember the date at which he first arrived.

9564. Was that the first time that you ever saw the stranger when he came back for the second time to your house on the Friday?—I saw him when he came here first.

9565. Supposing that he had come here on the day after the arrival of Colonel Dawkins, which was some ten days before the period which you have mentioned, was it on his first arrival that you brought him the bag from Mr. Edmonds you have mentioned?—It was a day or two after his arrival that I carried him the first bag, containing something from Mr. Edmonds.

9566. Then how long did he stay in your house altogether; do you think he was here a fortnight?—I cannot say of my own knowledge; the bill which you have before you shows that he was here for four days after his return.

9567. Are you able to tell us when he went away from Totnes on the first occasion, if he did go away?—That I do not know.

9568. Are you able to tell us whether it was on the Friday night or on the Saturday night when he left?—I think it was on the Sunday night when he left.

9569. That would have been the Sunday before Friday the 7th of July?—That I cannot say.

9570. I have no doubt that you are correct in what you said in the first instance, that he came down here first on the day after the arrival of Colonel Dawkins; that would be on the 29th of June. Suppose that he

ne on that day in the first instance, you think that was on the Saturday following when you received e bag from Mr. Edmonds; there would be one ar day between his arrival and the receiving of e bag?—I do not think I received the bag from r. Edmonds until within four or five days of the ction.

9571. But you know that the stranger had been wn here before then, and had gone away again?—ne dates confuse me very much; I do not remember e dates; all that I know is that when he first came re I saw him.

9572. Then are you able to tell us how long you ink this mysterious stranger was in your house ogether?—I do not think he was there more than veek altogether.

9573. And out of that week he was absent for ne short period, was he not?—Yes; he was absent some few hours.

9574. (*Mr. Bere.*) Was this the elderly gentleman om we have heard of?—No: this was the light-ired gentleman with light whiskers.

9575. (*Mr. Coleridge.*) How long during the time was there was he away; two or three days?—lo not think he was away above one day.

9576. Do you mean he might have gone away to ndon by the mail from one night and come back e next night?—I do not think he was long enough ay to go to London.

9577. On the second arrival what time did he ne to the house?—I think he came once by the il train in the morning, 4.40.

9578. Was that day of his second arrival on the nday or Monday before the election?—I think it s.

9579. Can you say whether it was on the Sunday the Monday?—I do not remember. I think on e Monday.

9580. That would be on the Tuesday morning ally?—The Monday morning, 4.40.

9581. Did you hear anything about his coming wn with Mr. Pender's son?—No.

9582. On the Sunday morning before the election, d another gentleman arrive by the 4.40 train as e guest of Captain Pim?—I think there was a gen-man came, an acquaintance of his; I am not tain.

9583. Was that the same morning or the morning fore the mysterious stranger came?—I do not member.

9584. Captain Pim has sworn that his friend was e only person who came that morning in the "Seven ars" fly to your house by the mail, and there was other fly at the station except that one, and so r. Pender's son was taken by your fly to the "Sey-our Arms"?—Yes.

9585. Did you know of that circumstance?—No.

9586. You never heard of your fly taking an enemy the other camp?—An "enemy"? I do not know at we have any.

9587. Mr. Pender's son?—I am very friendly with n; and I heard that one of our men took some avy luggage across the bridge, whether with the or not I do not know.

9588. Who was the driver?—Beer.

9589. Do you recollect whether that was the Mon-y morning or the Tuesday morning?—I do not

9590. It may have been one or the other?—Yes.

9591. Cannot you say about such a thing as that, stranger coming at that time of the morning, ether one or two strangers arrived on the Sunday ght?—I was not up.

9592. You do not know?—No.

9593. It is more likely that the mysterious stranger t back on the Tuesday morning than the Monday rning at 4.40?—I think on the Monday morning.

9594. That you would not be certain about?—I certain I was out of town on Monday on my ordi-ry business, and when I returned there was a parcel, which had been waiting some time to be delivered by some trustworthy person to Mr. Mum.

9595. That was on the Monday?—Yes.

9596. What time did you get back on the Monday?—About 4 o'clock.

9597. Then you found this parcel?—Yes.

9598. Finding this parcel; was Mr. Mum there?—He was upstairs.

9599. You are quite certain of that?—Yes.

9600. Then there can be no doubt it was on the Monday morning he arrived?—Yes.

9601. Whom was the parcel left by?—Left by Mr. Edmonds. I saw Mr. Edmonds before.

9602. What sort of parcel was that?—Oh, a small parcel.

9603. Heavy?—Yes; not so heavy as the bag.

9604. We are getting to it by degrees?—Was it the second or third parcel you had received?—The second.

9605. We have got the stranger gone away and come back again; how long before that second parcel which you delivered to him was it that you had received the bag from Mr. Edmonds in the first instance; a week?—No, I do not think it was above a day.

9606. The first bag you received from Mr. Edmonds could not have been earlier than the Thursday before?—The Friday or Saturday.

9607. The stranger had gone away on the Saturday night late?—He left on the Sunday, I think, and came back on the Monday morning.

9608. You had received a bag on the Friday or Saturday and took that to the stranger?—Yes.

9609. Did he say anything when you gave it to him; did he ask where it came from?—I said Mr. Edmonds had sent it to him.

9610. That was the first instance?—Yes, the first parcel.

9611. Did he say he expected it?—I do not remember that he did.

9612. You do not think he had been in the town a couple of days before he received that?—I did not.

9613. It is only right to tell you that Mr. Evans, who was seeing him constantly, swears he was there 10 days before the election?—It must have been without my knowledge; I did not see him.

9614. You say that on his arrival you received him?—Yes, I saw him.

9615. Had he a glass of grog in the bar?—He had something.

9616. Could he have gone away twice instead of once?—He must have if he had been there many days before without my knowing it.

9617. Always in the room number 13?—Very likely he ordered that room to be kept for him.

9618. (*Mr. Bere.*) A "light gent" occurs long before in the book, 3rd July. You put him as "light gent;" could it be as early as Monday the 3rd July that this gentleman appeared? He is entered as "light gent"?—It may have been.

9619. (*Mr. Coleridge.*) If it was so would the first parcel you gave him have been a couple of days after that, and not the time you stated?—There was no parcel delivered till Friday or Saturday before the election.

9620. That was the bag?—Yes, the little bag.

9621. Then after the stranger received the parcel, and before he went away, what persons had been up to his bedroom to see him?—The only person I saw enquiring for the number was Mr. Frederick Evens.

9622. You did not see Mr. Screach?—I do not remember. Screach was constantly in and out.

9623. Did you ever see Harris?—Never.

9624. Never saw him at all?—I never knew he went to the top floor.

9625. Is that on the top floor?—Yes.

9626. When anyone went to this stranger, how did you send him up; did they come to you first?—Sometimes they would come to me.

9627. What did they ask for when they came to you; whom did they ask for?—They usually went up to the room where they had been accustomed to go.

9628. The first time Frederick Evens or anybody

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went to the stranger who showed him the way?—I do not know. He was out in the town himself and probably called upon some one and probably gave his number.

9629. Who was the first person who asked you for mysterious stranger?—Mr. Frederick Evens.

9630. What did you tell him or what did he say? Did he say you have got a mysterious stranger?—He said, is Mr. Mum here? For several years we had called him Mr. Mum.

9631. I thought it was the black man?—Mum is the only name we have given him.

9632. Evens asked for Mr. Mum and you showed him this room?—I did.

9633. Can you recollect what day that was?—I cannot say.

9634. How long after you received the packet from Edmonds?—I think before I received any bag.

9635. Then subsequently to your receiving the bag he went up again?—Yes.

9636. And Screach also?—Yes.

9637. Harris you cannot say about?—I do not think he went there.

9638. Did either of your sons go?—Not that I know of.

9639. George and James, they are both your sons?—Yes.

9640. Did any other parcel come from Edmonds for the stranger before he went away the first time? But how often did he go away altogether?—I am not aware of his leaving but once.

9641. On the Saturday night?—Saturday or Sunday.

9642. How many parcels came before he left on the Saturday or Sunday?—I think but one parcel.

9643. You received three parcels in all from Mr. Edmonds?—Yes.

9644. When did you receive the second parcel?—The second, I think, on the Monday.

9645. What time did you receive that?—I do not exactly remember; two or three o'clock.

9646. Was the stranger in at the time?—He was in at the time I carried the parcel up.

9647. Did you take it up immediately you received it?—Yes, it was waiting there for me.

9648. You carried that up; that was No. 2. When did you give him No. 3?—I think on the Tuesday morning he had No. 3.

9649. The nomination day?—If it was the nomination day.

9650. You then took him No. 3?—Yes.

9651. Was No. 3 such a parcel as No. 2?—It was heavier than No. 2.

9651. Had you any account of the money you delivered to him?—I had not. I did not wish to know. I never asked questions till it was all over.

9653. In addition to the money offered to you to deliver to Mum, did you receive a cheque from Mr. Edmonds for 500*l.*?—I did.

9654. When did you receive that?—That was Tuesday, the nomination day.

9655. When did you cash it?—I had cash in the house to a considerable extent, and I paid it into the bank that day or the day following.

9656. Did you pay it into the bank at all before the election?—The books will prove that.

9657. You paid it in on the day of the election?—I think so.

9658. (*Mr. Bere.*) You had a cheque for 105*l.* on the 7th; where did you get that from?—It had nothing to do with the election.

9659. Where did you get it?—Was it a cheque or cash?

9660. Cash. Where did you get the 105*l.*?—What day?

9661. Paid into the bank the 7th July?—The ordinary business of the house; nothing to do with the election.

9662. Where was it from?—The ordinary receipts of the house. The only money I received was a 500*l.* cheque, and I gave the stranger 200*l.* at one time.

9663. What did Mr. Edmonds tell you the 500*l.* cheque was for?—He said the gentleman upstairs wanted some cash, and I was to cash that and get it for him.

9664. Had Mr. Edmonds been to see the gentleman upstairs?—Not that I am aware of.

9665. Did you see him go to his room?—Never.

9666. Nor Mr. Kellock?—No.

9667. Nor Mr. Bastard?—Not either of them.

9668. You gave him 200*l.* of it?—Yes, 200*l.* and 90*l.* during the day.

9669. The election day?—The election day. He had 290*l.* out of the 500*l.* cheque.

9670. How did you pay Edmonds the balance?—I gave him a cheque on my bankers for the balance.

9671. You gave a cheque on your bankers for everything you received except for what you paid the gentleman upstairs?—Yes.

9672. What sum of money passed through your hands individually for distribution?—At the last election?

9673. It was all at the last election. I thought you would have found that out by this time?—There was a sum of 10*l.* paid to a man named Clarke.

9674. Who paid him?—I paid him or his wife. They were in arrears of rent.

9675. Where?—In my house.

9676. What for?—They were in difficulties about the rent, and I advanced them 10*l.*

9677. At what time? What day? Nomination day?—It might have been.

9678. Was Clarke a voter?—He was.

9679. How did he vote?—He voted for Dawkins and Pim.

9680. In fact you paid him 10*l.* for the vote?—I said nothing about his vote.

9681. That is what we want to know. How came you to pay him 10*l.*?—Because they were in difficulties.

9682. Do you pay all people in Totnes who are in difficulties?—It depends upon who they are.

9683. And how they vote?—I frequently advance money to people.

9684. Was not that paid (it is no good fencing) that he might vote for Dawkins and Pim?—There was not a word said.

9685. How came they to come and ask you for the money?—Because they were in difficulties, in arrears of rent, and I paid it, knowing I should be reimbursed from the funds in hand.

9686. Knowing you would get it back from the candidates. What did they say?—The wife?

9687. Yes?—They said they were in indigent circumstances and should be glad if I could get them some cash.

9688. Did they say anything about the other party having been at them?—They did.

9689. Let us have that?—The wife said Mr. Jeffery Michelmore called and wanted them to vote for them.

9690. What did Mr. Jeffery Michelmore offer them?—I do not know. I did not go into particulars.

9691. It was a mere wink or a nod, and you understood it was something about voting. Did she say they had been about her husband's vote?—They wanted to get her to leave our house and go and wait at the other.

9692. They told you they were indigent, so you gave them 10*l.*?—Yes.

9693. And that counteracted the effect of Mr. Michelmore's blandishments?—I do not know.

9694. You got them all right?—Yes.

9695. And got repaid?—Yes.

9696. From whom?—Mr. Edmonds and I made it up.

9697. How was it put down?—"10*l.* paid to Clark."

9698. On the nomination day?—I do not know.

9699. I daresay Mr. Edmonds understood?—Oh yes.

9700. We want 157*l.* to be accounted for by you?

man named Narramore called upon me; at least, alled at the house.

701. When?—Whether on the Monday or the day or the Saturday before the election I am not ain, and he said he was negotiating with a voter.

702. What was the voter to do?—To vote for our

703. Did he say who the voter was?—He did.

704. Who was it?—A man named Thomas Dennis.

705. What did Dennis want to vote for you?—100*l.*

706. Did you give it to him?—Mr. Narramore not see Mr. Mum; he was not disengaged when alled upon him.

707. Upon Mum or Narramore?—Upon Mum.

708. You went to see him?—Yes; but he was en- ed.

709. Whom was he engaged with?—I did not go

710. Was the door locked?—I knocked at the r and that was the answer, "engaged;" and I re- ed there was a person waiting for an answer, and ent up again and saw Mr. Mum.

711. You kept Narramore waiting all the time?— went to one of the smoking rooms.

712. Then you went to Mum again and he was ngaged?—Yes.

713. Had you seen anyone come down?—No, I at supper. I went up and told him again there a report. I had not seen the man; but that an rmediate man had been there, and in consideration eceiving 100*l.* he would vote, and that he had offered on the other side.

714. Did he say by whom on the other side?—

715. Did Mum give you 100*l.*?—No; he said he ld refer to his memoranda, and if I would send ramore himself he would let him know what was e done.

716. What was done?—I went up in a quarter of our and Mum gave me a parcel for Narramore; t it contained I did not examine, but Narramore the parcel and went off.

717. There was money in the parcel?—No doubt; I did not count it.

718. (*Mr. Coleridge.*) Narramore got the parcel was satisfied?—Yes.

719. You believe it was 100*l.*?—I believe it was.

720. Who was the next?—A man named Roes-

721. What about him?—He was living at Bath; me and voted, and we paid the travelling expenses way. After he had voted he was about the e, he could not see the man to pay his expenses, ked him what he would be content with and he 5*l.* I thought it moderate and paid him the 5*l.*

722. Who had written to him to come and vote? do not know anything about it.

723. Who was the next?—The next was Edward er.

724. Did he come to you?—Edward Shinner e to me at the Plymouth Inn to sell some pro- y.

725. What sort of property?—He had a house garden which he wished to sell and which he ed at 400*l.*

726. Is that the house he votes upon?—Yes, and other party had offered to purchase it, but having ys voted on our side he wished our party to have

727. What did you do then; what was his price? 00*l.*

728. Was that for the property or his vote?— property; and the property might be worth ween 16*l.* and 18*l.* a year; and finding that he likely to be off that day, the Saturday prior to election, I agreed to purchase the property of at 400*l.* and paid him 40*l.* deposit, and the usual tract, if not completed within a given time the sit money to be forfeited.

729. You never did complete it?—The election lost and it was never completed.

9730. How did you charge the 40*l.* in the account?—Mr. Edmonds paid it.

9731. That makes up 157*l.*; there were some other cases?—Not that I made arrangements with.

9732. Did not you pay other money away during the election?—Not any amounts that I know of.

9733. What did you pay altogether during the election, independently of what you have told us, without your being able to go into particulars?—I do not know of any other amount, I cannot refresh my memory.

9734. What did you pay over and above the 157*l.* during the election or the fortnight before?—During the election I would have the servants bringing me down a note, "What is your opinion of A.B., is he "trustworthy for 25*l.*?"

9735. That note came from Mum?—Yes.

9736. Have you any of those curious documents of Mr. Mum?—No.

9737. You did not keep those for seven years before you destroyed them like the correspondence?—Oh,no.

9738. When they came down you stated your opinion?—If they were trustworthy to borrow 25*l.* I would say so; and if they were doubtful I would say so.

9739. Who was to borrow?—That was the form.

9740. Did you not spend a single sixpence over 157*l.*?—No.

9741. Not of your own, but anyone's?—Not anyone's.

9742. Not from the time Colonel Dawkins came till the election was over?—No.

9743. In addition to what you spent yourself, were you privy to negotiations amounting to something like 500*l.*?—I heard of them, but I did not see money pass.

9744. Never mind about money passing, tell us about those?—I had information from a voter named Edwin Shinner.

9745. That is not Edward?—No, Edwin. On the nomination day that Pender's people were offering 100*l.* a man to himself and others (Mr. Champernowne's tenantry); I was informed the amount of 100*l.* had been offered to a man named Edmonds and another man named Marks.

9746. That is 300*l.* you heard of being offered?—Yes.

9747. To those three people?—Yes.

9748. What did you do in consequence?—Nothing, we shut up.

9749. That does not account for any part of the 500*l.* you were privy to?—That is merely hearsay.

9750. Do you know of any sums of money paid to voters at the time I speak of, or offered, from the time Colonel Dawkins came down up to the day of the election over and above the 157*l.* you have spoken of?—Only from report; rumour.

9751. You were not present at any negotiations?—No.

9752. What others do you know?—Mugford had 25*l.*

9753. Who gave it?—I do not know.

9754. You know, by report, of 500*l.* being distributed on your side or on the other?—Ours; I do not know of my own knowledge.

9754*. Whom do you represent as the parties having the 500*l.* on your side; let us have the names, and the amount, and who gave it them?—I think that has been exhausted by Evens before; that is all I have heard about it.

9755. I want to know, and it is fair as you have been implicated to ask you the names of the persons and by whom paid?—I have not been present when any individual has been paid.

9756. We do not say you have, but we want to know how you were going to account for 500*l.* which you were privy to as paid on your side?—I have no particulars.

9757. Do you mean to say you have never stated that you could mention 500*l.* to which you were privy to the payment?—Never.

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9758. Do you mean to say you do not know of 500*l.* worth of offers made to people on your side?—Of offers made?

9759. Yes?—Not from my own knowledge, I have never been present or a party to it.

9760. Do not you know of it?—Only from report, therefore I do not know.

9761. I ask you from report who the persons were who had the 500*l.*, what amounts they respectively had, and by whom those amounts were supposed to be paid?—I told that gentleman to day that I had no doubt 500*l.* had been expended in our house.

9762. 500*l.* expended in your house over and above the sum obtained from Mum?—No.

9763. Do you believe this 500*l.* was all the money that was expended in your house?—Yes, that I heard anything about.

9764. You have told us Mum probably had about 3,000*l.*?—Rather over 3,000*l.*

9765. And out of that 500*l.* was paid in your house?—There might have been about 500*l.* paid there.

9766. The 500*l.* was Mum's money?—It all came from him except the 40*l.*, the 10*l.*, and the 5*l.*

9767. You mean that the whole of the 500*l.* of which you spoke was money paid without any exception to people in your house?—It was so reported.

9768. And paid in your house in addition to those sums paid to the bribers; did you see the bribed?—No, the bribers came down; I saw then occasionally.

9769. Of the 3,000*l.* the total amount, do you mean that 2,500*l.* was paid to bribers, taken away and used out of your house?—I expect the agent who was employed to pay people out of it carried it off; what sum was paid I do not know.

9770. And the 500*l.* of which you speak was the amount that was paid out of the same stock of money Mr. Mum had received but paid in your house?—Probably in the house.

9771. Of that 500*l.* that was expended in your house over and above the 157*l.* you have told me of how many cases do you know of your own knowledge?—I do not remember any.

9772. Did you hear whom the voters talked to about money in your house during the period I have referred to?—I heard a voter of the name of Diggins say on the Monday night before the election, that if he could get 40*l.* he would vote for Dawkins and Pim.

9773. Was Diggins generally on your side or on the other side?—Alternately.

9774. After he had said that, as the active agent what did you do, whom did you suggest to Diggins that he should go to?—I made no suggestion whatever. It was uncertain whether we should retire or not.

9775. Did you say anything to him?—No.

9776. Do you mean that Diggins made this offer of selling himself at the moderate price of 40*l.* and you did not see him?—We thought of retiring.

9777. Did you suggest that he might get it?—No.

9778. Nobody in your presence?—No.

9779. Did you hear of anybody saying so?—Not a soul.

9780. Nobody answered him?—He came at some party meeting.

9781. When he made this offer to sell himself at the moderate sum of 40*l.* nobody answered him; it fell flat upon the audience?—He was at some party meeting in the house.

9782. (*Mr. Bere.*) Diggins was one of the men who signed the requisition?—He was.

9782. (*Mr. Coleridge.*) Do you know that Diggins afterwards was paid?—I do not know.

9783. Besides this man Diggins whose observation fell so flat on his audience, whom else did you hear talk about money in your house from the time Colonel Dawkins was there till the day after the election?—I cannot give you the names, I saw no money change hands but that.

9784. You have told us over and over again that; I want to know what money you know of changing hands although you did not see it?—I cannot tel you.

9786. You said you could give information abou this 500*l.*?—I have not said so.

9787. You mean that that is a mistake?—That could give information to the effect that it might hav been paid in our premises, 500*l.*?

9788. Of what was the sum paid you know nothing but Diggins suggested 40*l.*?—No, I do not.

9789. On what day was that?—Monday.

9790. You were talking of retiring the day befor the nomination?—Well!

9791. Did things get better on the nomination day —They looked a little better at night.

9792. More money was spent?—I do not know.

9793. You gave the parcel after it came from Mr Edmonds to the stranger?—I did.

9794. You mean to say that you know of no more money that was spent?—I do not.

9795. Do you not believe that more than that give to the stranger was spent?—I have no doubt of it.

9796. How much money was there do you suppose in the parcel on the last occasion?—Mr. Edmonds ha told me the sum was 1,000*l.*

9797. You know it was all spent?—No doubt of it

9798. What do you mean by saying that you know of no more that was spent?—I do not know wh received it.

9799. Do you know of money being paid to Franci Coombes?—I do not.

9800. Did you never hear of his being paid?—Never.

9801. You know nothing at all about it?—O former elections.

9802. Did you in the election of 1865?—I never heard that he received a penny.

9803. Was he in your house during the las election?—No.

9804. After you had heard Diggins make these ob servations did he leave the room?—He was in th entry.

9805. Did you see him go away with anyone?—No, I took no notice.

9806. Frederick Evens said so?—I took no interes in the matter.

9807. Or either, in your house?—No, he gave n information.

9808. Now, do you know about Eastman?—Henr Eastman?

9809. Yes.—On the day of the election he wante to be paid, but he had none.

9810. How much did he want?—He said he woul be content with 200*l.*

9811. Whom did he ask?—It was stated publicly i the presence of three or four of the Conservatives.

9812. Who were the three or four of the Conserva tive party?—Several of the names we have just had.

9813. Who else was there?—I do not remember.

9814. Was Mr. Kellock there?—I do not remembe No, it was the smoking room.

9815. Mr. Edmonds?—No.

9816. Frederick Evens?—No.

9817. Screach?—No.

9818. Either of your sons?—No.

9819. After he had made that statement did h vote?—I suppose he did.

9820. Which way did he vote?—That I am n clear about. I think he might have voted one wa one.

9821. Eastman I am talking of?—Yes.

9822. Did you hear Coombes say he wanted money —I did not.

9823. Did he get the 20*l.*?—No, not a farthing t my knowledge.

9824. Do you know a man called Hole?—Franci Hole.

9825. What did he say he wanted?—He had be sent for by the other party, and he told me if he ha been sent to before he would have come and voted fo us.

9826. What did he say he wanted to vote for you

He did not mention any sum ; he said he had been ndsomely treated.

9827. (*Mr. Bere.*) What did that mean ?—The sum at was paid I suppose for coming down.

9828. (*Mr. Coleridge.*) What does handsome pay an at an election ?—He was a draper who had left e town ; he was living in London.

9829. Did he get a couple of hundred ?—I never ard.

9830. Should you call that handsome pay for the t election ?—I should think so.

9831. Do you know that any voter had a couple of ndred ?—I do not know.

9832. Do you know one called Lampen ?—Thomas mpen.

9833. What did he want ?—He called at my door I nk the Monday before the election, and he said he d always supported the party, and he hoped he uld be remembered upon this occasion.

9834. What did you say to him ?—I had nothing do with it till after the election was over. If any s paid he would get his share.

9835. Did he get any ?—Not a penny.

9836. For the last election ?—There were no funds.

9837. Was the mysterious stranger entirely ex-nsted ?—I expect it was by the Tuesday morning.

9838. Mugford ?—I did not see any money paid to n, but he was about the house ; the information s received that he had had 25*l.* ; for its correctness will not answer.

9839. From whom ?—From our party.

9840. Raymond ?—I know nothing about him.

9841. Did he ever ask you for anything ?—No.

9842. Pitts ?—I know nothing about him.

9843. He did not come to you and say he wanted ything ?—No.

9844. No promise made ?—No.

9845. William Stoyle ?—I know nothing about m.

9846. Shillabeer ?—I know nothing about him.

9847. Who else can, you tell us ?—I have looked er the list, and I have given you all, as far as my emory will serve me, who had anything.

9848. (*Mr. Bere.*) Remembering the caution I ve given you, from the information that has been ven to you, do you still adhere to the assertion that u know nothing about bribery at those elections. mes Reeves, R. Pitts, William Stoyle, and Shilla-er ; any payments of money, or negotiations for the rchase of their votes ?—I have not the slightest collection of either.

9849. You saw our secretary this morning ; did u give him some information ?—What I told him I n ready to carry out now.

9850. Did you not tell him you did know about ichard Pitts, William Stoyle, and Shillabeer ?—I did t.

9851. What paper have you got there ? (*Handing some papers to the secretary.*)—Perhaps I was inking of a former election of Pitt's.

9852. Do you know anything about Thomas Mat-am ?—I know him very well.

9853. What transactions had you with him at the ection of 1865 ?—During the election ?

9854. Yes.—With respect to his vote ?

9855. Yes.—Not a syllable.

9856. Did you pay him any money during the ection, or before it ?—I never saw him.

9857. Did you pay him any money ?—I did not.

9858. Did you give him a cheque for 235*l.* in his and ?—I did not.

9859. At any time ?—Never.

9860. Have you ever paid him any money ?—ever. I bought a gig of him since then.

9861. Did you give him 235*l.* for the gig ?—Oh, o.

9862. When did you buy the gig ?—Since the ection.

9863. What did you give him for it ?—I gave him *l.* for it.

9864. When did you see him before the election ?—Not often, not for months before.

9865. Did you see him just after ?—No.

9866. At any time had you paid him money ?—Only the purchase of the gig, it had nothing to do whatever with the election.

9867. For years past ?—For years past. Whatever transactions I have had with him were in the ordinary way of dealing. I will not say I have never bought any hay or straw of him.

9868. Did you ever give him a cheque, or place a cheque in his hand for 235*l.* ?—Never.

9869. That you swear ?—I do.

9870. John Tucker ; do you know anything about him in regard to the election of 1865 ?—The butcher you mean.

9871. I do not know his trade.—I know such a person.

9872. You know him ?—I do.

9873. What as regards him ?—He never was paid a farthing for his vote.

9874. That is another election in 1862 ; do you know three people of the name of Chamings, Drew, and Ruby ?—I do not know of Ruby.

9875. Chamings of Wild Woods ; do you not know of any negotiations as to Chamings at the election of 1865 ?—I have not spoken to him in my life.

9876. Did your son John tell you he had been over to see him ?—On the morning of the election, when Dawkins and Pim had withdrawn.

9877. How do you mean withdrawn ; they went to the poll, did they not ?—When the agent found that they had been foiled, they offered enormous sums to persons without intending to carry the cause.

9878. Were Chamings, Drew, and Ruby three of those persons ?—I never heard of those persons.

9879. Was your son John the person who offered to meet those gentlemen ?—I did not know it.

9880. From whom have you heard it ?—I never heard of those men.

9881. From whom have you heard that any offers of preposterous sums were made at any time in the day to voters ?—That heavy sums had been paid.

9882. That heavy sums and offers had been made without any intention of paying ?—On the day of the election.

9882*. I am merely putting your own information in the form of a question ?—I cannot give you them ; there may have been several, because Dawkins and Pim virtually retired on the nomination day at about two o'clock.

9883. Do you know Arthur Niner ?—I do.

9884. Did you see him on the morning of the election ?—I think I did.

9885. Did you see your son John on the morning of the election ?—During the day.

9886. Where does Chamings of Wild Woods live ?—On the old road to Torquay.

9887. How far ?—2½ miles.

9888. You know your son John and Arthur Viner went away over the bridge in that direction ?—I did not know it.

9889. You do not know it ?—No, I do not.

9890. A conveyance was taken out of your yard for it ?—I do not know.

9891. For how many conveyances did you charge Colonel Dawkins and Captain Pim on that day ?—I do not know.

9892. Will you produce the bill before us on Monday ?—I will.

9893. When did Captain Pim come down ; did he come down on the night of the 8th of July ; did he come down on the Friday before the election ?—Unless I see the book to refresh my memory I cannot undertake to state. (*The book was handed to the witness.*)

9894. Did you send him in a bill for 110*l.* 3*s.* for five days living at your hotel ?—His proportion of the expenses of the election I did.

9895. Answer my question ?—I did.

NINTH DAY.

Mr. J. Heath.

1 Sept. 1866.

9896. How is the bill made out?—His proportion of the expenses incurred during the election.

9897. Did you make out a general bill to Colonel Dawkins and Captain Pim, and did you supply a bill to each?—I supplied a bill for each.

9898. What do you mean by his proportion of the expenses?—After Captain Pim came he went over the ground canvassing again.

9899. What do you mean by the proportionate part of the election expenses that you charged to Captain Pim?—I mean each had to bear his own charge, his proportion.

9900. What proportion?—Of the expenses incurred.

9901. In what proportion; did they pay evenly?—I believe they did.

9902. What was your bill to Colonel Dawkins?—Colonel Dawkins, 28th June to 12th July, 176*l.* 6*s.* 6*d.* passed by the auditor.

9903. Passed by the auditor?—Yes.

9904. (*Mr. Coleridge.*) Are you aware that this 110*l.* 3*s.* is not put into the election account at all of Captain Pim?—No.

9905. (*Mr. Bere.*) That account cannot have been passed by the election auditor, because there was no such person?—Yes; he was appointed by their own agent in the town.

9906. Now Mr. Heath, do take care what you are saying. You are liable to be committed by us and sent to Exeter and tried for perjury if you say what is untrue?—I do not say it intentionally.

9907. You were sworn to speak the whole truth. You have, ever since you commenced your examination been keeping back?—I beg your pardon.

9908. As to Colonel Dawkins, how much do you say the expenses were?—176*l.* 6*s.* 6*d.*

9909. Who paid you that?—I think William Hannaford.

9910. How was it paid?—I am not certain whether it was in cash.

9911. How much did William Hannaford pay you?—I have made an extract from the books this morning, I received in all 176*l.* 6*s.* 6*d.*

9912. How much did William Hamlyn pay you?—I do not remember.

9913. Who paid you for Captain Pim?—Mr. Hamlyn.

9914. (*Mr. Coleridge.*) Was all the horse and carriage hire had from you by Captain Pim and Colonel Dawkins?—Yes.

9915. (*Mr. Bere.*) What do you mean by saying Captain Pim's proportion of the expenses is 110*l.* 3*s.* when he was there but five days, and Colonel Dawkins was only 176*l.* and he had with him Captain Fox and two valets with him from the 28th of June to the 12th of July?—That is how the bills are made up.

9916. You must explain them; it is of no use giving us such answers as this?—His expenses were very much more the last few days prior to the election day.

9917. What were the expenses?—The books will prove them. I have brought the documentary evidence.

9918. Just show me whether the books will prove it. Is there a single charge in your books except the personal expenses of Captain Pim and Colonel Dawkins?—Yes.

9919. And do they amount to anything like the sum you have mentioned. There are not figures carried out in your books, if you look at them?—There are 13 pages in this first book.

9920. How many pages are there with regard to Captain Pim with figures carried out against the items?—Four of them are the expenses incurred, or the proportion of the expenses incurred by the committee.

9921. Where are the expenses incurred by the committee?—(*Referring the Commissioner to the book*). You will find three or four pages.

9922. And these charges that were paid to the Conservative committee were afterwards put into Captain Pim's and Colonel Dawkins' bill?—They were included as part of the expenses incurred.

9923. That is part of the personal expenses incurred by Captain Pim and Colonel Dawkins?—His personal expenses?

9924. Yes.—They were paid by him.

9925. Were they charged in their bill as expenses incurred by them?—No; they were put in as expenses incurred by the committee.

9926. And charged separately?—The charges which were divided.

9927. Separately?—In the form in which the agent received them.

9928. They were not, as far as you know, put into the election account?—They made up the election account.

9929. Your election account; it was not the election account?—That was the whole received.

9930. (*Mr. Longe.*) Who paid you that?—William Hannaford paid one part and Mr. Hamlyn another.

9931. Where were these refreshments supplied to the committee, in what room?—To the voters who came there at the election; in the ball room there were a great many all day.

9932. Were the refreshments supplied from morning to night in the large room of the "Seven Stars"?—On the election day and the day before and the night too.

9933. Every day?—Almost every day; whoever came from a distance was entertained.

9934. All in the town?—Yes.

9935. In what proportion were the refreshments charged to the committee as consumed by the voters what proportion do they bear to Captain Pim's and Colonel Dawkins's own expenses?—I should think a great deal more.

9936. What is the reason that in your books in some instances the items are not carried out, and in others they are; that is, that the figures are not carried out against the items in some cases and in others they are?—I do not know what is the reason. The barmaid kept the books and kept the accounts of the refreshment; it is easily accounted for.

9937. Do you mean to say you do not from time to time look over the accounts?—Not until after the election is over.

9938. Did you take care not to look at them?—If I was in the bar when anything was entered.

9939. Do you allow the barmaid to keep the accounts and you only occasionally look over them?—My daughter brings the particular receipts every morning, I compare them with this waste book and receive the amount.

9940. Did you do that with regard to the election expenses?—I did not look into the election expenses till after it was all over.

9941. Did you know that to supply any refreshments to voters is illegal?—I have heard so.

9942. Do you know now?—I do, if it is brought to light.

9943. And you wanted it concealed?—It was not desired to be published.

(*Mr. Bere.*) We shall require your attendance on Monday, and I beg leave to inform you that if your answers are not more satisfactory on Monday than they have been to-day you will be required to attend here from day to day and your expenses will not be allowed.

Adjourned till Monday at half-past 11 o'clock.

TENTH DAY.

Monday, 3rd September 1866.

Mr. Robert Harris.) You asked some questions, with reference to Cambridge, in the course of examination, and Cambridge got mixed up with And I wish to make a public statement in refere to that, inasmuch as I have been to Cambridge I am now here as you see. When I got to Cambridge, instead of permitting the Conservative party there to be in any way damaged by the statements I have made here, I have relinquished the appointment I had, and consequently I am here before you to make any statement, or answer any questions you may wish to ask in the course of the inquiry.

Mr. Henry Turner Cole sworn and examined. *Mr. H. T. Cole.*

944. (*Mr. Bere.*) What are you?—A banker.
945. Where?—At the Devon and Cornwall Bank, lumpton. I am manager.
946. What were you in 1865?—Cashier at the ron and Cornwall Bank at Totnes.
947. Do you remember the election in 1865?—
948. About the middle of the election day did go to Plymouth?—Yes.
949. On the platform of the station at Plymouth you meet a boy carrying a bag?—I did not meet , I telegraphed to the bank to send the money on he station.
950. To the Devon and Cornwall Bank at Plyth?—Yes.
951. To whom did you telegraph?—To the man-
952. To Mr. Derry?—No, he was the general ager. He has nothing to do with the banking ness.
953. Did you telegraph to the manager by name o the manager of the Devon and Cornwall Bank, mouth?—I think to the manager of the Devon Cornwall Bank, Plymouth.
954. What was it for?—1,000*l.* in gold and 750*l.* paper.
955. What time in the day did you go to Plyth?—A quarter past 11. I went by that train I telegraphed before I left.
956. When you arrived at Plymouth did you a boy on the platform?—No. I found the train punctual, and as I saw no one there I took a and went up, and I found they had sent on a senger.
957. Did you get the money?—Yes.
958. What did you do with it?—Brought it to bank.
959. To whom was it paid?—To no one. It was ght to the bank.
960. For what reason were you sent for that ey?—We thought we might want the money.
961. What for?—For customers.
962. Was Mr. Pender a customer?—He had a l balance, but he did not draw anything on it er before the election or for long after. It was re small balance. He might have a few hundreds, he did not draw anything on it.
963. How much of that money was paid out that —Before I went away in the morning there was uch paid out.
964. How much?—I cannot say, we might have out perhaps 800*l.* in the morning before I left; we thought there might be a demand, but there no demand for the money afterwards, and when e back about 3 o'clock, and when we closed the , we had not used the money at all.
965. The 1,750*l.* was not used?—We did not it. I need not have gone to fetch it, as it out.
966. To whom had you paid the 800*l.* in the ?—To different customers.
967. Can you give us the names?—I cannot say. were men coming in with cheques and notes, the opinion was perhaps there will be a little extra run. The reason I went down was not that we wanted the money at the time, but we thought we might want it that day, or we might want it the next morning, and we get it all from Plymouth.
9968. It was likely for the common purposes of the bank that you would want more money on the election morning than on the other?—Not at all; it is a short distance, and we get all our money from Plymouth.
9969. You told me you thought there might be a run on the bank that morning?—Yes.
9970. Why that morning more than any other?—We had several people coming in the first thing in the morning, people with notes to be cashed, some wanted gold. They were notes and cheques of our customers.
9971. Of whom?—Of customers.
9972. What customers, Mr. Pender?—Mr. Pender had a balance of about 1,800*l.* at the bank, but we had no cheques of his. I do not think he took out a farthing of his money at the election. I think it was paid back in London. I do not think he required it here. I would not say without the books, but I do not think he required it at all.
9973. How long have you been cashier at Totnes?—11 or 12 years.
9974. You were cashier in the election of 1863?—Yes.
9975. Had you a run on the bank on the day of the election or the day of nomination in 1863?—Sometimes we have got much more money in the bank than at other times.
9976. Just answer the question, please, had you a run on the bank on the nomination day or the election day of 1863?—I think I might say we have had more people in for change, but I would not say.
9977. The nomination day or the election day?—I would not say.
9978. What will you say?—I cannot say whether we have or not had any people, but what I will say is this, on this day there was no one came in except as any person might come in on any other day to cash a note or a cheque. We knew nothing at all about it.
9979. (*Mr. Longe.*) It was because your former experience led you to expect you would want more money on the election day and you got this money?—People came in to cash those notes.
9980. Experience of former elections led you to suppose that you would want more money?—No, not at all. We have had other days when I have been obliged to go to Plymouth for money if we run short. We cannot tell, Plymouth is near and we get our money from there.
9981. (*Mr. Bere.*) Have you ever had to go to Plymouth on a nomination day or an election day for money before?—I do not think so, but we have on a great market day.
9982. How many times in the course of a year have you gone to Plymouth for money yourself? When had you gone before that day?—I cannot state the day exactly.
9983. How long before?—It may have been perhaps 12 months, because we write.

TENTH DAY.

Mr. H. T. Cole.

3 Sept, 1866.

9984. How long was it?—It might have been 12 or six months. We generally have it by post if bank notes.

9985. That is your usual course. You write and say you want money and it comes by post?—Yes.

9986. (*Mr. Coleridge.*) And if gold?—We send, or they send up.

9987. (*Mr. Bere.*) Is it usual for the cashier to go?—Yes, generally the cashier.

9988. Had you ever been to Plymouth before to get money?—Yes.

9989. When?—I have been for money for different people, for Mr. Presswell in the town if he required any.

9990. For the purposes of the bank?—Yes.

9991. When did you go to Plymouth to get money for the purposes of the bank before?—I cannot call it to my recollection. I do not frequently go because we do not as a rule have gold from Plymouth. We need not have given these people gold on that day if we did not like; we only wished to oblige them as they came in.

9992. Oblige whom?—People who came in for gold or notes; we did not know who they were, and we did not ask them any questions. A man comes with 50*l.* and he may have received a bribe, but we know nothing about it. He comes in and says will you give me gold. We need not give them gold unless we like, but we wish to oblige them if we can. We saw the money was going out and I went.

9993. What quantity of money had you got?—There may have been about 200*l.* in gold in the bank on that day.

9994. What had there been on the morning?—We might have had say 1,000*l.*, I do not know that we had so much; we do not always keep so much, it is not necessary. As a rule we take more gold than we give, but occasionally we run short, and then we send to Plymouth. It is rarely that we send to Plymouth for gold; we generally send it away. It was merely to oblige our customers; we need not have given them gold unless we liked; we had no motive except as bankers to oblige the people.

9995. Is it usual for you to have pretty nearly as much as you have to pay?—Yes; we generally do.

9996. What made you think that the election day would be an exception?—Because we found people coming in in the morning with notes to change.

9997. What notes were they?—I think Bank of England notes.

9998. Were they new ones?—I have no doubt they were; I cannot say, because I was doing other work at that time; I was not at the counter in the morning.

9999. I ask you on your oath, do not you go down to Plymouth to get the money, knowing that it would be required for the purposes of the election?—I went down to get that money thinking it might be required for banking purposes.

10,000. For banking purposes; a pressure being put on the bank in consequence of the election?—It is just likely that it might be in consequence of a great market day, just in the same way as there would be an extra demand on a great market day.

10,001. (*Mr. Coleridge.*) Was there ever as much as 1,700*l.* drawn out of your bank on any other Tuesday that you can mention?—Yes, I should say so; I know there must have been; on a great market day I have paid more than that.

10,002. Are the great market days on Tuesdays?—Yes, the first Tuesday in the month.

10,003. Can you mention any Thursday when as much as 1,700*l.* was paid in one day?—No, I do not know that. I should mention that we did not pay away this money.

10,004. No; but you provided for it. Do you mean to say that the only time that as much as 1,700*l.* was paid out of your bank would be a great market day?—No, I do not mean to say that; sometimes it would but not as a rule, because we should take it in a pay it out.

10,005. I thought there was a confusion there wh I asked whether it was paid out; I did not me that your account stood worse at the end of the d by 1,700*l.*, but, did you pay 1,700*l.* over the coun on any day except a great market day?—I have doubt that we have, because we might have a man with a cheque for 1,000*l.*

10,006. But you would recollect if you had?—N I should not.

10,007. Is there as much as 1,000*l.* cash paid of the Totnes bank at any one time?—Frequent I do not mean cash paid over the counter, but often get a cheque.

10,008. That is not what I asked you?—Not f quently.

10,009. Can you give us any instance of 1,00 being paid over the counter on any other day exc a great market day?—Very seldom.

10,010. Was this Tuesday a great market day? Not if it was a Wednesday, certainly not.

10,011. If it was on Tuesday the 11th, that wou not be a great market day?—I was sent for gold.

10,012. Would that be a great market day?—It is the first Tuesday in the month.

10,013. It was not a first Tuesday?—Then would not.

10,014. This was not a great market day, yet found it necessary to provide as large a sum of mo as 1,750*l.* in case it was wanted?—We thought might be wanted.

10,015. Had you any earthly doubt in your mind that your providing that was for purpose the election?—I had not the slightest doubt in own mind.

10,016. (*Mr. Longe.*) You say it was for purpose of cashing in your business?—For conduct our business.

10,017. But you had your own views why expected this run?—I cannot say; I thought per that I had heard, you know that things were float about, but still I could not tell.

10,018. It is only with regard to your own m You as manager of the bank knew perfectly well expected that there would be cash required on election day, they knowing that it was the practic Totnes to give money on the elections?—Yes, thought—we did not think the day before at all, they came in that morning to cash cheques and n and we are bound to cash them; but for Bank England notes we need not give gold, for in this like or wish to oblige if we can, and we always we can, and we thought we would make a provisi but, as I say, it was not wanted, for the election soon over after I left.

10,019. (*Mr. Bere.*) What are your custom are they principally farmers who use the market?—Farmers principally, and dealers ab we have bull dealers.

10,020. Are they people who keep accounts you?—Yes.

10,021. If they bring in cheques drawn on ano bank do you cash those?—If we know the partie

10,022. If you know the person who brings th —Yes, and the drawer.

10,023. Do you know what cheques came into bank that morning, and had been paid?—N cannot say.

10,024. Can you remember any single ch that morning, who drew it, and to whom it payable?—No, I do not think I do; I do not kn I might not have been at the counter at all morning, because my duties do not lie there till 11 o'clock, and I generally post my books and th to the counter if anybody comes in.

10,025. What time is your bank opened?—10 o'clock.

10,026. What time did you go down to Plymo —11.15 I left the station.

10,027. What time did you telegraph ?—About the ne time.

10,028. When did you receive orders from the nager to go down ?—About a little before 11. He ked me "Do you think we want any more gold ; do ou think we shall run short ? " and we want to com- nce business the next day.

10,029. Who was in the bank at that time ?—I nk all were in the bank.

10,030. What customer ?—I do not think any stomer.

10,031. Is Mr. Chaster a customer of yours ?— .

10,032. (*Mr. Coleridge.*) Was the late Mr. Thomas chelmore ?—No.

10,033. Jeffery Michelmore ?—No.

10,034. Charles Michelmore ?—No.

10,035. Mr. Parnell ?—He is a customer, with others the gas works. No account with us.

10,036. (*Mr. Bere.*) Had Mr. Pender been in the nk that morning ?—Not to my knowledge.

10,037. Or young Mr. Pender ?—No ; not to my owledge.

10,038. Or a gentleman of the name of Heald, who ne down with Mr. Pender ?—No; not to my know- ge.

10,039. (*Mr. Coleridge.*) Within a month before election how many strangers' accounts had you ned—people not resident about here ?—Strangers' ounts ?

10,040. Such as I should call Mr. Pender, a anger ?—I think that I may say that Mr. Pender's s the only account opened.

10,041. Did Mr. Salmon open an account ? *Mr. Bere.*) Just take care what you are saying ; irs is the Devon and Cornwall Bank ?—Yes.

10,042. (*Mr. Coleridge.*) Did Mr. Salmon open an ount ?—I do not recollect the name.

10,043. Or Mr. Heald ?—No.

10,044. Or young Mr. Pender ?—No ; I think Mr. nder's was the only account opened. There was a n placed in ; I cannot say what it was ; it might 500*l.* or 1,500*l.*, but I do not think it was operated at all till at least a month after the election.

10,045. (*Mr. Bere.*) What is the name of your nager ?—Mr. Pearce.

10,046. Is he still manager at Totnes ?—Yes. I assure you if it was for anything at all not con- ted with business I should not hesitate a moment.

10,047. It seems an odd thing, to say nothing else, t on the morning of an election where great bribery k place you go down to Plymouth and return with 50*l.* ?—I went down purely from motives of busi- ss. We did not use it at all, there was nothing ne after 11 o'clock. If you will look you will find the books that there was no business going on ticularly after that time. It was only a few people me in and we thought there might be a run and nt some money to commence business with in the rning, but it so happened that we did not. It very en happens for instance in a business like this that frequently send, I do now, we send away money we have too much to the different branches, and get interest, they pay us for it ; that very day, instance, at Collumpton we had 1,000*l.* more than wanted and sent it to Plymouth.

10,048. (*Mr. Coleridge.*) It is odd that you cannot l us any other instance when you yourself went to ch so large a sum. Now, try to recollect.—I can re an instance; when I was sent down for 3,000*l.* ce from here.

10,049. When ?—It was some years ago.

10,050. During an election ?—No, for a customer.

10,051. For a special customer ?—Yes.

10,052. If it is fair may I ask who it was ?—Mr. esswell ; a lady left some money to some charities.

10,053. Can you recollect any other instance when u yourself have gone down for so much money in y day, say in the year 1865 ; was there any other y in 1865 that you went to fetch so large a sum of money as 1,700*l.* from Plymouth ?—I have frequently for a large sum in bank notes, but not gold.

10,054. Bank notes you have told us come through the post ?—Sometimes we fetch them.

10,055. Can you give any other instance in 1865 when you went yourself to fetch money from Plymouth at all ?—I do not think I could.

10,056. In reality it is not a part of your business, your business is at home and not to go about and fetch the money ?—Yes, frequently I take it over to Torquay.

10,057. But can you tell me any instance in which you have fetched money yourself from Plymouth personally ?—I have fetched money personally, but I cannot give you an instance.

10,058. How long since, this year ?—No, I do not think so.

10,059. 1865 ?—Yes, I should think very probably I might, but not in gold.

10,060. I thought you told us that notes always came through the post ?—Not always, nearly always. If we are driven up very short we go at once.

10,061. Then I may take it that you never fetched gold yourself at all ; when was it that you fetched any amount yourself from Plymouth ?—Well, say I did it once a year, I might have done it.

10,062. That would be the outside ?—Yes, I should think about ; I was not in the habit of going unless we wanted it, because sometimes we sent other people, and it came by post.

10,063. Supposing there had been no election going on at all, but there were cheques brought in on the morning of the election should you have gone to Plymouth ?—If they had asked for gold as they did.

10,064. How much gold had been asked for at the time you went down that morning ; how much had been asked for this morning before you went to Plymouth ?—I should say about 600*l.* or 700*l.*

10,065. And that was paid ?—And that was paid.

10,066. Then 600*l.* or 700*l.* having been paid out you went to Plymouth and brought with you 1,000*l.* in gold, and the rest of the sum you have mentioned in notes ?—Yes, we usually do not keep more than that in gold, sometimes we have as much as 1,500*l.* or 1,600*l.*, generally we consider 600*l.* or 700*l.* sufficient.

10,067. Was not 1,000*l.* a large amount of gold for you to have in the bank on that day ?—We frequently have 1,500*l.* or 1,600*l.*, when it is accumulating here we send it to Torquay.

10,068. (*Mr. Bere.*) Had you not a cheque cashed on the morning of the election by Mr. Kellock ?—I think there was.

10,069. For 1,000*l.* ?—I think so ; it was not by me.

10,070. Who cashed it ?—The manager I suppose.

10,071. Were you present ?—No.

10,072. How was it cashed ?—I do not know, you can easily see by the books.

10,073. Was there 700*l.* in gold ?—Very likely there may have been.

10,074. What time was it cashed ?—It was not cashed during banking hours.

10,075. After banking hours ?—I think so.

10,076. Late at night ?—I cannot say whether it was late at night or before banking hours.

10,077. Did you vote for Pender and Seymour at the last election ?—I always voted for the Liberals on all occasions, and at every election I have always voted early before I went to the bank, I have never varied and I hope I never may.

10,078. (*Mr. Coleridge.*) Did you cash any other cheque for Mr. Kellock besides this one for 1,000*l.* on the nomination day ?—I do not think so ; if I had the slightest recollection of it I would tell you.

10,079. Did you cash any cheque for Mr. John Heath on the morning of the election ?—I do not think I did ; we had a cheque paid in for Mr. Heath on the morning of the election.

10,080. Who paid it in ?—I cannot tell whether it was Mr. Heath or his son.

TENTH DAY.

Mr. H. T. Cole.

3 Sept. 1866.

10,081. To what amount was it?—I think about 500*l.*

10,082. Who drew it?—It was I think a London cheque.

10,083. Was it a Mr. Smith who drew it?—I cannot say; I think it was on Messrs. Ransom the bankers.

10,084. Was it by Mr. Edmonds?—I think not, it was a London cheque.

10,085. You can tell that from your books?—Yes, we can tell everything from our books.

10,086. (*Mr. Bere.*) Will you go to the bank and get your books?—Yes. I wish to give you every possible information.

10,087. (*Mr. Longe.*) Owing to money having been drawn out it was that you wanted this money from Plymouth?—They were drawing out money during the morning, and I should not have gone to Plymouth if I had not thought it would have been wanted.

10,088. You thought there would be an extraordinary run on your bank?—Yes.

10,089. And the reason you went was that you thought you would want it for banking purposes?—Yes. If you ask me my private opinion, I suppose that it had something to do with the election.

10,090. (*Mr. Coleridge.*) At the time you left to Plymouth what amount of gold had you in the bank—I doubt whether we had as much as 200*l.*

10,091. And how much in notes?—Between 400*l.* and 500*l.* in notes.

10,092. You had cashed notes to the amount of 700*l.* or 800*l.* what had become of the notes you had given gold for?—I really cannot tell.

10,093. At the time you went to Plymouth there was less left in notes than you had paid out, how is that possible?—We were running very hard for cash at that time.

10,094. You had only 500*l.* or 600*l.* in notes, what had become of the other notes for which you had given the gold?—We paid out notes as well. A man might ask for change for a 50*l.* note, and might take some portion of it in notes and the rest in gold.

10,095. How much had you paid out in notes in addition to what you had paid in gold?—I cannot answer that. I do not know what we had.

10,096. Can you find that out from your books?—Yes; I will go and get them.

10,097. We want to know by whom the cheque was drawn that was paid in on the morning of the election by Mr. Heath?—That I will endeavour to ascertain for you.

Mr. J. Heath.

Mr. JOHN HEATH recalled and further examined.

10,098. (*Mr. Coleridge.*) I asked you on Saturday who came down with Colonel Dawkins?—Before my examination is resumed, I hope the Commissioners will permit me to make a few observations in reference to my examination on Saturday by way of explanation. I wish to inform the Commissioners as one reason for my being personally unacquainted with the whole of the business that is done at the hotel, that although it may not be known to them, it is well known in the neighbourhood, that in addition to the hotel, I am extensively engaged in another business, as an auctioneer and land and house agent, which has been established for upwards of 30 years, which together with the duties of my public offices occupy at least five days out of the six every week; consequently under those circumstances it is not probable that I should see every one who comes in and out of the house, or examine the entries which are made either by the barmaid, in whom I have the greatest confidence, as to her honesty and integrity, or by my daughter, who would be present at the time, when the business of the house was being entered in the books. And when I was asked on Saturday when Colonel Dawkins arrived, and also when Mr. Mum arrived, I was no more aware of it than the greatest stranger in this court, and if I had to repeat the answers, or go through the same examination which I did on Saturday, I can safely swear that such was the case. I have only had the books to refer to in order to be able to give an opinion at all, and relying as I did on the accuracy of the entries in the book, which is merely a waste book, I gave the information I did on Saturday, which I fear created a bad impression in the minds of the Commissioners, they believing that as I conducted a large establishment, in which many thousand pounds of capital are employed, I ought to know what was doing there, to know who were my customers, and also the strangers who were visiting them. I beg most distinctly to assure the Commissioners that although my house is now full, and every bed room in it engaged to the extent of 39 rooms, with the exception of a nobleman who has just left, I do not know the name of any one of the customers who slept there last night. I hope this may be considered by the Commissioners a satisfactory explanation of any apparent discrepancies or inaccuracies which appeared in my evidence on Saturday. I wish to add that if there were any discrepancies from which I incurred the censure or disapprobation of the court, it was not intentional on my part, but what I stated was to the best of my knowledge. I was also asked what other candidates I knew of that had been here; what I understood by the interrogatory was whether candidates may have been here just prior to the election I was not aware that the question asked by the learned counsel related to what had transpired between the former election and the one now under consideration, and I scarcely did know the name of Mr. Kennard till it was asked me, when I immediately acknowledged it. There was not only that gentleman but I believe Mr. Macleay, and when it was said I was flatly contradicting my evidence, I was so confused at it and so vexed to think that I had made any statements that might be considered intentionally wrong, that I scarcely knew what answers in future to give. That was the reason that in my evidence I was rather confused, and sorry that it should have been given in the way in which it was. I had no object in withholding such evidence as that, as my point was to be gained by it, and consequently, if you asked me at once, "Do you know of Mr. Macleay" "and Mr. Kennard," I should have replied that I had seen them in the interim, especially in a place where bribery is going on just as thick as selling cattle in the market. I should not have hesitated to state the particulars, for we have not only the sleek well fed bull, but the half-starved yearlings in the market I have seen the report, and that is what I know with respect to the inquiry now before you. There was one question put to me with regard to Captain Pim's and Colonel Dawkins' bills. The way in which those accounts are made out is as follows:—The whole expenses during the election were made out from the first to the last, five days it was Captain Pim had been in the house, and there was a house full; we had really almost open house for the last three days. Captain Pim said, "Give the fellows what they want, do not "let them go away, charge me for more than my "share;" hence the reason why Captain Pim's bill for the short period of time appeared in excess of that of the gallant Colonel Dawkins; but I beg to inform the court that supposing those bills amounted to more than 300*l.* within the fortnight, distributed over the whole fortnight, the house was really occupied by the election people, and no one else. I can show this by the books, during the race week we have not had so much trouble, and the books will show that we did in the house as much as 400*l.*

10,099. (*Mr. Bere.*) You do acknowledge that your house was taken up by the Conservative party?—It was.

10,100. And the effect of that was to put a stop to all other business?—I need not explain that now

. Matcham's cheque was under consideration, and
ant to set myself right with the public as well
he court. On Saturday I gave to your Secretary
w minutes before we came into this court, when
as up stairs with him for a short period, some
rmation, upon which your Secretary made some
noranda on his brief for the information of the court,
nterrogate me upon. We had three poll books there
re us at the time, and in the confusion between
three poll books interrogatories were put together
h some confusion, as had been caused before, and
re was some doubt about my giving accurate
wers about them; but I was so confused, and
ing to implicate some of the voters at one
tion, with whom I knew there had been some
ery transactions at another, that was the reason
I would not venture to give an opinion. I was
edingly glad when the matter drew to a close.
d a very short notice on Friday evening of my
g wanted at the court on the following day, I did
consequently go through the poll book. I made
accurate calculation of names nor particulars to
t the court as I ought to have done, and I was
prepared to give the information that I now have.
e that time I have investigated the whole of the
unts to refresh my memory, to give all the infor-
ion I possibly could from the poll books them-
es. After the last election was over, and the
unts were being closed, there was a lot of
chers and memoranda put into the waste paper
et. I have endeavoured to find everything as far
could.

),101. (*Mr. Bere.*) What is your explanation as to
Matcham's cheque?—I was asked if I had any-
g to do with Mr. Thomas Matcham as to giving
a cheque; in this case I will give you a full
lanation.

),102. What is the explanation that you now give
Mr. James Matcham's cheque for 235*l.* on the day
r the election?—I do not think it was the day
r, it was payable the day after.

),103. No, it is drawn the day after?—If my
y is there it is in error. I will tell you the cir-
stance.

0,104. (*Mr. Coleridge.*) "No. 13," the day after
election?—I will tell you the whole circumstance.

0,105. (*Mr. Bere.*) Just look at the counterfoil
65?—A few days before the election old Mr.
cham came to me to say that his son was away,
he could not show to vote with the Conservatives.
wished to vote, but he could not face his creditors,
in order to do so he wanted to raise a sum of
. I said, "What security will you give?" He
, "I have a lot of cider in store, cider casks and
arious things, but here is a particular store. I
m ready to give security upon that, and, further,
n of mine will be another security.

0,106. Was old Mr. Matcham John Matcham?—
old James.

0,107. Thomas Matcham was to be the collateral
urity?—James Matcham.

0,108. What is Thomas Matcham, the son?—He
been an innkeeper in Totnes.

0,109. What inn?—The "South Devon" inn.

0,110. Where was he at this time?—I think in
neighbourhood of Plymouth. The other brother
living at Torquay; the brother became a col-
ral security for him.

0,111. Did he give you a bill of sale?—I had a
of the goods that were there in the store not far
n here, but I do not hesitate to say there was an
derstood thing that if old Matcham and the son
ie and voted as desired, he should be free from his
ditors. I informed Mr. Kellock, our mayor, of
at had transpired, and he said, "Do not carry out
he contract; take my advice, if it is known it
vill invalidate the election; you had better
countermand the payment of the cheque." I gave
ice to Mr. James Matcham at Torquay that it
uld not be carried out, and accordingly I said so to
. James Matcham, the holder of the cheque *pro tem.*, and he came to my house and destroyed it. That is what was done about the time the cheque was destroyed. These are the facts connected with the transaction. I came on Saturday to give you all I did know, and I do it now, and I regret that in consequence of the confusion between the various books no preparation had been made to furnish the desired information.

10,112. (*Mr. Bere.*) On the same day did you pay two cheques to Mr. Edmonds' favour with the balance of monies you received from him; one cheque for 207*l.* 10*s.*?—There is one for 217*l.* 17*s.* 6*d.* also.

10,113. No, not that?—I do not remember, only that 207*l.* changed hands.

10,114. Look at that cheque (*handing the counterfoil to the witness*). Did you draw that?—To the best of my belief I did.

10,115. Look at the next counterfoil; what is that?—That is the amount.

10,116. Was that the same Mr. Edmonds?—The same Mr. Edmonds. That was the amount due from Mr. Please to Mr. Edmonds.

10,117. Who is Mr. Please?—A voter; he passed through the Insolvency Court at one time.

10,118. How did he vote?—For the Conservatives.

10,119. You paid to Please, who voted for the Conservatives, 4*l.* 14*s.* 6*d.*?—I think that will be shown.

10,120. You paid the money on the counterfoil for Mr. Please?—It was part of it. I think I must give you a further explanation as to Mr. Please.

10,121. Have you done?—I have explained all that is necessary. I wish to set myself right as to what evidence I may have given unintentionally.

10,122. (*Mr. Coleridge.*) I hope you will try and recollect a little better. You told me on Saturday that Colonel Dawkins came down with Captain Fox and a valet; you were not sure whether there was more than one valet. Did anybody else come?—I do not know.

10,123. What gentleman was it?—Was any gentleman here, do you mean?

10,124. Yes, at your house, previous to Colonel Dawkins coming down on the matters of the election?—Any gentleman connected with the conduct of the election?

10,125. Yes?—Not to my knowledge.

10,126. To your knowledge nobody came with Colonel Dawkins but Captain Fox and one valet, or there may be two?—There was not to the best of my belief.

10,127. You said he had a London solicitor, but Mr. Edmonds acted for him?—If I said so I said it in error. Mr. Smith was there the whole time. If I said it it was inadvertently; it was not intentionally to conceal anything.

10,128. Mr. Smith was there?—He was.

10,129. When did he come?—I do not know whether he came with Colonel Dawkins or before.

10,130. Mr. Smith was there acting with Colonel Dawkins in the house?—He was.

10,131. Can you undertake to say that Mr. Smith did not come down with Colonel Dawkins?—I cannot undertake to say so. I think it probable he may have done so.

10,132. Where used Mr. Smith to have his meals? You never told me that Mr. Smith was there, though I asked you?—It was not intentional.

10,133. Try to understand the questions before you answer them. Had Mr. Smith been there?—Mr. Smith, his attorney, was here the whole time.

10,134. With whom did he have his meals?—I think he had them with Colonel Dawkins.

10,135. And Captain Fox, I suppose?—And any other visitors Colonel Dawkins had there.

10,136. Do you know what Mr. Smith brought down with him; be careful now?—Do I know what he brought with him?

10,137. Yes?—I do not know.

10,138. Did you have any conversation with Mr. Smith, Mr. Edmonds, or Mr. Kellock after Mr. Smith

came about what was to be done with the voters?—What was to be done with them?

10,139. What was to be done in the way of bribery?—To what extent it would be required?

10,140. What amount of money would be wanted?—That was dependent upon whether there was bribery on the other side.

10,141. Did you have a conversation?—I did with Mr. Edmonds.

10,142. When was the conversation?—It was during the whole conduct of the election.

10,143. Was it after Mr. Smith was down?—I should think before and after, long before.

10,144. What did you give as your opinion of the sum that would be required?—It would depend on what the others did, but if the others spent 5,000*l.* we could win with 4,000*l.*

10,145. You have said that when Mr. Mum came down you had no account of his coming, and did not know anything about him except that he came from the club; was that so?—Yes.

10,146. You told me that all you trusted Mr. Mum for was because he said he came from the club. Answer my question. Did you say that?—On Saturday?

10,147. Yes. I asked you the reason how you came to trust the stranger, and you said it was because he came from the club. Is that so?—I stated that on Saturday.

10,148. Is that the reason now why you put confidence in Mr. Mum? Have you any explanation to give me why you said that. I must have an answer?—Although I had no intimation that Mr. Mum was there, when he came Colonel Dawkins and Mr. Smith were in the house.

10,149. Exactly so. Now tell us something about that. You say it was not upon the mere representation of Mr. Mum coming down from the club that you trusted him?—He paid his own account.

10,150. Pray do not fence in that way. You know I did not mean you trusted him for the eggs and butter, but you trusted him in the matter of the election. Did you come to Mr. Smith and say that Mr. Mum had come?—I did not.

10,151. Did you tell anybody that Mr. Mum had come, and ask him to convey it to Mr. Smith?—The only person I mentioned it to was Mr. Edmonds.

10,152. Did Mr. Smith give you to understand that Mr. Mum was all right?—I do not think so.

10,153. When did you have any conversation with Mr. Smith about the election, first?—After he was in the house.

10,154. Was it before or after Colonel Dawkins came?—After.

10,155. Now tell me what was the first conversation you had with Mr. Smith about the election?—That we were certain to win.

10,156. Did you tell him how you were to win?—I will not conceal anything from you that is desired to be brought out.

10,157. Was your first conversation with Mr. Smith before Mr. Mum came?—I think long before that.

10,158. Did Mr. Smith tell you this person would come down from London at the same time?—I do not remember it.

10,159. Did Mr. Edmonds tell you that?—Mr. Edmonds told me that there would be a person.

10,160. You told us on Saturday that you had no reason to expect anybody; did you except a person from London in consequence of what Mr. Edmonds told you?—It was more to be presumed than anything else. Mr. Edmonds said, if we fought this election it must be with a person to do the dirty work.

10,161. When did Mr. Edmonds tell you that, how long before the election?—I think a week before.

10,162. When did a person from London first come down?—On the 7th of July.

10,163. Was that the person who came down late at night and came into the bar and had a glass of grog?—I think it was.

10,164. Was that the occasion upon which he first said he was come from the club?—That was.

10,165. It was not because he said he came from the club, but because Mr. Edmonds told you to expect him that you thought he was the right person?—I do not know that I expected to see him that particular day.

10,166. You knew a person was coming down from some club in London, when he said he came from a club you knew what it was?—I suspected immediately; I have no object in concealing it.

10,167. You said just now that you trusted the man because Colonel Dawkins and Mr. Smith were in the house, what had Colonel Dawkins and Mr. Smith being in the house to do with you—finding out that this was the person you expected when he first came?—What had that to do with it?

10,168. You said just now because Colonel Dawkins and Mr. Smith were in the house you trusted this man, what had their being in the house to do with that?—My communication was with Mr. Edmonds; he said carry this bag to that man in such a room.

10,169. When that man came down did you give him anything that night, a bag?—No, sir.

10,170. When was the last occasion on which you ever gave him anything?—The following day.

10,171. That would be the 8th?—It was the 8th.

10,172. Do you know where the bag came from that Mr. Edmonds gave you?—Mr. Edmonds gave it to me, I do not know wherefrom.

10,173. Do you know whether Mr. Smith brought that bag down with him?—I do not.

10,174. After you had given this stranger the bag what conversation had you with him about setting money going?—What had I to do with him.

10,175. What conversation had you with the stranger about setting money going?—I had very little conversation with him on the business.

10,176. What did you do, did you give him a list of names?—I did not.

10,177. Did you obtain a list of names?—I did not; he asked my opinion.

10,178. Who did?—The man himself asked me my opinion of some of the names.

10,179. Who obtained the list?—He had a list.

10,180. Did you give him the list of names that Harris had given you?—I did not.

10,181. What conversation had you with Mr. Smith at this time about it?—Nothing much.

10,182. Nothing more?—Just as I have stated to you before.

10,183. Do you mean the 8th?—Yes.

10,184. I mean after you had given this bag of money to the stranger or just before, what conversation had you with Mr. Smith about it?—I do not remember what it might have been, if you put a direct question I will answer it in a moment.

10,185. I cannot invent your conversation; what was the conversation you had with Mr. Smith about setting money going?—I had my conversation with Mr. Edmonds entirely.

10,186. Was Mr. Smith present?—No.

10,187. Have you ever had any conversation with Mr. Smith about setting money going?—When he was present?

10,188. No, when there was nobody present?—I had not; Colonel Dawkins said the money should be immediately paid.

10,189. Had you any conversation with him at all about setting the money going?—I had a chat with Mr. Edmonds.

10,190. I am asking about Mr. Smith; do confine your mind to Mr. Smith, or to anything that you may have said to him on the subject of money; had you any conversation with Mr. Smith about setting money going?—I think it is probable.

10,191. Can you tell me as an old electioneerer what was your advice upon that occasion?—I was advised by Mr. Edmonds as to the amounts.

10,192. What did you advise about the matter?—I do not know that he should ask my advice.

10,193. Did he ask your advice?—He frequently nsulted me as to what amount would be required to rry the election.

10,194. What did you tell him?—I told him about ,000*l.*

10,195. What did Mr. Smith say was the length of e purse he could go to?—He said he could go to ,000*l.* Colonel Dawkins had no objection.

10,196. Was this before Mr. Mum came down?—o, about the following day.

10,197. After you had given the money to Mr. um when did he want any more money from you?—I think it was on Saturday night, I think they began despair on Saturday night.

10,198. Mr. Smith saw Mr. Mum the day he came wn?—I do not think so; I never saw them gether.

10,199. Do you know whether Mr. Smith ever saw r. Mum at all?—I do not.

10,200. Did not every conversation upon the subct of money that passed go through your hands? ere you not the person who carried every message Mr. Mum upon the subject of money?—I was t.

10,201. You were not the person. If Mr. Mum d spent all the money, whom did he ask for more?—When I was at home he would send a note down to e; when I was at home I was generally consulted.

10,202. If you were at home he consulted you?—es.

10,203. When was this 1,500*l.* given to Mum on e 8th all gone?—Yes.

10,204. Did he send down to you to say he wanted ore?—No; on the Saturday night I found he was wn in the entry talking with the voters.

10,205. How was the note signed?—I do not now; No. 13 I think.

10,206. Was it signed by the name of Snell?—I o not think there was any signature to it.

10,207. Did you know Mr. Snell?—I did know im a few years.

10,208. Was he down at the election of 1865?—Not the same Mr. Snell.

10,209. Was he down at the election of 1863?—do not think he has been here since Dunn's election.

10,210. Mr. George Snell?—I do not know what e is.

10,211. A gentleman who is tolerably intimate with ou?—Is he?

10,212. I do not know if people write to you geneally "Dear Heath," but were you not pretty intimate ith him at Dunn's election, was that the last time eorge Snell was at Totnes?—I am sure of it.

10,213. Mr. Thomas George Snell?—Yes, very kely there was a man of that name here.

10,214. And he has not been here since?—He was ot employed; I have never seen him concerned.

10,215. Not at all?—Not at all. I have never een him since, to my knowledge, I assure you.

10,216. On the Saturday night you got this note rom No. 13, asking for money for the election, what as in the note? Can you recollect what the words ere?—"I want to see you."

10,217. Did you go up and see him?—I said to he maid that came down "send him down, I am busy."

10,218. Did he come down?—He came down in he entry, and went into the smoke room and smoked pipe.

10,219. There was a light in the room?—Oh, yes.

10,220. Did you see him frequently before the lection?—In the smoke room.

10,221. Can you tell what sort of a person he was?—About 45.

10,222. Tall or short, or about the medium height?—A medium.

10,223. Was his hair dark hair or light hair?—Dark hair and light whiskers.

10,224. Did you ever see him with a wig on?—I do not know whether he had a wig; his hair was darker han his whiskers.

10,225. Did you see whether the dark hair was not a wig?—I do not know.

10,226. Did he have different disguises?—No, he was pretty much dressed the same; he was not different by day or by night.

10,227. Have you seen him since?—I have not.

10,228. Do you know where he came from?—Merely from a club in London.

10,229. Did he say who sent him?—No, he did not.

10,230. On the Saturday night that he came to the smoking room were there any other people there?—30 or 40.

10,231. Did he speak to you about money there in that public room?—What was required; I was sitting by his side.

10,232. What did he say to you was wanted?—He said he was run short, the runs upon his bank had been so heavy that he had none left.

10,233. Did you have any conversation with Mr. Smith upon it?—I saw Mr. Edmonds constantly in and out.

10,234. Did Mr. Edmonds get you a cheque?—No, not until the Tuesday.

10,235. When did you next receive any money for Mr. Mum, when was the second time?—I think it was the Monday.

10,236. Was that a parcel too?—The Monday evening, or the afternoon, there was a parcel.

10,237. On Saturday you had a conversation with Mr. Edmonds after you saw Mr. Mum?—I did; he was constantly in and out.

10,238. Do you know where the 1,000*l.* came from?—Do I know?

10,239. Yes?—I know it from hearsay evidence; I know it came by a cheque.

10,240. Do you know whose cheque it was?—I only know from hearsay.

10,241. Do you know who went to get the cheque cashed of your own knowledge?—Not of my own knowledge, but I have heard it.

10,242. When was the next conversation that Mum had with you about money?—He was down in the entry on the nomination day with the voters, talking to several of them, and he said he was short.

10,243. Do you know the amount of the second sum that you gave to Mr. Mum?—I do not, not of my own knowledge.

10,244. You do not know it was 1,300*l.*?—I do not.

10,245. Did Mr. Mum or Mr. Edmonds tell you it was 1,300*l.*?—Mr. Edmonds told me it was 1,000*l.*

10,246. Do you know of a cheque of Captain Pim's being cashed at that time?—I do not.

10,247. Are you sure there was not a second lot of money given into your own hands, and not left at the bar?—I saw Mr. Edmonds go to the bar. I had another parcel in the bar, which confused me. I was to see Mr. Edmonds instead of it being left in the bar.

10,248. When you returned on the Monday you had a message to go and see Mr. Edmonds?—He left word that as soon as I came he wanted to see me.

10,249. What did you do then?—I gave him a parcel, and said this is for Mr. Mum.

10,250. At what part of the house?—In the top of the house, No. 13. He gave it me in the room adjoining the bar.

10,251. In the little room used by Mr. Kellock and Mr. Edmonds?—They used an upstairs room; this was, to the best of my knowledge, a little room adjoining the bar.

10,252. What is the little room Mr. Kellock and Mr. Edmonds used?—No. 8.

10,253. Was not a sum of money given to you by Mr. Edmonds in that very room?—I do not remember; it might have been.

10,254. This second parcel?—I cannot say.

10,255. Was Mr. Kellock or not there when there was any subject of cash mentioned?—No.

10,256. Are you certain he was not there at the

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time you handed the parcel?—I do not believe that he was.

10,257. Will you swear he was not?—I think I can safely do so.

10,258. Were you told when he was to come?—No, I was not.

10,259. Then how did you know he was the man?—From his own introduction; there is a great deal presumed at such times that we do not want to know.

10,260. You said you trusted him because Colonel Dawkins and Mr. Smith were in the house at the time?—I did not mean to give such evidence as that.

10,261. You have said so at all events?—There is no *because* in it.

10,262. How would you know that he was the right man. If there was any communication between him and Colonel Dawkins and Mr. Smith that would prove it?—That they might have done between themselves.

10,263. Do you believe that this man went to bed that night without some communication with Colonel Dawkins or Mr. Smith?—I do not think it is likely that he did; but I did not see it. Mr. Smith, Colonel Dawkins' solicitor, was there.

10,264. When Mr. Mum came what did he say to you about them?—He asked if the candidates had arrived.

10,265. Did he ask for Mr. Smith?—I am certain he did not ask for Mr. Smith at that time.

10,266. Did he ask you which was Colonel Dawkins' or Mr. Smith's room?—Not that night; he never asked me about them. They were gone to bed; it was half-past eleven.

10,267. You do believe that some communication took place between one or other of these gentlemen and Mr. Mum before he went to bed?—It is very possible; I have no means of knowing it.

10,268. (*Mr. Bere.*) Have you the least doubt about it?—I have not the least doubt that one of these men knew he was in the house.

10,269. (*Mr. Longe.*) Then one of those two gentlemen would have the means of identifying the stranger?—Yes.

10,270. (*Mr. Coleridge.*) Did you ever hear Mr. Mum say that he had met Mr. Smith in London?—No.

10,271. When first did you see Mr. Mum and Mr. Smith together?—I never saw them together.

10,272. Not the whole time?—No.

10,273. In any part of the house?—No.

10,274. Or outside the house?—No.

10,275. Had Mr. Mum given you a receipt for the first 1,500*l.* which he received?—He did not count it. I left the bag as it was.

10,276. Did he not give you a receipt?—I do not think he did.

10,277. Try and recollect?—I had a memorandum from him.

10,278. Did not Mr. Mum give you a receipt for the 1,500*l.* which you had given him from Mr. Edmonds?—I do not remember; he might have done so.

10,279. Did he not give you a receipt for the bag which was left for you?—There was a note sent down within a quarter of an hour or half an hour to me containing some reference to the amount which I had handed to him from Mr. Edmonds.

10,280. Was that not an acknowledgment for this 1,500*l.*?—It was an acknowledgment to Mr. Edmonds that I had passed it.

10,281. And the sum was 1,500*l.*?—To the best of my knowledge it was.

10,282. This was a receipt given by Mr. Mum to Mr. Edmonds for what you had given to Mr. Mum?—Yes. I did not go into the room, and I did not stop to count it.

(*Mr. Bere.*) Then why do you not answer the question at once; you were asked a very simple question whether Mr. Mum had not given you a receipt.

10,283. (*Mr. Coleridge.*) As to the second sum did you also have a receipt for that?—There was a memorandum of the acceptance of each lot.

10,284. Was that a memorandum for 1,300*l.*—No for 1,000*l.*

10,285. Did you about the same time give Mr Mum a sum of 300*l.*?—I do not remember that I did

10,286. Do you recollect receiving a memorandum for 300*l.* in addition to the 1,000*l.*?—I do not.

10,287. Did you give these memorandums to Mr. Edmonds in the presence of any one else?—No.

10,288. Where did you give it to him?—Either in the entry or in his own room, No. 8.

10,289. Most of your transactions with Mr. Edmonds took place in No. 8?—Yes, unless he was in and out.

10,290. Who was in the room besides Mr. Edmonds?—Scarcely any one else.

10,291. Who was the scarcely?—I have seen Mr Smith in that room.

10,292. Have you seen Colonel Dawkins there?—I do not remember seeing him.

10,293. Have you seen Mr. Kellock there?—Occasionally with Mr. Edmonds.

10,294. Who else?—Lots of the voters would run in and out.

10,295. Have you seen Screach there?—I have.

10,296. And William Evans?—Not William Evans. George Evans.

10,297. Have you seen Mr. Harris there?—I think I have seen Mr. Harris there.

10,298. Have you seen them there when Mr. Kellock has been present?—I do not remember to have seen any of them with Mr. Kellock.

10,299. You cannot say you have not?—I cannot.

10,300. When did Mr. Mum next tell you that he wanted money?—He walked about our entry for some time and said he was running short and that the voters were draining him heavily.

10,301. When did he next complain of his money running short?—I think on Monday evening.

10,302. Were you not incorrect on Saturday when you said you were out as late as four o'clock?—I was out till four.

10,303. And very shortly after you gave this money to him?—I did.

10,304. On that evening he told you he was running short?—He said these men who had been out negotiating the business had made such heavy drains on him that he was running short, and unless he had more money he could not stop.

10,305. Did he tell you who those men were?—I did not ask him. I knew Screach and Evans were in communication with him.

10,306. When did you next get him any money?—I think on the Tuesday morning.

10,307. To whom did you communicate that the money was running short?—To Mr. Edmonds.

10,308. Where?—In the house.

10,309. On the same night?—I think so.

10,310. Was it very late?—I think it was.

10,311. Was he in No. 8 late that night?—It is probable he was; the last three days he was there very late.

10,312. He was there when you communicated this to him?—I communicated this to him downstairs as he was going home.

10,313. I mean when you told him that the third lot would be wanted?—It was early in the evening that the man came down and saw a lot of voters about the entry; he said the thousand pounds had lasted a very little while; this was when several voters were standing by waiting to be paid.

10,314. This 1,000*l.* had been got rid of between four and six o'clock in the evening?—Long before; it was mortgaged, I dare say.

10,315. How came the voters to be at your house at this time?—I expect by his appointment or by that of the runners.

10,316. Seeing you there the voters asked you about it?—Many of them asked me.

10,317. Can you give me the names of any one

ho asked you when they were to be paid at this last ection?—A man of the name of Allery.

10,318. On the Monday evening when Mr. Mum oke to you, and told you that the 1,000*l.* had not ne very far who were the voters who then asked n about money?—You must not confine me to that ening in particular.

10,319. Will you mention one of their names—A an named Allery.

10,320. What did he say to you?—I have been sent r to come here to receive some money.

10,321. What did you say to him?—I asked him ho had made the arrangement; he said they told m he was to have 40*l.*

10,322. Did he say who told him?—No.

10,323. What did you say to him?—This man was se by my side; he had had intelligence that that as this man's price, and he asked me in some cases identify the voters.

10,324. Did he take Allery upstairs and give him e 40*l.*?—He paid one man in the open entry out of ittle bag of money.

10,325. Who was that?—I think it was Allery.

10,326. You saw him paid?—I saw him hand the an the bag.

10,327. Did you see him take any receipt?—I did t.

10,328. Mogridge, is he another?—I know nothing out him.

10,329. John Chapple?—He either came on the turday or the Monday; he told me that he had en arranged with, but to receive what sum I do not ow. There was the man, Mr. Mum, waiting at the or to see several of them.

10,330. Did you see Mr. Mum pay Chapple?—I nk that I had the bag containing what they had anged for Chapple to receive, and I gave it to him.

10,331. And he took it bag and all?—It was in a all cash bag; it had been evidently all arranged fore.

10,332. In whose district was Chapple; in that of reach or Evans?—I do not know.

10,333. Had not your son, George Heath, a great al to do with it?—He has got a few names, I believe; t he will be able to answer for himself.

10,334. And your son, Mr. John Heath, is he here o?—I do not think he had anything to do with it; is now in London, but he will be ready to come wn here at a moment's notice.

10,335. Do you know what Heard did at the last ction?—No.

10,336. Thomas Gillham?—He said he had offered *l.* on the other side; he came to me at the door by me appointment about the same time on the Satur- y, and said I do not see why I should vote for thing on our side, and I am not going to vote less I get the same amount as they give on the er side I shall vote against you.

10,337. Did you send him to Mr. Mum?—He was ere in the entry, and I said to Mr. Mum, this is : Gillham, you hear what he says, and Gillham had ag also.

10,338. Who gave Gillham the bag?—Either Mr. m or myself, I identified several of them.

10,339. John Godfrey?—He was employed as a nner, he had something, but what I do not know.

10,340. Did you give it to him?—I do not remem- r, it is probable I did.

10,341. Had he a bag also?—They had all bags; ey had their prices evidently chalked out by some e beforehand.

10,342. You took it from Mr. Mum, without owing what the amount was?—I did not know hat the sum was, I knew it was money.

10,342*. George Griffis?—There had been an ap- intment for him to come down to our house on nday morning; Mr. Mum came down smoking his ar in the entry, and he said to me he had made an pointment to meet some voters there, amongst the mber was Griffis; he had evidently seen him the re before. I then saw Griffis' wife coming across, and she said her husband could not come, she was to come for the money. I said to Mr. Mum, Griffis is a doubtful card, he is under the thumb of some of the people on the other side, and I would not advise you to pay him.

10,343. What did Mr. Mum say?—He said, "We "have made it all right, I can rely on her," and the woman came over and in my presence the bag containing whatever sum they had arranged for was handed to her.

10,344. By you or by Mr. Mum?—I think by himself.

10,345. Do you know anything of John Fox Green?—No.

10,346. Samuel Heard?—About him I was interrogated on Saturday, and I had no recollection about him, but my sons have brought to my recollection that he was employed on the last day or two, and that he was paid something for hire and vote, what I do not know.

10,347. Was that in a bag?—I think so.

10,348. By you or Mum?—By one of us.

10,349. In your presence?—I was cognizant of it.

10,350. Now Lombardini?—His wife came to negotiate.

10,351. Do you recollect when?—I do not know.

10,362. Saturday or Monday?—I do not know, but she negotiated for her husband and son-in-law, and she told Mum in my presence unless they got 50*l.* they would not vote.

10,353. Who was the son-in-law?—Tozer.

10,354. Did she get 50*l.*?—She got two bags, one for Tozer, and one for her her husband.

10,355. Who gave them?—Mum.

10,356. (*Mr. Bere.*) How much do you suppose they got?—I do not know.

10,357. You say the sums varied from 25*l.* to 50*l.*?—Yes.

10,358. (*Mr. Coleridge.*) They varied in weight?—Yes.

10,359. Robert Mogridge?—That was settled on Saturday.

10,360. Now William Mitchell, Fore Street?—He always voted for the Conservatives, and I expected he would not want any assistance, or anything in the shape of bribery.

10,361. Did he?—Yes.

10,362. When did he come to you?—I think on the Monday.

10,363. Did he say he wanted something?—Yes, he said they had threatened to make him leave his house, would I try to get him another house; and he said they had offered him something on the other side, and he would like to have something if I could get it.

10,364. Tell us the transaction?—I think Mum was in the smoking room at the time.

10,365. Did he have any money?—Yes.

10,366. Who gave it to him?—I do not know, but he had some.

10,367. Was anything done about his house?—He had another house. He was threatened to have his house taken, and some consideration offered.

10,368. Did you get a house?—My son did.

10,369. Richard Mortimer?—Nothing to do with him.

10,370. Thomas Matcham?—I explained that.

10,371. Narramore?—That was given on Saturday.

10,372. Richard Norrish?—I think he is one of the men who had an intimation to come on Saturday night.

10,373. (*Mr. Bere.*) Narramore is Bryett's clerk?—Yes.

10,374. What did he get?—He negotiated something with Dennis.

10,375. Tell us about Richard Norrish?—He came on the Saturday by appointment, he had a bribe.

10,376. Did you or Mum give it to him?—I do not know; it was in my presence; I was cognizant of it.

10,377. John Jerman Phillips, you have not told us about him?—No.

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10,378. What had he?—20*l.* in my presence.

10,379. From whom?—Mum was at the door and he said he did not want to have anything to do with strangers, and I handed him the bag.

10,380. How did you know it was 20*l.*?—I did not stop to see it counted.

10,381. Who said it was 20*l.*?—Phillips himself said so.

10,382. Are you sure this is John Jerman Phillips?—Yes.

10,383. Are you sure it was John Tozer, son-in-law to Mrs. Lombardini?—Yes; he voted against us.

10,384. And returned the money?—Yes, his mother-in-law returned the money.

10,385. John Jerman Phillips had already paid him 40*l.*?—No.

10,386. (*Mr. Coleridge.*) George Please, what did he have?—I do not know.

10,387. Do you recollect his coming to your house?—No.

10,388. You do not recollect any bag being given to him, do you recollect ever hearing that some offer was made to him?—I have not Please's name down.

10,389. Samuel Rolstone?—He was the man who came from Bath and had his expenses paid.

10,390. Henry Richards?—I believe he had some, but I do not know the particulars.

10,391. Did you or Mum give it to him?—I did not, I think it was Mum.

10,392. In your presence?—It was not given in my presence.

10,393. Edward Shinner you have told us about?—Yes.

10,394. Robert Smaridge; did he come to your house?—He did; that was by appointment. I was out on the Monday and met him on the road.

10,395. What did he say to you?—I canvassed him and asked him if he was not going to give us a shot. He voted against us before, and he said he would not vote unless he got 60*l.* I said I would not make a promise but when he came to the town he was to call at my house.

10,396. Did he call?—I do not know, but I know the money passed, what amount I do not know.

10,397. Do you know who gave it to him?—I do not know whether Mum or his father-in-law.

10,398. Who is his father-in-law?—Shillabeer.

10,399. James Tozer?—I know nothing about him.

10,400. I think you made a mistake about Phillips when you said John?—He was the son-in-law of Lombardini.

10,401. John Henry Tope?—He came to our house and received a bag from Mr. Mum.

10,402. I only asked you before up to Monday night. When did you give the third sum of money to Mr. Mum?—I think it was the Monday in the course of the day.

10,403. No, that was the second lot?—Then on the Tuesday I think.

10,404. From whom did you get that money?—From Mr. Edmonds.

10,405. Did he give you the parcel?—Yes.

10,406. Where?—At the bar door.

10,407. You took that to Mum?—Yes.

10,408. Did you get a receipt or a memorandum of acceptance?—Yes; I got it eventually it was all right.

10,409. When did you next get any money?—During the same day Mr. Edmonds gave me a cheque for 500*l.*, which I explained on Saturday.

10,410. There was a balance to be given back?—Yes.

10,411. Do you know where the 1,000*l.* given on the Tuesday to Mum came from?—I do not know.

10,412. You do not know how it was obtained?—No.

10,413. Mr. Edmonds gave you the money?—Yes, he gave me a parcel containing money.

10,414. (*Mr. Bere.*) From the time Mum came to your house till he finally left did he go away and return?—I think he left on the Saturday night and came back on the Monday morning.

10,415. (*Mr. Coleridge.*) You have told us about these transactions that occurred after Mr. Mum came into the town, do you know of any money going before the first 1,500*l.* which you gave to Mum?—I do not.

10,416. I suppose requests had been made for money by voters before?—No.

10,417. Had you not been asked to remember then if money was going?—Yes many times.

10,418. Before Mum came?—Yes, if there was a contest.

10,419. Have you not given instructions to Screac and Evans and Harris to say that if any mentio of money was made that money would be likely t come?—I never gave instructions to either of them.

10,420. Did you mention the fact that money wa likely to come in their presence?—I do not think ever did; but the witnesses will come before yo themselves.

10,421. What did you do with the 500*l.* cheq did you get it cashed?—I had some money in th house, and I carried up 200*l.* on the Tuesday mornin to Mum first of all, the balance was paid afterwards

10,422. What did you make the whole amount money you gave to Mum in all?—3,700*l.* something.

10,423. As far as you can recollect it was 1,00 and not 1,300*l.* on the second occasion?—Yes.

10,424. Do you recollect 300*l.* being taken o of a cheque of Captain Pims and given to Mum?—No, I do not remember.

10,425. You cannot tell that it may not have be 1,300*l.*?—No.

10,426. (*Mr. Bere.*) Had you not something do with a man named James Wherry?—No.

10,427. Did not you see him and offer him so money to vote for Colonel Dawkins and Captain P and he refused?—There were several people, so spies and some not, who came to our quarters.

10,428. Did Wherry come to your quarters?—saw Wherry, but I do not remember what took pla with Wherry, but he said there was a deal passing the other side.

10,429. 50*l.*?—It is very likely I said there the same resources on both sides if you have any d position to support the cause.

10,430. William Reeve?—No.

10,431. Did you not see Mrs. William Reeve duri the election?—No.

10,432. Are you sure of that?—Yes.

10,433. Edward Tucker?—I never saw him the subject.

10,434. (*Mr. Coleridge.*) Now two or three m questions about that mysterious stranger. You h a mysterious stranger at every election that you h been connected with have not you?—I have.

10,435. Was this man ever at a former election I have never seen him here before.

10,436. Have you seen him elsewhere?—Never

10,437. You never saw him before?—Nor since.

10,438. Do you know when he left the town I do not.

10,439. When did he leave your house?—I only collect from the books, but I think he left house on the election day.

10,440. When there was no more money for coming he left the house. Will you try to recoll You put him down as coming on the 7th or 8th J are you quite sure that it was not on the morning the 3rd?—I am, unless he came and went a again. I had no intimation of his coming in capacity till the 7th.

10,441. Who gave you the information of coming in that capacity?—Himself.

10,442. You say you had no intimation as to coming in that capacity till the 7th. Who gave the intimation of his coming in that capacity Himself, that he came in that capacity; I had no vious intimation.

10,443. Was there a fly waiting for him at

ation?—There is a fly there to meet every train xcept the mail train. I had no special fly ordered y him or for him.

10,444. Is it possible that he may have come on ie morning of the 3rd very early and you knew othing about it?—It is; but then he must have one into the public room, either the coffee room or ie commercial room.

10,445. You got very intimate with him in the ourse of the election. I mean to say you knew his ice as well as I know yours?—Yes.

10,446. Have you any recollection of seeing him efore then?—I have not.

10,447. None whatever?—Not the slightest.

10,448. Since Saturday, when you were rather ague on the subject, can you tell us how often he ft your house and slept at your house during the me he was here, assuming that he came on the 7th?—I do not think during the time that he left more an once.

10,449. Can you now, after considering the matter, ve us the day on which he left?—Only from the ooks.

10,450. From the books you have told us that you ought he left on the Saturday or Sunday night?—He came back on the Sunday.

10,451. He left on the Saturday and came back the Sunday?—Yes, I think the books show that left on the Sunday and came back on the Monday. he books show that he left on the Sunday and slept on the Saturday night.

10,452. Do the books say what will explain that?—He slept in on Saturday night, left on the Sunday, nd returned on the Monday morning.

10,453. What time?—4.40.

10,454. He left on Sunday and returned by the ail train. You know of nothing being done of what e may call election business on the Sunday?—No.

10,455. It was the sacred day?—Yes, the sacred ay.

10,456. You do not know whether he was in the use or not on the Sunday?—I did not see him on nday.

10,457. Did anybody come for him on Sunday?—am not aware that they did. The voters were conantly in and out.

10,458. Were they on the Sunday, they did not ep the day in the same way?—No.

10,459. Were they in and out?—They were in d out.

10,460. You know the train book by heart to Lonn?—Not by heart, I know it pretty well.

10,461. What train could he go by, sleeping in on turday, going out on Sunday, get to London on the nday?—I do not know.

10,462. What time could he have gone to London, rting at the earliest time in the morning, to have ached London that evening?—He must have gone the first train 7.25.

10,463. When would he have got down?—I think out eight in the evening.

10,464. Then to have got back by the mail train the Sunday night he must have left town by the 0 train. You are quite certain you saw him on Monday?—Saw him on the Monday?

10,465. Yes.—During the day?

10,466. During the day.—Yes.

10,467. So that it is quite impossible that he could ve gone to town, mind, on Sunday, and got back the mail train on Sunday night?—Not to do any siness there.

10,468. He could not have got there?—Only to ddington and back; no.

10,469. Then you saw him on the Saturday?—aw him on the Saturday. The Saturday evening was there with a lot of the voters.

10,470. How late did you see him on Saturday ?—I should think long after the mail train had

10,471. Are you pretty certain of that?—Yes.

10,472. What time does the mail train go?—8.20.

10,473. And you feel pretty well convinced in your own mind that you saw him later?—I think so. He was in the smoking room on Monday night.

10,474. You have put your knowledge rather on his sleeping in on Saturday?—It was only the book. I have no other means of recollection.

10,475. Try and recollect about Saturday and Monday. Can you undertake to say that you saw him too late for him to go by the mail train on Saturday night?—No.

10,476. But he may, except for what you collect from your book?—That is all I go from.

10,477. Supposing a customer is going away by the mail train on Saturday, and he is coming back on the Sunday, and he says, "Keep my bed room," would it be booked as if it had been slept in?—Yes.

10,478. So far as your knowledge from the book goes?—Yes, exactly so; he may have gone.

10,479. So that really beyond the fact of the book's saying "slept in" you have no other thing to fix your memory on his having been in the house?—I have not.

10,480. Saturday night is a latish night?—Yes.

10,481. Do you recollect his being inquired for and not found latish?—No; on the Saturday he did a good deal of business.

10,482. You do not recollect his doing anything late at night?—No.

10,483. Therefore it is perfectly possible for him to have gone away on Saturday night and returned in the middle of Sunday?—It is without my knowing it.

10,484. When was the last time that a gentleman of the name of Snell was in your house?—To my knowledge he has not been there since Mr. Dunn's election. I do not remember him.

10,485. Do you know any other Mr. Snell?—A great many others; commercial men.

10,486. Do you know Thomas George Snell?—Not by the christian name.

10,487. Do you know the Mr. Snell who lives at 30, Sackville Street?—I do not know any such person by that address.

10,488. What other Mr. Snell besides the gentleman down at the election of 1863 do you know intimately enough to write to you as "Dear Heath"?—I do not know.

10,489. Would the gentleman down in 1863 be intimate enough?—Not very likely, because he was never employed by Mr. Dunn. He went out and associated with some voters, and I am told that he sued Mr. Dunn for some expenses.

10,490. Who was with Mr. Snell?—I never saw him but on that occasion that I know of.

10,491. Was he a sort of Mr. Mum?—Yes; he professed to carry on that business.

10,492. You do not know any man of the name of Snell who was intimate enough with you to write to you "Dear Heath," or if he was Thomas George Snell?—There are several gentlemen who use our house as commercial gentlemen as well as visitors regularly.

10,493. But you know all your commercial customers by name?—No, I do not.

10,494. Do you know Thomas George Snell who writes from 30, Sackville Street, and writes to you as "Dear Heath"?—I do not remember.

10,495. Just look at that letter (*handing a letter to the witness*), and tell me if you know that handwriting?—(*After looking at it*) No.

10,496. You do not know the handwriting?—No.

10,497. You do not know what it means except that he has lost his night shirt?—I do not know what it means. I think it may be ordinary business.

10,498. Now, it is a singular thing, but here is the name of Snell occurs on the 4th July, the day after I have asked you whether Mr. Mum did not arrive at your house. "Snell, dinner, so and so, and so and "so." Now, as you have told us you do not know of any Snell by name since Dunn's election, you cannot

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tell us who the Mr. Snell is who appears on the 4th July in your books?—I do not know, unless he may have come and offered his services. I do not know what he did.

10,499. Do you know anything of an entry on the 3rd July in your book for 1865 of "Light gent." Was Mr. Mum known by the name of "Light gent."?—He was described as "Light gent." when he came to my knowledge.

10,500. Who described him as "Light gent."?—I expect the young woman in the bar who saw him come in.

10,501. Was he called all through as "Light gent."?—I believe he had but one account, and is described as "Light gent.," July 3rd.

10,501*. Have you any doubt that he came to your house on July 3rd?—I do not know that he did, and have not the slightest knowledge.

10,502. You see in your book appears "Light gent., July 3rd;" may that have been Mr. Mum?—It may have been; I cannot say. They might be described so every day.

10,503. Come, come!—I give you my word. I do not want to take up the time of the court unnecessarily.

(*Mr. Bere.*) They are described from time to time as "Light gent."

10,504. (*Mr. Coleridge.*) Did you know that on July 3rd Mr. Edmonds had received a telegram saying that a gentleman was coming down by the mail train that night?—I do not remember a word about it; I might.

10,505. Do you know that Mr. Edmonds received a telegram on the 3rd July saying that there was a gentleman coming down that night?—I do not remember. If he told me so it must have slipped my memory.

10,506. If Mr. Edmonds expected a gentleman, we may assume that it was on the business of the election, as it comes from Mr. Spofforth, Victoria Street, to Mr. Edmunds. Would you have been the person to whom he communicated it?—If a bed had been ordered at our house he would be sure to.

10,507. I may say that if a gentleman was expected to come from Mr. Spofforth by the mail train, that a bedroom would have been ordered by Mr. Edmonds?—Yes; most probably.

10,508. Tell me whether you can fix the date of Mr. Mum's coming as rather earlier than the 7th July?—Not to my knowledge.

10,509. Who would be likely to know most about it?—The barmaid I should think if she saw him.

10,510. You are quite certain. I do not know by what you test your memory that you did not see him in your house between the 3rd and the 7th of July?—Yes.

10,511. When you saw him that night that he came down and had his glass of grog in the bar he was a stranger to you?—Yes, quite so.

10,512. And as regards Snell, although Mr. Snell's name appears on the 4th, as far as you know he was not the Mr. Snell who was down on the Dunn election?—No.

10,513. Nor can you give us any notion to which Mr. Snell this referred to?—No.

10,514. Were there more than one Mr. Mum in 1865?—No; not to my knowledge.

10,515. How many in 1863?—Only one in 1863.

10,516. Was not there a dark and a light Mr. Mum in 1863?—No, he had ginger whiskers, flaxen hair.

10,517. The "black man" had not any whiskers, had he?—In Dent's time?

10,518. Yes; the black man?—Are you talking of Dent's or Dunn's election?

10,519. Dent's?—Oh, no.

10,520. There were two Mr. Mums in 1863, were not there, and one in 1865?—One in 1865.

10,521. And if these entries are correct it applies to some person that left your house twice?—The 1865 man may have gone without my knowledge.

10,522. (*Mr. Bere.*) Were you ever in the room with Mr. Mum when he paid money?—No. 13?

10,523. No. 13?—No, never.

10,524. You never saw him pay money at all in No. 13?—No.

10,525. Was there a china bowl in No. 13?—I do not remember to have seen it.

10,526. Had there been one there in 1863?—During Mr. Dent's time?

10,527. During Mr. Dent's time?—I never saw it.

10,528. Tell us about the poll-book belonging to Mr. Charles Frederick Michelmore, that you saw in your house?—Yes, on the Sunday night before the election; what information do you want?

10,529. In the first place, did you see a poll-book made up by Mr. Charles Frederick Michelmore?—I saw his poll-book, whoever made it up; it was his poll-book.

10,530. Who showed it to you?—Himself.

10,531. In your house?—In the smoking-room.

10,532. Did you see an entry there opposite Harris's name?—Yes.

10,533. What was the entry opposite Harris's name?—That he was going to vote for them.

10,534. And was the reason why he was going to vote for them put opposite his name?—I reported the following day.

10,535. You have been taxed with it since, whether what was written meant situation, but there was "sit" and a little "n" on the top?—Yes, something like that.

10,536. Have you seen that poll-book since?—No.

10,537. It has been stolen Mr. Michelmore says?—I do not know anything about it, I have not seen or heard of it since that time.

10,538. Did you see many notes in it?—Many.

10,539. Can you give us any?—Some were with respect to some voters we had down for us.

10,540. Was there a "D" to them?—Yes, "doubtful."

10,541. You say there were some known men who were going to vote for you?—Yes.

10,542. What notes were those?—They were not exactly notes, but they were carried out to vote for them that were calculated to vote for us.

10,543. Can you remember any of those people?—One was Griffis; he was going to vote for one, and the result proved that the book was correct.

10,544. Anybody else?—There were a few others which I communicated to Mr. Edmonds at the time, but if you will ask me any names—

10,545. From your memory were the names those of persons who signed the requisition to Mr. Macleay?—I think Mr. Diggins was one, and I think there may have been others whom we calculated upon who signed that requisition.

10,546. Was Byne one?—I do not remember, I think Byne is put down as one and one.

10,547. Blank?—Blank was one I think they reckoned on.

10,548. Did you see any figures put down opposite the names?—I do not remember that.

10,549. Not 50*l.* or 100*l.*, or anything of that sort?—No, I do not remember; yes, I do, there was one.

10,550. What did he do with this poll-book when he had shown it to you?—Put it in his pocket.

10,551. James Edmonds, election 1865, did you see Screach about James Edmonds?—He was frequently in and out of my house, and if he asked my opinion in the absence of Mr. Edmonds, our solicitor, I should give him advice.

10,552. I dare say you have seen what Screach has said?—No, I have never read it or heard a word of it till this morning.

10,553. We have heard that you lent a gig out to Screach and that Screach was authorized by you to offer Edmonds 200*l.*?—I do not remember giving any such authority at all.

10,554. Is it an unlikely thing that you should do such a thing at all?—Yes, "Get him in by all means, "get him here."

10,555. Supposing that Mr. Screach said, "I will "give him 200*l.*," and you said, "Yes, you may offer "him what you like"?—Very likely, if the other side offered 200*l.*, I might say, "Get him here if you "can."

10,556. Suppose if Screach and Evans could not see the stranger, they would make their reports to you?—It is very likely they would, but I was not authorized by any one to arrange with them, they had their instructions. I do not think Screach did at all, Evans did occasionally when he wanted to get out of town.

10,557. But when he wanted a horse and gig, or anything of that sort, did not he come to you and say I want a horse and gig for a particular purpose?—He did.

10,558. And then you would ask him what the purpose was, and he would tell you, and he has told us that he gave John Diggins 50*l.* at the last election?—Yes.

10,559. And that Diggins returned that 50*l.* to you, is that the case?—I never saw John Diggins on business after the election.

10,560. Not that John Diggins gave you the 50*l.*, did you receive any money from Screach?—I did not.

10,561. None at all?—None at all. I think he brought back intelligence that some voter had returned his money, and offered it to me; I had nothing to do with it.

10,562. He offered it to you?—Yes.

10,563. And you said you would have nothing to do with it?—I would have nothing to do with it, to keep it till the accounts are settled.

10,564. Did you give him his retaining fee?—I had no such power.

10,565. And did he offer you a certain sum of money?—I think so.

10,566. And you said keep it till the accounts are settled?—Yes, keep it till the accounts are settled. It is very probable that was 50*l.*, I do not know what Edmonds was arranging for.

10,567. We heard of two men, William Foote and William Stoyle, were taken to your hotel and kept in a bed-room there, were they kept there without your knowledge, in your house?—I saw Mr. Foote in the ball-room during the election, the night before.

10,568. Do you know he was kept at one time in a bed-room in your house?—I never knew he went into a bed-room, I saw him in the ball-room taking some supper.

10,569. Did you see Stoyle in your bed-room?—No.

10,570. Do you remember seeing him in your house at all?—I do not remember seeing William Stoyle. There was a great crowd in the ball-room, eating and drinking.

10,571. Do you mean to say that two people could be in your house without your knowing anything about them?—Oh, yes.

10,572. Do you know a man named John Watson?—Yes.

10,573. Does he keep the "Oxford Arms"?—He is my tenant.

10,574. He voted all right?—Yes, he did.

10,575. Did you give him anything for his vote?—Nothing, I think some of the watchers were allowed to go there and get their refreshment and the bill was paid.

10,576. Have you anything more to tell us about the election of 1865?—No.

10,577. (*Mr. Longe.*) There was one room in your house, I think No. 2, used by Mr. Bentall, Mr. Gill, and Mr. Bastard?—Yes, when they came in they used that room generally.

10,578. Was that room the head committee room?—That was the room for those three gentlemen in particular, who were looked up to to fix upon candidates.

10,579. Then there is another room, No. 3, that was assigned to Mr. Edmonds and Mr. Kellock?—No. 8 was Mr. Edmonds' room.

10,580. And who else occupied No. 8?—Mr. Edmonds had it under his control entirely; whoever wanted to see him must go there if he was in the house.

10,581. Which was Mr. Kellock's room?—He had no room in particular.

10,582. But there were other rooms used by the Conservative committee?—Yes, three rooms.

10,583. Which room would Mr. Kellock appear in?—Mr. Kellock's room was occupied after Captain Pim came down, I think he had No. 9.

10,584. To which of those rooms had Mr. Mum access?—He could not have had access to No. 9, because it is the other side of the house and across the entry, you go up another staircase.

10,585. We have heard from Captain Pim, at least he believes he was present with the mysterious stranger on various occasions, I want to know in what rooms he would be likely to meet Mr. Mum?—No. 13 was Mr. Mum's room. Do you mean sitting-room?

10,586. Yes, in which sitting-room would Captain Pim for instance be likely to meet Mr. Mum?—Captain Pim could have invited Mum, or had interviews with him, in his own sitting-room, unless with Colonel Dawkins in No. 20.

10,587. Do you mean to say that Mr. Mum never appeared in a room in the house but No. 13?—He was in all the public rooms.

10,588. Where did Mr. Mum get his dinner?—That I do not know.

10,589. In the coffee-room?—I think he grubbed in the coffee-room occasionally, in the commercial room occasionally, and he went out and about to see the voters in the town. The accounts is a department I do not supervise.

10,590. Do you mean really to say that Mr. Mum had not the *entrée*, was he in the habit of going to Mr. Edmonds' room or No. 2, where Mr. Bentall, Mr. Gill, and Mr. Bastard were, and into all those committee rooms?—He could have gone into them any hour of the day.

10,591. Have not you seen him?—I do not remember seeing him in any.

10,592. But you believe he was?—He may have been; there is sometimes 50 in what is called the committee room where there was refreshment.

10,593. Where was that?—It was a public room open to all voters who came in from town and country, every minute of the day, to get a glass of wine or refreshment.

10,594. That was the general room?—The general room for all.

(*Mr. Bere.*) We will leave the election of 1865 and go to the election of 1863, at which Alfred Seymour and Dent were candidates.

10,595. How long before the election took place of the 20th January did Mr. Dent come down to your house?—That I can only guess on the books; I should think 10 days.

10,596. From your memory you can tell us?—I cannot indeed.

10,597. You think about 10 days?—It may have been a fortnight.

10,598. He had been down when Mr. Pender was elected in 1862?—Yes.

10,599. Do you know how the Conservatives came to get Mr. Dent as a candidate in their interest?—I do not know.

10,600. Were not you consulted?—I do not remember.

10,601. You must have been consulted?—Very likely I was.

10,602. Can you remember?—If you give me anything to refresh my memory as to who was likely to have written to me or said anything on the subject, I will answer in a moment.

10,603. Do you remember at the time that Mr. Pender was elected Lord Gifford was supposed to be dying, and when the news came down that there was a vacancy in Totnes, supposed to be in consequence

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of Lord Gifford's death, it turned out unexpectedly to be Mr. Mills. Can you remember any negotiations going on with Mr. Dent before that time, inthe course of September 1862 ?—I do not remember. I know Mr. Mitchell came down.

10,604. Had he been down with you before September 1862 ?—I do not think he made his appearance in the town till he and Mr. Pender met in this hall to address the electors.

10,605. That was before the election of 1862 ?—Before the election of 1862, after the death of Mr. Mills.

10,606. As far as you remember you cannot say that Mr. Dent was introduced to the electors of Totnes before Mr. Mills died ?—No; I never heard that he was.

10,607. Now, from the time of the election in 1862 till January 1863, was there any expectation of there being a vacancy, and in consequence of that expectation were the Conservatives acting in order to get the seat ?—They were.

10,608. And were you actively employed on the Conservative part ?—Just as usual. I must not be considered as employed, because I volunteered my assistance. It was through my zeal in the cause, because I never was employed.

10,609. But I suppose the volunteering produced a good deal at the "Seven Stars" which is not unprofitable ?—That is a part which I must not admit.

10,610. You do not admit it ?—No; because if you compare the returns at the time of the two visits of Mr. Dent to the town with the corresponding time of other seasons, I find the balance is in favour of the private trade.

10,611. And are you one of the few persons in Totnes who receive no consideration for their interest in the election or their votes ?—I have no interest whatever, and I can prove this statement; and as the reporters are here I hope they will make mention that I would rather see the elections done away with, and the place disfranchised, for the good of the town.

10,612. You think Mr. Dent came down before the election of 1863 ?—It might be a fortnight.

10,613. Did somebody come down with him ?—I think Mr. Mitchell came.

10,614. Mr. Mitchell acted as a sort of secretary ?—As private secretary I think.

10,615. Did they occupy a private sitting room ?—"No. 20 suite of rooms."

10,616. How long after Mr. Dent came down did the mysterious stranger appear from London ?—That I can only show by the books. I do not remember the times. Be kind enough to give me that waste book of 1863. A neighbour here who voted on the other side has just refreshed my memory, that there is a gentleman named Snell who uses our house. He comes periodically, about once in three months, and answers to that address. Therefore I do not want to be mixed up as the dear friend with this briber and Mr. Snell who robbed Mr. Dunn.

10,617. What is he, a wood engraver ?—Yes; he is the man in all probability who wrote that letter. I am very glad that my friend Mr. Godfrey has refreshed my memory on that matter. I am very anxious to have the truth, and nothing but the truth, out in this court.

10,618. (*Mr. Bere.*) You remember that a mysterious stranger did come down ?—Yes.

10,619. Was he No. 13 ?—No. 16. I think the books prove it.

10,620. It does not much matter when he came, but did you have some communication with him ?—I do not remember that I did. I generally understood that a man was coming.

10,621. Who told you that ?—It is very probable Edmonds.

10,622. Had you talked to Mr. Dent and Mr. Mitchell about the election ?—Yes.

10,623. And had you told them what you thought it would cost ?—I do not remember. I may have given my opinion as well as other people.

10,624. What was your opinion at that time that a single-handed contest would cost Totnes ?—I thought that if they had fought Pender's election instead of Seymour's we could have carried it for 2,000*l.*

10,625. If Pender had been a candidate instead of Seymour ?—Yes; if Dent had stood for that first election, all expenses, legal or otherwise, would have been covered by 2,000*l.*

10,626. When Pender came to stand against Seymour, what did you estimate that contest at ?—I think 1,000*l.* more.

10,627. 3,000*l.* ?—3,000*l.*

10,628. What in your opinion made the difference in the costs of the two candidates ?—The duke had a little more interest, and some of his tenantry, who would have voted for us in Pender's time, would not have voted in the other, and the result proved that.

10,629. It costs 1,000*l.* more to counteract the duke's interest than to fight the position between two parties ?—Yes, single handed; the tenants of the duke who were Conservative in principle would always support one of the candidates prior to that election.

10,630. Had any turning out taken place prior to your time of people who had voted one Conservative and one Liberal ?—I do not know about one Conservative and one Liberal. I was turned out in 1857.

10,631. Was that in consequence of your voting for Mackenzie and Mr. Gregory ?—I think it was. I have not the books before me, but Mr. Michelmore called on me. It was all the Duke's land. I tenanted the rectory house; altogether about 100*l.* a year, land and house; and he came, and I asked what the reason was, and he said, "Because of your voting "against us."

10,632. (*Mr. Coleridge.*) Did he give that reason ?—He gave that reason about a week or 10 days after the election.

10,633. And you mean that Mr. Michelmore made no sort of concealment of it, that people who voted against the Duke were turned out ?—Not the least, and I asked if his Grace knew it, and he said "Yes."

10,634. You split your vote for Baldwin and Seymour, and you voted for Mackenzie and Gregory in 1857 ?—Yes, that was during the time there was an understanding between the Duke and Baldwin, but between those two periods the Duke came down to be re-elected, having accepted some office under the Government, and the Liberals called on the Tories and proposed to them in my presence and many of them there that if they would consent to vote at a future general election for any Liberal they put up they promised their support to any Conservative who was put up and would kick the Duke overboard, but which terms were rejected, because we were under an arrangement with the Duke, and which arrangement was faithfully carried out by the Conservatives till Mills first came.

10,635. (*Mr. Bere.*) Can you tell when the mysterious stranger first arrived in 1863 from that book ?—"No. 16; gent.; 17th January 1863." The account goes on 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, and his account amounts to 8*l.* 9*s.* 2*d.*

10,636. Do you know he paid that himself, or it was paid for him ?—I think it was paid for him in the general expenses.

10,637. When did you first in 1863 have anything to do with the distribution of money ?—Dunn's time.

10,638. No, 1863, Dent's time ?—In the election of Dent and Seymour; I should think a fortnight before the election I advanced on my own account to a man called Louis Dufort 10*l.*

10,639. What did you advance that for ?—He was in difficulties, and he said if the election—that was before the vacancy occurred through the death of Lord Gifford — when the election came he would vote, and if he could get any "sugar" he would repay.

,640. It was called "sugar" at that election and ." afterwards?—Yes.

,641. Does "sugar" mean an influence to divert er and "sub." an influence to keep him steady? lo not know; they are synonymous.

,642. Is "paint" one of your expressions here? ver heard that. Dufort was a confectioner, and plied to him particularly.

,643. After giving this 10*l.* were you repaid by rt?—Yes, I was; he received something after, ık 25*l.*, and he gave me back the 10*l.*

644. Whom did he receive that from?—I think r I asked to be intrusted myself with it.

645. What was the first sum of money you received from the stranger at that election?—I t know. I have looked over these names.

646. Did the stranger bring the money with r did you supply him?—I had nothing what- o do with the money in 1863.

647. Did the stranger himself bring it down? annot tell you.

648. Do you know at all how you got to him? o not know.

649. Was Henry Helms here at the time?— g in the town?

650. Living in the town. Did you ever see Helms and a stranger together?—No, I saw Helms frequently come in and out of the

651. Did you ever see Henry Helms go up the se and into the bedroom?—I lost sight of him; quently went up and down.

652. He may have gone to the stranger, and ave taken him money?—Yes, he may have.

653. You yourself did not do what you did at ction of 1865; you did not take the money?—

654. What sort of looking person was the er of 1863?—He had rather a dark complexion.

655. Tall?—Rather tall.

656. What colour hair?—I think dark hair.

657. Was it curly hair?—I think not; I did ke particular notice of him.

658. What age should you suppose?—40 or 50, haps.

659. (*Mr. Coleridge.*) Was he very dark in- —No. Excuse me mentioning it, but he was a larker than that gentleman there (*Mr. Longe*) at oft.

660. He had not an almost gipsy-coloured skin?

661. Was he a tall man?—He was a man about et nine.

662. And slouched a good deal in his walk?— ot remember.

663. Had you anyone in your house at that time risp black hair, very dark complexioned, and a an with a slouching gait?—I do not remember anyone who answered to that description.

664. Was this man called by any other name? y are all Mr. Mum.

665. We have had very different accounts of om Screach and Evens; could there have been Mr. Mums?—There was one who had very whiskers; whether that was the first or the time of Mr. Dent's being here I cannot say.

666. Can you recollect there being two Mr. here together?—There were only two; I with one occasionally.

667. Was it the same Mr. Mum who was there hole time of the election?—I never saw but

668. Tell us the people with whom you dealt on casion; had you anything to do with Blackler?

669. Or with Browse?—No, Bartlett is the first I never saw him; his wife came down.

670. Had there been some intimation sent by ssage for people to come to the "Seven Stars"? ould expect so. I saw about half-a-dozen.

671. Used the stranger to come down as Mr. Mum; did he in 1865?—He would sit in the smoking room or walk about the town, as I understood, and call upon the voters. Mrs. Bartlett came down the night before the election to say that she was afraid her husband would vote on the wrong side.

10,672. How had he voted before?—He had always voted for the Conservatives; some one had been up there to see him.

10,673. Did she say who it was?—It was their Mr. Mum, and that I had better send some one to see about it. That was settled some way or other. I do not know by whom, but I know it was put to rights and he voted right.

10,674. Who were employed as Conservative distributors in 1863?—I think Screach and Evans.

10,675. What had your two sons to do with it?—They had to settle with some; they will answer for themselves. They were not employed as runners or messengers; they were out canvassing for the good of the cause. In certain cases where others could not do business I believe one of my sons succeeded, but he will answer for himself.

10,676. James Clark?—He was living at Plymouth at the time.

10,677. Was he a waiter of yours then?—He lived at the house before I had it, and he was there for some years afterwards.

10,678. Was he living in your house at this time?—No, he was at the "Royal" at Plymouth, and I called there either on purpose or that I had some business there. He said he would not come away without he had 5*l.* to pay his expenses. When he came up what was done with him I do not remember. He was paid.

10,679. You do not know what he got?—No.

10,680. Francis Coombes?—He is a tenant of mine and does not vote at all.

10,681. What influence was used to prevent him?—He did not wish to vote. I had canvassed him, and had exerted all the moral influence that I could command to get him to vote for our side. He said that he was under obligations to the other side, and that he was not in a condition to go against them.

10,682. (*Mr. Longe.*) Did he ask 500*l.* from you?—He never said a word about that. He said he owed a person on the other side 200*l.*, and unless the security was transferred he should not think of voting.

10,683. (*Mr. Bere.*) Was the security transferred?—No.

10,684. Then what happened about him?—Nothing was done in the matter; he did not vote at all.

10,685. Did you try to negotiate the matter of the transfer?—I mentioned the subject. I do not think that 200*l.* was an acceptable sum, they did not feel disposed to give that which would have been the effect of it; although the voter did not demand it, and talked of a different rate of interest, he promised to come to our house, but he never came, and did not vote.

10,686. Did you give him any reason to believe that you would try and negotiate the loan for him?—I did; and that if possible the loan should be at a different rate of interest, in consideration of his vote.

10,687. He could not get the loan?—No, he did not.

10,688. John Diggins of Bridgetown?—I had nothing whatever to do with him; he was a person of whom I spoke in the other election. John Diggins of Bridgetown, not John Diggins of Totnes. On the occasion of Mr. Dent's election I had nothing to do with him. The next is William Henry Johns; he was employed as an assistant for several days; what he was paid I do not know.

10,689. Was he paid in your presence?—I do not know. I do not remember.

10,690. How was the settlement of matters made in 1863; used they to receive the money from Screach and Evans direct, or used they to come to your house to see Mr. Mum?—Screach and Evans paid some; as to

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the others, Mr. Mum, I think, did the whole of the business.

10,691. Did he not pay the persons in your presence ?—No.

10,692. He wanted some guarantee as to the identity of some of the voters ?—I think he went out and made the acquaintance of nearly all the voters. I believe he went round the town daily and nightly.

10,693. Who is your next ?—George Evens and Lombardini had some consideration, I do not remember what.

10,694. How much do you suppose ; what was the price ?—I should think 20*l.*

10,695. Were you at all cognizant of that ?—I was cognizant of their having something. I do not remember the amount.

10,696. How was it paid ?—I expect that Mr. Mum paid it at the inn. I reported the men who had been employed.

10,697. Were you present ?—I rather think I was present when they were paid.

10,698. Is Lombardini any relation of Evans' ?—He is his father-in-law. The next on my list is Lake; he came on the morning of the election about nine o'clock ; he was a tenant of the Duke of Somerset's ; he had been paid something before. Mr. Mum came down into the smoking-room where these men were, and whatever arrangement had been made previously with Lombardini was carried out by Mr. Mum, and he voted.

10,699. Do you mean carried out by payment of money in a bag, as was done in 1865 ?—I am not certain about that. He was talking to several others at the same time, and they were counting out money on the table in the smoking-room, where there were some half-dozen of them. I do not know what was paid.

10,700. Then Richard Pengilley ?—He always had something. I do not know what it was at that election.

10,701. You yourself had no money to distribute at that election ?—None at all. I had nothing whatever to do with it ; the stranger did the whole. I was privy to many things that were contracted for which I have mentioned, and he asked my opinion as to their identity and so on.

10,702. And you used to say yes or no, as the case might be ?—Yes.

10,703. Charles Pitts ?—Charles Pitts was at our house one night, and when he was just leaving he was sent for by the other party. He was retained, and arranged with in my presence.

10,704. What was the arrangement ?—I do not know.

10,705. He was paid a good sum ?—I do not know ; I should think not very much.

10,706. Who sent for him ?—As he was leaving the smoking room there was a suspicion that he was deserting, and that a sharp look-out ought to be kept regarding him.

10,707. Who were the watchers ?—There were several runners about, I do not remember who they were, but he was brought back and squared with.

10,708. You do not remember for how much ?—I do not.

10,709. Was it 40*l.* or 50*l.* ?—Perhaps 30*l.*

10,710. James Raymond ?—He had some consideration ; I do not know what.

10,711. Was he a man who usually voted for you ?—He always voted for us.

10,712. You put him down as a matter-of course man ?—Yes ; whatever the others were offering he would vote for, or perhaps a little less.

10,713. George Sercombe ?—He was sent away and brought back on the morning of the election and arranged with

10,714. He was taken down to your house and kept there ?—I do not think he was taken there until the morning of the election.

10,715. We have been told that he was taken to the "Anchor Inn" at Kingsbridge, and from th to your house ?—He would be quite safe there.

10,716. William Shinner ?—I think he was pai the house ; I saw him in the house.

10,717. Did you see him talking to Mr. Mum ?- is very probable I did.

10,718. Was he in the smoking room ?—Yes, often, and in the entry, and also in some of the o rooms where they were feeding, many of them grubbing for some two or three days.

10,719. They got their living free at that time Yes ; there was open house for them for three da

10,720. He was an old Conservative, good and t —He generally has voted with the Conservatives.

10,721. William Farley, jun. ?—I saw him in smoking room sitting by the side of Mr. Mum heard a conversation. I believe that the other had offered him a great deal ; what was done w him I do not know ; very probably there was a arrangement.

10,722. He voted for you eventually ?—He did

10,723. Whatever sum had been offered to hi the other side, more must have been given to hi your side ?—If William Farley had anything, I s think less ; he generally voted with the Conserva as a rule, and he would not have voted for the o side unless he had got a better price. I think Mum called upon him himself and also on sever the voters.

10,724. Was there any distinction as to the v who Evens and Screach had to operate upon and t who Mr. Mum had to see himself ?—I know o arrangement as to where they were to see the vo

10,725. (*Mr. Coleridge.*) Was Harris employe this election ?—I do not think he was ; he has employed as an agent for some years.

10,726. Was he about your house the sam Screach and Evans ?—I saw him frequently.

10,727. And with Mr. Mum ?—I do not remem ever having seen him with Mr. Mum.

10,728. On the occasion of the election of 186 Mr. Mum come down and go away again as he d 1865, or was he there continuously ?—I think jud from the book he was there continuously.

10,729. You were not a go-between in m matters on the occasion of 1863 ?—No.

10,730. Who managed the election for the servatives ?—Mr. Edmonds.

10,731. Who was the London solicitor who down here then ?—I do not know ; I do not there was any one but Mr. Mitchell.

10,732. Was not Mr. Cameron here ?—He was in Mr. Dunn's time.

10,733. In 1863 who came down here with Dent ?—Mr. Mitchell ; I think he had his c William Dent, with him.

10,734. The William Dent who was asked to here was not the cousin who had been down b but a brother of Mr. John Dent's ?—I do not kn

10,735. (*Mr. Bere.*) You took an active part i election of 1863 and went about canvassing fluencing voters ?—I scarcely ever went out o house.

10,736. Then you canvassed them in your house ?—Yes.

10,737. James Edmonds, what did you do him in 1863 ?—I do not think I ever spoke to h money matters in 1863. I think Screach brough there, and my advice to them was to keep him would remain, and endeavour to make arrange with him by means of an interview with Mr. M

10,738. Did you see Edmonds in your hou 1863 ?—I saw him there in 1863 and in 1865.

10,739. Had you any negotiations with him self in 1863 ?—Whatever was said to him by m said in the presence of Screech in my house a came.

10,740. Did you not believe in 1863 that would have any money ?—I think Edmonds sa he could have whatever he liked on the othe some 200*l.* or 300*l.*, and I said, "Do not vote

u have seen Mr. Mum, we shall not be outbid." as a question of *l. s. d.*

,741. In the election of 1862 did not Mr. Dent down to stand?—Yes.

,742. But he did not go to the poll?—No.

,743. Was there any mysterious stranger came n then?—I do not remember what was done then. oney passed.

,744. Was there any promise of money; were not authorized to say to any voter who asked the tion whether money was forthcoming, that it d be to be had though not at that moment?—It ry likely that the question might have been d of me, and no doubt I said so.

,745. What was the reason that Mr. Dent did go to the poll then; did not the slippery com- hold out for too high a figure?—I do not think was the reason.

,746. Then what was the reason?—I do not Mr. Mitchell wished him to go to the poll.

,747. Upon what ground?—Upon some private nds according to the information we received. r Mr. Dent had been down here the first time he back to London; there was some negotiations g on between the Reform Club and the Carlton which altered their plans. If they had gone on n they first came down he would have won in a , because there was no opposition.

,748. Was Mr. Dent down in 1862 before Mr. ler came?—No.

,749. Was not Mr. Pender spending money before Dent came into the field?—It was reported cer- y that an offer had been made by Mr. Pender.

,750. And the constituency of Totnes was so , that if Mr. Pender had bribed there would have a contest?—It was reported that Mr. Pender ready for bribery, but Mr. Dent would not n.

,751. Was not the reason that he would not go iat he would not spend the money which it would to contest the borough?—I was present when the book was made up, and a majority could have polled in his favour if the promises that had given were to be relied on.

,752. When was the poll book made up?—It was t 12 o'clock on the night before the election. ording to the promises which had been given we ld have had a majority of three.

,753. Had those promises been obtained by the ling out of certain inducements to those who had nised when they were canvassed?—There is no t of it.

,754. (*Mr. Coleridge.*) Was there a Mr. Mum n here on that occasion?—I am not so clear about ; I think there was.

,755. Was it the same man who had come down he next occasion?—I am not clear about that; it robable there was; I do not know that anything done.

,756. (*Mr. Bere.*) Do not you know that Mr. ms brought down money for Mr. Dunn at the tion of 1862, but that as it was not wanted they it back again?—I have heard so.

,757. What was your bill against Mr. Dent on occasion of that election?—I do not remember; I get the bill; I know it was satisfactory to Mr. t.

,758. Was the house kept open as it was in 1863 1865?—For the last two or three days it was, and much more extensive scale; on the last day in ticular all the gentry in the neighbourhood partook most magnificent lunch there.

,759. What do you mean by the gentry?—There e various classes. There was a certain room for aristocracy and the gentry; another room for the liocrity and those whom they had to look after and a third for the runners and such like; all grubbed there.

,760. And there they partook of "all nations"? never heard of that phrase before I heard it in room.

10,761. What is the peculiar compound that you give to your voters in order to gain their confidence?—I have asked some of our men, and they say there are more hogsheads in one of the cellars, where the bottoms of various casks are put together to fine down, and the continued additions which are made to it cause it to become tolerably strong. The men in the yard drink it; whether it is fit to drink I cannot say.

10,762. And that is called "all nations"?—It has been during this inquiry.

10,763. Was not your bill against Mr. Dent upon that occasion some 700*l.* or 800*l.*?—On both occasions I do not think it was above one-third of that; I will turn to the books and see; I do not think that 200*l.* was spent, including open house and everything.

10,764. At this time was there a company the name of which was the slippery company?—There was no such company in existence then; there has been a slippery company since then.

10,765. And did not the chairman of that company, Jacob Searle, call at your house and say that he and his friends would not vote under 1,000*l.*?—Searle visited the house two or three times, and mingled with the company, and said that a few friends of his who had always voted on the other side might be prevailed upon to vote for the other candidate for a consideration.

10,766. Did he mention that it was a consideration of 1,000*l.*?—No.

10,767. How much did he say?—He could not tell; he would not say anything definite.

10,768. Did he give you the names of the men?—I think he said there were six or seven of them.

10,769. Did you have that in writing?—Not from him. I made a memorandum of the names at the time.

10,770. Have you got that memorandum?—No; I have looked for it since this inquiry has been going on.

10,771. And you have not found it?—No; there was no such thing in existence, he never put it in writing.

10,772. Did you canvass at all in 1862?—No; I never went out of my house.

10,773. Did you see a number of people who came to your house?—Yes, frequently.

10,774. Were there not a great many who were certain of voting in 1862 who wanted a particular inducement before they voted?—From the general tone of the poll I have no doubt that Mr. Dent would have been elected in 1862, but we capitulated the night before the election.

10,775. Why did you do that?—Because Mr. Mitchell would not go on.

10,776. Was that not because you had such a large number of votes to buy that Mr. Dent would not incur the expense of a contest?—No, it was not indeed. I understood that he was ready to have spent any money.

10,777. Then what was the reason?—Mr. Mitchell never would consent to the contest being fought after he went to London. There was some communication between these two great clubs in London to the effect that Mr. Dent should be elected at one time without opposition, and Mr. Pender the other time. They were in London for some two or three days, and on their return I remember Mr. Dent would not stand. There had been some proposals made, and Mr. Pender would not consent to the terms.

10,778. Were those terms communicated to Mr. Pender?—Everything was regularly communicated from London by telegram. I expect Mr. Pender and Mr. Dent and their solicitors on each side knew all of what was going on.

10,779. Were there any but the local solicitors employed in 1862?—I do not remember any one but Mr. Edmonds.

10,780. (*Mr. Coleridge.*) Then how came Mr. Dent to go to the poll?—He did not go to the poll. The notice was given to the other side between 12 and

TENTH DAY.

Mr. J. Heath.

3 Sept. 1866.

1 o'clock at night, and Mr. Kellock and myself and Mr. Dent went across to the "Seymour Armr," and there saw Mr. Cuming the agent.

10,781. But how comes it that there seems to have been a poll, Mr. Dent polled five votes?—The other side thought fit to go to the poll if it were only to show their strength, and some said they would vote notwithstanding.

10,782. In whose favour was the show of hands?—In favour of Mr. Dent.

10,783. And then Mr. Pender demanded a poll, I suppose?—Yes.

10,784. (*Mr. Bere.*) At that election 171 voted for Mr. Pender?—Yes.

10,785. And there were 169 who did not poll?—There were several who voted for Pender who made a merit of necessity, but who otherwise would have voted for Dent.

10,786. Could you give us the names of any who did so on that occasion if you were to look over your list?—I might probably do so.

10,787. (*Mr. Longe.*) Had any money been spent by the Liberals before that time?—It had been promised. I cannot say that it had been spent.

10,788. (*Mr. Coleridge.*) Did you find in 1863 that the fact of your having promised money in 1862 and not paid them, acted injuriously upon the Conservative interest?—No.

10,789. Nothing about broken promises was thrown in your teeth?—No, I do not think it was.

10,790. Had that any effect on Mr. Dent's election in 1863?—Possibly it might have; having once enlisted under your banner they do not like to turn.

10,791. The fact of their having been promised and not having got anything was not made a matter of reproach by the other side?—I do not think it was.

10,792. Did Mr. Dent pay his bill here daily while he stayed at your house?—I think I may say with certainty that he did not.

10,793. Did he not have it sent in day by day?—Not to my knowledge.

10,794. (*Mr. Longe.*) Going back to the general election of 1859, you then had for candidates Lord Gifford, Mr. Mills, and Mr. Dunn?—Yes.

10,795. Whom had you staying at the "Seven Stars" hotel on that occasion?—We had Mr. Dunn there.

10,796. Had you Mr. Cameron there at the same time?—Yes.

10,797. Was there any one else there with Mr. Dunn at that time?—There were several visitors; for instance, Admiral Keppel came there occasionally.

10,798. Was there any one there with Mr. Dunn who was taking an active part?—Not any one but Mr. Cameron who I can remember.

10,797. Who was Mr. Cameron?—He was a solicitor in London.

10,800. Had you a Mr. Mum down here on that occasion?—There was a person down here of the name of Phipps, who was an acquaintance of Mr. Cameron's.

10,801. Was there a Mr. Mum down here then?—Yes.

10,802. And was not that the occasion when you had another person down here who we have called the spurious Mr. Mum?—Yes, there was this man down here who has been called Snell; he was a volunteer, and I think he afterwards sued Mr. Dunn for some 50*l.*

10,803. Was he at your house for only one night?—I think he was not there for more than one night.

10,804. How long before the election did the real Mr. Mum come down here?—I should think that he came down here within a week, but I have no very strong recollection of it.

10,805. Was this election conducted in much the same way as the last two elections had been?—Not the last, but the one before that, when Mr. Mum was the principal man and did all the business.

10,806. It was not conducted like the last elect —No.

10,807. What was different?—Mum paid ev body.

10,808. On this occasion in 1859 Mum took a important part?—Nobody would be mixed up it. He went out and saw the voters himself arranged with them, and certain ones came to house.

10,809. In Gifford's time 3*l.* was spent on side?—Was there then?

10,810. So the town clerk said?—I have not my calculated.

10,811. Do you mean that there was no mo paid at the "Seven Stars" at that time?—Not to knowledge a single case; Mum did the whole of

10,812. There were the same agents, Mr. Kell and Mr. Edmonds?—Yes, I think Mr. Edmonds w I am almost certain he was.

10,813. You were a member of the commit then?—If there was a committee at all I might considered one of them.

10,814. You were recognized by the party?—Y

10,815. Mr. Harris gave us several names of Conservative committee?—They are a self-constit committee; there is no actual committee.

10,816. You acted as one of the committee Yes.

10,817. At that election did you yourself take part in negotiating for Mr. Dunn?—I do not member a single instance.

10,818. Or rather for Mr. Dunn's agent?—I not think any one in the town did.

10,819. Who were the runners; how did Mr. M get at the electors?—They adopted a different p He called upon the electors and got the informat He must have got the information from some He knew who was open to do business.

10,820. You were a member of the committee Yes, but he would not mix up with us. They w not so open as they have been since.

10,821. Do you remember when this man first ca Mum?—I should think a week before the electi within a few days.

10,822. That was not the first time a Mum come to your house?—What date was that?

10,823. 1859.—There was a general election 1857, but I do not know that there was any mo spent. I have no recollection. I do not think th was much done, not with my knowledge.

10,824. In 1859, do you remember Mum's com then?—Yes, it was a strange man then.

10,825. Is Dunn alive?—No; he died crossing Red Sea.

10,826. A stranger came before that election Yes.

10,827. Who told you of his arrival or inten arrival?—I think very likely Cameron; that the was to have a private room.

10,828. Cameron and Dunn were at the "Se Stars" at the time?—Yes.

10,829. Now, perhaps you can remember, was the first time you had anything to do with Mum To my knowledge I do not think there was any here at Gregory's time.

10,830. (*Mr. Coleridge.*) Is that private room speak of No. 10?—No. 9.

10,831. What part of the house is that?—T west end.

10,832. Towards the town?—Yes.

10,833. On the same floor as the room No. 13 No; the floor below, and no communication.

10,834. Was it a bedroom or a sitting room?—sitting room, there is a bedroom adjoining.

10,835. Do you know how the money came on t occasion?—No.

10,836. (*Mr. Longe.*) Who used to visit Mum that occasion; who were the runners?—I do remember who they were, that was in 1859.

10,837. Who before Evens and Screach?—I do think there was any one in that capacity only sc

d porters who would direct those men where to go . He negotiated the business himself, and I saw some ters come to the house and inquire for him.

10,838. Had you committee rooms in the "Seven ars" at that time?—Yes.

10,839. Who were the legal assistants to the mmittee?—I think Mr. Edmonds was the principal an.

10,840. Mr. Kellock, did he take any part in it?— e has always taken part in the elections for the nservative interest.

10,841. Had Kellock and Edmonds a room toge- r?—I think Mr. Edmonds had a room, but we had tle to do with it; Mr. Cameron took the principal rt.

10,842. Mr. Cameron must have had some local rson to represent him?—Yes, and I think in meron's room the solicitors of the town visited him l communicated with him.

10,843. The solicitors of the town generally?—Yes, that side.

10,844. Who besides Mr. Edmonds?—Mr. Bryett think was engaged in one election, when Mr. ldwin was turned out. It is possible that Mr. Bryett, o has always been on the Conservative side, may ve had some communication with that gentleman.

10,835. Where did Cameron get his information m?—I cannot give it to you, I had scarcely any- ing to do with it then.

10,846. (*Mr. Bere.*) There was plenty of money ing about at that election?—Dunn's election, I ould not think much.

10,847. Not much?—No, I have no idea, but I ould not think above 1,000*l.*

10,848. (*Mr. Coleridge.*) Not on the Liberal side? There has always been some, but Dunn had not uch.

10,849. I thought he had Australia at his back?— e had his father out there.

10,850. (*Mr. Bere.*) Did not Mr. Dent say, when was proposed in 1863 or in some of his speeches, at he was a capital candidate, that he had China at s back?—No. "We do not bring you a needy man, but here is a gentleman with millions at his back."

10,851. As to Mr. Dunn, what expenses did he pay u for?—I furnished the secretary with the par- ulars, but I do not remember. It was not very uch.

10,852. You have furnished Mr. Dunn's bill?—If quired I will furnish it.

10,853. Do you remember the figure?—No, but I ould not think it was above 100*l.*

10,854. Was it the same system as the election of 65, the candidate paying the expenses in the house?— Yes.

10,855. A general system on both sides?—Yes.

10,856. You never recollect an election in which eating did not take place?—No, and if the bills do pear large to the court and to the public, they are ally not out of the way, not equal to private trade.

10,857. Was there ever a petition on the ground treating here?—No.

10,858. Was not there a petition in 1852?—At hose election.

10,859. Mills and Seymour against Baldwin?— es, that is the time they had the close run. The rties were running on together at half-past 9 o'clock. ome had voted for Dunn who were not expected to so. It was communicated to Mr. Mills, who ap- ared to be a little alarmed about the prospect of ings, and I heard it stated that Mills said of it, "Is it too late to win now?" "Probably it may be, means being resorted." "Then it must be won," aid Mills.

10,860. And it was won?—Yes, but I do not know majority. That was Mills, Gifford, and Baldwin. he first time the duke shifted after he had made e agreement.

10,861. In 1857 what part did you take then?— Who were the candidates.

10,862. The candidates were Mackenzie and Gregory?—I took no active part more than voting.

19,863. Were they in your house?—Yes, they always put up at the house; it is a recognized thing, one side of the bridge one interest, and the other the other at election times.

10,864. Who brought them down?—I do not know. I think Gregory had a relation of the same name who was a lawyer.

10,865. Gregory and Faulkener?—I do not know, there were two Gregorys.

10,866. Gregory, Skirrow, and Rowcliffe?—I do not know.

10,867. (*Mr. Longe.*) It was in 1862 when you seconded the candidate?—Which candidate was that.

10,868. John Dent?—Yes, I seconded John Dent.

10,869. In previous elections you had taken a leading part?—No part in public affairs till 1859.

10,870. When did you have the "Seven Stars"?—In 1856.

10,871. This was soon after you took the "Seven Stars"?—Three or four years I was pressed to be a candidate for the council and refused, and they said they would put me up. I was called upon by Alderman Bentall, the late mayor, and Mr. Edmonds; they said if you do not stand we will put you up without your consent. Since then I have taken an active part.

10,872. In the case of Mackenzie and Gregory, was the commencement of their coming on your having a requisition signed, do not you remember?—I do not remember.

10,873. Mackenzie had stood before?—Yes.

10,874. (*Mr. Bere.*) With regard to the election of 1859, do you know of a man named Thomas Mitchell coming to your house?—From London?

10,875. No, one of the voters; a man open to conviction in all cases?—No doubt of it.

10,876. Coming down and seeing Mr. Mum and being paid 60*l.*?—I do not remember, it might have been; he was often there.

10,877. Did not Mr. Mum in 1859 give different names; did not he call himself Mr. Higgins?—I do not know; he was not recognized by the party by that name. He might have called himself Higgins or Smith.

10,878. Did he go out and introduce himself to the different electors by different names?—I do not know; Mum was the name that we knew him by.

10,879. Did you see money pass on that occasion?—No.

10,880. Did you see Mum come out of your house with a bag, as far as you could judge containing money?—Things were done very privately; he conducted the whole thing.

10,881. You yourself had nothing to do with it?—No.

10,882. (*Mr. Coleridge.*) When did Mr. Kellock first mix himself up with elections?—Since he has been in business in the town.

10,883. Was he engaged in the 1857 election?—When Cameron was here?

10,884. Yes.—I do not think he took a retainer.

10,885. Did he take a retainer from Colonel Dawkins on the last election?—I do not know.

10,886. Did he mix himself up in the same way in the early elections as in the last one?—I do not think he took so active a part till the last few years.

10,887. In 1863 did he for Dent?—He worked for Dent.

10,888. In 1859 did he work for Dunn?—I do not remember; I do not think he did. He always voted for the Conservatives.

10,889. (*Mr. Longe.*) Were you in the town before you took the "Seven Stars"?—Yes, all my lifetime, except two years in London.

10,890. (*Mr. Bere.*) When did you become a candidate for the council?—In 1859. They proposed me as a candidate against my will.

10,891. Was it in consequence of your activity in the election for the borough that you were thought to

be a good Conservative candidate for the council?—I do not know.

10,892. Were you not actively engaged telling the people what to do, and how to do, in Dunn's election?—Very likely I may have done.

10,893. Did not you begin to take an active part in the borough politics for the election of member in 1859?—Not more than I had before.

10,894. Then you had been active in 1857?—Every one in his sphere in life does a little for the good of the cause.

10,895. Did you do more in 1865 than in 1859?—A hundred times.

10,896. More in 1863 than in 1859?—Yes.

10,897. Then you were progressive?—I hope so.

10,898. We have heard of the votes made on the "Seymour Arms," how many votes do the "Seven Stars" make?—One. Although the house is rated higher than any house in the town, I make one.

10,899. You have not got a meadow that can be subdivided into five?—Not of my own.

10,900. On the "Seymour Arms" there is a meadow by which they make five votes?—I have heard of various things, but they do manufacture votes, and that is the way they swamp us.

10,901. Who is the landlord of the "Seven Stars"?—Your humble servant.

10,902. When you talked about being a tenant of the duke, that is for land?—Yes.

10,903. Was it the duke's house?—No, I bought it of my predecessor, Mr. Webb. I was a tenant of the rectory house and ground and resided there, and we had a few closes of land from the duke, about 100*l.* a year.

10,904. (*Mr. Bere.*) Although you have not been able to get voters by getting land, you have got two or three retainers generally vote for you, Mr. Brown and Mr. Clarke, the waiters?—My own staff.

10,905. They are always pretty steady as Conservatives?—On one occasion, the first election that took place after I occupied the "Seven Stars," the night prior to the election one of the men came in and said, "Master, you have not told us how to vote "to-morrow." I said, "I shall vote for so-and-so, you "may do as you please."

10,906. If they had voted the other way would they have driven another horse of yours?—Yes; and as a proof of it, I have had two or three tenants vote against me; Blackler, Bennett, and Stranger, and I never gave them notice.

10,907. Bennett and Stranger did not vote till late in the election of 1865?—No.

10,908. You had been to feel them, and see if they would not vote for you?—I had not been.

10,909. Had you sent anybody down?—No.

10,910. What did your election of the council cost you?—That depends on the amount of opposition.

10,911. Are you a member of the council now?—Yes.

10,912. When you have been opposed? What did it cost you in 1863?—About 50*l.*

10,913. How many times have you had a contest?—I think about thrice.

10,914. Did it cost you 50*l.*?—At least; one was a single-handed contest.

10,915. What did that cost you, more?—Working voters about half-a-crown a day before I was proposed; afterwards another candidate was proposed.

10,916. Who was that?—Mr. Bowden, the cyder and corn merchant. I did not do any canvassing, but the others had three or four solicitors, and there was the duke's agent canvassing, and when they found they could not carry it in that way the price rose from half-a-crown to 5*s.*, 10*s.*, and as much as 1*l.* Information was brought to our quarters to that effect.

10,917. And you were obliged to follow suit?—Yes. "We are not going to be beaten on this ground," I said, "we shall fight it out."

10,918. How much did that cost you?—100*l.*

10,919. Was that the time that some of them got 5*l.* a piece?—No.

10,920. Whom did you employ on that occasion?—I do not remember who the runners were.

10,921. Was Evens one of your runners?—I think so.

10,922. And young Screach or old Screach?—I do not think so; they were old volunteers.

10,923. They had some little consideration, had they not, afterwards?—Every labourer is worthy of his hire.

10,924. (*Mr. Coleridge.*) Look here. You have told us about Mr. Mum in 1863, do you know his name?—I do not.

10,925. Do you know a gentleman named Edward Cooke?—Yes.

10,926. What is he?—A running agent; a highly respectable man.

10,927. Was he one of the Mums in 1863?—No.

10,928. What is the meaning of this letter; but is Mr. Cooke a native of this place?—Not a resident.

10,929. How long has he been in London?—Ten or a dozen years.

10,930. The letter is,—

"Mr. John Heath, 75, Old Broad Street,
"Dear Sir, London, February 10, 1863.

"A letter from Mr. Ash informs me that I have received some money on his account from you, and that Mr. Edmonds was his authority for saying so. There must be some mistake about this. On your authority I did promise Mr. A. that he was not forgotten, and I understood that his name had been put down for 30*l.* I shall be glad to hear from you on this subject. In the meantime please refrain from taking any steps with regard to placing my name on the registrar. I have obvious reasons for this which may be explained when I have the pleasure of seeing you again. I hope in the event of your coming to town you will not fail to call on me, and if you will take up your abode at my domicile, a bed will be at your service. With kind regards,

"I am, dear Sir,
"Yours truly,
"Edwd. Cooke.

"P.S.—Does Dent intend to come forward again."

Did you put this gentleman on the register although living in London?—He might be put on as joint tenant with his father. But what is the date of that?

10,931. The 10th of February 1863, soon after the election. What was the cause of the letter being written?—He was here at an annual dinner at our house, which it is customary for tradesmen to have.

10,932. Interested on the Conservative side?—Yes.

10,933. And paid for by the gentlemen at the next election?—No, there are men here who pay their own shot; and this gentleman expressed a wish when here to be put upon the register in some way.

10,934. What did you suggest about his vote that he said you should refrain?—He had left instructions to Mr. Edmonds to request him to make him a vote.

10,935. You were looking out for a vote for him?—They promised to give him the qualification very likely.

10,936. I suppose you were perfectly aware that it could not be a good qualification if he was residing in London?—I did not know much about the laws.

10,937. You knew it was a bad vote and a misdemeanor to vote?—It would be a manufactured vote.

10,938. But a bad vote if he lived in London? Then there are plenty of bad votes.

10,939. Never mind that. Did not you know that this would be an illegal vote?—Unless he sent his family here it would be.

10,940. Did not you know that the proposed vote would be an illegal vote?—I did not make the vote.

10,941. If he habitually resided in London, and had a residence here, it would be illegal?—Yes.

10,942. That is done constantly?—Yes.

10,943. There are so many on each side, neither of them take the trouble to strike them off then? The men on the register come and make statements and the barristers allow them. There are about 200 non-residents on the register now, people who have

interest in the town, and not a head of cattle to it on the land which they are supposed to occupy. hat is the way we are swamped.

10,944. (*Mr. Bere.*) Most of them are within ven miles?—Yes. I will give you an instance like is. Mr. Durant has a residence in London and nother here, and if this gentlemean could keep a untry house, which I am told he could afford, that ould do.

10,945. But he was not like Mr. Durant; he was t going to buy a place and occupy it?—I do not ow.

10,946. It was a faggot rate?—Manufactured.

10,947. (*Mr. Coleridge.*) Here is another letter,—

DEAR SIR, Holwell, July 19, 1863.

"HAVING considered the proposal you made to me e other day, of becoming a voter for the borough of otnes, I think on the whole I would rather decline it.

"I am, dear Sir,

"Yours truly,

"HENRY G. HARE."

-That is not to me; it must be to one of my sons.

10,948. Where does he live?—He lives in the wn.

10,949. He has no vote?—My son has a vote, but are has no vote. Hare lives about six miles off.

10,950. Then there is a letter from Mr. Rennie—

"1, Elm Court, Inner Temple,

DEAR SIR, February 19.

"I HAVE heard from Mr. Mitchell respecting the pse wood, &c., which I had thought was long ago settled. am sorry you have had so much trouble about it. Will u see Mr. Harris and write jointly to me and let me ow all about it, and why you have not had it.

"Yours obediently,

"C. G. COLLETON RENNIE."

your son Mr. Dent's steward?—Yes.

10,951. What is he steward of?—Some land he nts here; 600*l.* or 700*l.* a year, but he will answer at.

10,952. (*Mr. Bere.*) One word about Mr. Cooke; hat is the meaning of this letter:—

"MR. JOHN HEATH, 75, Old Broad Street,

DEAR SIR, London, February 13, 1863.

"YOUR letter with cheque 30*l.* on account of r. Ash is duly to hand. He ought I am sure to be rateful to you for it. I will advise him of having received ; but I am almost too busy to-day, it being our fortnightly ttlement.

"I am, dear Sir,

"Yours truly,

"EDWD. COOKE."

nd I want to call your attention to the letter that llows:—

"75, Old Broad Street,

MY DEAR SIR, London, February 14, 1863.

"I THINK it would be quite as well not to advise r. Ash of the amount you sent me unless you have eady done so.

"By this post I have sent him 5*l.* on account, with a rong injunction not to commit himself in the course of y casual conversation on the subject of election matters. vonport, you perceive, has been more fortunate than we re. I am inclined to believe that apart from the filthy cre, Dent does not possess a single qualification requisite r a political man. I wish I could arrive at a more favour- le conclusion with regard to his abilities.

"I am, dear Sir,

"Yours very truly,

"Mr. John Heath. EDWD. COOKE."

hat 30*l.* you sent to Cooke on behalf of Ash, had t that a great deal to do with election matters?—think it is very probable that that was to go to Ash consideration of his vote. I think it is very kely.

10,953. Who is Puttiger?—I do not know.

10,954. (*Mr. Coleridge.*) Do you agree in the stimate of Mr. Dent's qualification?—I do not know. am not a competent judge.

10,955. Who is W. M. Wood?—I do not know.

10,956. He wrote you this letter:—

"I have been using your house for the past seven years regularly every three months or near. I am the one "whose daughter was in an ill state of health 12 months "since, a long protracted illness, and if I may mention "perhaps Mr. Dunn's election may bring me more vividly "before you."

What connexion had there been with you?—I do not know. I think he went to some ball, and danced and kicked up a row.

10,957. Then he goes on to say:—

"I should be most happy to pay you interest for the "same."

—He wanted some money.

10,958. (*Mr. Longe.*) You had land for which you paid 100*l.* a year?—Yes.

10,959. When was that, when did you first occupy for the duke?—Without referring to any books I cannot say. I should think for the last 20 years, till I had notice to quit; 20 years ago from this.

10,960. Did you occupy 20 years?—No, about 20 years ago I first had possession.

10,961. When you first took the land were you given to understand that you must vote for the duke's candidate?—Not a syllable said.

10,962. Who was the agent then?—The late Mr. Thomas Michelmore.

10,963. During that time how did you vote?—I voted one vote for the duke while Lord Seymour, prior to the death of his father.

10,964. A few years back you had notice to quit?—Yes.

10,965. Did you vote for Gregory and Mackenzie?—Yes.

10,966. Before the polling day was any intimation given to you of the consequence of your voting for the Conservatives?—No.

10,967. Did you know of any person acting for the duke giving information to the occupiers of land previous to the polling day?—No, I have not heard of it.

10,968. The consequence is well known?—Yes.

10,969. (*Mr. Bere.*) How far back can you speak of political matters in Totnes?—I voted for Sir George Adams in 1836 or 1837.

10,970. Will your memory enable you to give us information about this, do you remember when the first vote on the Linney qualification was put on the register?—I think subsequent to Sir George Adams' election.

10,971. Was that by the duke?—On his property.

10,972. Do you think the duke knew of what was going on from that time to the present?—Mr. Michelmore was speaking to me about it, and I said, "A peer of the realm has no right to interfere in "those things;" we got a bit warm, and he left my office.

10,973. Did Mr. Michelmore intimate that the duke knew?—Yes, he did nothing without the duke's knowledge.

10,974. (*Mr. Longe.*) The land which you occupied and for which you paid 100*l.* a year, how is that occupied now. Is it a little more?—No; I think it is about the same rental.

10,975. Does it give more than one vote?—Yes.

10,976. It only gave one vote when you had it?—Yes.

10,977. How many does it give now?—I should think four or it may be more.

10,978. (*Mr. Coleridge.*) As a land agent you can tell us, is the borough pretty well filled up, or how many more of those fictitious votes could be made if you had people to put into them?—If all the Conservative land was subdivided into 10*l.* holdings 70 or 80 more votes could be put in.

10,979. In that land you include Gerston which the duke has bought?—No.

10,980. You could increase the register by 70 or 80 votes?—Yes, if the land was permitted to be cut up.

10,981. Not with 10*l.* households?—No Linney votes. 5*s.* a year the worth of the building.

TENTH DAY.

Mr. J. Heath.

3 Sept. 1866.

10,982. How many more votes could the duke make out of Gerston than at present?—I am no well acquainted with the register, but I should think he could make more than eight or ten.

10,983. How many more could you make out of Bridgetown?—I do not know how Bridgetown is situated.

10,984. Votes are not manufactured up to the hilt; there is still room for some?—As every tenant leaves if they raise the rent from 16*l.* to 20*l.* that will make two votes instead of one.

10,985. What is the memorandum in the hands of Miss Tracey?—I never read it; but on the evening of Mr. Teed and the Hon. Edward Petre resigning, when there was a walk over by Seymour and Baldwin, when the memorandum was signed by Michelmore in the presence of the duke, it was a general understanding that there was to be a give and take.

10,986. I want to know, because we have a little confusion, are you sure it was at that election when Teed and Petre resigned and not when Samson Ricardo stood?—I am certain of it.

10,987. Then that was carried out in Samson Ricardo's election?—Yes, and subsequently.

10,988. In 1852 it was broken through?—Yes.

10,989. Are you sure the memorandum was in 1841, and not in the time of Samson Ricardo in 1847?—I suppose that was the first time this was acted upon.

10,990. Are you sure it was 1841 and not in 1847. We are told that Ricardo was thrown over at the last moment by this arrangement?—It was in 1841.

10,991. Samson Ricardo could not have been told of this arrangement?—No.

10,992. In 1852 it was broken in favour of Mills. The duke threw it over?—Yes. At three o'clock in the afternoon Mr. Moffatt, the member for Ashburton, came here and it was ascertained that it was in the duke's power to return the Liberals if he chose, although I believe most of the Conservatives had voted for Lord Seymour and Mr. Baldwin up to a given time, about three o'clock, then they brought this to bear upon the present duke, who gave way, and consented to the voting for Mills instead of Baldwin.

10,993. Is your opinion the same as we have had expressed by many people in this room, that supposing there to be no bribery on the side of those who fight a single-handed contest, that you can actually return a member without bribery?—It depends on whether the other side resort to bribery.

10,994. Supposing the duke not to support a second Liberal candidate, but to put forward one of his own family and not to use any bribery, can you return a member against the party using bribery?—Two candidates?

10,995. Two on each side, and the duke not giving any assistance to the second Liberal, can he without any bribery still return a member; is the duke strong enough?—Unless he gets assistance from the Liberals he cannot.

10,996. Without getting any assistance?—No.

10,997. Supposing there is no understanding to pay expenses?—And the Conservatives using their means.

10,998. The duke cannot?—No.

10,999. We have heard it said that the duke's power is sufficient for that?—Upon the present register he can, because there have been 43 put on. Upon the present register I do not doubt he could.

11,000. He could return both upon the present register?—He would have the co-operation of the Liberals, and I suppose they are 40 better off, just the number which they have by that decision of the Court of Common Pleas is the difference between the relative strength of the parties.

11,001. (*Mr. Bere.*) How many voters in the borough of Totnes are accessible to the influence of bribery, taking the matter-of-course men, men of conviction, and men who want situations, and men who are open to temptation?—I have heard that every man has his price, 50*l.*, 100*l.*, or 500*l.*

11,002. They are equally distributed on both sides?—Yes; there are respectable men on the Liberal side. I think the Conservatives on the other side have about 100 that cannot he moved on any terms.

11,003. How many do you consider can be moved?—I think there are about 400 on the register.

11,004. Are there 365 who can?—I think 365.

11,005. Those are amenable to bribery?—From what we have seen of this investigation I have no doubt they would be.

11,006. You think the best thing that can happen to the borough would be to disfranchise it?—Yes, I do, unless it be extended and they give us 2,000 voters, and give them the ballot. I am for electoral districts and the ballot.

(*Mr. Bere.*) Your evidence to-day has been more satisfactory than it was on Saturday.

(*The witness.*) If you will take my apology, if I may so call it, for the inadvertency which arose from a confusion and misapprehension of what occurred at the time, I shall be much obliged.

11,007. (*Mr. Bere.*) Will you make a search to see if you can find any letters relating to the 1865 and 1863 elections, and as to the hotel expenses at the elections of 1865, 1863, 1862, and 1859?—(*The witness.*) That shall be supplied to you. With regard to the letter touching the 1865 election, as soon as the election was over Mr. Edmonds was at my house and a lot of waste paper was destroyed which we found in the house relating in any way to the election. I will see that the court shall be supplied with what I have.

Col. W. G. Dawkins.

Colonel William Gregory Dawkins sworn and examined.

11,008. (*Mr. Bere.*) You are retired?—I am on half-pay.

11,009. You were in the Guards?—Yes.

11,010. How long have you been on half-pay?—Since the 1st of June 1865, or thereabouts.

11,011. Where are you residing?—At No. 12, Arlington Street.

11,012. In the beginning of 1865 did you enter into some negotiations with regard to standing for this borough?—Yes, I did.

11,013. When did you begin, and with whom did you begin them?—I began with Mr. Spofforth, and I think I may say almost the very day week only before I came down here.

11,014. Had you no communication with Mr. Spofforth about standing for the boroughs before?—I think I had, but only a short time before I came to Totnes was it mentioned.

11,015. What other borough did you contemplate standing for?—I do not think I contemplated standing for any one in particular.

11,016. Was this the only election in regard to which you had conversations with Mr. Spofforth?—I had seen him with regard to elections in general this was a special one.

11,017. Was it the election of 1865 on which you alone had seen him?—Yes, I never saw him before.

11,018. Have you ever stood for a borough or county before?—No, never; I anticipated being in Parliament, my family having been in Parliament for four generations.

11,019. Had you known Mr. Spofforth personally before that when you went to him specially?—No, I had not.

11,020. Who sent you to him?—I called on him. I cannot remember who sent me.

11,021. Was it Colonel T——?—No, it was not.

11,022. Are you a member of the Carlton?—No, I am not.

11,023. Your solicitor is Mr. Smith?—Smith at Guscotte.

11,024. Did he send you to Mr. Spofforth?

think he may have suggested it, but with my other friends I may have talked it over.

11,025. Will you tell me what passed between you and Mr. Spofforth when you first saw him?—I had a wish particularly to be in Parliament to expose the disgraceful accusations made by Lord Hartington in regard to my case. I asked if he could name any place where I was likely to come in.

11,026. What places did he name upon that?—I think there was a place in the midland counties; I forget exactly whether it was Leominster or thereabouts; a place that Mr. White came in for or was rejected.

11,027. Kidderminster?—Yes, I think that was it.

11,028. Was Totnes mentioned?—Yes; I at the first time rejected it, but being anxious to get in I took it.

11,029. Did he tell you a good deal of money would be wanted to stand for Totnes?—If I would stand, 2,000*l.*

11,030. Did you understand that that was to be spent in the local expenses?—I never asked him, or was told the particulars; I understood it was to be spent in purchasing votes.

11,031. From Mr. Spofforth?—No, not from him. I did not receive any information whatever upon that subject, not at the election.

11,032. Can you fix the day on which you saw Mr. Spofforth?—I cannot, but I could on referring to my journal.

11,033. Have you got it down with you?—No, it is in London. When I first saw Mr. Spofforth it must have been three weeks or a month before I came here, I had seen him for the second time. I came down shortly afterwards.

11,034. At the time did he suggest to you to find somebody else as a candidate with yourself?—Yes, he suggested that it would be very desirable that two Conservatives should stand together.

11,035. Did you look about to see if you could find some friend of your own to come down?—No, I do not think I had much time.

11,036. How many times did you seek Mr. Spofforth between the first interview and the time that you came down here?—I think only twice or three times at the most altogether.

11,037. (*Mr. Coleridge.*) Mr. Spofforth was not so candid on that score with you as he was with Captain Pim?—I cannot say.

11,038. He did not give it such a bad character?—I do not think he did. I understood I would be expected to pay 2,000*l.*, and that I was told was, to the best of my recollection, about the sum.

11,039. (*Mr. Bere.*) That was before you saw Mr. Spofforth?—I cannot remember.

11,040. Did you know anything about the borough of Totnes before you saw Mr. Spofforth?—I heard it was one of the most difficult places to get into without money.

11,041. Had you any idea of standing for the borough before you saw Mr. Spofforth?—Yes, it was not suggested.

11,042. Do you remember who named it to you before you saw Mr. Spofforth?—I think in talking it over with my friends as to what boroughs were then not provided with members, it being then rather late in the election, I think Totnes was suggested to me. I think Mr. Guscotte had talked it over to me.

11,043. Did he mention it?—I rather think he suggested Totnes.

11,044. You went to Mr. Spofforth with the understanding that if you were to stand for Totnes it would cost money?—Yes.

11,045. When did you come down here?—I am not provided with dates.

11,046. Was it the 28th of June?—I came down to commence the canvass a week or somewhere about that before the election. I may be corrected by [illegible] here almost.

11,047. A fortnight?—Perhaps it was.

11,048. Did Mr. Smith come before you?—No, I think he came with me.

11,049. Did Colonel Alexander come with you?—No.

11,050. Captain Lane Fox?—No, he joined me afterwards.

11,051. When you got down here who were the first persons you saw?—It is very difficult to remember.

11,052. You went to the "Seven Stars"?—Yes, I did.

11,053. Did you bring any money down with you?—10*l.* to 20*l.* I had with me, or Mr. Smith had with me that sort of sum.

11,054. What arrangements had you made with your bankers or Mr. Smith for providing you with any money?—I had made no particular arrangements; Mr. Smith made the arrangements.

11,055. Who were your bankers?—Coutts and Co.

11,056. Who were Mr. Smith's?—Ransome and Sons.

11,057. Had any sum been paid in by you to the credit of Mr. Smith before the election?—No.

11,058. What was the arrangement?—I had an arrangement with Mr. Smith. It was not necessary to make any arrangements as to that; it was understood at first that 2,000*l.* would be the expense.

11,059. You came down to Totnes believing you would have to spend 2,000*l.*, and 2,000*l.* only?—Yes, I did not intend at first to spend any more.

11,060. When did you first see Mr. Kellock?—When I got to Totnes.

11,061. Did you learn from him that 2,000*l.* was not enough?—No; in the evening I understood there had been a meeting of three or four of the leading inhabitants at the "Seven Stars," and I then learned it from Mr. Smith, who first saw me and told me the political position. I had afterwards an interview with Mr. Smith, and I found there was some difficulty as to the money, and Mr. Smith came and told me I must go beyond that sum, to which I agreed.

11,062. To what sum did you agree to go?—I do not think he specified any particular sum, but it was not to be very much beyond that at that time.

11,063. Did you see Mr. John Heath?—Yes.

11,064. Did you talk to him about the election?—Yes.

11,065. Did he convey to you his opinions as to what the sum of money required would be?—I do not think he mentioned any.

11,066. Nor Mr. Edmonds?—No, I do not think I had any conversation about money.

11,067. When did you first see Mr. Heath?—I cannot remember. I think it was early during my canvass.

11,068. Did he suggest to you that it would take a good deal more than 2,000*l.*?—No, I do not think I had any conversation with him.

11,069. You went to canvass the electors, and did you find there was a good deal of reluctance to promise votes?—I did most certainly.

11,070. Did you put that reluctance down to the feeling that they wanted an inducement?—It was explained to me that this very general reluctance was a certain difficulty in making up their opinions owing to other matters appearing to be practised so generally; and it was intimated to me they must make up their minds later, after they had seen the other parties.

11,071. That they must find out what the other party would be likely to give, and then to see if you would give more?—I dare say that was what they thought.

11,072. (*Mr. Coleridge.*) Had the other party been appealed to?—I came the next day or two days after.

11,073. When did Colonel Alexander come down?—He came with Captain Lane Fox or very shortly after.

11,074. Did he come down as a second candidate?—I think with that sort of view; I had no committee;

TENTH DAY.

Col. W. G. Dawkins.

3 Sept. 1866.

he was coming he informed me, and he was thinking rather of standing.

11,075. He came down, and do you believe he expected to get the constituency?—No.

11,076. Was he told he would have to spend a great deal of money?—Very likely he was.

11,077. Did you say to him he would have to spend a great deal of money if he stood?—Probably so.

11,078. He did not stay 24 hours here?—Perhaps two nights.

11,079. When were you first informed it was necessary that money should begin to be distributed among the electors?—I was never informed it was necessary.

11,080. Never directly?—No.

11,081. When did you learn that from the necessity of things money was wanted?—Before I came down here.

11,082. After you came down?—I think to the best of my recollection I heard it in the evening after I came here. We arrived early in the morning, and the next day I was told by Mr. Smith the expenses would be what I had anticipated, and I must consent to pay more.

11,083. There was no money as far as you know of yours in the borough?—No.

11,084. You do not know if Mr. Smith had brought any?—I brought only the small sum I mentioned; I do not know that Mr. Smith had any more.

11,085. Did you give any cheque to Mr. Smith at all?—No.

11,086. Or to anybody else?—No.

11,087. All the expenses passed through Mr. Smith's hands?—Yes.

11,088. Were you not told after you came here the first time that it was necessary that a person should come down from London to manage the money business of the election?—No, I was not told so, Mr. Smith was to manage everything of that sort for me.

11,089. You were to preserve a discreet ignorance?—I did not ask any questions. I was told it.

11,090. Do you know of any person that came down from London?—I know a Mr. Smith came. I do not know that anybody else came.

11,091. Did you hear of a person called Mum?—I only heard of it being in the papers.

11,092. Did you see a person come down on the 4th or 5th of July?—He was a stranger to me, for I was not aware there was such a man till I saw it in the papers. I may have seen him, but I was not aware of it.

11,093. Did Mr. Smith ever ask you whether any money would be here?—No, only in the form in which I have told you.

11,094. Only that small amount?—Only that the expenses would be heavier.

11,095. Did you give him leave to spend as much money as he thought fit?—There was a certain rather vague excess of the 2,000*l.* which was represented to me, and I really cannot at this moment state to what extent; but I agreed to it, and it was rather during the election time.

11,096. How was the money to be provided?—Mr. Smith was to pay it, and I should repay him afterwards. I am not sure at this moment that he had no money of mine in his hands; he manages my affairs, and it is very possible he may have had some.

11,097. Does he receive your rent?—No, he does not.

11,098. You do not know that he had any specific money of yours in his hands at the time?—No; but I think it is possible he may have had some. I did not give him any. I did not put any in his hands for the purposes of the election.

11,099. The arrangement between you and Mr. Smith was that he should spend what sum he seemed to think fit, and then that you should repay him after the election?—Yes, if I had information of what the sum was to be.

11,100. Supposing it was not to be as much money as ever he chose to spend?—No.

11,101. He intimated it was to be about 4,000*l.*?—He did; in fact I should say as far as I recollect about the evening or a day or so before the election I was told it must be 4,000*l.* or over 4,000*l.*; in fact I think almost 5,000*l.* I am not sure it was so much as that.

11,102. What did it amount to, may I ask?—Here it is. These are the different items of expense: headed Election, July 1st, paid Mr. Kellock (agent) 100*l.*; July 6th, paid for you 1,500*l.*

11,103. Does it say to whom?—No. July 17th, ditto, ditto, 1,000*l.*

11,104. Are you sure there is nothing between July 6th and 17th?—No. I wish you would copy it at at once. July 17th, ditto, ditto, 1,000*l.*; another ditto, ditto, 1,000*l.*, that is 2,000*l.*

11,105. 2,500*l.* on the 17th?—Yes, there is the 500*l.* I am coming to; September 12th, paid F. H. Edmunds to pay election expenses 364*l.* 8*s.*, and paid Harris 25*l.*; paid waiter at the "Seven Stars" hotel 1*l.*; to amount of disbursements, railway bill, &c., 69*l.* 8*s.*; total 4,559*l.* 16*s.* 8*d.*

11,106. That was without the election petition?—Yes.

11,107. When you went round to canvass did you find, besides giving you to understand that they wanted money, there were some people who wanted other inducements so vote, for instance, a situation or a loan of money?—I think there were inducements, but nothing distinctly said before me to enable me to answer the question in the affirmative; certainly not.

11,108. Can you tell me whether you saw a person at the "Seven Stars" with dark hair and lighter whiskers, an oldish man with rather a spare face who was with you and Captain Pim and Mr. Harris in the sitting-room of the "Seven Stars" at one time?—No, I do not know who it could have been, excepting Mr. Murchison; he rather answers the description of Mr. Mum.

11,109. (*Mr. Coleridge.*) He does not answer to Colonel Lane Fox's description?—No.

11,110. (*Mr. Bere.*) When did Captain Pim come down?—I think he must have been here a week or thereabouts. We were rather in despair of getting another candidate.

11,111. Were you consulted by the Conservative party here as to Captain Pim coming down?—No, I do not think I knew of his coming till he came.

11,112. Were you consulted from time to time with regard to the others?—No, I was not consulted I think somebody else was consulted, I forget the name at this moment.

11,113. Was it after?—No, before; I think I heard that somebody had been down and went away without my seeing him.

11,114. Was it the name of Alexander?—No.

11,115. Lane?—No.

11,116. Rennie?—I think not.

11,117. When Captain Pim came down here, did you and he make common cause together?—We agreed to make common cause so far as this, that was to be the Conservative candidate if one came in and that he was not to stand in my way as I was to bear the expenses, having been the first in the field.

11,118. Then he was not to find any money at all?—He was to pay his own expenses. He did not tell me his money arrangements; I was rather in the dark about them, but that was a conclusion of my own.

11,119. Did you go out canvassing with him?—No I had in fact almost completed my canvass when Captain Pim came down here.

11,120. Did you and he go and canvass the Reverend Mr. James together?—I think we did. My impression is that I must have seen the Reverend Mr. James twice.

11,121. Will you tell us what passed between you and the Reverend Mr. James when you first saw him; that is when you were alone?—I do not think I can; I will tell you as well as I can remember. I think we conversed a good deal upon general subjects

sked him for his vote, and I am under the impres-n that he stood in the doorway as I was going out, d he gave me to understand, either on that occasion on the second time when I called, that he would t vote against me, or words to that effect.

11,122. When Captain Pim was present with you d Mr. James given you any account of his pecuniary ficulties ?—I do not remember the conversation.

11,123. We have been told by Captain Pim that he s the chief speaker on that occasion ?—That is ry likely indeed.

11,124. Did you see another person of the name of tland ?—Yes, a clergyman.

11,125. Did he in the conversation which you had th him give you to understand that he was anxious procure a situation for his son ?—I cannot remem- exactly that he did say so, I think it is quite ssible that he might, we had a great deal of conver- ion, but there were some persons talking at the ndow in one part of the room and other persons in ther part of the room.

11,126. Then you cannot be sure of what passed ? I remember that he afterwards made a somewhat gry allusion to a very handsome bracelet which he d had been given on a former occasion to the wife one of the voters.

11,127. Did he mention the name of the fortunate ipient ?—No ; he did not mention her name.

11,128. Then the impression upon your mind was t Mr. Butland would vote for you, was that so, that he would vote against you, or not at all ?—I s in hopes that he would, that he would vote for , but I cannot say that I felt very confident.

11,129. As you continued your canvass of the vn did your promises of support increase ?—No ; lo not think they increased, they were about the ne throughout.

11,130. You said that they exhibited a great re- tance when you first went round to make any omises at all, did they on the second occasion make greater promises to you ?—I did not visit many them the second time.

11,131. Then did you trust the canvassing of them the second occasion to your agent ?—I am not sure at many of them were visited a second time by any e. As regards those who required much pressure, was generally the custom when there was much sitation for the gentleman who accompanied me to that he would see them again.

11,132. Who was it that accompanied you most equently ?—I think Mr. Edmonds and Mr. Kellock, th of them went round with me ; it was Mr. Ed- nds chiefly.

11,133. Did Mr. Harris go round with you at all ? I do not recollect that he did.

11,134. Then you did not see Evans or Screach ring the election ?—I did not personally have any terview with them. I cannot swear that I ever saw em ; I recollect canvassing Screach, who, I think, eps a public house somewhere in Bridgetown. I ink he is the man who gave evidence before the mmittee of the House of Commons.

11,135. You canvassed him for his father's vote ? -Yes.

11,136. Had Screach and Evens been pointed out you as persons who were working actively on your half ?—No ; I do not think I knew Evens by sight.

11,137. Mr. John Heath I should suppose you saw equently ?—Yes, I was staying at his hotel at the me.

11,138. Did he communicate to you what he thought ere your prospects from time to time ?—No, only in ry general terms.

11,139. Then who told you what was the result of e canvass upon each of these days that you went t ?—As I canvassed myself I must have known retty well.

11,140. Did you make up your own poll book ?— o ; I think Mr. Edmonds did that, as well as I re- member.

11,141. Then used he to bring it to you from day to day to show you what advances had been made by your party ?—No ; I did not receive quite so much information upon that point as I should have wished to receive.

11,142. Did you think there was a likelihood of there being a small majority in your favour ?—I was informed there would be a majority in our favour.

11,143. That if the election was a pure election the Conservatives would have a majority of at least 20 ; were you so told ?—I came down here on the understanding, which I think was fully borne out by subsequent events, that in all probability the Conservatives would have some small majority, and I think what was found out afterwards was quite true, that a very large sum having been expended, as we afterwards discovered, in reference to those who had signed the Conservative requisition was a matter of unexpected surprise to us which had not been taken into our calculation.

11,144. Then so far as you had been able to judge from your canvass if no money had been spent the Conservatives at that time would have had a majority of from 15 to 20?—I think so, as far as I could judge.

11,145. I do not mean to say if you had spent 2,000*l.*, and the other side had spent nothing ; but supposing that no one had spent any money, you think the Conservatives whose candidate you were would have had a majority of from 15 to 20 ?—I may not have taken that into consideration. There are so many in this town who are quite undecided with regard to their political opinions that it is hardly fair to say what would have been the result or the contrary.

11,146. Were you told in what sort of a way this 2,000*l.* would have been spent, that it would go amongst certain persons who expected money for their votes although they were Conservatives ?—No.

11,147. You were not told that there were certain different classes of voters some of whom wanted money as a matter of course, and others who had to be convinced by it, so as to come away from the Liberals and vote for you ?—I do not recollect any communication of that sort having been made to me.

11,148. But you have now no doubt that some of the money which was spent on your behalf was expended in bribery ?—I should consider that if any person spends 2,000*l.* at an election in a place like this, that some of it must have been so spent ; for myself I should have been very glad to know how it was spent.

11,149. Then if that applies to 2,000*l.*, when it came to 4,000*l.* the conviction on your mind in that respect would be still stronger I should suppose ?—Yes ; no doubt.

11,150. When did you leave Totnes ?—On the evening of the nomination day I think.

11,151. With regard to the hotel bill, did you pay that from day to day ?—No, I never paid it, I think it was paid by Mr. Smith. I cannot tell what it was, if I ever did know, but I do not think I ever did.

11,152. Your money matters passed through Mr. Smith's hands ?—Yes.

11,153. (*Mr. Coleridge.*) Did you in the course of the election call on Mrs. William Reeve ?—I do not remember.

11,154. With one of the Heaths ?—I cannot say, perhaps I did.

11,155. Which of the Heaths was it you were canvassing with, John Heath the landlord or his son ? —I do not know, I am not sure that I canvassed with any, but perhaps I did with the eldest son.

11,156. Do you recollect as to this Mrs. William Reeve (when you were out with one of the Heaths and calling on her), Mr. Heath saying in your presence if it is money you want your husband shall have it, and your saying, "Yes, it is all right" ?—No, I am certain that could not have taken place.

11,156*. You have no recollection of canvassing the woman, and that that never took place ?—No, I have no recollection whatever, and I think it is im-

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possible that that should have occurred, or I should have remembered it.

11,157. One or two questions about your election expenses. I see by looking at your accounts it is not likely that Mr. Smith and Guscotte had any balance in their hands?—Very likely.

11,158. Then it is very likely that they were to advance?—Yes.

11,159. Then I imagine that they expended money for you, and that you had periodical settlements with them?—Yes, sometimes the money was paid in, and sometimes there was a balance one way and sometimes the other.

11,160. By that bill it appears that you had a little balance, in fact it was an advance?—Perhaps it was.

11,161. Now was this 4,559*l.* 15*s.* 9*d.* the whole of the expenses of the election?—Yes.

11,162. Have you paid nothing to anybody else?—No, I have not.

11,163. Nothing to Mr. Spofforth?—No, I am not sure by-the-by, but I think that is connected with the petition.

11,164. We will come to that by-and-bye. Have you got his account?—No.

11,165. Have you paid it?—Mr. Smith has paid it.

11,166. Then Mr. Smith will bring it down?—Yes.

11,167. When you saw Mr. Spofforth and told him about the borough of Totnes and the sort of place it was, did he say anything about sending any one to manage apart from your own private list?—No.

11,168. Did you know that he sent anybody down?—I am not aware that he did.

11,169. You are not aware that a telegram came from Mr. Spofforth to Edmonds stating that a man was coming down by late train on the 3rd or 4th July?—Not unless it related to myself.

11,170. But you were not coming then, you are not aware that a telegram was sent, saying a gentleman would arrive by the mail train?—No.

11,171. Were you expecting any gentleman?—No, not unless it was Mr. Fox.

11,172. This is the 3rd July, and you came on the 28th, and Captain Fox came a couple of days afterwards?—Yes, I suppose so.

11,173. What was Captain Fox to do?—He was a friend of mine staying with me.

11,174. Merely a friend?—Yes.

11,175. Did he go out canvassing with you?—Yes.

11,176. Was he present when matters were talked about with your agents?—I think not.

11,177. Did he stay up to the polling day?—I think he stayed till the nomination day, and he went away the same day as I did.

11,178. He came and stayed as your friend, not to assist you in the election?—No, not at all, except to assist me in canvassing.

11,179. You do not know that he took any part with Mr. Smith beyond canvassing?—No; but he might have talked to Mr. Smith about the money I should spend.

11,180. Is Captain Fox in England now?—Yes.

11,180*. Where?—At Cranton Lodge, but he would not be able to give you any information.

11,181. (*Mr. Longe.*) You have no vouchers for this except Mr. Smith's entry?—No; nothing more than that.

11,182. You did not know at that time in what way the money was being spent?—I did not know.

11,183. You did not know of Mr. Mum?—No; I never heard of him till I saw it in the papers.

11,184. You did not know there was a person acting his part?—No.

11,185. (*Mr. Coleridge.*) Did you never come downstairs when there was an eager lot of people standing around to see some gentleman come down?—There were always a quantity of people around the hotel.

11,186. On the Saturday before the election?—Very likely, but not that I am aware of.

11,187. Did you happen to go out on the Saturday after the election into the streets?—Yes, ever evening.

11,188. Did you see a gentleman in the lobby lik the description we have had given?—Very likely.

11,189. And a number of people, electors, there —Possibly.

11,190. And Mr. Heath there?—Possibly.

11,191. You did not inquire who they were?— They were people about the hotel talking about th election.

11,192. Did you ever hear any one ask for mon in your presence whilst you were canvassing?—I a trying to recollect. I cannot at this moment say th they did.

11,193. They knew their business too well to it?—Just about that.

11,194. Were you ever in the room No. 13 in t hotel, a bedroom?—I do not know; I dare say.

11,195. In the room occupied by this mysterio Mr. Mum?—I think it was No. 13 that was occupi by Mr. Smith, my solicitor, but I am not certain. so I was in the room, and I wonder whether M Smith will turn out to be Mr. Mum.

11,196. Were you ever in the room No. 8, M Edmonds' and Mr. Kellock's room?—I think I kn the room, and I think I was in it the last day.

11,197. Were you ever in when Mr. Heath ca and asked for assistance?—No, not to my recollecti I went there once to ask how it was going on think.

11,198. (*Mr. Longe.*) When Mr. Smith told y that money ran short, did not you ask the means which it was being got rid of?—No, I did n but I understood it pretty well.

11,199. (*Mr. Bere.*) On the day when the inf mation was given to you that it was running sh was that the Saturday or the Monday?—I can recollect.

11,200. The election was Wednesday, and the no nation day Tuesday, therefore Monday or Satur are the days I wish to call your attention to?— appears to me that the last time it was much discus and it was represented that more money would required was on the day before.

11,201. Do you mean the day before the nom tion day?—No, the election on the Tuesday, w the sum of 5000*l.* was mentioned as possible.

11,202. Can you tell me whether Mr. Smith the hotel at any time after he came down?—To out of the town.

11,203. No, to get away from Totnes?—He d once to Torquay, I think.

11,204. Do you recollect the day that was?—N

11,205. Was that before the first application have an increased sum of money?—No; the first when I came here.

11,206. The increased sum I mean?—Yes, was the first day that I came.

11,207. Before the second one?—I think it certainly.

11,208. (*Mr. Longe.*) I think you canvassed s time with Mr. Kellock?—To the best of my re lection I think with both Mr. Kellocks; but Edmonds was chief canvasser.

11,209. When you came to a hesitating el did they make a mark and put them down?—I not see them do that, but very often they said would call again.

11,210. You understood that?—Yes, by degr came to understand that.

11,211. (*Mr. Bere.*) What sort of person was Smith's clerk?—He had two, Daw was the nam one, I forget the name of the other, but I think it Lind.

11,212. You have told us about Mr. Smith dri to Torquay with one of his clerks; was that day before the election?—No; I think several before.

11,213. Do you recollect Mr. Fox comin

Torquay, and taking a train there and going away?—No; he left here and went straight away.

11,214. But during the time he was here did he leave for a day and night and come back again?—Mr. Charles Fox and Mr. Kellock I have driven on part of the way to Lord Cranstoun's, somewhere in that direction, and Mr. Kellock proposed to Mr. Fox to go to Torquay with him, and they got back I think in time for dinner.

11,215. Did they drive back?—I think so.

11,216. Do you know what their errand to Torquay was?—I suspect now pretty well; well, I may say I know now.

11,217. Did you know that Mr. Kellock went to cash a 1,000*l.* cheque?—No, I do not know it, but from what I recollect I believe he did get some money now; I cannot swear it, but my impression is that he did.

11,218. Do you know what Mr. Kellock wanted with Mr. Fox to cash the cheque?—I do not know what he should want with Mr. Fox.

11,219. Was it to protect him in bringing back the money?—I do not know.

11,220. Was Mr. Smith away between the day before the election and the election itself?—I cannot say whether it was or not.

11,221. (*Mr. Coleridge.*) What sort of looking man is Mr. Smith?—About 50, I suppose, and rather bald, with whiskers.

11,222. Tall?—Neither tall nor short.

11,223. Was Mr. Guscotte down here at all?—No, I do not think he came at all, but he did at the petition.

11,224. I was going to ask you about the petition; have you received an account of the petition yet?—No, we have not received the accounts of it, but my solicitors have, and they tell me it would be about 1,400*l.*

11,225. You do not know whether any expenses from the election are carried into the election petition account?—No, but I believe they are not.

11,226. Your solicitor will bring them with him?—Yes.

11,227. (*Mr. Bere.*) You did not make any return of your election expenses?—No.

11,228. You left them to Mr. Smith?—Yes; I do not recollect signing anything.

11,229. Do you know anything of the items mentioned in the account there?—No.

11,230. (*Mr. Coleridge.*) When did you first determine to petition against Seymour and Pender's return?—I may say that it was resolved upon on the hustings.

11,231. When did you first begin to take any steps in the matter?—As early as possible, to the best of my recollection.

11,232. Had you any application made by the Liberal party to withdraw your petition on the payment of a sum of money?—I cannot say that I had, but will you allow me to look at the notes that I made to assist my memory?

11,233. What did you make the notes from?—From my memory a day or two ago. The subject of the petition being withdrawn was certainly mooted between me and my friends; and Mr. Guscotte, to the best of my recollection, told me that he heard that the Liberals, or Mr. Pender, I forget which, would give a large sum to have it withdrawn.

11,234. Was any particular sum mentioned?—I do not think any particular sum.

11,235. Did you ever receive a telegram from Mr. Smith or Mr. Guscotte asking you to consent to a sum?—I think not; any specific sum do you mean?

11,236. Any particular sum?—No.

11,237. Did you receive a telegram asking you to accept of a specific sum?—No telegram.

11,238. Did you receive any letter?—No.

11,239. Did you send any telegram refusing, saying you would go on and fight?—I am not sure about a telegram. I may have telegraphed that I would not accept any money. I thought of it, and that I would not withdraw for any money. I will mention what did occur. I received no direct offer, I believe some one sounded the other party. I did not receive any offer, and I intimated to a friend connected with the Liberal party that if I were to withdraw the petition.—I heard both parties were anxious that it should be so.

11,240. Do you mind mentioning the name of the party?—Yes, I do, because he is not in Parliament now; that if I was to withdraw the petition my expenses must be paid, and the deprivation of my commission in the army must be investigated by the House of Commons, intending thereby that I should be re-instated, or at any rate that I should no longer be denied the right of trial by evidence on oath.

11,241. Was any such sum as 20,000*l.* mentioned?—No; I first heard of such a sum in the papers.

11,242. What was a fair sum?—I do not know.

11,243. You had no conversation as to what would be a fair sum to take?—I think we talked over the sum, but I decided that I would not withdraw.

11,244. Was it 10,000*l.* or 12,000*l.*?—It might have been 5,000*l.*

11,245. You never heard of 20,000*l.* as stated here?—No.

11,246. Did you know Mr. Pender?—I made his acquaintance a little while he was here.

11,247. Had you any intimation from him?—No.

11,248. Did the Carlton Club say this petition should be set off against the other petition?—No.

11,249. Or did Mr. Spofforth say so?—No.

11,250. (*Mr. Bere.*) Was the person in the Liberal interest a friend of Mr. Pender's?—No.

11,251. Was he an acquaintance?—No.

11,252. Did you give him any reason to believe you would withdraw the petition for a certain sum?—No. When pressure was being put on me, and I heard both sides were anxious, and that the Liberals would give a large sum if it were withdrawn, I intimated that if I withdrew it would only be on my expenses being paid, and there should be an investigation into my case,—which was one of gross and unheard of injustice,—by the House of Commons.

11,253. Your expenses would be about 5,000*l.*?—I imagine about 5,000*l.*

11,254. When was this?—Just before the petition.

11,255. A great part of your expenses had been incurred?—I really do not know.

11,256. The witnesses had been summoned?—I do not know what expenses were incurred.

11,257. Did you give your friend any power to negotiate with the other side?—I do not know about any power; it was almost amounting to power in a negotiation, I should say it was.

11,258. Did he go to the other side?—No; I imagine he did not; he may have mentioned it; I cannot say.

11,259. Are you certain he did not go?—I cannot be certain, from his letters I should say he did not.

11,260. Was he a friend of Mr. Drake's the Reform parliamentary agent?—I do not know whether he is or not.

11,261. Had he been in Parliament before?—Yes.

11,262. For some time?—Yes.

11,263. And was likely to be intimate with persons managing parliamentary matters for the Liberals?—He was a Liberal, possibly he might.

11,264. It may have been the case that he might have gone to Mr. Drake and have said, if you will withdraw the petition 5,000*l.* will be paid?—From the answer he gave me by letter I have reason to suppose he would not do a thing of that sort, I cannot say he did not.

11,265. Is there an understanding between you and Captain Pim, that Captain Pim should share the expenses of the petition?—I entered on the petition without his being bound to do so, I entirely bore them myself, but I believe he would be good enough, he has said so, I think, probably under certain contingencies.

11,266. Is that a contingency or a speculation

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that this turns out profitably?—I do not know, but he has intimated as much.

11,267. Have you got any memorandum with regard to the election that you can furnish us with not only of previous matters; would not your journal show some of your movements?—Yes, but I am sorry to say that it is in London.

11,268. Could you not get it?—I am afraid I cannot without going up; it could not be much use I think.

11,269. (*Mr. Coleridge.*) You say the terms on which you would have withdrawn from the inquiry in the house of Commons were that you were to have an inquiry, how could that be made part of the terms of the petition?—Because the Liberals were then in power.

11,270. Was Mr. Pender to have undertaken that as part of his business?—No.

11,271. How was it to effect the withdrawal of the petition, who was to be guarantee for that?—The Government.

11,272. By the Government, do you mean the Liberal agent was to have undertaken that it was to be done?—No, I mean the Minister of War for instance.

11,273. Was he to be a party to the compromise of the petition?—I do not know anything more than I have told you.

11,274. I want to see the practical effect of it, the expenses were to be paid and the inquiry carried out?—It may seem an extraordinary proposal, but I was justified in supposing that the ministry who would effect the ruin of an officer by direct falsehood and gross misrepresentation would possibly agree to anything.

11,275. You think they would have lent themselves to a compromise of the petition in order to give you the inquiry?—It was quite worth proposing to such a ministry as they were.

11,276. (*Mr. Bere.*) We will not ask you to mention the name of your friend in public, just write the name and give it to us?—I think I must decline that; it may be disagreeable.

11,277. I think I must press you?—Will you allow me to consult my lawyer.

11,278. Yes, and I think your lawyer will tell you that you have no power to refuse?—Then I cannot help it.

11,279. We are anxious to have the name, but we will keep it secret if it can be done. It may so happen that it may come out through another quarter?—I do not think you will find there is much in it.

Adjourned till 11 o'clock to-morrow.

ELEVENTH DAY.

ELEVENTH DAY.

Tuesday, 4th September 1866.

Mr. W. D. Narramore.

4 Sept. 1866.

Mr. William Daniel Narramore sworn and examined.

11,280. (*Mr. Bere.*) Are you clerk to Mr. Bryett?—Yes.

11,281. Is he registrar of the county court?—Yes.

11,282. At the last election of 1865 was he actively employed on the part of the Conservative interest?—No.

11,283. What did he do?—I do not think Mr. Byrett accepted but one retainer since he has been in Totnes.

11,284. When did he accept a retainer?—I think in Mackenzie's election.

11,285. He has not accepted a retainer since?—I believe not.

11,286. Did he go about canvassing for Colonel Dawkins and Pim?—No, that I am aware of. I am almost certain he did not.

11,287. How long have you lived in Totnes?—20 years.

11,288. How long have you been engaged in election matters?—Since 1857.

11,289. What was your first commencement? Was it an election for member of Parliament or for the council?—For the council.

11,290. Has Mr. Bryett taken a partner lately?—Yes.

(*Mr. Bere.*) We will take Mr. Smith now as he is here.

Mr. F. Smith.

Mr. Frederick Smith sworn and examined.

11,291. (*Mr. Bere.*) Are you a partner of the firm of Smith & Guscotte?—Yes.

11,292. Attorneys in Essex Street, London?—19, Essex Street.

11,293. Have you been concerned as Colonel Dawkins' professional adviser for some years?—Yes.

11,294. For how long?—I think since the end of the year 1858 or the beginning of the year 1859.

11,295. Had you yourself any connexion with this borough?—Only by being a native of this county.

11,296. And Mr. Guscotte?—He is also a Devonshire man.

11,297. From what part do you come?—Crediton I came from.

11,298. Had you any connexion either by intimate acquaintance or in any other way with the people of this borough?—Only by knowing one or two of the influential men.

11,299. Are you agent for any solicitor here?—No, I am not.

11,300. Did Colonel Dawkins communicate to you his wish to go into Parliament before the general election 1865?—Yes.

11,301. Did you suggest that this was a place that he might represent?—No, he suggested it himself.

11,302. How long before the election was that?—I think I saw Colonel Dawkins on the 26th June.

11,303. Was that by a personal interview or by letter?—By letter.

11,304. Have you got that letter?—Yes. (*The letter was handed in.*)

11,305. That was not the first intimation that you had received of Colonel Dawkins' intention to stand for Totnes, was it?—I believe it was.

11,306. Had you not seen him before that time when he had communicated his intention to you?—Only generally.

11,307. Did not you know he had had an interview with Mr. Spofforth before that?—Not, I think, till afterwards. I think I saw Mr. Spofforth before he came here with Colonel Dawkins.

11,308. After the receipt of this letter did you and Colonel Dawkins go to Mr. Spofforth?—No, I think not.

11,309. Then did you go to Mr. Spofforth for the purpose of inquiring generally with regard to the

lection and not particularly with regard to Totnes?—Quite so.

11,310. How long before the date of this letter was that the interview took place with Mr. Spofforth?—I cannot fix the date. It must have been a day or wo before.

11,311. What passed between you, Colonel Dawkins, and Mr. Spofforth?—Nothing whatever. The nterview was simply between Colonel Dawkins and Mr. Spofforth.

11,312. You were not present?—I was present.

11,313. You heard what passed?—The interview ook place in the outer room, and I cannot recollect vhat took place.

11,314. Was the borough of Totnes mentioned?—I annot recollect.

11,315. The next communication you received on he subject was this letter?—I think it was.

11,316. Had you no understanding before you reeived this letter that Colonel Dawkins was going to place where money would be required?—Certainly ot.

11,317. When you got that letter did you see olonel Dawkins upon it?—Yes; I saw him either nat day or the day after.

11,318. Did you see Mr. Spofforth also?—No, I hink not.

11,319. Did you go with Colonel Dawkins to Totnes the next day?—Yes, or that night; I forget hich.

11,320. Did you learn from Colonel Dawkins before ou went down that a sum of money amounting to bout 2,000*l.* would be required for the expenses f the borough?—I always heard it was a great place or bribery, but I cannot fix any sum.

11,321. Did Colonel Dawkins ever intimate any articular sum?—Not that time.

11,322. When did he first intimate any particular um?—During his canvass.

11,323. Did you come down here knowing that a um was to be spent, but not knowing what sum was o be spent?—Quite so.

11,324. Had you formed any idea from conversaon with others as to what sum would be required?—Not the least. It is the first election I was ever ixed up with, and I was not *au fait* in those atters.

11,325. You had not formed an opinion of any um?—No. I heard people talking about Totnes, nd formed in my mind some opinion.

11,326. What opinion did you form?—That money ould be required.

11,327. To what amount?—I cannot fix any sum.

11,328. Had you had any interview with Mr. pofforth except the one you have mentioned to us efore you came down?—In reference to the election?

11,329. Had you an interview with Mr. Spofforth xcept the one you have spoken to?—I believe that as the only one in connexion with the election.

11,330. You had seen him on other matters?—ince, I have.

11,331. Before you came down and between the me on which you first saw him and Colonel Dawkins?—I only saw him once before the election.

11,332. Whom did you see when you first came to Totnes?—I first of all called upon Mr. Turner, of Dawlish.

11,333. The registrar of the Probate Court?—Yes, nd he kindly accompanied me to Totnes.

11,334. He went with you?—Yes, from Dawlish.

11,335. Did you go down to the "Seven Stars"?—He accompanied me to Mr. Bryett's office, or whether went to the "Stars" first I do not recollect, but Mr. Bryett joined us.

11,336. Did Mr. Turner lead you to believe that a arge sum of money would be required?—I think not. was with him only an hour.

11,337. Did you come by train?—Yes.

11,338. Did you converse on the subject of the lection?—I think not.

11,339. Had you known Mr. Bryett before?—I think I recollect him when I was quite a boy at Exeter. He was in Mr. Turner's office at that time.

11,340. He knew Mr. Bryett?—Yes.

11,341. Were you personally acquainted with Mr. Bryett?—I could not say I was personally acquainted with Mr. Bryett, because I asked Mr. Turner to introduce me to him, but as a boy I recollect him.

11,342. You were introduced by Mr. Turner to Mr. Bryett?—Yes.

11,343. That was the 27th or 28th of June?—Yes.

11,344. Have you a journal?—I have not a journal of that.

11,345. Did not you keep it?—I did not come professionally.

11,346. In what capacity?—As Colonel Dawkins' friend.

11,347. (*Mr. Coleridge.*) To take a general superintendence of the election as his friend?—Nothing at all. I had nothing whatever to do with the election, except as seeing his agents.

11,348. Seriously, do you say you had nothing to do with the election?—I did not canvass.

11,349. Nothing to do with supplying the funds?—Yes, I had.

11,350. (*Mr. Bere.*) Then you saw Mr. Bryett and had a conversation with him?—Yes.

11,351. Did Mr. Bryett enlighten you?—No. He said that the Conservatives had a chance, but no sum of money was mentioned, to the best of my belief.

11,352. When did you see Mr. Edmonds and Mr. Kellock?—I think on the day I arrived.

11,353. Did you see Mr. Bentall, Mr. Bastard, and Mr. Gill?—I recollect those names, but I do not think I should know them.

11,354. Was there a committee room at the "Seven Stars" of the Conservatives?—Yes.

11,355. Were you in constant communication with the members of that committee?—Yes.

11,356. When did you first learn from the members of that committee that money would be wanted for the purposes of bribery in Totnes?—I can tell you; I have brought my cheque book with me.

11,357. You keep an account with Ransome & Company?—I have one account there.

11,358. Have you an account anywhere else?—Yes, several; at Hanbury's, Barnett, Hoare's, and the Birmingham Bank. I never draw a cheque except for trust account on the Birmingham Bank.

11,359. (*Mr. Coleridge.*) Which is your private account?—I have two, one at Ransome's and one at Hanbury's.

11,360. Did you draw your cheques during the election on your private account or your business account?—All except one cheque on the business account.

11,361. (*Mr. Bere.*) Had you a double account at Ransome's?—Yes, I had.

11,362. Is Ransome's the account of the firm?—It is the description of the firm.

11,363. Do you sign your cheques drawn on the business account Smith and Guscotte or Smith only?—Simply Smith, P.A.

11,364. Private account?—Private account.

11,365. What do you sign when drawn on the business account?—Smith and Guscotte.

11,366. Do I understand that you had two accounts at Ransome's, one of Smith and Guscotte and the other your own private account?—Yes.

11,367. Did you draw any cheque on your account during the election?—With the exception of one cheque drawn on the business account; one I paid into Hanbury and Company.

11,368. When did you learn from anybody in Totnes that money would be required for purposes of the election?—I can tell by the dates of the cheques. I should say about the 1st July.

11,369. Just hand in your cheques. Have you your pass book here?—Yes.

11,370. The first cheque I see you put before us is drawn by Smith and Guscotte on your business

ELEVENTH DAY.

Mr. F. Smith.

4 Sept. 1866.

account at Ransome's, and payable to Leigh and Pemberton?—Quite so.

11,371. What had they to do with this matter?—It was to the account of Mr. Kellock.

11,372. Are they Mr. Kellock's agents?—I believe so.

11,373. When did you draw this cheque?—You will observe the date.

11,374. You drew it the day it bears date?—Certainly.

11,375. To whom did you give it?—At least it was not drawn by myself; you will find by the writing; but my partner in London, I instructed him to pay 100*l.* to Leigh and Pemberton's account.

11,376. Is this signature of Smith and Guscotte in Mr. Guscotte's handwriting?—Yes.

11,377. (*Mr. Coleridge.*) Who told you to make it to the order of Leigh and Pemberton?—From the instructions of Mr. Kellock.

11,378. Did he give you those instructions himself?—Yes.

11,379. Personally or by letter?—Personally.

11,380. (*Mr. Bere.*) When did Mr. Kellock give you those instructions?—I should say the day before the cheque was drawn.

11,381. Had Mr. Kellock asked you for money?—Yes, he wished me to pay 100*l.* on his account.

11,382. For his own private use?—In connexion with the expenses down here.

11,383. Which he himself was going to incur?—Or had incurred. I cannot tell which.

11,384. Was Mr. Kellock the first person who told you that money would be wanted for the purpose of the election at Totnes?—I cannot tell whether it was Mr. Kellock or Mr. Edmonds, but one of the two.

11,385. Then do I understand you to say, this being paid into the account of Leigh and Pemberton must have been endorsed by them?—Yes, quite so. I think you will find the indorsement on the back.

11,386. I should not think it was in the handwriting of either of the partners. After you had given instructions for this 100*l.* Mr. Guscotte had drawn this 100*l.* in favour of Leigh and Pemberton, Mr. Kellock's agents; when was it that you next learned that money would be wanted?—According to the date of the cheques.

11,387. 5th July?—I think about that time.

11,388. Would it be before or about that day that you learned it?—About that date.

11,389. From whom?—From Mr. Edmonds.

11,390. (*Mr. Coleridge.*) What is the meaning of another 1,500*l.* with your signature [*handing a cheque*]?—I paid 1,500*l.* from my account at Ransome's into my account at Hanbury's.

11,391. This is "Pay G. A. S. B." What does that mean?—I do not know.

11,392. Whom did that mean to represent?—I do not know at all, no one.

11,393. It is like "Smith or Bearer"?—Quite so.

11,394. (*Mr. Bere.*) Is that drawn by you [*handing another cheque*]. It is a business cheque?—Yes.

11,395. To whom was that given?—It was cashed by myself.

11,396. Where?—In London.

11,397. Did you then go up to London?—I was in London at the time.

11,398. Then after you came down on the 28th June how long did you stay?—I cannot tell exactly. I was away perhaps four or five days.

11,399. I do not want accurately to a day. Did you draw that first cheque of the 1st July in London? It was drawn by my partner.

11,400. Therefore in all probability you were down here?—I have no doubt I instructed him to do so. I said I should go up on business for three or four days in town.

11,401. Was that business connected with this election?—Nothing whatever.

11,402. Did you hear before you went up to London what money would be required?—I arranged, I think to bring 1,500*l.* with me.

11,403. Was that all the money that Mr. Edmonds or Mr. Kellock told you would be wanted?—At the time that was all.

11,404. Where did Mr. Edmonds and Mr. Kellock tell you this. Had they a private room, No. 8?—I never saw them in a private room except when they came to mine.

11,405. What was your room?—No. 15 bed room, and the sitting room was with Colonel Dawkins and Mr. Lane Fox.

11,406. (*Mr. Coleridge.*) How did you bring that 1,500*l.* down?—In gold.

11,407. In sovereigns?—In sovereigns.

11,408. In a bag?—Yes.

11,409. What sort of bag?—To the best of my recollection it was in three bags of 500*l.* each.

11,410. Was it in leather bags?—Yes, as bankers use.

11,411. They gave you the bags?—They gave you the bags.

11,412. (*Mr. Bere.*) Did you hand that over to Mr. Edmonds?—I did, I should say, or to his order.

11,413. What did you do with the bag then after you brought it to Totnes?—I brought three bags.

11,414. Did you bring the three bags in another bag?—No; they were common bags bankers use. I cannot describe them.

11,415. You did not carry three bags containing 500*l.* each openly in your hand?—No, in a portmanteau or carpet bag.

11,416. Was that taken up to your bed room?—Certainly.

11,417. Was it from your bed room that you took these three canvass bags?—Certainly.

11,418. Did you give them to Mr. Edmonds in your bed room?—I think 500*l.*; but my clerk was here, and he had instructions to act, special orders.

11,419. What was the name of your clerk?—Lind.

11,420. And was there not another clerk of yours here?—Yes, Daw.

11,421. What bed room did Mr. Lind occupy?—I do not know.

11,422. Was it near yours?—I should think not. I have not the least idea where his room was.

11,423. Did you never ask him?—Never.

11,424. Then I understand that you may have handed over 500*l.* of this money yourself to Mr. Edmonds, but your clerk, Mr. Lind, took the other 1,000*l.*?—Yes, he may have come to me for instructions with regard to these two other bags, but I cannot recollect.

11,425. As you came into the town as a friend, and not as a professional adviser, what made you bring your clerks?—I thought they might assist me down here in case they were wanted, but we never interfered in any way in the election, except to canvass one elector.

11,426. What do you mean by your clerks assisting you?—If I wanted them to do anything in connexion with the election.

11,427. What had they to do if you took no part in the election?—Nothing at all, but I wanted them to come down.

11,428. You thought they were wanted to help you to do nothing, if you came down to take no part, and they were to help you?—Quite so.

11,429. (*Mr. Coleridge.*) Before you leave the cheque, tell me when you came down the first time Mr. Kellock told you that money would be wanted and in consequence of that you brought down 1,500*l.*?—I do not think it was Mr. Kellock. I think it was Mr. Edmonds.

11,430. At the same time did Mr. Edmonds tell you that a man would be wanted down from London?—Certainly not.

11,431. Did not somebody tell you that a man would be wanted to do the dirty work?—Certainly not.

11,432. You had no communication with anybody here on the subject?—Not the least. Somebody did call to see me, but I had nothing to do with him.

11,433. When was that?—It must have been previous to the election. Mr. Heath told me that he was in the house, and I went into a room and saw him

he told me what he wanted, and I said, "I will e nothing to do with you."

1,434. That was Mr. Mum ?—Well, I have read n the newspapers.

1,435. (*Mr. Bere.*) When was it that Mr. Heath you ?—It must have been a few days before the tion.

1,436. (*Mr. Coleridge.*) Were not you aware when brought down that 1,500*l.* that some stranger was ing from London to manipulate it?—Certainly

1,437. How did you know that money was going e distributed?—I thought some persons were to appointed by Mr. Edmonds.

1,438. The recognised agent, Mr. Edmonds, going istribute money in Totnes?—I certainly thought he was.

1,439. You say it was the first election you were r concerned in. Did you never hear that persons e brought down at most elections for the purpose istributing money?—I might have heard so, but d not had much practice at elections.

1,440. Do I understand you to say that Mr. Heath wed you this person?—He did.

1,440*. Where did you see him?—Close to the bar he "Seven Stars." He was in a small room.

1,441. The smoking room ?—I cannot tell.

1,442. Is it a darkish room ?—I was never in the m but once, and on that occasion——

1,443. What time of day ?—It was between 10 11, I think.

1,444. (*Mr. Coleridge.*) If Mr. Edmonds is under impression that he communicated the fact of nting a man to you it must be a mistake on his t?—Certainly.

1,445. Had you any communication with Mr. offorth about the necessity of having somebody wn ?—No.

1,446. Or with anybody in Mr. Spofforth's office ? No, certainly not.

1,447. How long were your two clerks down here ? I dare say two or three days.

1,448. During that time do you mean to say they k no part whatever ?—I should say not. I am not are.

1,449. Their expenses were charged to Colonel wkins ?—Yes, the expenses out of pocket.

1,450. (*Mr. Bere.*) Your clerk, Mr. Lind, was constant communication with Mr. Edmonds ?—I nk only twice.

1,451. And what did Daw do ?—I do not think he anything here.

1,452. Is he still in your employment ?—They are, h of them.

1,453. You brought down 1,500*l.*, and gave 500*l.* Mr. Edmonds, and the other 1,000*l.* passed through hands of your clerks for Mr. Edmonds?—Yes.

1,454. Do you know what became of that 1,500*l.*? I do not know at all.

1,455. Did you ask how it was used ?—No.

1,456. When did you next learn that more money s wanted?—According to the date of the cheque day before the election.

1,457. There are two cheques, drawn on the 10th July, which was drawn first?—I cannot tell—they both of the same date.

1,458. You cannot say which was given first?—I not.

1,459. Have you any doubt that the cheque which s last drawn was cashed at Torquay on that day ?—annot tell.

1,460. Who told you that more money was wanted ? Mr. Edmonds.

1,461. Did you ask him how the other money had en spent ?—No, certainly not.

1,462. You said nothing to him about it ?—Nothing atever.

1,463. You knew how it had been spent ?—I knew thing whatever about it; I had simply instructions m Colonel Dawkins to go as far as 5,000*l.*

11,464. When did he give you that limit?—Some time during the election.

11,465. Did he not at first say he would not go beyond 2,000*l.*?—I think he did.

11,466. When was it Colonel Dawkins gave you the power to draw for 5,000*l.*?—During the election, I cannot positively say when.

11,467. To whom did you give these cheques?—To Mr. Edmonds.

11,468. Did you find any more gold than the 1,500*l.* you brought down ?—No, certainly not.

11,469. You gave cheques for the rest?—Only cheques.

11,470. On the same day when you were told that more money was wanted did you give another cheque for 1,000*l.*?—No doubt of it.

11,471. Which was cashed at Messrs. Vivian's Bank at Torquay?—I know nothing of the cheques after they left my hands.

11,472. You do not know who cashed it?—No.

11,473. You drew your two first cheques from your regular cheque book; why did you not draw the other two from your cheque book?—I cannot say the reason.

11,474. Was it not that there should be no counterfoil?—There is a counterfoil.

11,475. Not to these two in my hand?—I felt it more convenient to draw them in that way.

11,476. Here are two or three on plain paper, and you had a cheque book at the time of Ransome & Co.?—Yes.

11,477. You have paid the legitimate expenses of the election by a printed cheque, the others are drawn on plain paper?—I had not my cheque book here.

11,478. You did not bring your cheque book with you?—No.

11,479. Had you accidentally left it behind or omitted to bring it purposely?—I did not know it would be wanted; I do not carry it with me.

11,480. You afterwards knew that more than 1,500*l.* would be necessary?—I cannot say; I handed Mr. Edmonds money as he wanted it.

11,481. You knew that you would have to give money?—Certainly.

11,482. You did not think you had done with it when you brought down the 1,500*l.*?—I thought that would have covered everything.

11,483. Had you not the slightest idea that more money would be wanted?—I cannot say.

11,484. Why did you not bring your cheque book?—I do not carry it with me.

11,485. Then if you draw cheques in the country you draw them on plain paper?—Yes.

11,486. The two cheques taken from the book are drawn to order, those on blank paper are payable to bearer; who did you make that difference?—I cannot say.

11,487. Was not the reason that it would be paid to some particular individual who would have to endorse the cheque?—No, certainly not.

11,488. Did Mr. Edmonds tell you the purpose for which these two sums were wanted?—I can only assume what they were required for.

11,489. Do you believe that 3,000*l.* would have been wanted in a place like Totnes unless bribery had been practised?—I have no doubt about bribery having been practised.

11,490. (*Mr. Coleridge.*) Were you not asked by one of the persons acting for Colonel Dawkins to draw the cheque to bearer, and not to order?—I cannot say.

11,491. Do not you recollect Mr. Kellock, or some one else, saying that?—No, I do not.

11,492. (*Mr. Longe.*) You knew that money was about to be used; do not you think it was likely that you used caution in drawing the cheque?—Certainly not; I had nothing whatever to do with the election, I simply handed over a sum of money to Mr. Edmonds as he wanted it.

11,493. (*Mr. Bere.*) People may have different opinions as to whether you had anything to do with

ELEVENTH DAY.

Mr. F. Smith.

Sept. 1866.

the election or not?—I came here merely as Colonel Dawkins' friend.

11,494. How came you to draw the first cheque in favour of Leigh & Pemberton?—Mr. Kellock requested me to pay 100*l.* to his account, and I wrote to my partner to that effect.

11,495. The first cheque you paid to Mr. Edmonds?—Yes.

11,496. Did you not hand a cheque to Mr. Kellock?—No.

11,497. Did you never hand a cheque to Mr. Kellock at all?—None whatever.

11,498. They all passed through Mr. Edmonds's hands?—Yes.

11,499. At what time of the day did you give this second cheque?—I cannot recollect.

11,500. Was it in the afternoon?—I do not remember.

11,501. Was it after you had received some information from Mr. Edmonds?—No doubt.

11,502. Did you see Captain Pim in the afternoon of Monday?—I cannot say, it is very likely I did.

11,503. Did you tell Captain Pim that more money was wanted?—I do not think I did.

11,504. Captain Pim has stated that you did say so?—Then that statement is untrue.

11,505. But he has stated so upon his oath?—I am on my oath also.

11,506. You did not tell Captain Pim that?—I have no recollection of it whatever.

11,507. What time on the nomination day did you give the cheque for 500*l.*?—I cannot say when it was.

11,508. Was it in the morning or in the afternoon?—I should say that it was the day after the election.

11,509. It was drawn on the nomination day?—I cannot say at what time.

11,510. (*Mr. Coleridge.*) When you gave this cheque did you say to the person to whom you gave it to tell Mr. Mum that he must not have any more?—I never knew anything about Mr. Mum until about five weeks ago.

11,511. But you knew that some one was spending this money?—I only knew of Mr. Edmonds.

11,512. Did you not say that that was the last they could have?—No, certainly not.

11,513. (*Mr. Longe.*) You have already told us that Mr. Heath told you there was a person in this place who was spending the money?—A man came to me and asked me to employ him, but I told him that I would have nothing whatever to do with him; he was there only some four or five hours.

11,514. Have you not already stated that Mr. Heath pointed out the man and said, "That is the man who is spending the money?"—Certainly not.

11,515. (*Mr. Coleridge.*) Did he not point out a man without telling you what he was here for?—He told me that a person wanted to see me; I went into a small room behind the bar and asked the man what was his business, and he said, "Can I be of any use to you during the election?" and I said I would have nothing to do with him.

11,516. Was he a man whom you had ever seen before?—No, never.

11,517. Have you ever seen this man since?—No.

11,518. Did he say that he had come down from London?—He said something about the election being a strong contest, but I would have nothing to say to him.

11,519. Did you ask him who had sent him down to Totnes?—No, I did not.

11,520. Then did you look upon him as being a mere volunteer in the matter of the election?—I did not look upon him as a friend; he was only a common man.

11,521. Did you take any particular notice of him; we have already had a great many descriptions of him; can you tell us what sort of a looking man he was?—No, I cannot recollect; I only saw him for about a minute or so; directly he opened his mouth I turned away from him.

11,522. Will you tell us whether you would know him again if you were to see him?—No; certainly not.

11,523. (*Mr. Bere.*) How long before you drew the first cheque?—I cannot say now.

11,524. Was it between the time that you first came down with Colonel Dawkins, and the time you went back to London, or after you came down with the 1,500*l.*?—The second time.

11,525. (*Mr. Coleridge.*) When did it first cross you that you were committing bribery, the first or second time?—I always imagined that Mr. Edmonds was using it for the election.

11,526. When did it first come into your mind that you were actively using bribery in the borough of Totnes?—I simply acted for Colonel Dawkins.

11,527. When did it first occur to you that you were committing bribery in Totnes, when you gave the 1,000*l.* or the 1,500*l.*?—I do not consider that I committed bribery at all.

11,528. Do you mean for one moment you thought the money was being legitimately expended?—I cannot answer the question.

11,529. You imagined this 5,000*l.* was to be legitimately expended, and you were not, you say, cognizant of the bribery carried on?—I knew nothing of the bribery.

11,530. At the time of the election you seriously say you did not know there was bribery being carried on?—Oh, yes, I knew it was carried on largely.

11,531. You did know of bribery being carried on?—I did not know of any voter being paid whatever.

11,532. You were not told that, but had you the slightest doubt in your own mind?—Is that a fair question to put to me.

11,533. Perfectly fair; we shall have to make a list of the bribers and the bribed?—I thought that Mr. Edmonds was acting for Colonel Dawkins as his agent here, and he paid the money according to instructions.

11,534. You handed over to him large sums of ready money; did you imagine that they could be spent legitimately?—I assumed it was to be spent.

11,535. You being the fountain-head from which the bribery sprang, you say it is not a fair question to ask whether you carried on bribery in the borough of Totnes?—I did not consider that I committed any act of bribery whatever. If Colonel Dawkins' instructions were to pay over sums of money, I did it.

11,536. You were an innocent agent in the doing of it?—I never paid any single voter here.

11,537. (*Mr. Longe.*) You do not consider you committed any bribery, you say; but if you know a man steals a purse and he gives it to you to carry, you knowing it is stolen, you think you take no part in the act of stealing?—I acted as Colonel Dawkins' solicitor.

11,538. (*Mr. Coleridge.*) Do you mean that your privilege as a solicitor absolves you from all guilt in the matter?—I think so.

11,539. You told us you were acting as Colonel Dawkins' friend?—I was.

11,540. If there was nothing but your privilege as a solicitor to absolve you from the guilt, what is the privilege beyond that which you might have claimed as a solicitor?—I knew money was spent, but I knew of no case of bribery.

11,541. Mr. Edmonds was a voter, was not he, and he voted for Colonel Dawkins?—I suppose he is.

11,542. You gave Mr. Edmonds, he being a voter, something like 5,000*l.* during the election?—4,100*l.* was paid to his account.

11,543. Suppose he had kept it all, he voting for Colonel Dawkins, would that not have been bribery on your part?—It was not in that capacity.

11,544. Suppose he had kept the 4,000*l.*, would that have been bribery on your part?—I should think not if I had money in hand.

11,545. If he distributed it among 100 voters, and they voted for Colonel Dawkins, do you or do you not consider that you would constructively commit bribery?—Certainly not.

11,546. (*Mr. Bere.*) Whilst the election was going

u were in constant communication with Colonel kins ?—I was in his room.

547. What instructions did he give you in regard e conduct of the election from time to time ?—, except paying over the money.

548. What instructions ?—He told me to go to ondon bankers for 500*l.*

549. Do you mean to say that during the whole you were down here and that you were in con- communication with Colonel Dawkins the whole nothing passed as to how the election was to be ged ?—Certainly not.

550. You were not acting as his agent, but as his l ?—I came down in that capacity, and I never any professional charge.

551. Did you continue in that capacity ?—Yes.

552. (*Mr. Longe.*) When Mr. Heath told you person wished to speak to you, what took place een you and Mr. Heath afterwards ?—He said one wished to see me, and sent him into the

553. Who was present ?—No one whatever.

554. Not Mr. Heath ?—I think not ; I am almost ied he was not.

555. When you left the little room had you met Heath then ?—I do not think I had ; I have no lection of it.

556. Nothing passed between you and Mr. Heath? rtainly not.

557. (*Mr. Coleridge.*) Did you make any demur ese large sums that you were asked for ?—No.

558. No observation at all ?—None whatever.

559. Beyond signing your name to a bit of paper did nothing in the matter ?—Nothing whatever.

560. What became of the paper you have not lightest notion ?—Not the least.

561. (*Mr. Bere.*) I will read you an answer you some little time ago, if you please :—"Some- dy did call and see me, but I had nothing to do th him. *Question :* When was it, previous to the ection ? *Answer :* Mr. Heath told me he was in house, and I went into the room and saw him, d he told me what he wanted, and I said I had thing to do with it ;" what did he ask you ?— ther he would be of any use during the election.

562. That is all ?—Yes.

563. Did he intimate how he could be of use ?—

564. What did you understand ?—I fancied he a man that had been mixed up in elections.

565. Did he bring down any credentials ?—None ever.

566. Did he say where he came from ?—No.

567. Did he say that he came from a club, or —No, certainly not.

568. You seem to have had a sort of instinctive that he was an improper person to have anything with ?—Certainly.

569. Did that not arise from your knowing that ad come down to distribute the money ?—No, inly not.

570. (*Mr. Coleridge.*) Did you ever take the le to ask the clerks whether they had seen him they came to you ?—I should say certainly not.

571. Do you mean that when the mysterious ger came to you and asked you to employ him clerks did not see him ?—My clerks would not nyone without instructions from me.

572. Have you not taken the trouble to ask her they have endeavoured to get hold of him ?— ver heard from them that they saw him.

573. It did not excite your mind that he might been a spy from the enemy's camp ?—No ; I do know where he came from.

574. He having come down to be employed in a mission as that, did you give him those large of money and never ask him where he came ?—Certainly not. I believe he left the house two hours after I saw him.

575. On what day was this ?—I cannot say.

11,576. How long before the election ?—Three or four days before the election.

11,577. You believe that he left the house very shortly afterwards ?—I heard he left within two hours.

11,578. Might it not have been on the Saturday ? You ought to know. That would be three or four days before the election ?—I forget the day of the election.

11,579. How do you know he left the house very shortly afterwards ?—I think I heard Mr. Heath say he did.

11,580. When was that ?—The Sunday morning. No, it was on the Friday or the Saturday.

11,581. Did Mr. Heath ever tell you that he came back again ?—No ; I have never seen him since. I should not know him if I saw him again.

11,582. Why did Mr. Heath tell you he had gone away ?—It was in conversation ; I asked Mr. Heath whether the man was gone away.

11,583. Mr. Heath was present during your conversation with him ?—No, not to the best of my recollection.

11,584. Did you go and tell Mr. Heath that the man had been with you ?—Mr. Heath may have said to me, "Do you know that man ?" Mr. Heath told me that some one wanted to see me. I went down ; I was standing close outside the door ; I went into the room.

11,585. Had you seen this man by yourself ?—Yes, certainly. He evidently wished to be connected with the election. I would have nothing whatever to do with him.

11,586. Who left the room ?—I did.

11,587. When did you ask Mr. Heath what had become of the man you saw in the room ?—I think a few minutes afterwards.

11,588. How did you describe the man to Mr. Heath ?—I did not describe him at all ; he told me somebody wanted to see me.

11,589. How did it come about that he had gone away ?—In general conversation he asked me if I knew the man.

11,590. Did he volunteer to tell you that the man had gone away ?—I heard it from the waiter or Mr. Heath, I do not know which.

11,591. You made inquiries and were told that he had gone away ?—I did not make any inquiries.

11,592. It was a mere casual observation of Mr. Heath's that the man who wanted to see you had gone away ?—Yes.

11,593. It never occurred to you to ask whether he had been dealing with anybody else ?—Certainly not.

11,594. Did you not mention it to Mr. Edmonds ? —I cannot tell.

11,595. As a lawyer and as Colonel Dawkins' friend, if there was a mysterious stranger about the place, would not Mr. Edmonds, his agent, be the first person that you would mention it to ?—I should think so certainly.

11,596. You cannot recollect it ? If Mr. Edmonds at such an election had such a conversation, it has escaped your mind altogether ?—Quite so.

11,597. (*Mr. Bere.*) Did not Mr. Heath come to you and say the man from London had come down ?—No.

11,598. Did he not come to you and tell you the man from London had come down ?—Not that ; somebody wanted to see me.

11,599. You did not say to him it would be all right ?—No, certainly not.

11,600. Were you about the hotel on the Saturday before the election ?—I think very probably I was.

11,601. On the Saturday evening ?—I was staying in the hotel.

11,602. Were you in the lobby, as they call it ?—I think not.

11,603. Do you know what time you dined on the Saturday ?—I never went out after 7 o'clock.

ELEVENTH DAY.

Mr. F. Smith.

4 Sept. 1866.

11,604. Did you stay up in Colonel Dawkins' sitting room ?—Yes, always.

11,605. Did you ever go into the big room of the "Seven Stars ?"—I was there at a public meeting.

11,606. Were you there from time to time while the affairs of the election were going on ?—Only those times.

11,607. Were there people in the room ?—The room was full. Colonel Dawkins addressed them.

11,608. Had you heard that at other times, when no public meeting was going on, a good many people were present ?—Certainly not.

11,609. At no time ?—At no time, to my recollection ; I never recollect, except at the meeting.

11,610. Did you never see people in the room drinking ?—I cannot say they did not. I have never been there except at the meeting.

11,611. Did you ever see people in the room drinking ?—I am inclined to think I have.

11,612. For a considerable portion of the time before the election ?—I think it was only on one occasion.

11,613. Did you see on the evening of the Saturday a number of people round the door of the hotel ?—No, not to my recollection. I have no recollection whatever of it.

11,614. You do not know where your clerks slept ?—I have do doubt they slept at the "Seven Stars ;" where I do not know.

11,615. Were their bills charged in Colonel Dawkins' bill ?—I should say they were.

11,616. Have you got Colonel Dawkins' bill—I have not.

11,617. Have you got it at home ?—I think there is a bill, the amount of the money and the election expenses, you mean ?

11,618. Yes ?—I have them.

11,619. (*Mr. Coleridge.*) Colonel Dawkins' bill is not in the election expenses ?—I do not know what he paid.

11,620. Did he pay his own bill ?—I assume he did ; I did not.

11,621. Did he pay your bill as a friend ?—Yes ; I should say he did.

11,622. And also the clerks' ?—Very likely.

11,623. There would be no charge made by you for that sort of thing ?—I should say not.

11,624. Therefore there would be no charge made in your professional account ?—There would be certain disbursements for journeys backwards and forwards, 110*l.* altogether. I am inclined to think that was separate.

11,625. How many journeys backwards and forwards did you make ?—Twice, I think.

11,626. How often did your clerks go backwards and forwards ?—They remained here.

11,627. How do you make out 69*l.* 8*s.* 8*d.* as the amount of your disbursements, written out in the name of the firm, consisting of railway bills, hotel bills, and sundry other payments during the election, sent in to Colonel Dawkins ?—I cannot tell, unless I have the advertisements and papers, and things of that kind. I cannot explain it at all.

11,628. I will read over to you the legitimate expenses. You have got the bills that were sent in before this was printed : "Proportion of the returning "officer's expenses, 15*l.* 4*s.* 10*d.* ; professional assist- "ance, 50*l.* ; committee room, 31*l.* 10*s.*" ?—I do not think I ever heard those items before.

11,629. (*Mr. Bere.*) Have you got your letter book here ?—Yes.

11,630. (*Mr. Coleridge.*) "Horse and carriage hire, "46*l.* 2*s.* ; advertising, telegrams, and messenger, "61*l.* 14*s.* 8*d.* ; reporting, 4*l.* 4*s.* ; printing and sta- "tionery, 30*l.* 7*s.* 6*d.* ; bill poster, 17*s.* 6*d.* ; poll "and committee clerks, 14*s.* 10*d.* ; messages, "3*l.* 13*s.* 6*d.* ; cleaning Guildhall, 1*l.* 3*s.* 6*d.* ; agent "for election expenses, fee, 20*l.*" That, coupled with Colonel Dawkins paying his own hotel charges, was all that could be legitimately incurred ?—Certainly.

11,631. You, not acting as a solicitor but as friend here, what is the item charged by the firm Colonel Dawkins for this 69*l.* 8*s.* 8*d.* ?—My countant will explain that. I cannot.

11,632. Have you got the account ?—No, I have n

11,633. Do you mean that is a private matter tween you and the captain ? Did you put it throu your account ?—I estimated what my expenses we I never made any professional charge against Colo Dawkins.

11,634. What is the item of 69*l.* 8*s.* 8*d.* compos of ?—Our disbursements.

11,635. Have you brought it with you here ?—I not know. Colonel Dawkins very likely has it.

11,636. "Advertisements, telegrams, messenge "61*l.* 14*s.* 8*d*," have you got the particulars of tha —I have no particulars of any telegram whatev merely election expenses.

11,637. (*Mr. Bere.*) How do you make out th amount ?—That is the amount I received from M Edmonds.

11,638. You made out the account that was sen to the election agent ?—Mr. Edmonds.

11,639. From your instructions ?—He was ac as Colonel Dawkins' agent here.

11,640. Did you give him any instructions to as him in coming to the amount of the legitimate penses ?—I have no recollection whatever.

11,641. Mr. Edmonds, being his agent, made all Colonel Dawkins' expenses, except his own p portion of the expenses, which he paid himself ? should say he did. I have no recollection of Edmonds receiving anything.

11,642. Cannot you give me any idea of what items were of the bill of your firm, 69*l.* 8*s.* 8*d.* ? cannot, except disbursing out of pocket.

11,643. What sort of disbursements did you m out of pocket whilst here ?—I think I may have for one or two carriages.

11,644. That would not go very far ; two jour yourself, one journey of your clerks ; what els there to make up the 69*l.* 8*s.* 8*d.* ?—I cannot tell now.

11,645. Do you not know that the carriages all charged in the hotel bill ?—I was not aware o

11,646. "Horse and carriage hire, 46*l.* 2*s.*" cannot tell you.

11,647. Can you recollect whether you ever for a single carriage yourself ?—I cannot now.

11,648. Cannot you recollect whether you paid hotel bill whatever whilst you were here ?—I hav recollection of it whatever.

11,649. There was never any hotel bill charg you at all ?—I think not.

11,650. It was all to Colonel Dawkins ?—Y believe so.

11,651. (*Mr. Coleridge.*) Is this item charg Colonel Dawkins in error ?—I should say, certainly

11,652. Did you return your own clerks' ra bills to Mr. Edmonds to go into the expenses put that to Colonel Dawkins' private account.

11,653. You mean the account with your firm My firm.

11,654. You did not charge to Mr. Edmonds e the expenses incurred by yourself or your cler coming down and remaining here ?—I believe n

11,655. All the explanation you can give o 69*l.* 8*s.* 8*d.* is the two journeys of yourself, an clerks' journeys ?—And my hotel expenses in to

11,656. Have you any means, in London or where, of getting at the items of the 69*l.* 8*s.* 8*d* should think we had.

11,657. Will you endeavour to tell us by graphing up for them to-day, and let us have t —Yes.

11,658. (*Mr. Bere.*) Will you also have your down here on Thursday morning ?—Yes.

11,659. Who is that person of the name of H —Is there a name of John Healey ?

11,660. Yes ?—He is an accountant at N Bedford Row.

1,661. Did he come down here?—Not to my wledge.

1,662. Were you down in Totnes on the 7th of ?—I should fancy I was.

1,663. Did you draw a cheque for 6*l.* 10*s.* the day started?—The day before I started.

1,664. Did you get the 1,500*l.* from Ransome's? rom Hanbury's.

1,665. What is the meaning of this letter? "My ear sir. I have been talking over the subject atter of your communication with Mr. Smith as the desirability of you in your position entering n electioneering matters, and he has left it to me arrange with you as to whether or not you go. have so arranged matters to-day as to avoid any convenience arising to Mr. Smith by your not ing, so please to do whatever you think best. I all be happy to talk it over with you in the morning. you are this way, kindly let me hear from you, and en in the morning I will come up if more convenient you on hearing." That is written by your partner, Guscotte. What is the meaning of that letter on 7th of July 1865?—Allow me to look at it; I no doubt it is an application from Mr. Healey.

1,666. Was not the man you saw in the bar Mr. ley?—Certainly not.

1,667. Did you never hear that he had been here? o, never.

1,668. What is the meaning of the letter?—Mr. ley may have applied, hearing that I was coming n to Totnes, to see if he could be of any use to he is a man I employ in my firm.

1,669. What sort of looking man is he?—He is a dle-aged man; I cannot describe him except that ooks a thorough man of business.

1,670. Is he stout?—Not stouter than I am.

1,671. With grey whiskers?—I think not, to my wledge.

1,672. (*Mr. Coleridye.*) Here is an item here, a ge to Colonel Dawkins, 304*l.* 8*s.* paid by cheque, down here for election expenses?—Those were, I erstood, the election expenses.

1,673. Where is the account upon which you gave cheque?—I think I have it, and I will hand you py of it.

1,674. You are returned to the election account *l.* 7*s.* 6*d.*?—Mr. Edmonds can explain that.

1,675. (*Mr. Bere.*) Do you know that out of the cheque for 500*l.* that you gave to Mr. Edmonds eceived back the sum of 207*l.* 10*s.*?—No.

1,676. Did he ever account to you for 207*l.* 10*s.* he received?—

1,677. (*Mr. Coleridge.*) Mr. Edmonds sent you in gular account with everything put down in it, I ose, did he not; and the account you send in for election is 364*l.* 8*s.*?—No, not so.

1,678. (*Mr. Bere.*) Have you got a letter from Edmonds asking for payment of his account?—I ot recollect.

1,679. What made you pay it on the 1st of Sepber?—It would be in consequence of some comication from him from Totnes.

1,680. From whom did the communication come? rom Mr. Edmonds, no doubt.

1,681. (*Mr. Coleridge.*) The printed sum that has sed through the election agent is 279*l.* 7*s.* 6*d.*, the unt you paid Mr. Edmonds is 364*l.* 8*s.* 8*d.*; how ou get at the difference?—Mr. Edmonds will no bt explain that; I cannot recollect.

1,682. We want to know how it was you paid it ll?—I understood it was the election expenses.

1,683. You must have been told that; is that your ature, or is it the drawing of your accountant?—ould say my own.

1,684. Whose writing is it in?—I do not know at all.

1,685. (*Mr. Bere.*) You must have given that que in consequence of something you had heard Mr. Edmonds?—I did not hear.

1,686. You have been served with a subpœna to ng all the letters in the case bearing upon the tion. There is one, the 13th of September, 1865; have you not got a letter that you received at the beginning of July?—I think nothing bearing upon the election.

11,687. We should like to see them, and be our own judges of that?—

11,688. (*Mr. Coleridge.*) How came you, after receiving through the election auditor a bill for 424*l.* 14*s.*, written by Mr. Hannaford, and sent to you, how came you to send only a cheque for 364*l.*?—I cannot tell.

11,689. There must have been some demur to this amount of 424*l.*, as the published account is 279*l.* 7*s.* 6*d.*, and you paid 364*l.*, which does not tally with either of those accounts?—I cannot imagine how it is; no doubt Mr. Edmonds will tell you that.

11,690. It must have been to cut them down to 364*l.*; there must have been a demur to some of these charges?—I think not. I have no recollection of it.

11,691. Just look at that bill, and say whether it might not be that the 69*l.* was taken off the bill by your firm, and the bill reduced by the amount of the sum charged to your firm?—I should think not.

11,692. How do you get it reduced to 364*l.*?—I cannot imagine how it is.

11,693. Do you recollect having any correspondence; there might have been some remonstrance about the bill, was not there?—I have no recollection of it whatever.

11,694. There is no credit given for any money paid on account, or anything of that sort?—

11,695. (*Mr. Bere.*) Who keeps the accounts of your firm?—Mr. Lind.

11,696. (*Mr. Coleridge.*) What was Mr. Kellock's fee at the election?—I think it was 25*l.*

11,697. (*Mr. Bere.*) We must have something more accurate regarding your communication with Mr. Healey; when did the conversation take place?—I have no recollection whatever of talking with Mr. Healey. There is the letter.

11,698. "I have been talking over the subject matter "of your communication with Mr. Smith," there is a letter written by your partner, Mr. Guscotte, when did the conversation take place?—I should say ulterior to the election.

11,699. Was it while you were in London do you remember seeing him?—It must have been. I never saw him anywhere else but in London.

11,700. Do you remember seeing him while you were in London when you came up from Totnes?—I have no recollection of it.

11,701. Do you not keep an appointment book?—I keep a call book and a letter book.

11,702. Have you got the call book here?—I have not.

11,703. Did Mr. Healey come down to your office and see you there?—I have no recollection of it whatever.

11,704. Did you not see Mr. Healey, and did you not talk with him about the money he was going to take down to Totnes?—Certainly not.

11,705. You cannot give any explanation of this letter at all?—Simply Mr. Healey may have heard I was mixed up with the election, and asked if he could be of any use.

11,706. Any use, in what way?—I cannot tell you.

11,707. You were down here as Colonel Dawkins' friend, not as his professional adviser. You were doing nothing in the election, and you had two clerks to help you to do nothing; what made you bring Mr. Healey down to help the clerks and yourself?—I never thought of bringing him down. I think that letter is written by my partner.

11,708. Did he volunteer. The letter says that there was a conversation between you and Mr. Healey, at which the subject of Mr. Healey coming down to Totnes was discussed?—I have no recollection whatever of seeing Mr. Healey.

11,709. Did you write to him?—I have no recollection of doing so; if so the letter is here.

11,710. (*Mr. Coleridge.*) Is not the real truth of this matter that at the time you were doing that, you were thinking of conducting Colonel Dawkins' election,

ELEVENTH DAY.

Mr. F. Smith.

4 Sept. 1866.

but afterwards you thought you had better not be professionally mixed up with it?—No, I believe not.

11,711. At no period before the election had you a thought of conducting it professionally for Colonel Dawkins?—I say certainly not.

11,712. When he came to consult you it was merely as his friend?—Quite so.

11,713. Tell me the period of time at which you thought of taking the matter up professionally?—I had not thought of it; I had no experience.

11,714. You could afford to give up a few days of your time?—I am perfectly independent, I take my own pleasure.

11,715. Mr. Guscotte attends to the business?—Yes.

11,716. Colonel Dawkins came down without any professional attendant at any time?—Quite so.

11,717. What occasion was there for sending for the clerks?—I cannot speak now to that.

11,718. Try and recollect what made you send for them?—I like to have my clerks about me when I am away.

11,719. Did you bring any servant with you?—No.

11,720. Do you mean really there was no other reason than that you like to have the association of your clerks around you?—I thought they might be of some use.

11,721. How were they to be of some use?—I cannot imagine. I know nothing about electioneering business.

11,722. You must have had some thought in your mind as to what sort of use they would be to you; what do you mean that they were to do?—I cannot imagine. They may have brought papers to me.

11,723. Did you ever see a letter from Mr. Spofforth asking that a steady clerk might be sent down to telegraph the state of the poll every hour?—Certainly not.

11,724. It was not to assist Mr. Spofforth that they came?—No, certainly not.

11,725. Try and suggest some use for them?—I cannot imagine.

11,726. (*Mr. Bere.*) How long did you keep them down here?—Four or five days.

11,727. (*Mr. Coleridge.*) How do you mean, when you go to stay with a friend in the country, do you take your clerks with you for the sake of association?—No, certainly not. I cannot give you any more explanation. My clerks can explain.

11,728. (*Mr. Bere.*) Just take that letter and read it carefully, and let your memory be refreshed in reading it?—I see the conversation took place with Mr. Guscotte and Mr. Healey.

11,729. That is not the interpretation the letter bears. The words are, "I have been talking over "the subject matter of your communication with "Mr. Smith." Then Mr. Guscotte must have talked upon the subject of the communication between Mr. Healey and you, and so there must have been a conversation between you and Mr. Healey?—I have no doubt Mr. Guscotte did speak to him; but I have no recollection of it.

11,730. Now having read that, do you say some arrangement was to be made between you and Mr. Healey?—I am not aware of any arrangement whatever.

11,731. What did Mr. Guscotte tell you about it?—I cannot tell you, except in general conversation.

11,732. General conversation about a particular person, what do you mean?—Mr. Healey may have heard of the Totnes election and he may have applied to Mr. Guscotte to see if he could be of any assistance.

11,733. Did you contemplate he might be?—I did not.

11,734. Not from the letter?—As far as I recollect not.

11,735. (*Mr. Coleridge.*) Had Mr. Healey had any experience at elections?—I cannot tell you, he is an active business man.

11,736. (*Mr. Bere.*) Explain these words "I have so arranged matters to-day as to avoid any inconvenience arising to Mr. Smith by you not going;" what does that mean?—I cannot speak to that, my partner can explain it.

11,737. Does that not mean if Mr. Healey did not go somebody else would?—Certainly not.

11,738. What does it mean?—I cannot explain it.

11,739. What inconvenience was there caused you by Mr. Healey not going?—I cannot imagine. I do not know why Mr. Guscotte wrote the letter.

11,740. Have you got a private letter book?—No.

11,741. Is this the only letter book you kept?—That is the only one except as to the charities that I am connected with.

Col. W. G. Dawkins.

COLONEL DAWKINS recalled and further examined.

11,742. (*Mr. Coleridge.*) When you settled with Mr. Smith you saw the lump sum which you had to pay?—I saw no more details than those I have given you.

11,743. You never saw this bill of Mr. Hannaford's the election agent?—No.

11,744. Can you explain this, that the amount sent by the election agent to your solicitor is 424*l.* 14*s.*, the amount paid by your solicitor is 364*l.* 8*s.*, and the amount charged here in the published account which by law it is necessary should be advertised is 279*l.* 17*s.* 6*d.*?—It is the first time that I knew there were any discrepancies.

11,745. It is clear that from the published account you have over paid Mr. Smith on that item alone between 80*l.* and 90*l.*; that is what was sent in by the election agent and tallies with the particulars?—What expenses are those supposed to be?

11,746. They are rather peculiar?—Are they what are called legitimate election expenses?

(*Mr. Bere.*) All except the hotel bill.

11,747. (*Mr. Coleridge.*) Mr. Heath's hotel expenses 176*l.* 16*s.* 6*d.*?—That is amongst them.

11,748. That will account for the difference between the printed statement and the other one. How do you account for the difference between the 364*l.* which you are charged and the 424*l.* 14*s.*?—Am I not charged with that, I must have paid that somehow.

11,749. How did you pay your hotel bill?—I never paid it nor do I know the amount.

11,750. It is put down in the list I have here but not in the printed list?—I cannot explain that. I think Mr. Guscotte will be able to give you more information on this than Mr. Smith.

11,751. The addition of the 69*l.* odd would not bring the figures right?—I suppose those things should be the same. Is the published one more or less?

11,752. The published one is a great deal less, is your hotel bill left out of it?—I am sorry that I am unable to explain that.

11,753. Did you pay your hotel bill separately?—I did not pay the hotel bill at all.

11,754. You gave some 10*l.* to the servants?—I afterwards sent something to the waiter. I did not know what they had received.

11,755. (*Mr. Bere.*) There are some little matters in your evidence of yesterday that you wish to correct?—Yes; I understand that the Rev. James is under the conviction that I did not call on him with Captain Pim. I wish to state that what I said yesterday was only an impression to that effect. I recollect very little about it; I took very little notice of the visit to him among so many and my evidence must only be taken for what it is worth. I cannot say distinctly that I called twice, my impression is that I did so, but I may be mistaken. I wish to try and define more accurately what I said yesterday as to whether I considered there would be a Conservative majority if there was no purchase

es. From the reception I met with during my vass, also from the reception my opponents met h on the hustings, and from the general un-ularity of the duke, I thought there would be a jority for the Conservatives. If the votes are paid I cannot say whether there would be such a jority or not.

1,756. Or how many would stay away if they e not paid to come?—That I cannot say. There another matter on which I wish to say a word, ether we had made up our minds what would be itting sum to be given to me to withdraw the ition. I believe my friends and myself considered, far as I recollect, that if I was to withdraw, which not decided upon at all, that the money should paid which we spent, and which would be about 00*l.*—Nothing was decided on.

1,757. It appears that Captain Pim took a more ve part in the idea of a compromise than he has l us, had you much conversation with him?—I do know what he may have given you to understand ut that.

1,758. He said he knew nothing about it?—There nothing transacted to know much about, we had sulted about it.

1,759. Had you rather left the arrangement of it im?—I had to a certain extent at one time. I not say that any arrangement was made.

1,760. Was he in communication with the gentle-n whose name you have handed to us?—No, tainly not.

1,761. You did not ask him to go there?—No; I not think he ever saw him.

1,762. When the 176*l.* was paid for the hotel bill, you imagine that it included your own expenses, ptain Fox's expenses, Mr. Smith's, and those of his clerks?—Yes; I was not aware that any par-ular sum had been paid. I certainly expected that those expenses would be charged to my account.

1,763. Having paid the hotel bill, and things of t kind were you not surprised that the firm of which . Smith was a member should have put down this m of 69*l.*?—I cannot say I was surprised, I never ked into the figures. I was not aware until now t there was any discrepancy. I am confident that . Guscotte who manages the account will explain very satisfactorily.

1,764. Did you ever hear either of those names ich are on that piece of paper mentioned in con-xion with the compromise?—Yes, I have.

1,765. Both of them or only one of them?—I ve heard that there were two persons of that name, as to the Christian name I will not be tain.

1,766. You have heard what Mr. Smith has said re, did you regard him as your friend or your icitor?—He has always been my solicitor. I derstood that he came down here on the terms he s mentioned.

1,767. Did you know anything of his clerks being t for?—No; I was rather surprised to see them re, I did not see any necessity for them.

1,768. You were rather astonished that as he ne down in a non-professional capacity he could t do without two clerks?—Although he came as friend I considered I should have his advice and istance.

1,769. Captain Fox did not bring any clerks with n?—No.

1,770. (*Mr. Longe.*) You trusted to Mr. Smith see to the disposal of your money for you, that is to t rid of the money which you were prepared to end?—He was to undertake the money part of it. fore I came down here I considered that the money ich was going from me was to go into Mr. Smith's nds, and it was therefore I considered he had so uch to do with the election.

1,771. He was a person in whom you had entire fidence as to the spending of your money?—Yes.

1,772. Did you ever hear of a Mr. Healey?—I have heard the name. I did not know his name in connexion with this election, I think he has something to do with Messrs. Smith and Guscotte.

1,773. Did Mr. Smith at all communicate with you as the time of the election went on?—I certainly considered that if any money arrangements were being made he was acting for me here, in fact I had committed the matter to him before I came down to Totnes.

1,774. And the money which was in his hands was coming to him as your professional adviser was it not?—I hardly know whether it was so or not, because if he had not been my solicitor and had come down here in the mere capacity of a friend of mine, acting as he did without being paid, my money would equally have come into his hands.

1,775. Supposing that you had asked Captain Fox to act in his place you would have paid a sum of money to Captain Fox's account which you would not have had to do in the case of Mr. Smith?—Yes, exactly so.

1,776. Mr. Smith being a professional man you did not treat him as if he had been a perfectly independent friend of yours?—I hardly know the difference.

1,777. But you would not have expected Captain Fox to do it on his own footing without first placing a certain sum of money to his account at your bankers?—I do not know that. If he had happened to have the amount which was required it would have been just the same between two persons who were friends. I might either have placed it there in the first instance or have paid him afterwards.

1,778. Then was it not the fact that it was owing to Mr. Smith having been employed by you as your solicitor that you were induced to place this money in his hands?—I suppose it was on that account that he had managed my monetary affairs.

1,779. Then how came he down here on this occasion in what may be called somewhat of a mixed capacity, that of your solicitor and your friend?—I really cannot say more than this that I was not at all sure that he would not in the end be paid for his services. I should have been very happy to pay him, he is an old friend of mine, one whom I have known for a great many years.

1,780. (*Mr. Longe.*) Do you remember any conversation between you and Mr. Smith while the election was going on, in which he explained to you who were the persons with whom you would have to deal, or in what way the money would be distributed?—No, he took care, of course, not to tell me how the money had been parted with.

1,781. Then you were under the impression yourself that he knew what was being done with it?—Yes. If I trust any man with my money I am under the impression that he knows how he parts with it.

1,782. And you would look to him to account for the distribution of this money of yours?—I can hardly go to that extent. I do not know that I ever should have called him to account for the distribution of it.

1,783. Then he was the man to whom you trusted your money?—Yes, there can be no doubt of that, that he was the man to whom the money was entrusted.

1,784. Did you ever understand from him that he had left the matter entirely in the hands of Mr. Edmonds?—No, I did not know that.

1,785. That he was keeping his fingers quite clear of it himself, and that you, having given him the management of it, he had entrusted it to Mr. Edmonds?—No, he never told me anything about that.

1,786. He never told you that he had passed over his own personal responsibility to Mr. Edmonds?—No, there was no communication of that sort reached me either one way or the other. I have no recollection of any such thing.

ELEVENTH DAY.

Mr. F. Smith.

4 Sept. 1866.

Mr. Frederick Smith recalled and further examined.

11,787. (*Mr. Bere.*) Have you got the letters?—There are the letters referring to the election [*letters handed in.*]

(*Mr. Coleridge.*) Referring to the election or the election petition.

11,788. Where are the letters referring to the election?—I cannot find any.

11,789. Have you none from Mr. Spofforth?—No.

11,790. Give us all the letters from the 20th of June to the end of July.—They are all there. I do not think I had any letters during the election.

11,791. (*Mr. Bere.*) There are none here before the 19th of August?—I believe not.

11,792. You must have letters at the end of June or the beginning of July referring to this matter?—I have no recollection of seeing the letters. If so, my letter-book would show it.

11,793. Is your recollection improved with regard to the letter I handed to you?—No, I cannot recollect anything about it.

11,794. (*Mr. Coleridge.*) Do you keep a private letter-book in addition to the letter-book of the office?—No.

11,795. Do you keep any diary, in which you enter letters that you write?—No, I do not.

11,796. Do not you keep a Letts' Diary, in which you dot down matters?—I have a diary in which I sometimes dot down business.

11,797. Have you that?—No.

11,798. If accidentally you should write a business letter in private hours at home, you would enter it in that diary?—No, I should not.

11,799. Would you make a memorandum to enter it up?—All my letters are copied.

11,800. Those are business letters of the firm?—I have no other business letters.

11,801. Does not it occur occasionally to you, as to every one, that when you get home you have got a *quasi* business letter to write, and you would do it?—No, I do not recollect.

11,802. Not to Colonel Dawkins?—No.

11,803. Not even business of this delicate nature?—No.

11,804. (*Mr. Bere.*) At present we shall not trouble you further; but you must remain in Totnes till your clerks are examined, and Mr. Guscotte.

(*Witness.*) Can I meet them here on Thursday?

11,805. Yes, telegraph to them to come down?—I have written to my partner to come down to-morrow.

11,806. Write to the clerks as well.

(*Mr. Coleridge*) I think you had better hear Mr. Edmonds' examination, it may be important.—I shall.

Mr. T. H. Edmonds.

Mr. Thomas Hunt Edmonds sworn and examined.

11,807. (*Mr. Coleridge.*) I am not going to examine you generally now, but I want a few things explained, which it is difficult for us to get on without. You were the recognized agent for Colonel Dawkins and Captain Pim at the last election?—For Colonel Dawkins.

11,808. Had Captain Pim a separate agent?—Yes; it was kept separate, but I was considered to be the leader of the party.

11,809. Was Mr. Kellock associated with you for Colonel Dawkins?—No. Mr. Kellock and Mr. Hare were concerned for Captain Pim, and Mr. Frederick Kellock with me for Colonel Dawkins.

11,810. Are they brothers?—Yes.

11,811. It was a mere nominal division?—Yes, we had the same object in view.

11,812. When did you first hear of Colonel Dawkins coming down?—I received a letter informing me that he was coming from Mr. Spofforth (Mr. Bowen has the letter), that was the first intimation I had.

11,813. When did you first receive an intimation that Mr. Smith, as his friend, was coming down with him?—I had a letter from Smith and Guscotte, in which they informed me (that is in Mr. Bowen's possession) that their client, Colonel Dawkins, was desirous of parliamentary honours, and asking me about the expense. And in reply to that letter I wrote and stated that I was in communication with Mr. Spofforth, who was endeavouring to get us a candidate, and therefore I could not entertain his application.

11,814. Now can you tell us what sort of a candidate you were asking Mr. Spofforth to supply you with?—One with plenty of money.

11,815. Colonel Dawkins did come down?—He did.

11,816. And after Colonel Dawkins came down, as we have heard, Mr. Smith came down?—I do not know whether he came down with him or came afterwards; I think he came with him.

11,817. When Mr. Smith came down, what position did Mr. Smith tell you he held as regarded Colonel Dawkins?—I presumed he was his solicitor.

11,818. Did you understand Mr. Smith to be his London solicitor?—Yes.

11,819. You imagined he was down here professionally?—I understood so.

11,820. I am not going into that now.—I think I heard Mr. Smith say, after the election was over that he came down more as a friend than as a professional man, and that he had made no charge for his services.

11,821. That was after the election, and after a good deal of money had passed through Mr. Smith's hands?—Yes.

11,822. You sent in, I suppose, Colonel Dawkins's expenses?—Yes; they were brought to me, and I forwarded them to London.

11,823. You, as his agent, were the person to inquire into that?—They were sent to me by the various tradespeople and others to whom they were due.

11,824. They were sent by the various tradesmen, and then what did you do with them?—I forwarded them to Smith and Guscotte, for their approval.

11,825. Did you receive any communication disapproving of any part of the charges?—Yes, I think there was a claim of 50*l.*, made by Mr. Robert Harris disputed, and also, I think the ringers were not allowed. The ringers came to me.

11,826. Who disputed that claim?—I think I stated that the ringers were not entitled to be paid because they came to me and asked whether they were to ring, and I said, provided Dawkins won, not otherwise; when he has been returned, I said, you may ring as much as you like.

11,827. As to the dispute about Mr. Harris?—It was a question whether he had been employed regularly as an agent.

11,828. That is in your handwriting [*referring to a document*]?—No, that is Mr. Hannaford's writing, the election agent.

11,829. After those objections had been taken by Messrs. Smith and Guscotte, did you send the account to the election auditor, as he is called; Mr. Hannaford?—Yes; I sent them all, I think.

11,830. I do not know how Mr. Hannaford seems to have copied it, but he has copied it with Mr. Harris's charged sum in it; just glance your eye over it?—Yes.

11,831. These accounts, as produced by Mr. Smith, were by Act of Parliament sent by the election agent to Mr. Smith as representing Colonel Dawkins?—Yes; I think the bills were sent up, and then the account was prepared afterwards by Mr. Hannaford.

11,832. I believe the usual course is, that the election agent for the party should pay the account; is not that so?—It is so.

11,833. So that unless Colonel Dawkins had a solicitor down here with him from London, you would

ave sent these straight to Colonel Dawkins for his pproval?—Yes, undoubtedly.

11,834. They would have paid it?—Yes.

11,835. It would have been paid by your cheque nd not Smith's cheque?—Or Colonel Dawkins' heque.

11,836. You regarded yourself as the agent in the atter?—Quite so.

11,837. After the remonstrance from Smith and uscotte, what form did the account take, the items ill remain?—I think 3 guineas for the ringers is npaid.

11,838. Ringing 6 guineas, charged here?—Was iat paid?

11,839. This is the account sent after the remonrance to Colonel Dawkins' solicitor, in London, but ie ringers remain in at 6 guineas?—The ringers nt in a bill and I think I wrote on the face of it objected to."

11,840. Subsequently to that it is clear from this ing in Hannaford's handwriting, and Mr. Smith oducing them, that they went to Colonel Dawkins?—I presume so.

11,841. From whose bill would this be copied, ould this be copied from a bill made out by you?—o, certainly not. I think the bills were handed to annaford and that he prepared the statement. I ink it was done in that way.

11,842. Before preparing that statement and sending to Messrs. Smith and Guscotte, he would have subitted them to you, I suppose?—I think it is very kely, but I cannot say.

11,843. Do you recollect Col. Dawkins' expenses eing submitted to you?—I know the bills were sent me but I do not think there was any tabular atement such as that; I do not think there was.

11,844. With reference to the charges that are sent o you know by Act of Parliament it is the election gent's duty to pay them?—Yes.

11,845. This bill having been sent for 424*l.* 14*s.* o Smith and Guscotte, can you account for Smith and uscotte sending a cheque for 364*l.* 8*s.* instead of ending a cheque for 424*l.*?—I apprehend it is Harris' ccount and the ringers' account.

11,846. Will that make it?—I do not know, but you ill find the ringers were not paid.

11,847. That is the way the reduction was made?—I presume so.

11,848. I see in that account there is Mr. John Ieath's bill; hotel expenses 176*l.* 6*s.* 6*d*?—Yes, uite so.

11,849. That was returned to you as the whole of 'olonel Dawkins liability to Mr. Heath for himself nd friends during the election?—I presume so.

11,850. And that included the carriages, and that ort of thing?—Yes.

11,851. Except some 3*l.* odd?—Yes; those bills ere sent to me, and without specially looking them hrough, I sent them to Smith and Guscotte, because did not know whether the items were correct or not.

11,852. (*Mr. Longe.*) Whom did you send that to?—Smith and Guscotte. I printed them together and ent them in a parcel to Smith and Guscotte for their pproval, for them to say whether they thought anyhing objectionable, then I handed them over to Mr. Iannaford.

11,853. (*Mr. Coleridge.*) You had by the Act of 'arliament to publish these expenses in the newspaper?—That would rest with the election agent.

11,854. Do you know how it came that a different ccount, a much smaller, was advertised in the paper han the sum received?—The bills as they were made ut in the first instance included the hotel bill, and I hink as advertised for some reason or other, I could ot account for it, the hotel bill was struck out comletely. I do not know the reason, but I understand t was so with Captain Pim's and also with Mr. 'ender's and Mr. Seymour's.

11,855. (*Mr. Longe.*) That is the view the election gents here take as to their duty?—Yes; I observed afterwards it was a less amount and could not think how it could have been done.

11,856. The distinction between the published sum and that which appears on the bill paid by Colonel Dawkins solicitor, is the difference of the hotel bill?—I think so; I think you will find that is so.

11,857. Have you got the hotel bill?—I think not. It was handed over to the election agent. I have not seen it since.

11,858. Can you recollect whether that included all the charges for Messrs. Smith and Messrs. Smith's clerks?—I do not know; I did not look through the bill; I thought the items were such as I could not tell whether they were correct or not, but I sent up to Smith and Guscotte to let them be able to judge for themselves, and they made no objection.

11,859. That is the way these accounts are reconciled?—Yes.

11,860. What was the object of striking the hotel charge out of the bill?—I cannot tell; it was not done by me; Mr. Hannaford may explain it. I thought they ought not to have been struck out.

11,861. Do you know whom it was done by?—I have not the least idea.

11,862. Not by you?—Decidedly not. I am not quite sure, but I rather think I heard at the time that Mr. Phillips considered it was not a bill intended to be carried in to the election agent.

11,863. It was generally done?—I think you will find it was.

11,864. The hotel expenses struck out of each bill, but out of the hotel expenses must have been taken the expenses of carriages and that sort of thing, because in Pender's bill it is 23*l.* 13*s.* 7*d.*; then in Seymour's bill, carriage hire, 20*l.* 4*s.* 10*d.*?—It occurred to me that the bill ought not to be struck out, but ought to have been paid and carried to the account.

11,865. Then the published amount of 279*l.* 7*s.* 6*d.* does not come right when you come to take the carriage hire from the bill?—I do not know anything about that; I had nothing to do with it.

11,866. It was not done under your instructions?—No.

11,867. How do you imagine it was done; by Mr. Hannaford's notion of his duty as election agent?—Yes; he had not instructions from me.

11,868. You gave no instructions about it?—Decidedly not.

11,869. (*Mr. Bere.*) There is an item of 61*l.* 14*s.* 8*d.* for advertising, telegrams, and messengers; have you the items of that account?—I have not.

11,870. Were they ever sent in to you?—I presume they were.

11,871. "Advertising, telegrams, and messages," who sent that?—I do not know how this is made out; I cannot tell you.

11,872. Where did you get the account from?—I did not make out this account. I had nothing to do with paying these bills or making out the accounts.

11,873. You received the account?—Yes.

11,874. Did you hand the bills over to the election agent at once?—Yes.

11,875. You only sent the amounts up?—Yes, and sent the bills themselves.

11,876. To Smith and Guscotte?—Yes.

11,877. (*Mr. Coleridge.*) Was not it the duty of whoever was constituted the agent of the election under the Act of Parliament to pay those bills?—Undoubtedly the election agent appointed under the Act of Parliament.

11,878. It was your duty?—Not my duty.

11,879. It was your duty as agent to Colonel Dawkins to get the bills in, was not it?—No, I do not think it was; they were sent to me; or some may have been sent to Mr. Hannaford, and he brought them to me; I do not know.

11,880. They were in your custody at some time?—Yes, I got them altogether and sent them to Messrs. Smith and Guscotte without taking upon myself any responsibility.

11,881. What acknowledgement did you get from

ELEVENTH DAY.

Mr. T. H. Edmonds.

4 Sept. 1866.

Smith and Guscotte; have you got their letter?—No doubt I have.

11,882. I wish you would let us have it?—I think I had no acknowledgment; I think they sent them back again a few days afterwards. I presume they looked them over, and I think about a fortnight afterwards they sent back the bills with a cheque for the amount.

11,883. For 364*l.*, deducting 50*l.* which you did not approve of?—Yes.

11,884. Do you know how those items you did not approve of were subsequently paid?—I do not think the ringers were ever paid. With respect to the 50*l.* claimed by Harris, Mr. Smith sent a cheque for 25*l.* which he desired me to hand over. It was forwarded by Colonel Dawkins' request because he had made himself useful.

11,885. Although he was not appointed agent he had done a great deal of work?—No doubt he had made himself exceedingly useful.

11,886. I want to know when you first knew that a man was coming down to help Mr. Smith to distribute the cheque?—I think on the Saturday morning.

11,887. The Saturday before the election?—Yes.

11,888. Did you know of anybody having been before in that capacity?—I was not aware of it.

11,889. You are now?—I am now, since I have seen it in the papers.

11,890. Saturday was the earliest information you had of it?—Yes.

11,891. When did you receive information of his intention to come down; say before he came?—I had no information.

11,892. Did you ever tell Mr. Smith it would be necessary to have some one down?—Yes, I think I did.

11,893. What time was it that you told Smith that it would be necessary to have some one down to do this kind of work?—After he came the first time.

11,894. That would be in June?—He came the latter part of June and then went away again.

11,895. Was it upon that occasion that you told Smith it would be necessary to have some one down?—I think I did.

11,896. As nearly as you can tell us what you said?—I said that You know upon these occasions, inasmuch as there is money to be spent, it is necessary there should be a man in the moon to distribute the money, and I think you had better arrange while in London to get some one down.

11,897. What did Mr. Smith say to that?—I do not know that he made any reply particularly.

11,898. A nod and a wink?—I suppose so.

11,899. You knew at the time you said that to Mr. Smith that he was going back to town?—Yes, I must have been aware of it.

11,900. Had any money come down then?—Not that I am aware of.

11,901. Before Mr. Smith brought down his bag?—No.

11,902. After that Mr. Smith did go back to town?—Yes.

11,903. What communication did you receive whilst in town?—None whatever.

11,904. No telegraph about anyone coming down?—None whatever.

11,905. Without putting it to Mr. Smith, did not you receive a telegraph saying a gentleman would be down about the 3rd of July; that a gentleman would leave town by the mail train?—I think I did receive a telegram, but it had nothing to do with the man in the moon.

11,906. From whom?—From Mr. Spofforth.

11,907. Did it seem impossible that a telegram should come from Mr. Spofforth about the man in the moon?—I do not know about that.

11,908. Whom was it about?—I think Colonel Alexander.

11,909. You did not think that had anything to do with the man in the moon?—Certainly not.

11,910. When you did see Mr. Smith had he made arrangements about the man in the moon?—I do not know.

11,911. Did you ask him?—No.

11,912. You gave him credit for understanding and thought some one would appear?—Yes, that was my impression.

11,913. And you understood that you were acting in some sense for Colonel Dawkins under Mr. Smith?—To a certain extent, because my local knowledge rendered it necessary.

11,914. Mr. Smith was the paymaster and had command of the money?—Yes, it depended on him and Colonel Dawkins how much would be spent.

11,915. How long after this was it that the man came?—I do not know when he came down. The first information I had of his being here was on Saturday morning.

11,916. Who gave you the information?—Mr. Heath.

11,917. What did he say?—He said, "I suppose you "are aware that the man in the moon has arrived, "or Mr. Mum." "No," I said, "I am not aware of "it." He said, "He has, then, and it is high time "that something should be done to secure the doubt-"ful voters.

11,918. When you were told that Mr. Mum had arrived, did you go and see him?—No, I did not, I had not seen him at all, I kept myself aloof from that; I had never seen this one.

11,919. Who has seen Mr. Mum besides Mr. Heath?—I do not know.

11,920. Mr. Smith has seen him?—Has he?

11,921. Yes, he says so. You never saw Mr. Mum?—Not to my knowledge. I never saw the man described as the black man, nor Mr. Mum.

11,922. When you heard Mum had come did you go the "Stars?"—I heard it at the "Stars," I was there.

11,923. Mr. Heath thought it was high time something should be done?—I thought so too.

11,924. In consequence of that, did you go to Mr. Smith?—I did.

11,925. What did you obtain from Mr. Smith?—I obtained altogether——

11,926. I mean on the first occasion; on the Saturday?—I obtained from him, a portion of it from his clerk, on the same morning, 1,500*l.*

11,927. How much did you obtain from Mr. Smith himself; and how much from his clerk?—I am not quite sure.

11,928. It was done up in bags?—Yes; I received 500*l.* from Mr. Smith and the rest from the clerk; or, 500*l.* from the clerk and the rest from Mr. Smith.

11,929. What was the name of the clerk; Lind or Daw?—I do not know; I saw one once or twice; the clerk was down assisting.

11,930. In distributing this money?—He certainly had a hand in it.

11,931. What did you do with any money when you received it?—I put it in a little black bag belonging to me, and handed it over to Mr. Heath, and requested that he would take it up to his friend Mr. Mum.

11,932. He took it up to Mr. Mum as we have heard, and he handed a receipt back to you?—I think a little time afterwards I had an envelope in which there was a memorandum "Mr. Mum begs to acknow-"ledge the receipt of 1,500*l.*"

11,933. What did you do with that receipt?—I tore it up at once.

11,934. You did not give it to Mr. Smith?—No.

11,935. Did you tell Mr. Smith you had received a receipt?—No, I think not.

11,936. Did he make any inquiries as to how far you knew the money would go in the right direction?—No, he was prudent and cautious on that point, and did not ask me anything; he left it entirely to me.

11,937. Then you had some messages from Mr. Mum after that?—On the Monday morning.

11,938. Was nothing done on the Sunday?—No.

11,939. It was a *dies non*?—Yes.

11,940. Was there no electioneering going on on ie Sunday?—Not that I know of. At least I did ot take any part; there may have been a little doing.

11,941. On the Monday morning Mr. Heath came you, and told you that more money was wanted?—He did. He said that Mum had told him to come id say that the money was going very fast, and that ey were offering a very high price on the other de, and that we should lose the election unless more oney was provided.

11,942. What did you do when he told you that?—saw Mr. Smith.

11,943. What did you say to Mr. Smith?—That had seen Mr. Heath, and that he said that he must ave more money.

11,944. Who said that there must be more money?—Mr. Heath.

11,945. And did you tell Mr. Smith that Mr. Heath id that Mum said there must be more money?—I not think I did.

11,946. You merely mentioned Mr. Heath's name?—Yes; and I asked him whether he was going to do ything further, or whether we should shut up and tire. "Well," he said, "Do you think we stand a chance? Mr. Pender is evidently, from information brought in by our scouts, determined to carry this at any cost; still we may manage to carry one."

11,947. That occurred between you and Mr. Smith?—Yes.

11,948. You have no doubt about that?—I have doubt about that.

11,949. Nobody else present?—Nobody else present.

11,950. Mr. Kellock was not, was he?—No, I do ot think he was.

11,951. Are you quite sure?—I am certain he was ot.

11,952. This conversation occurred about Mr. Pen-er, and then Mr. Smith asked you whether you ould carry one seat, and then what did Mr. Smith ive you?—A cheque for 1,000*l.*

11,953. Did you ask him how to draw that cheque. o you recollect asking him to draw it on blank aper?—No. I think I suggested that it should be ayable to bearer for the convenience of getting it ashed, and that no name should appear. I think I d suggest that.

11,954. So he drew it in certain cabalistic signs, or earer?—He did.

11,955. It was not "Mr. Edmonds or bearer?"—o, that would not do at all.

11,956. Did Mr. Smith say anything about you ust not come on that occasion, you had had enough?—Well, I think he rather grumbled at the expenditure.

11,957. What did he say?—I forget now what it as. He did not seem to like it. I must confess I lt rather disgusted myself.

11,958. You felt rather ashamed of asking for this econd instalment?—I did.

11,959. What was done with that second cheque?—I gave it to Mr. Thomas Kellock.

11,960. I believe Mr. Kellock took it to the Tor-uay bank?—Yes.

11,961. The Devon and Cornwall Bank, Torquay?—No, I think he took it to the Torquay Bank. The rst was cashed I rather think at Torquay, and the econd at the Devon and Cornwall.

11,962. When he got it cashed, do you know that e went with Mr. Fox?—No, I do not know that he ent with him.

11,963. Do you know that he started off with olonel Dawkins and Captain Fox?—I do not know.

11,964. When did Mr. Kellock give you the pro-eeds?—The same evening.

11,965. About what time?—I should think about or 6 o'clock.

11,966. Where?—In my room.

11,967. Who else was present?—No one.

11,968. No one else was present?—No one else was resent.

11,969. He gave it to you, and you as usual I suppose handed it to Mr. Heath?—I made it up in a newspaper parcel, and went down stairs and gave it.

11,970. Did you give it into his hands, or leave it in the bar?—No. I went to the bar and inquired for him, and I could not find him down there.

11,971. You did not leave the parcel?—I did not like to exactly.

11,972. You waited till you saw him, and then gave it to him?—Yes.

11,973. When did Mr. Heath next tell you that more money was wanted?—I think it was late the same evening.

11,974. Can you tell us anything about,—in addition to the cheque for 1,000*l.* cashed by Mr. Kellock,—a cheque for 300*l.* of Captain Pim's was added to it, making 1,300*l.*?—That is how it was done. Mr. Kellock cashed Captain Pim's cheque I suppose at the same time at Torquay, and handed over the 1,300*l.*

11,975. (*Mr. Bere.*) Was that gold?—Partly gold, and partly notes.

11,976. Were the notes afterwards changed at the Devon and Cornwall bank?—No. I should think about 400*l.* gold, and the rest notes.

11,977. (*Mr. Coleridge.*) What size notes?—They were fives. Whether there may have been some tens I do not know.

11,978. Were they subsequently cashed at the Devon and Cornwall Bank?—No, I think not. I do not know about that.

11,979. Were they country bank notes or Bank of England?—Bank of England.

11,980. New notes?—I am hardly prepared to say, I daresay they were.

11,981. Did you that same evening get an intimation from Mr. Heath that more money was required?—Yes.

11,982. Where was it given to you?—In my room.

11,983. In your little room, No. 8?—In No. 8.

11,984. What did he tell you?—He said that more money was wanted.

11,985. Did you remonstrate with him?—I said, I had got so disgusted that I wished I had had nothing to do with the matter.

11,986. Did you tell him you did not like to go and see Mr. Smith?—Yes, I did.

11,987. Did you say he was rather rusty about it, or something to that effect?—Something of that sort.

11,988. This was late in the evening was not it?—Yes, late in the evening.

11,989. Where was Mr. Smith?—I do not know. I think I saw him in his bed room.

11,990. What number is that?—It is one at the top of the stairs.

11,991. No. 13?—15 I think is immediately at the head of the stairs.

11,992. Was he gone to bed?—He was not gone to bed.

11,993. What did you say to him?—I said, "I am "ashamed to come to you again, but they are spending "their money on the other side at such a fearful "pace that unless we spend more, it is quite impos-"sible we can win."

11,994. Did Mr. Smith seem rather excited at that information?—He did not relish it at all evidently.

11,995. What did he say?—He hesitated a great deal at first.

11,996. During his hesitation what did he say?—I do not think he made any particular remark. He seemed to think about it.

11,997. Did he say you must not come again?—No, I do not think he said that. He said, "I hope "you won't have occasion to come again," and I said "I hope not."

11,998. You felt this third draw rather an unpleasant matter?—I must confess that I felt it a most unpleasant business altogether.

11,999. What did you ask him for. How much did you say was necessary then?—He said, "Will 500*l.* "do?" I said, "We may just as well have 1,000*l.* "while we are about it. It is no use doing things "by halves."

ELEVENTH DAY.

Mr. T. H. Edmonds.

4 Sept. 1866.

12,000. You did not anticipate that this was the end of all things?—I could not tell, things had grown up so.

12,001. Did Mr. Smith say anything about a limit?—I do not think he mentioned any limit.

12,002. He thought it better not to let you know there was a limit?—He did not say there was anything about it.

12,003. Did he give you a cheque?—He did.

12,004. Was that drawn in the same peculiar manner?—I believe it was.

12,005. And payable to bearer?—Yes.

12,006. Where was that cashed?—My friend Mr. Kellock came to my aid again, and I let him have it.

12,007. Then was it after banking hours a good deal?—It was not cashed till the next morning.

12,008. Do you know where he got it cashed?—I have heard the Devon and Cornwall bank.

12,009. Do you know what time Mr. Kellock cashed this cheque at Torquay?—I do not know.

12,010. You do not know whether in or out of banking hours?—I never heard.

12,011. (*Mr. Bere.*) What time was the cheque given?—On the Monday morning.

12,012. So it may have been cashed in banking hours?—It may have been, but whether it was I do not know.

12,013. (*Mr. Coleridge.*) Then this second cheque was cashed and the proceeds brought to you all in gold?—Notes and gold as well.

12,014. Fives?—Yes.

12,015. Bank of England notes?—Bank of England notes.

12,016. (*Mr. Bere.*) Was the cash for Pim's cheque got at the Devon and Cornwall?—I do not know.

12,017. (*Mr. Coleridge.*) If Captain Pim did cash a cheque that is the one to which it refers?—Yes.

12,018. (*Mr. Bere.*) On that day?—Yes, on that day.

12,019. (*Mr. Coleridge.*) That is, the nomination day. You handed that as usual to Mr. Heath?—I did.

12,020. And so it got to Mr. Mum?—Yes.

12,021. What account did Mr. Heath give you at this time of the way things were going on when you handed him that money?—He said, "We shall be beaten." He said again, "There must be some more money had."

12,022. (*Mr. Bere.*) Are you quite sure that the money from that second 1,000*l.* cheque was paid to you on the day of the nomination?—I think I had the cheque the evening before.

12,023. You had the cheque the evening before?—I think so.

12,024. The evening of the nomination day?—No, the Monday evening. I think the 10th. They are both drawn the same day.

12,025. You gave it to Mr. Kellock on the 11th?—I gave it to him on the 11th, or whether I may have given it to him on the same evening I cannot tell.

12,026. (*Mr. Coleridge.*) He may have got it cashed that same night after banking hours?—He may have done so for aught that I know. I do not know about that.

12,027. Between the cheque that was given to Mr. Kellock, and which he got cashed at Torquay, and the one you are now speaking of, did any other sum of money pass through your hands besides?—No.

12,028. Quite certain?—Quite certain.

12,029. No other cheque from anybody else but Mr. Smith?—No.

12,030. Then this was cashed and it went to Mr. Mum?—Yes.

12,031. When did you see Mr. Smith again after you got this cheque cashed?—I think about the middle of the day. I must have seen him several times.

12,032. To have conversation?—Yes.

12,033. Up in your own little room?—Yes. I do not know whether in my own room.

12,034. What did you tell him was going on at the nomination?—I think I mentioned that some farmers on the Darlington property had been offered as much as 100*l.* each for a single vote for Pender, which would give him some idea as to the price of a vote, and as to the prosperity of Totnes.

12,035. What did he say to that. Did he say he would not have anything more to do with it?—Well, he was dreadfully disgusted.

12,036. What did he say?—I am sure I cannot recollect the conversation that took place.

12,037. Was he very excited?—Not particularly; he seemed very much annoyed.

12,038. Was he an eager partizan?—He showed his anxiety. He did exhibit it particularly.

12,039. Did he say he must consult Colonel Dawkins before he went any further?—I do not think he did.

12,040. When was the next occasion on which you went to Mr. Smith for money?—That was after the nomination; about 2 o'clock on the afternoon of the nomination day.

12,041. Was that the occasion you are speaking of when you told him this?—Yes.

12,042. What did you ask him for then?—I said I had been informed that it was necessary for more money. I was ashamed to ask him for any more.

12,043. Did he ask you who had informed you?—I think I told him Mr. Heath; all the communications came from Mr. Heath.

12,044. Did you tell him anything about Mr. Mum?—I do not know whether I mentioned Mr. Mum's name at all.

12,045. In all these cases did it never occur to you or Mr. Smith to consider whether Mr. Mum was dealing honestly with your money. Did you have no conversation about it?—I never had a thought myself. I knew that at Dent's election there was a very heavy expenditure; therefore I was not very much surprised that it should be so on this occasion.

12,046. After you got over Mr. Smith's vexation, what did he do to show that he had recovered from his vexation?—He gave me another cheque for 500*l.*

12,047. When did you get that cashed?—I handed that over to Mr. Heath, and I said, "You go and get "this cashed, and you must not come to me again, for "I will not advise Mr. Smith to pay another six-"pence."

12,048. Was that the last attempt you made to get money out of Mr. Smith?—Yes. The next morning, when things were found to be going against us, Mr. Smith offered voluntary some more.

12,049. What did he offer on that occasion?—He would have given a thousand more.

12,050. You thought it was throwing good money after bad?—I knew that we were beaten. I saw certain names that we anticipated would vote for us had voted on the other side, and we saw that the thing was all up.

12,051. So you would not advise him to spend the other 1,000?—I would not advise him to spend the other 1,000*l.*

12,052. That is all you got out of Mr. Smith?—That is all.

12,053. Did you get any from anybody else?—No.

12,054. None from Captain Pim?—No.

12,055. As regards the dealings between you and Mr. Mum, that is all you know on that occasion?—That is all.

12,056. You never saw him yourself?—I never saw him myself.

12,057. You told us that for the first sum of 1,500*l.* you had a memorandum. Did you get a memorandum for money received in other cases?—It was only as to the first. I never had a memorandum after.

12,058. So that you in fact entirely confided in Mr. Heath?—Quite so.

12,059. And what became of the money you did not know?—I thought it better not to inquire.

12,060. That is 4300*l.* altogether. What do you

believe was actually expended amongst the electors?—All, with the exception of the amount paid through the election agent. I presume so. I should tell you, that after the election was over, on the following day, Mr. Heath brought me a cheque for 270*l.* odd shillings.

12,061. I want to know something about that. How was it that more was not wanted, and you did not like to ask, and Mr. Heath had that amount to return?—I had no further application after the 500*l.*

12,062. Mr. Heath did not apply?—No; I told him that it was no use to come again.

12,063. I suppose Mr. Heath thought as you did, that it was throwing good money after bad?—Yes; I think he said something about it.

12,064. Can you tell us about money going before the arrival of Mr. Mum?—No; I never heard there was any. I do not think it is at all likely.

12,065. Then you did not know that any money was going on your side except through the agency of Mum and Heath?—No.

12,066. In fact, every sum, as far as you know, went into Mr. Mum's hands through Mr. Heath's, yours, and Mr. Smith's?—Yes.

12,067. And so on through Mr. Mum it was distributed?—Yes.

12,068. (*Mr. Bere.*) What name would you call Mr. Mum by when you spoke about him to Mr. Smith?—I do not recollect that I ever mentioned his name to Mr. Smith. I have no recollection of it.

12,069. You gave Mr. Smith to understand that there was a person distributing money?—I thought he understood it as a matter of course.

12,070. You imagined that he had sent down a person who had assisted at that time?—Yes, I thought so.

12,071. You did not know who did if he did not?—No.

12,072. (*Mr. Longe.*) That was the first time that you told Mr. Smith that you wanted a man?—Yes.

12,073. Did you tell anyone else?—No.

12,074. Was there any other means of bringing a man down except through Mr. Smith, as far as you know?—No.

12,075. You never had any communication with anyone on the subject?—No.

12,076. You never said to anyone else that a man was wanted?—Never.

12,077. You did mention it to Mr. Smith before he went to London?—Yes, I am quite sure I said something to him about it, "We must have some stranger "to distribute this money;" but I am bound to say that Mr. Smith has stated since I saw him in London some six weeks ago that he knew nothing about this man, and did not send him down.

12,078. When Mr. Heath came to you to tell you of the arrival of Mr. Mum, you remember the time; I think we have it?—I think it was the Saturday morning.

12,079. What did Mr. Heath say?—I think I have already stated that. He said, "I suppose you are aware that the stranger has arrived," or whether he said that Mr. Mum had arrived I do not know; one or the other.

12,080. How could you or Heath possibly know he was the right man?—I trusted entirely to Mr. Heath for his shrewdness; he was a very intelligent, shrewd man, and not only that, but I thought the man had been sent down by Mr. Smith; therefore I took it for granted that he was the right man, and I did not trouble myself more about the matter.

12,081. You did not ask Mr. Smith any questions to identify the man?—No.

12,082. You took it on trust that he was the man from what he said?—Yes.

12,083. Was it the morning after the stranger arrived? Do you remember what Mr. Heath said as to that?—I do not know when he came down; whether Friday, Thursday, or the evening of Wednesday, I do not know.

12,084. All you were told was that he had arrived?—Yes, just so; there was another came down I think on the Saturday evening.

12,085. Was anyone else on the Conservative side besides you authorized to send any man of the kind?—Not that I know of.

12,086. Do you think it is likely that anyone else could have taken that part upon himself?—Well, there are many in the town who might have done such a thing; they might have taken on themselves such a task as that, but at the same time I do not think it probable.

12,087. You could not explain it, except through the agency of Mr. Smith, that a man was brought down?—No.

12,088. (*Mr. Bere.*) Give us shortly an account of your conversations with Mr. Smith during the time of the election. What was the nature of them?—I had very little indeed to say to Mr. Smith, except when I went to him for money.

12,089. Did you go to him from time to time to tell him what the state of the poll books was?—I think he asked me now and then how things were going on, whether they were going on satisfactorily.

12,090. You used to receive reports from persons engaged in the affairs of the election, and communicated the result to Mr. Smith?—I did not particularly; in fact he told me that he did not wish me to communicate to him very much about the matter. He left it entirely to me, and did not wish to know more than he could help about it.

Mr. Frederick Smith recalled.

Mr. F. Smith

12,091. (*Mr. Bere.*) I think you had better read that letter again?—I assure you I cannot throw any more light on it.

12,092. Not strengthened by Mr. Edmonds's evidence?—No.

12,093. Did you go with John Heath to Mr. Bryett's office?—I think not; I have no recollection of it.

12,094. Did you ever hear anything of a voter named Edward Shinner?—No.

12,095. Did not you go with Mr. John Heath to Mr. Bryett's office and call upon him to prepare a contract for the purchase of Edward Shinner's mortgage for 400*l.*—I have no recollection of Mr. Heath going with me, but I called on Mr. Bryett for the purpose of purchasing property for 400*l.*, but the name of the person I do not recollect.

12,096. You did go for the purpose of purchasing property for 400*l.*?—I did.

12,097. Did Mr. Bryett intimate that he could not prepare the conveyance?—No.

12,098. What happened about that?—I never heard anything more about it from that time to this.

12,099. The purchase never has been completed?—I have never heard anything of it from that day.

12,100. (*Mr. Longe.*) Do you know that Mr Heath denies ever seeing you and the stranger together; the stranger who is recognised by Mr. Heath as being Mr. Mum?—Certainly; I never heard there was such a person till five weeks ago.

12,101. You told us that Mr. Heath introduced you?—To that man that I saw, yes; Mr. Heath told me there was a person waiting to see me. I cannot add anything more to my evidence.

12,102. He told you that a man wanted to see you?—Yes, he did.

12,103. On what business?—I have no doubt he mentioned about the election.

12,104. Do you mean to say that Mr. Heath when he spoke to you merely said that a man wanted to see you?—Quite so.

12,105. A man wanted to see you?—Quite so.

ELEVENTH DAY.

Mr. F. Smith.

4 Sept. 1866.

12,106. And then you went to see him?—Yes.

12,107. What did he tell you?—From his manner and appearance I imagined he came down about the election.

12,108. You were not afraid of speaking to anyone who came down about the election. What led you to suppose the business of this man?—As far as I recollect he said he could be very useful at the election.

12,109. Did you suppose that this stranger when he spoke to you, that he intended or wished to make himself useful in the way of distributing money?—I do not know whether money or not; I know nothing about elections.

12,110. Do not you mean that when he spoke to you you thought he meant to take part in the distributing of money?—I cannot say I did.

12,111. Then why were you so indignant?—Because he was a perfect stranger.

12,112. Surely you went a little more into the matter of what was the business he came on?—I did not.

12,113. You being at the "Seven Stars" as the active man for Col. Dawkins are sent for to speak to a stranger, and you thrust him off by saying you will not speak to him?—I did.

12,114. How do you account for it?—I said on my oath it was so; I never knew who it was sent him down.

12,115. I ask you what you believed as to that man's purpose, what you thought he had come here for?—I presume he meant to be employed for the purpose of the election.

12,116. Then why not give him a hearing?—Because I had nothing to do with it; Mr. Edmonds managed everything.

12,117. Did you turn him off and state that he was not authorized to come?—No.

12,118. Do you mean to say that you knew he was the right man and that you would not have anything to do with him?—I never knew who sent him down.

12,119. Do you mean to say you intended to send that man back to London about his business and have nothing to do with him?—All I said was "I have "nothing to do with this matter."

12,120. Do you mean when you spoke to that man from what he told you he came about, did you give him to understand that he was not authorized to come, and was not wanted and must go?—Certainly; something to that effect.

12,121. And you believe that the man did go?—I have certainly heard that he did leave.

12,122. But how did you identify that man?—I heard from Mr. Heath I suppose, the man who first came to see me.

12,123. When did you speak about him again?—I do not suppose I have ever spoken of him since.

12,124. Then how did you hear he had left?—I suppose in general conversation at the hotel.

12,125. Do you believe that this man whom Mr. Heath introduced you to or showed you to was not the individual that afterwards acted as Mr. Mum; you must have some theory about it?—I never heard that there had been a person of that description at Totnes till five or six weeks ago. I had not the least suspicion of anything of the kind.

12,126. You have heard Mr. Edmonds' evidence?—I have.

12,127. Now did Mr. Edmonds tell you that a man of that kind would be wanted?—I have no recollection of it whatever, not the least.

12,128. Do you mean to say on your oath you deny it?—Certainly.

12,129. That he ever mentioned to you that fact that a man of that kind would be wanted?—Certainly; I have not the least recollection of it; in fact election business is not in my way at all.

(*Mr. Bere.*) So much the more reason why you should remember it, Mr. Smith.

12,130. (*Mr. Longe.*) Do you swear that when you went back to London you took no step whatever to mention it to Mr. Guscotte or anybody else that a man of that kind would be wanted?—Certainly; I have not the least recollection.

12,131. Will you swear it?—I will swear I have no recollection of anything of the kind.

12,132. But you must remember whether you said anything of the kind?—I cannot recollect anything.

12,133. Do you mean to say now; you say until you came here you had never taken any part in an election before, that you do not remember whether or not you desired to have Mr. Mum, or a professional man down here to bribe?—Certainly; I told you before that I had no recollection of anyone being here of the kind, or who sent him down, till six weeks ago.

12,134. You do not remember whether you took any step in it or not?—Certainly.

12,135. You swear that you did not?—I swear that I did not.

12,136. (*Mr. Bere.*) We may take these facts as admitted, that Mr. Edmonds suggested to you the employment of a person from London; that you yourself after that suggestion went up to London; and that a person after you came back from London came down here from London?—It looks extremely suspicious, but it had nothing at all to do with it.

12,137. And coupling those facts with that letter which was written, have you any doubt, though you cannot remember, that you did speak to Mr. Guscotte on the matter, and that Mr. Guscotte found a person to come down?—I cannot say; Mr. Guscotte can explain that.

12,138. You cannot remember, and perhaps there may be reasons why?—I have no recollection.

12,139. Have you any doubt that you did speak to Mr. Guscotte about a man, and that Mr. Guscotte was the person who sent him down?—I have no recollection whatever, but Mr. Guscotte will explain that.

12,140. (*Mr. Longe.*) You have already said that you took no part in the business of the election; will you swear that you did not speak to Mr. Guscotte on the subject?—I have no recollection of it whatever; if I had done so I think I should recollect it.

12,141. But it is quite possible after all that you did speak to Mr. Guscotte, and that it was through you and Mr. Guscotte that that man came down?—I think not, I had not any suspicion of anyone being here of that kind.

12,142. (*Mr. Coleridge.*) When did you first hear that one of your clerks was assisting in this monetary business?—I am not aware that my clerks did anything except come down here.

12,143. Did you tell one of your clerks to deliver some money to Mr. Edmonds?—Yes, I did.

12,144. Then the reason for having your clerks here was not merely for the sake of the pleasant association of having them around you, but for some service?—I was a perfect novice in election matters, I thought they would be useful.

12,145. Then you meant to be useful yourself?—No, I took no part whatever.

12,146. Do you mean really to say that you did not consider they would make themselves useful in distributing this money?—Certainly not.

12,147. Do you suppose you were injuring Col. Dawkins in doing it?—No.

12,148. What did you suppose you were doing when you distributed this money. Did you suppose it was for Colonel Dawkins' benefit or his injury?—For his benefit.

12,149. Then you did think you were making yourself useful to Colonel Dawkins when you distributed this money?—Yes.

12,150. And you did think your clerks were making themselves useful in helping you?—We did not distribute any, it all passed through Mr. Edmonds' hands.

12,151. It eventually got to the right hands, you believe that?—I do not know.

12,152. But you believe it did?—It is my impression.

12,153. Would you have given that money if you

did not believe it would?—I left everything to Mr. Edmonds.

12,154. Do you mean that you would have given one of those cheques but for the purpose of securing Colonel Dawkins' election?—Certainly I should not.

12,155. And you knew that the way in which it was to secure his election was by buying votes?—I cannot say for buying votes, election expenses.

12,156. You know those that have passed through an election agent, the whole amount was but 300*l.* odd; and do you mean that you did not know perfectly well that the way in which that expenditure would be useful to Colonel Dawkins was eventually to buy votes?—The money remitted from town was given just in the same way as I did the cheques to Mr. Edmonds.

12,157. Should you have remitted it just in the same way if you did not know that it was going to be used for the purposes of Colonel Dawkins' election?—Certainly not.

12,158. Would you have remitted that if you did not know that it was to be spent in the purchase of votes for Colonel Dawkins?—I presumed the money was spent in that way.

12,159. And if you had not assumed that you would never have sent the money down or given it?—Certainly.

12,160. Now as you admit you were useful to Colonel Dawkins in being the go-between and buying votes, were not your clerks useful to you in assisting you to do the same thing?—I think not, excepting to see Mr. Edmonds.

12,161. If you were useful in handing money to Mr. Edmonds, was not your clerk useful in handing money to Mr. Edmonds also?—No doubt.

12,162. Then your clerk was down here assisting you about the election?—In that respect he was.

12,163. Then why could not you have said so before?—I did not understand the question.

12,164. (*Mr. Bere.*) When you saw that man in the room at the "Seven Stars" did not you perfectly well know why he had come, and was not it really from motives of prudence that you refused to have anything to do with him?—I was not aware of anyone of the kind coming, and when he said what he wanted I said I would not have anything to do with him.

12,165. (*Mr. Coleridge.*) When did you first know that he had come?—About half past 10 in the morning.

12,166. Who told you that he had come?—Mr. Heath.

12,167. (*Mr. Bere.*) I want a direct answer to my question. Was not it from motives of prudence that you dismissed that man and would have nothing to do with him?—Certainly not.

12,169. What was the reason?—He was an entire stranger to me, and I did not know how these elections were conducted. I have stated everything I know about the matter; I have nothing to conceal.

12,169. (*Mr. Coleridge.*) In spite of the letter of Mr. Guscotte in which he refers to a conversation with you, you have no notion that you considered a stranger was necessary to part in a Totnes election?—I do not know that I did.

12,170. But did you?—I knew nothing at all about elections. Mr. Guscotte will explain.

12,171. You came down here with the Judas money bags, and you must have had a certain knowledge what those money bags were going to be done with; now, coupled with that letter which has been read, did not you perfectly well know that it was necessary to have some stranger to distribute that?—I think not.

12,172. If necessary, why could not you and your clerks distribute this?—Because we employed an agent here who understood election business.

12,173. Did he employ one of your clerks?—Never.

12,174. Should you have been surprised if he had?—Yes, I should have been surprised.

12,175. Should you have been annoyed if he had?—Certainly.

12,176. Then in fact your objection is not to the distribution of money, but to its being done through your clerks?—Yes.

12,177. It is a personal matter as regards your clerks, and not as to the immorality of distributing the money?—I treated Mr. Edmonds as agent and passed all the money to him.

12,178. Did you imagine that he dealt with the money himself?—I had not the least idea; I made no inquiry.

12,179. You had not the slightest notion that some stranger might be wanted down?—Certainly.

12,180. What had you said to Mr. Spofforth about the election before you came down?—I think I only saw him once.

12,181. Did you hear him say it would be necessary for you to have a man?—Never; I was only with him a few minutes.

12,182. And in your experience you did not know that a stranger would be wanted to distribute the money?—Yes.

12,183. You have read about the election committees, and from that you would know it was usual to have a stranger?—I did not.

12,184. Did you never know about the man at Wakefield?—I never heard of the man.

12,185. You never had the curiosity when the Wakefield, the Gloucester, and the Berwick committees were going on to go into the committe room or read about them?—I took no interest whatever.

12,186. You came down perfectly innocent?—I know now.

12,187. You know now exactly; but you were consulted as the most innocent person to do the money matters, is that what you wish us to understand, because you knew so little?—I would not undertake an election, it is not my province; I employed whom I thought the best person down here.

12,188. You were considered the proper person because you knew so little?—I came down as Colonel Dawkins' friend, and having his account in my hands I could advance what was wanted.

12,189. But being his solicitor you advanced it from your private resources?—I had a balance in my hands.

12,190. According to his account given in to us it appears that you had a sum of between 400*l.* and 500*l.* at that time?—I cannot tell without the books.

12,191. Did you advance that from your own private account or the account of the firm?—The firm's account.

12,192. Then acting as Smith and Guscotte the solicitors, and not as Mr. Smith, you advanced this money out of your firm?—Yes.

12,193. And after that you say you were acting merely as his friend?—Quite so.

12,194. (*Mr. Bere.*) I hope, Mr. Smith, that a conversation with Mr. Guscotte will refresh your memory.

(*The Witness.*) Allow me say that I have nothing at all to do with accounts in London.

(*Mr. Bere.*) But perhaps a conversation with Mr. Guscotte on the subject of this letter will refresh your memory with regard to the facts, and I hope when next we meet to find you are clear about these matters. We shall want Mr. Guscotte and your clerks on Thursday.

Wm. Daniel Narramore recalled.

12,195. (*Mr. Bere.*) Was there any negotiation between Mr. Hare and Mr. Bryett with respect to Mr. Hare becoming a partner?—Mr. Hare was with Mr. Bryett about 12 months before the partnership commenced.

12,196. Was he an articled clerk of Mr. Bryett's?—No.

12,197. But he was with Mr. Bryett?—Yes.

12,198. Was he managing clerk?—No, nothing of that kind. I think it was after he had served his

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articles at Plymouth; he was home with his father for some time, and then through Mr. Bryett being friendly with the Rev. Mr. Hare and the Rev. Mr. Johnson, of Diptford, he came to read up again and to do Mr. Bryett's conveyancing work.

12,199. Was he being employed in Mr. Bryett's office at the time of the election?—Yes.

12,200. Do you know that he received a retainer from Captain Pim?—Yes.

12,201. Was he actively engaged on the Conservative side of the election?—He was.

12,202. You say you began by being interested in the affairs of the council; when did you first begin to take an interest in those affairs?—I think at the first contested election after 1857, the same year. I forget the year there was a contested election.

12,203. Was it 1859?—I think so.

12,204. And were you employed on the Conservative side at that election?—Nothing more than a Conservative who was trying to get votes.

12,205. And you did try, and did you find you had to offer inducements?—Yes.

12,206. What did you find the price was in 1859 for the council?—Some you could get for 5*s.*, others not for 2*l.*

12,207. That was about the price?—Yes.

12,208. Did you find that the price had increased in 1863, and that some could not be got for 5*l.* then?—Yes; I think I met with instances where they wanted 6*l.*

12,209. Did you yourself know of any person who asked such a quantity of money?—I have known voters who required between 2*l.* and 3*l.*

12,210. Were any of the persons who wanted money at a municipal election voters in the parliamentary list?—Some of them.

12,211. Any number?—No, I think not.

12,212. Can you mention any men who wanted bribes for the municipal election who were voters for members of Parliament?—I could only mention those I have already heard given in evidence.

12,213. If they have already been given you may mention them again, because we have never heard of anybody who was bribed at a municipal election who was also a voter at a parliamentary election?—Charles Pitts.

12,214. Was he a voter at a municipal election?—Yes.

12,215. And did he want any inducement to vote?—Nothing more than I have heard in this court from other witnesses.

12,216. You were employed in the election of 1865 by the Conservatives?—Not employed.

12,217. Did you take an interest in it and do it without being employed?—Yes.

12,218. And did you canvass the interest of certain voters? Who were the persons to whom you applied your inducement?—A person of the name of Dennis.

12,219. Was that Thomas Dennis?—Yes.

12,220. Did you go to him?—Yes; I met him on the bridge. I saw him coming along by the "Seymour" hotel, and went over to him and asked him whom he was going to vote for, and he said he had not made up his mind; so I found that he was waiting, like almost all the Totnes people do, for money before they vote. I offered him a sum of money, and at last it ended in my paying him 100*l.*

12,221. How did you give it to him?—In 5*l.* notes.

12,222. From whom did you get that?—Mr. John Heath.

12,223. Had you been down to Mr. John Heath and asked him for it, or had he given you a sum of money?—I mentioned John Heath that a voter was to be had for a sum of money.

12,224. That Mr. Dennis was to be had?—Yes.

12,225. Where did you mention it?—Near the bar of the "Seven Stars" hotel.

12,226. And after you mentioned it did he go upstairs?—He went upstairs and brought it down to me.

12,227. In bank notes?—Yes.

12,228. Bank of England notes?—Bank of England notes.

12,229. And you paid it over to Dennis?—Yes.

12,230. Did you take his I.O.U.?—Yes.

12,231. Have you got it?—Yes. (*The witness produced it.*)

12,232. Was that signed in your presence?—Yes.

12,233. At his house?—No; at the "Oxford Arms," in Fore Street.

12,234. Who keeps that?—Mr. Goodman.

12,235. Did Dennis tell you that the other side had been trying to get him?—He told me that Mr. Chaster had been to him.

12,236. Had Chaster offered him any money?—He did not tell me directly that Mr. Chaster had offered him money, but that he had been to him, and he led me to suppose so. In fact I tried him first of all at a lower sum, but he would not hear of it.

12,237. What did you offer him?—I offered him 40*l.*

12,238. What did he say?—No, he said, they offered 60*l.* on the other side.

12,239. How long was that before the election?—I think the first interview I had with him was on the Sunday previous to the election.

12,240. When did you pay him the 100*l.*?—On the nomination day, the 11th July; I think it was the nomination day.

12,241. When did he vote?—He promised me that he would go to the poll the first thing in the morning, and he did not poll till something like half-past 3.

12,242. Were you one of the poll clerks?—Not at that election.

12,243. Then why did not you go down to him yourself?—I went to his house twice.

12,244. Where was he; out?—The first time I went he was abed.

12,245. What time?—About half-past 8.

12,246. Did you request him to get up and come to the poll?—I saw Mrs. Dennis, and she said he would come down after he had had his breakfast.

12,247. When did you go to him again?—I went again about 11 o'clock, and his wife said that he was gone out.

12,248. Did you ever hear anything more of him?—No.

12,249. Do you know whether the Liberals had been trying to get at him during the election?—I cannot tell. I should think not. It was generally known then that the election was all over; I myself had known it some time before.

12,250. He did not vote until half-past 3 o'clock?—No.

12,251. Did you know George Penny?—Yes, I knew him.

12,252. Did you offer him some money?—Yes. I offered him 350*l.*

12,253. About what time was that?—I think on the morning of the election or on the nomination day.

12,254. Was it after 9 o'clock?—About 9 o'clock on the day of the poll.

12,255. Who had authorized you to offer him 350*l.*?—I was authorized to do so by Captain Pim.

12,256. Where had you seen Captain Pim so as that he could have authorized you to do this?—I had been up the whole of the night with him.

12,257. Where was that?—At the "Seven Stars" hotel; he had a private room to himself there.

12,258. What was the number of the room in which you saw him at the "Seven Stars?"—I think it was No. 7.

12,259. Was Colonel Dawkins present at the time you are speaking of?—He was not present.

12,260. What time in the morning was it when Captain Pim, as you say, gave you these instructions?—Between half-past 3 and 4 o'clock in the morning.

12,261. Did he mention any voters to you at that time, or did you to him?—We went through the poll book together and suggested a number of names.

12,262. Will you mention any of them?—I offered George Cole 500*l.* for a pig.

.263. How was it that you did not get the pig? seemed rather astonished when I first made him ffer. You should understand that I began at a lower figure than that, and at last got up to

,264. I suppose he thought that it was all chaff on part?—He promised me that he would meet me e "Stars" field; he had to go to Newton mar- and I believe a telegram had been sent there that ing stating that it was all up with the election on ide, and I suppose Cole must have heard of that, e came back earlier than I expected him.

,265. I suppose that you never meant to give him money?—Never.

,266. Did the same thing take place with regard oggett?—I had previously offered him 200*l.*; and ould have had it.

,267. In reality should you have given any of men these large sums?—I certainly should have Sloggett the 200*l.*

.268. Should you have given Penny the 350*l.*? ptain Pim told me that if I could get him up on For I might keep the 150*l.* and give him 200*l.*

,269. Did you think there was any chance of ng the 150*l.*?—No.

.270. What was Sloggett that you offered him large sum? Was he a valuable person or not?— vas a member of what has been called the Slippery pany.

,271. Why was his vote worth so much more than ne else? Had he any influence over the mem- of the company?—The elections in Totnes as a have generally depended upon such men as these.

,272. But we have heard that the common price not more than 40*l.* or 50*l.*; why should this man gett have been worth four times as much as any non man?—He was looked upon as a doubtful r; the Liberals had put him down as a matter-of- se man.

,273. Then do you think that he had received so h as a douceur from their side?—There can be no t of that.

,274. Where did you offer him this 200*l.*?—Out- the "Seven Stars." He promised to meet me on day of the nomination.

2,275. About what time was this?—Between 6 7 in the evening. He promised to meet me that ing at 9 o'clock at the "Seven Stars."

2,276. Did he come to the "Seven Stars?"—No; went to the "Seymour" hotel, and I think he ained there.

2,277. Did you ever hear from Sloggett what he got from the Liberals for his vote?—No.

2,278. John Elford; what did you try to do with ?—I think I offered him 200*l.* or 300*l.*

2,279. Was that on the morning of the election?—

2,280. And was that done at the suggestion of tain Pim?—Yes.

2,281. Did you at the suggestion of Captain Pim r these various sums to these persons in the way of ke?—We went through the poll book together; we heard that the election was lost.

2,282. Did you make up the poll book at half-past 'clock in the morning?—The poll was made up ween 12 and 1 o'clock. I think Mr. Edmonds had that he knew the election was gone, and that he told Captain Pim so; and Captain Pim's object elling me and Willis to offer these large sums was make the Liberals pay dearer for their votes.

2,283. Then supposing that one of these gentlemen said yes, what would you have done?—We made our mind if we could have got them down to the Seven Stars," we would have put them into one of cellars there and kept them.

12,284. Was that a suggestion of Captain Pim's? That was a suggestion of the whole of us, I believe.

12,285. (*Mr. Coleridge.*) Had Mr. Heath handed the key of the cellar for that purpose?—I think should have been able to have got the key.

12,286. Should you say that was where the "all nations" was kept?—Yes.

12,287. (*Mr. Bere.*) William Cole; does the same story apply to him?—We drove to his yard, but we were afraid to go in on account of the sheep dog.

12,288. You did not think you would be able to bribe him?—Then we went to Shinner's and asked him to try and make some arrangement.

12,289. He knew the sheep dog, I suppose; perhaps he would not allow you to come inside the gate?—No, he would not.

12,290. Is that all that you know about the election of 1865?—Yes.

12,291. You were examined before the Committee of the House of Commons?—Yes.

12,292. (*Mr. Longe.*) Before the election of 1865 how soon were the Liberal party active in the matter?—It was a general election that was expected, and both parties were on the move for a long time previous to the election.

12,293. And there was an expectation of your having candidates down on your side?—Yes; it was the general topic throughout the town. More than one half of the voters were praying for an election.

12,294. (*Mr. Bere.*) Did you on one occasion see a poll book of Mr. Charles Frederick Michelmore's?—Yes.

12,295. And did you see any entries in that poll book?—I saw several entries.

12,296. Was there an entry against the name of Mr. Harris?—There was.

12,297. Can you tell us what it was?—"To be had "for a situation."

12,298. Do you remember whether the word "situation" was written at full length or not, or whether it was abbreviated?—I think it was "sit.," an abbreviation.

12,299. What other names did you see there?—The names of the two Matchums were braced together, "to be had for 200*l.*"

12,300. Do you remember any others?—Joseph Hannaford, "to be had for 100*l.*"

12,301. Were there any other names that you remember?—I gave the whole of the information which I had received next morning to Captain Veitch, and he put all these memoranda against the different voters in his own poll book which he had made up on behalf of Captain Pim.

12,302. Then you saw opposite a great many names certain figures?—Yes.

12,303. Do you remember what they were; how they varied; from what to what. Was there anything higher than 200*l.*?—No, I think not.

12,304. Or anything lower than 50*l.*?—I cannot say exactly about the figures. I remember such words as these, "Leave this man to so and so."

12,305. There were figures opposite to many of the voters' names?—There were some.

12,306. Do you know Mr. Charles Frederick Michelmore's handwriting?—Very well, indeed.

12,307. Were the words "to be had for a situation" in his handwriting?—They were.

12,308. And where the figures in his handwriting?—The whole of the marginal notes were in his own handwriting. As to the poll book, I do not know in whose handwriting that was. I should know it if I were to see it again.

12,309. Do you know what has become of that poll book?—I do not.

12,310. Mr. Michelmore says it has been stolen. I suppose you do not know whether it ever fell into the Conservative hands?—Not that I am aware of.

12,311. What was the day on which you got the poll book?—On the Sunday night previous to the election.

12,312. Mr. Michelmore, as we understand, came into the "Seven Stars?"—Yes, he came into the "Seven Stars," and sat between me and Mr. John Heath.

12,313. Where was he sitting?—In the smoking room.

12,314. Was he smoking himself?—No.

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12,315. Was he taking a glass of brandy and water?—I think it was gin and water that he was taking.

12,316. (*Mr. Longe.*) When did you first speak to Mr. Michelmore as to whether there would be a sub?—About a month previous to the election.

12,317. What did you mean by asking if there would be a sub?—We were talking of the election, and I said to Mr. Michelmore, "Is there any chance "of a sub?"

12,318. Why did you say that to him?—I cannot give any reason for it.

12,319. How should he know anything about that; he was a Liberal?—We were upon friendly terms. I made use of the expression, but I do not know that I had any motive for doing so.

12,320. Did you say anything about what you were going to do?—I expected if there was a contest that there would be plenty of money spent. I did not know anything about it at the time.

12,321. Neither did Mr. Michelmore, I suppose?—He did not.

12,322. (*Mr. Coleridge.*) You are not old enough to recollect any contest at Totnes without some money being spent?—At the whole of the elections which I do recollect there has been plenty of money spent. Being connected with the county court we find a difference in our summonses and bankruptcy matters.

12,323. (*Mr. Longe.*) You met him again and had some more conversation with him at the "Castle" inn?—Yes; that was the day of the tea meeting, when the foundation stone was laid of a school which is being erected by Mr. Pender.

12,324. What took place on that occasion?—We had a general conversation about the election. I said to Mr. Michelmore, "It is no joke now."

12,325. You told him your candidate was there?—Yes; that was Mr. Kennard.

12,326. At that time were the other party canvassing at all?—No, there was no one canvassing.

12,327. That was the time when you made a bet of ten shillings, was it not?—Yes.

12,328. On the 9th July, that would be on the Sunday?—Yes.

12,329. Did you meet him on that day?—He came into the smoking room at the "Seven Stars" hotel.

12,330. What took place on that occasion?—I did not see the poll book in the "Seven Stars" hotel myself. I had it to myself over at the "Seymour" hotel.

12,331. Was that after he had been to the "Seven Stars?"—Yes, after he had been to the "Seven Stars."

12,332. He came there on the evening of the 9th?—Yes. Mr. Michelmore's object in going into the "Seven Stars" hotel was to know whether the Conservative party intended to employ a lot of non-electors to watch the voters at night. There were a lot of municipal voters waiting to be hired so as to be employed at night. It is a privilege which they look for, to be employed to watch the voters at night. They look to be engaged in that way. If they are not so employed, when a municipal contest takes place they get annoyed and are up to all sorts of things. There was a large party of these men waiting to be hired. Mr. Michelmore's object in coming to the "Seven Stars" hotel was to know whether the Conservative party intended to hire a lot of these men, because if so they would have to do so on the other side.

12,333. About what time was this?—I should think it was between 9 and 10 on the Sunday evening.

12,334. Did he ask you to come out with him?—He first of all asked me to go with him to Mr. Owen's to have a tooth taken out. I refused to go, and then he went with Mr. Niner. When he came back he said he had had his tooth taken out. The parties who were in the room did not like his coming there, and thought he had come there merely as a spy. When we left the room we went outside the "Seven Stars," and he asked me to go to the "Seymour" hotel with him. I refused to go at first, but at length I did so, and on our way he said, "You will vote "us, Narramore." I said, "No." He said, "N "sense, you will," and he then offered me 100*l.*

12,335. Had he ever spoken to you before ab any particular sum?—Yes; about a month previo to the election I asked him if there was any chan a sub, and he said "If 50*l.* would be of any use to "I can get that sum for you." That I refused, and then offered me 100*l.*, and after that he offered 200*l.*, which I also refused. Then he said, "Woul "situation be of any use to you?" I asked him w sort of a situation. He said, "Would you like to "into a shop?" I think, as I stated before the Co mittee, he mentioned the names of some large drap in Manchester, and then he asked me if I would and see Mr. Pender. I refused. Then after so time he said, "Never mind, we will go in." We th entered the house and went into a sitting room ourselves.

12,336. You did not see Mr. Pender that night? I told Mr. Michelmore if he introduced me to Pender that I would not go into the hotel.

12,337. What took place after that?—We stayed that room together for some time, and I had a gl of grog, and he ordered some very extravagant ciga some eightpenny cigars, and we did things in respectable way.

12,338. What did you do after smoking your ciga —I did not smoke mine; I put it in my pocket.

12,339. What did you do then?—Mr. Michelm took out his poll book and said, "It is all nonsen "you will vote for us. I will show you what is "probable chance of Colonel Dawkins and Capt "Pim." Then we had some general talk about election. First of all I refused to see his poll boo because I thought that it would be unfair in me look at it, but he insisted on my reading over different names.

12,340. You have told all that you know ab that?—Yes; I have from my recollection. Capt Veitch will be able, no doubt, to tell you some of names which I have really forgotten, but those nam which I have given you are impressed on my memo There were others as to whom I gave information at the election was over, which information has sin turned out to be true.

12,341. You then left Mr. Michelmore and we back to the "Seven Stars?"—Me and Mr. Michelm were going down the steps when young Mr. Winde called Mr. Michelmore back, and after thanking said that he would see Mr. Michelmore home. I thoug as we had both to go towards the top of the town our homes that we might go over the bridge togeth

12,342. You went back again yourself to the "Sev Stars?"—Yes; and under the porch of the "Sev Stars" I saw Mr. Francis Kellock, and told him wh had taken place.

12,343. Upon the next day did you again see M Michelmore?—I saw him again the next morni about 10 o'clock; at that time he was canvassi with Mr. Pender.

12,344. Was there anyone else with him?—I thi the late Mr. Windeatt was with him.

12,345. Where was it that you saw him?—I thi that it was in Mr. Morgan's shop. Mr. Michelm did not go in, but Mr. Pender and Mr. Windeatt we into Mr. Morgan's shop. In the printed evidence is put as "Willis," but it was in Mr. Morgan's shop

12,346. Did Mr. Michelmore then again speak you?—He spoke to me, and asked me if I had co sidered the matter, and wanted to introduce me Mr. Pender. I told him that if he did he would ha a worse chance of getting me to the poll. I kn that he would never have my vote.

12,347. Had you told anything about this matter the other side?—Yes.

12,348. After the election did you again see M Michelmore?—Yes; on the Saturday after election.

12,349. Where was it that you saw him?—I s him outside our office in Fore Street.

2,350. Was it in a shop, or where was it that you him?—No; in the street.

2,351. Who were present at that time?—Some or five of us were present.

2,352. What did he say?—He had been talking it the blacklegs on both sides of the question.

2,353. Who were those whom you termed the acklegs?"—Those were men like old Matcham, persons of that class, who on the day of the ination stood beside Captain Pim and our party he hustings when we had the rotten eggs and r things thrown at us, and pretended to be our orters, but who the next morning went and d against us.

2,354. Are there any other names of that class h you can give us?—Yes; if you were to go the individual cases I might perhaps find a lred, or more.

2,355. Then will you give us some more names? o you mean of the different voters?

2,356. Yes; of those men whom you say took ey from the one side and afterwards voted on ther?—I did not intend to say that there would hundred of that sort.

2,357. How many do you think there would be of sort?—Well, there was Byne.

2,358. And Griffis?—No; that was wrong h was said about Griffis.

2,359. And Diggins, was he another of those? es.

2,360. Diggins was the man who had the money, as we understood afterwards sent it back?—He to have received a large sum of money for voting Colonel Dawkins and Captain Pim. I went over Screach's, at Bridgetown, to know what time ins was coming to the poll. We had to go to back premises, from whence we could see the es who were coming down the Exeter Road. ach had arranged with Diggins for so much y, and instead of coming down Fore Street I Screach must have gone the other way, for he met Diggins he told him that the election over, and that he could not part with the money; iggins did not get anything.

2,361. We understood from Screech that he did he money, and that he handed it back again?—might have been in the 1863 election. I mean Screach, not young Screach.

2,362. (*Mr. Longe.*) You were speaking of the when you saw Mr. Michelmore again?—Yes; I then reminded him of his having once offered bribe. We did not then consider ourselves n, because, if I remember correctly, I had heard el Dawkins say that he should petition.

2,363. Was that the time when he made the statement that you were a damned fool for not taking it?—I reminded him, of his once having offered me a , and he said, "Yes, you were a damned fool that did not accept it."

2,364. (*Mr. Bere.*) When you were at the Seymour Arms" with Mr. Charles Frederick Michelmore, did you go into a private room?—I did.

2,365. Did you pass near to the large room?—No, I did not.

2,366. Did you hear any noise going on there as number of people were present in that room?—I on that night.

2,367. Had you been in the "Seymour Arms" e that night, either on the Saturday or the ay, when you could have noticed the large room? o.

2,368. Had you not observed people going in and of that room; that there were lights in the lows, and persons in and out of that room constantly?—You could not see the large room.

2,369. But you can see the windows of the large from the bridge?—True; I did not take any [illegible].

2,370. You told Mr. Kellock about what had been to you. Used you from time to time make reports to Mr. Kellock?—To Mr. Kellock, Mr. Edmonds, and all the rest of them.

12,371. Whomever you saw first you spoke to about it?—Yes.

12,372. What other voters can you say that you told them about?—I do not know of any others in particular. As regards those who we thought doubtful voters, they were taken care of, supplied with meat and drink, and we put some of them to bed.

12,373. Do you remember the Saturday night before the election?—Yes.

12,374. Were you at the "Seven Stars" that night?—I was.

12,375. Did you see a large number of voters standing about in the neighbourhood of the door?—I think there was a grog meeting on that night.

12,376. Did you yourself attend that grog meeting?—I did.

12,377. Was it a pleasant agreeable sort of meeting?—It was a free and easy sort of thing; the people had tickets given to them to pay for their grog.

12,378. Where did they get the tickets from, do you know?—I think from the waiters at the "Stars," Mr. John Heath, and others.

12,379. From Brown and Clarke, and the other persons who were there?—I think Brown gave me my ticket.

12,380. For how many grogs did you have a ticket?—I think I could have had as many as I liked.

12,381. What did the tickets usually carry?—I should suppose it would have been worth sixpence; but I do not think there was any limit given.

12,382. The ticket was a free admission, and then they had as much grog as they liked?—I think first of all each voter had two tickets given to him; there were a lot of voters there with their friends who were non-electors.

12,383. Did you ever see Mr. Mum there?—I do not know anything of Mr. Mum.

12,384. Did you see a gentleman standing in the lobby at the bottom of the stairs?—No.

12,385. And did you see Mr. John Heath walking about between that gentleman and a number of voters who were there?—I saw Mr. John Heath about there repeatedly.

12,386. Did you see Mr. John Heath give any money to any one of them; or did you see anything pass from the hands of Mr. John Heath to the hands of any voter?—No.

12,387. Anything in the shape of a bag?—No.

12,388. You did not see him hand money or a bag to any one of the voters who were there?—No.

12,389. Did you ever go into room Number 13 at the "Stars?"—I do not know where that room is.

12,390. Where the mysterious stranger is said to have been?—No.

12,391. From whom did you ever receive any money?—I never received any, only in that one particular instance.

12,392. Was that the only voter whom you successfully bribed?—That was the only one during that election.

12,393. Had you anything to do with taking the men away from the town in 1865?—No.

12,394. Do you know anything about Griffis. You were going to tell us something about him?—I was sent to him to try and make some arrangement with him.

12,395. Why did they select you to try and make any arrangement with him?—I do not know; but I was sent to him to know about his voting.

12,396. Had you, or where you supposed to have, any particular influence over him; or how was it you were chosen to go to him?—I do not know that I had.

12,397. Had he been a client of Mr. Bryett's?—He has passed through the Bankruptcy Court, and I think we made up his schedule for him. I have known him ever since he has been in Totnes.

12,398. How long before the election was it that

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he passed through the Court?—I think it was about two years previous to the election.

12,399. Is he in business now, do you know?—Yes; he was turned out for voting against the Liberals by the Duke of Somerset; they put in a distress, and I think Mr. Bryett paid the rent for him.

12,400. When was that done?—I think it was some time previous to Mr. Dent's election.

12,401. Was it between 1862 and 1863?—I think so.

12,402. Do you think the distress was put in for the rent which would have been due at Christmas 1862?—That I really cannot tell you.

12,403. Do you know what was the amount of the rent?—I think it was some 30*l.* odd, which Mr. Bryett paid for him.

12,404. And who repaid that to Mr. Bryett, can you tell us?—It has never been repaid.

12,405. (*Mr. Coleridge.*) Do you know anything of Mr. Michelmore having offered Griffis as much as 50*l.*?—I do not know anything at all about that. I have asked him about his having had money from the Liberal side. I do not think he denies having had money from the Conservative side; but I do not believe that he had money from both sides.

12,406. (*Mr. Bere.*) Since the election, in conversations which you may have had with different people, have you heard them say what money they have received for voting?—No; as a rule they do not split upon those matters.

12,407. But have you heard since the election any persons say that they had received money for their votes?—No, I have not. I have since the Commission has been sitting.

12,408. Who have you heard make any such statements since the Commission. Give us their names?—I have heard Joseph Hannaford and others say so, who would be obliged to admit it.

12,409. Putting aside those, have you heard any others say anything of that sort who you think would not be obliged to admit it?—No.

12,410. Do you remember anything about the transaction regarding Edward Shinner in Mr. Bryett's office?—Yes.

12,411. Did Mr. Charles Frederick Michelmore instruct Mr. Bryett to prepare a contract for the purchase of Shinner's house?—I have been informed that he did.

12,412. You were not the conveyancing clerk in the office of Mr. Bryett at that time?—No.

12,413. It was a Mr. Hare who was the conveyancing clerk at that time?—Yes.

12,414. But there was no contract prepared by him?—No; Mr. Bryett told me that Mr. Charles Frederick Michelmore had asked him to draw up a contract.

12,415. For what sum; do you know?—For 400*l.*

12,416. Did you hear from Mr. Bryett whether he had communicated that to Mr. Smith?—No; on the Saturday before the election Edward Shinner and his brother from Torquay and Mr. John Heath and Mr. Smith called on Mr. Bryett between 3 and 4 o'clock, and asked if Mr. Bryett would prepare a contract for them for 400*l.* Mr. Bryett, having previously been instructed by Mr. Michelmore to prepare the contract, would not have had anything to do with it. Mr. Bryett had left his office before that.

12,417. Is that all that you know about it?—I have heard that 400*l.* was paid. I think that Mr. Shinner was nicely served in that transaction.

12,418. But Mr. Shinner got his 400*l.*?—Perhaps he would have had more for his vote.

12,419. Have you told us all that you know about the election of 1865?—Yes, I think I have; I do not remember anything more.

12,420. Do you know anything about the election of 1863?—I believe very little.

12,421. What do you know about the election of 1863?—I recollect being sent to Torquay by Mr. Edmonds to try and see a man of the name of James Fosbrooke.

12,422. Why were you sent to him? Was he a relation of yours?—No, he was not any relation; had been very friendly.

12,423. What was this man?—He had lived London for some years, and, as I understood, h accumulated some money. He came down here a purchased some property, which he afterwards turn into an hotel, called the "Dart" hotel.

12,424. Then had you been in the habit of f quenting that hotel?—Yes, I had.

12,425. And you knew him in consequence?—Ye he had been a client of Mr. Bryett's.

12,426. And you had made his acquaintance?—Yes.

12,427. You say that he had left Totnes and go to live at Torquay?—Yes, he had gone to Torquay

12,428. And it was considered that you would the best person to go there and see him?—Yes.

12,429. Did Mr. Edmonds tell you what you w to say to him?—He told me that I was to go to hi and to make the best bargain that I could with hi

12,430. And will you be good enough to tell what arrangement you did make with him?—T arrangement that I made with him was, that he w to have 50*l.*

12,431. Was that 50*l.* given to you?—No; I t him that if he would come over to Totnes the nig before the polling day, and sleep at the "Seven Star hotel, that he would receive his money.

12,432. And did he come over to Totnes?—He d

12,433. And do you know whether he got t money which you had promised to him?—I belie that Mr. George Heath paid him.

12,434. He had voted all right for their party?—Yes.

12,435. When you came back from Torquay d you report to anyone that you had been sucsess with him?—I did; but I think not on the sa night.

12,436. Did you receive any money during election in 1863 yourself?—I was not a voter then

12,437. I mean did you receive any money your services?—I am sorry to say that I have b out of pocket by politics.

12,438. But you have exercised your influence the good of the cause in getting the votes of othe —Yes, and in paying his rates to get Mr. Ha returned for the Burial Board.

12,439. Do you know anything about Dent Pender in 1862?—No; I recollect the occasion w Dent would not go to the contest, seeing the wo with baskets at the "Seven Stars" ready to take money.

12,440. Was that the day of the election?—night previous to the polling.

12,441. Is that when Mr. Kellock had gone to "Seymour Arms" to see Mr. Cuming?—I do know whether he went to the "Seymour Arms," I recollect an occasion when there was a talk ab it, and it was said if Mr. Dent did not oppose Pender then, when Lord Gifford died, at the n election he was to come in, but Mr. Cuming w not hear of it.

12,442. If he did not oppose Mr. Pender he wa be returned when Lord Gifford died?—Yes.

12,443. But Mr. Cuming refused that?—Yes.

12,444. There was a great deal of expectation disappointment?—Yes; fairly disappointed.

12,445. (*Mr. Longe.*) What number of women w there down at the "Seven Stars"?—I should t five or six. The voters were lying about in all di tions waiting for money.

12,446. (*Mr. Bere.*) Only five or six women Yes.

12,447. The noise chiefly proceeded from five or six women?—I do not know.

12,448. How many were there altogether?—haps 40.

12,449. (*Mr. Coleridge.*) The women make most noise?—Yes, the women put the husband bed.

2,450. Probably drunk?—We cannot get the
unless we have the wives. The money is paid
most instances to the wife.
2,451. Did Mr. Bryett ever object to this way of
r spending your time at the election?—What I
e done has been generally after office hours.
2,452. I suppose Mr. Bryett knew what you were
ut?—He would not interfere with me.
2,453. He knew what you were doing?—I do not
w; I did not mention it.
2,454. Did he tell you of it?—He has told me
e that I ought not to have forgotten myself.
2,455. But has he at the time?—No.
2,456. Has he asked you what sort of luck you
?—No. At the different elections I used to make
a poll book.
2,457. Have you got it?—No.
2,458. You used to talk to Mr. Bryett about this?
Sometimes.
2,459. Mr. Bryett did not object to your doing
?—No.
2,460. He thought you a useful member of the
ough?—He is a strong Conservative; no doubt
ut that.
2,461. Mr. Hare knew what you were about?—
doubt.
2,462. (*Mr. Longe.*) Who acted on the Liberal
e besides Charles Frederick Michelmore?—Mr.
indeatt and Mr. Michelmore at Newton.
2,463. Who took the principal part in operating
n the voters on the other side, the Liberal side?
There were several, Mr. Parnell and others; you
ve heard the names?

12,464. Yes; but those most prominent to your knowledge?—I cannot give you any other names; you have already got them.

12,465. Who do you think yourself was the person who did most in arranging the prices?—I should think Mr. Thomas Jacob Searle and Mr. Parnell, and several others.

12,466. (*Mr Bere.*) You said before the Committee that you told Mr. Michelmore that if there was no contest you had better order fifty bankruptcy petition stamps?—I did.

12,467. It makes a great deal of difference to you?—Yes, a great difference in one's salary.

12,468. An election is not a profitable business for you?—No; I would rather not have any.

12,469. Have you anything more to say?—No; but I should mention one fact, that when in London, at Baxter, Rose, and Norton's, Mr. Spofforth said that 15,000*l.* had been offered for a compromise. I do not know where he got the information from.

12,470. Who did he mention it to?—To me and Mr. Bryett. We went to Baxter, Rose, and Norton's, and Mr. Spofforth said, "By the bye, we have been "offered 15,000*l.* from the other side for a compro-"mise."

12,471. Did he say where he had it from?—No.

12,472. You are not mistaking 15,000*l.* for 5,000*l.*?—No, I am certain it was 15,000*l.*

12,473. You thought that ought to have been accepted?—No, I did not.

12,474. You would not, like Mr. Harris, have a share of the 15,000*l.*?—No.

Mr. GEORGE HEATH sworn and examined. *Mr. G. Heath.*

12,475. (*Mr. Coleridge.*) When did you begin
ctioneering?—At Mr. Dent's second election. I
s at home and saw that scene which Mr. Narramore
s described.
12,476. 1863 began your experience?—Yes.
12,477. Now, first of all, about 1865, do you recol-
ct Mr. Mum coming to your house in 1865?—No.
12,478. You knew there was a mysterious stranger?
I knew there was, but I had nothing to do with it.
12,479. You knew there was such a person?—I
new there was, but I knew nothing of him.
12,480. On the last occasion, during 1863, did you
now of him?—I only knew from what I heard.
12,481. Who told you about there being a Mum;
ur father?—I should think father or Mr. Edmonds.
12,482. Did Mr. Smith ever tell you?—No; I do
t know that I had any conversation with him.
12,483. We have heard that the first start is to
ear the bills off?—Yes, that is the first.
12,484. What had you to do with Mr. Harris' bill?
He came to me at the 1865 election and told me
ere were about 55*l.*, between 55*l.* and 56*l.*, I will
t be certain which, due to different tradesmen
hom he had ordered to make 7*l.* or 8*l.* houses into 10*l.*
uses by laying out a certain sum of money. When
stated the amount I went to see my father or Mr.
dmonds, and got 56*l.* Whether Mr. Harris gave me
y change, or whether he kept the 56*l.*, I do not know.
12,485. Was it your father or Mr. Edmonds?—I
ould not be sure, but to the best of my belief I
ould say my father.
12,486. How long was that before the election?—
think on the nomination day.
12,487. Was it as late as that?—I think it was.
12,488. Are you sure that it was; was it not
rlier?—No, I think not.
12,489. This was in 1865?—Yes.
12,490. Did you take Mr. Harris' I.O.U.?—I
ink I took his receipt; a stamped receipt.
12,491. This is it; "Received from Mr. Edmonds
the sum of 55*l.* 13*s.* 10*d.* Robert Harris." Is that
e receipt you took from him?—Yes.
12,492. There is a man named Coombes; had you
nything to do with him?—Not at that election.
ou are confusing 1865 and 1863.

12,493. Do you know anything of Francis Coombes; about some offer having been made to him?—Not in 1865.

12,494. You know anything of Nicholas Browse in 1865?—I understood that Browse would vote for Dawkins and Seymour; he was disgusted with Mr. Pender.

12,495. Why was he disgusted?—I do not know; he was disgusted, and I understood an offer was made to him that if he would vote for Colonel Dawkins and vote for the duke's man, being a tenant of his, he would have 50*l.*

12,496. Did you offer the 50*l.*?—No.

12,497. You were canvassing?—Not much.

12,498. What was your department?—Only to pay what we call the watchers.

12,499. They were not electors but municipal voters?—Yes.

12,500. How much have you paid them?—I have paid them between 22*l.* and 23*l.*

12,501. Are these municipal voters or watchers always selected?—Yes.

12,502. I will ask you about the municipal voters afterwards?—I can give you a great deal of information.

12,503. Are you sure that it was in 1863 that this took place about Francis Coombes?—Yes.

12,504. John Diggins?—He was at the "Stars" the night before in terrible consternation.

12,505. What had consternated him?—He looked excited.

12,506. Had he been drinking?—No; but he came in the night before the polling day and gave me to understand that he would vote for 25*l.* for Colonel Dawkins, one vote.

12,507. Did you tell him you would get him the 25*l.*?—No; I knew the shop was shut.

12,508. Were there any more that were manipulated in the election of 1865?—I do not think that I have missed any, and I have been over them carefully.

12,509. In 1865?—Yes; I think I gave a man called Barker 15*l.*, who works for Mr. Bentall.

12,510. Did you take his I.O.U.?—Yes.

12,511. In a regular businesslike form?—Yes.

12,512. And that is the I.O.U.?—Yes.

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12,513. How did Barker vote?—I understood he voted right.

12,514. Where did you get the 15*l.* from?—From my father.

12,515. Who else was there?—I think there were two others on recollection to whom I paid 20*l.* each. They were engaged for a week before the election, and I paid them about 20*l.* each, and took an I.O.U. Samuel Saunders, the shoemaker, and Samuel Hilley, a shoemaker; they were both engaged, and I did not consider 20*l.* out of the way.

12,516. And they voted all right?—Yes; they were employed beforehand.

12,517. When was it that they had their money?—I am not exactly certain.

12,518. Early in the election or late?—Whether they had it after they had voted or not I do not know.

12,519. If they were paid after they voted they would come under the category of matter-of-course men?—Not Barker, but Saunders and Hilley were employed in the election for a week beforehand to run errands, and so on, and they were paid about 20*l.*

12,520. What would have been a fair remuneration; a guinea?—About a guinea a day in election times, I should consider.

12,521. That would be about five guineas and 15*l.* bribe?—Yes; perhaps about that.

12,522. Did you see incessant treating going on? Not at my house.

12,523. At your father's house?—Yes.

12,524. Do you keep a public house?—No; I should hope not.

12,525. You are an auctioneer?—Yes.

12,526. But you were in and out frequently?—Yes.

12,527. And you saw unlimited treating?—Yes; but I do not interfere much; I am married now.

12,528. (*Mr. Bere.*) Is Mrs. Heath a Liberal?—She is a Liberal as all Conservatives are.

12,529. Do you agree with your father that you want the ballot and electoral districts?—Yes, I do; I think it would be better.

12,530. (*Mr. Coleridge.*) What do you know about money; did not Edward Woodley distribute any in 1865?—I do not know that he distributed any.

12,531. In 1863?—I understood that in 1863 he paid two or three parties whose names I do not know.

12,532. Do you know what Heard did in 1865?—No.

12,533. (*Mr. Bere.*) What would be your definition of a Totnes Conservative; a man who is opposed to the Duke of Somerset? Would not that be a good definition?—Yes, I think it would; I think there are many who vote for the Conservatives on account of the duke's tyranny.

12,534. (*Mr. Coleridge.*) Was not Woodley a distributor of money in 1865?—I do not know; I know little about it.

12,535. Do you not know of cases?—No.

12,536. Nor have heard of any?—No.

12,537. Do you in 1863?—Yes; I believe he paid two or three men.

12,538. Have you anything more to say about 1865?—I do not know of anything except the watchers.

12,539. And those three men?—Yes; and I paid Harris.

12,540. Is that all that you had to do with it in 1865?—Yes.

12,541. In 1863 you were more active, were you not?—Yes, I was.

12,542. In 1863 did you go about canvassing?—I used to go out with the candidates.

12,543. How long before the election did you begin operations in 1863?—I think not more than a week or ten days.

12,544. Did you take any particular part of the town, or did you go about everywhere?—I went to particular voters.

12,545. Those whom you thought you had some influence with?—Yes; those whom I thought I could influence.

12,546. As to William Byne?—I paid 80*l.* for his vote.

12,547. Why did you give him so much as that?—He was a Rad.

12,548. And had turned round?—Yes; and he was a tenant of the duke's.

12,549. And had turned round?—Yes.

12,550. Did he vote all right?—Yes; he took some land belonging to Mr. Dent at a valuation of Mr. Page's, the land surveyor, here.

12,551. At rather a lower valuation, I should suppose?—No; the highest valuation of the two. Mr. Henry Hamlyn, the agent of the owner, valued the estate for the landlord, and Mr. Page for Mr. Dent; and it so happened that Mr. Page's valuation was higher than Mr. Hamlyn's, the tenant's higher than the landlord's; and he agreed to take it at the lowest valuation.

12,552. As to Byne, did you pay him at once?—I handed him the money, and he handed me back 40*l.* as part security for the first 12 months' rent.

12,553. Did you hand it to him in gold and take his I.O.U.?—Yes.

12,554. Where did you get the money from?—From Mr. Edmonds.

12,555. From Mr. Edmonds direct?—Yes; I never had any from anyone else.

12,556. Was there a Mr. Mum then?—Yes; I did not see him.

12,557. Where you living at that time, in 1863, in your father's house, at the "Seven Stars"?—Yes.

12,558. Can you recollect whether there were two Mr. Mums?—I do not know anything of Mr. Mum in 1863, or in 1865, or at any time; I went to Mr. Edmonds direct, and he went upstairs and got it.

12,559. Blackler what did you give to him?—I think 50*l.* to the wife; she was a great drunkard; she is since dead; she was then lying in bed, she wanted 20*l.* for herself for drink, that I paid her making 70*l.*; he had 50*l.*, and she had 20*l.* for drink.

12,560. Did you take his receipt also?—I do not know that I did.

12,561. Did you take his wife's receipt?—I did not take his receipt.

12,562. His wife's?—No; it was an understood thing; she was ill in bed, tight as she could be.

12,563. William Ellis?—He would have been turned out of the duke's land if he had voted for the Conservatives, and I let him three or four meadows at 1*l.* or 2*l.* under Mr. Page's valuation.

12,564. A pound or two upon the meadows, or a pound or two an acre?—On the land itself. Supposing the value of it was 33*l.* a year I let it to him at 30*l.* a year; whether I gave him 30*l.* or 40*l.* I really do not know.

12,565. You did not get his receipt?—No.

12,566. There is a man named Mitchell rather a high figure. Did you give Mitchell 80*l.*?—No.

12,567. What did you give him in 1863?—I think 3*l.* at one time and 22*l.* at another.

12,568. 25*l.* in all?—Yes.

12,569. Did he vote all right?—I gave it to his brother to carry to the voter.

12,570. What was Mitchell's christian name?—William.

12,571. The other was not a voter?—No.

12,572. Did the brother or the voter give you a receipt?—No.

12,573. He voted all right?—Yes.

12,574. Marks?—I think he is a matter-of-course man, and he might have 20*l.* or 25*l.*

12,575. After the election?—No; I think before he voted.

12,576. As to the "matter-of-course" men, we have heard contradictory statements; do you know that they vote as a matter of course, and then the money is sent?—No, I do not think so. "A bird in the hand is worth two in the bush" is the motto of the Totnes men, and I do not think three out of the lot would vote without the money beforehand.

12,577. If they vote before they are matter-of-course men?—I do not think there are any.

,578. Mr. Gill?—I do not know anything about

,579. Did you not give him 5*l.*?—I recollect ng a man called Gill, but whether it was to a g gentleman for paying some expenses I do not ; he was not a voter.

,580. Richard Tilley?—I would not be positive t him, but I think I paid him 20*l.*

,581. Before or after?—Before.

,582. You got all this from Edmonds?—Yes, I a mistake; I paid a man named Fitzpatrick; Narramore called my attention to it.

,583. Williams, of the "Waterman's Arms"?—r 25*l.*

,584. A matter-of-course man?—He always l right.

,585. Those names were given to you by Mr. onds?—Not all to me at once; he would give single name at a time.

,586. And you go to Mr. Edmonds and say, I I can do so and so?—No; the rest were all

,587. Where did Mr. Edmonds get his informa-?—Edmonds knows a good deal; he is up to the with regard to Totnes people.

,588. He does not want any teaching from you y one else?—He is an older hand than I am.

,589. Bowden?—He is a man who keeps an inn, I believe I paid him 15*l.* or 20*l.*, to include an int running up at his house. He is a man who s votes right.

.590. Who else?—Farley, New Passage.

.591. Did you pay him?—Yes.

.592. There is another Mitchell down here, 25*l.* l.?—It is the same man.

.593. There is a name before Bowden?—That is ses, 4*l.*

.594. Those are your own?—Yes.

.595. Did you pay a Mr. Crocker a tavern ac-?—Not for the borough election, I think.

.596. That was for the municipal?—Yes.

,597. Is there anything else you want to tell us 1863?—I do not know that there is.

,598. About Mr. Woodley?—I cannot tell you. ieve Mr. Woodley paid one or two men; but he ome forward and state it.

.599. Do you know what Heard did?—No, I knew of Heard's name being so prominently ht forward as now.

,600. Do you know John Briggs?—Yes.

601. Did he have money?—Perhaps Mr. Screach s.

602. Now about 1862?—That is the scene that n described. There was one man saying, en are they going to begin?" I remember I ust gone through an examination at Cirencester ge, and I came home to vote for Mr. Dent. I letter from my father to say I was to come . It was excessively inconvenient. I came on the nomination morning, or the morning e. Very few people about at that time knew me, I had been away for some time.

.603. You were not Mr. Mum?—No. I did ng in the election. I was sitting on the stairs. recognised me, and there were few I recognised; heard one wife say to her husband, "Mind, not han 100*l.*," and one man said, "When are they to begin?"

,604. Was Mr. Edmonds there?—No.

,605. Nor Mr. Kellock?—No.

.606. Screach?—No; they kept out of the way. saw it was hopeless to begin, and it was the laughable affair I ever saw.

.607. Do you know that Mrs. Hannaford had offer at an election of 100*l.*?—I do not know. aps it may have been she who said to her d, "Not less than 100*l.*"

.608. When did you begin as treasurer of the ipal elections and master of the ceremonies?— the Conservative party began to contest it. There were 15 Liberals in the Council and one Conservative.

12,609. (*Mr. Bere*) When was it that the Conservative party began?—I should think five or six years ago. I believe Mr. Edmonds won the first battle. No money was spent on either side.

12,610. When was that?—1857 or 1858. No money was spent on either side at that time.

12,611. Were there four candidates on each side?—Yes. Three conservatives were carried, and one Liberal got in over the lowest Conservative, Mr. Bastard.

12,612. Was that the time that Mr. Mitchell stood?—No; Mr. Hannaford, Mr. Bentall, and Mr. Edmonds, and Mr. Bastard stood on the Conservative side. Mr. Fogwell was the one who was elected on the Liberal side. Who the others were I do not know.

12,613. No money went about?—No. The expenses of our four candidates were about 4*l.* or 5*l.* each.

12,614. It was confined to the half-crown and the breakfast?—No breakfast, only the half-crown.

12,615. Then came the contest?—Yes; that was the time when there was a dead heat between Bovey and Huxham, and the mayor gave his casting vote.

12,616. When was the next? In 1863?—I think the greatest battle I recollect, and the one I was most concerned in was when Mr. Kellock, Mr. Bastard, Dr. Owen, and my father fought. I had of Mr. Bastard before the election 40*l.*, and from my father 20*l.* and 30*l.* I am not certain about Mr. Kellock, what I had from him.

12,617. Something like the same sort of sum?—I do not think I had from him or Dr. Owen. I advanced sufficient to carry on the election out of my own pocket beyond what I received, and afterwards I handed the accounts to the auditor.

12,618. How did you spend it?—In bribery.

12,619. To whom?—The first I gave to was John Light; he never voted without money; he voted one way at one time, and another the other. Then Worthy, a runner, up at the top of the steps, he would take 5*l.* or 6*l.*, or anything he could get. I secured him for 4*l.*, and took him up to the poll.

12,620. Did you buy John Sandford Screach for 40*s.*?—No; I used to give him money to go to pay to others, and for refreshment at different houses.

12,621. And at Screach's father's house?—Yes.

12,622. In 1859 what did it cost?—I think it cost us 200*l.* and odd then. Father's must have been the most expensive, I daresay 150*l.*

12,623. Can any election be carried at all in Totnes without money?—If it is fought without money the Conservatives would have a majority; if it is fought with money they go at one time on one side and at another on the other. They are brought to the poll in a state of intoxication to the polling booths, and they do not know who they vote for.

12,624. Who makes out the papers?—Generally the partizans. I met a man at this door with a Conservative paper in his hand, and a Liberal paper was put in his hand, and he voted that way. I have given 1*l.* and 30*s.* each, that is the most with the exception of Light's. The borough voters are also municipal voters.

12,625. Do they take money as well as the lower class voters?—They do.

12,626. It is a usual thing?—Yes.

12,627. At the election of 1863 who did you get the money from?—I took everything from Mr. Edmonds.

12,628. You saw nobody else?—Nobody else.

12,629. Before you began to work the Liberals were in a majority?—They had 15 out of 18; the Conservatives let everything go by the run.

12,630. There had been no bribery at that time?—There had before; I think in Mills' time.

12,631. When the Liberals were in the majority there was no bribery?—They had money and we had not; they always have money; they had Mills' and Bastards'.

12,632. Had there been any contests for the council

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seats before this?—Oh, yes, the Conservatives at one time had it, when they had a member; when Mr. Baldwin was member; they also a majority when the Liberals had a member.

12,633. It was not till 1852 that Totnes lost Mr. Baldwin?—I believe the moment they lost Mr. Baldwin they lost the majority.

12,634. Between 1852 and 1857; you say in 1857 there was no money spent?—No.

12,635. Do you remember any contest between 1852 and 1857?—I do not remember that; that is before I can remember.

12,636. Is this the sort of account you used to have rendered to you: "John Croker, tavern account; "Master G. had 5*l.*; Joseph Shinner, 1*l.*; James "Timewell, 1*l.*; James Holman, 10*s.*; beer for "men, 1*l.* 19*s.* 0*d.*; turnpikes, 1*s.*?—Yes, that is the "sort of account."

12,637. Who is Master G.?—That is me.

12,638. Was that 5*l.* given to you?—Given to me.

12,639. How, is that an account opened with you?—Supposing I was short of cash and wanted 5*l.*, they would let me have it.

12,640. John Briggs, was he a voter?—Yes.

12,641. A borough voter as well as a municipal voter?—Yes.

12,642. Are all these names that are mentioned as bought by you; first, John Briggs?—No.

12,643. John Reynolds?—No.

12,644. William Baker?—No.

12,645. John Butcher?—No.

12,646. Robert Mogridge?—Yes.

12,647. Samuel Chidley?—He was not.

12,648. Winsor?—No.

12,649. Edward Shinner?—I polled him.

12,650. In what position of life was Chidley?—runner; he deserved all he had, he worked hard.

12,651. Edward wanted 2*l.* for his vote; Willi only got 1*l.* 10*s.*?—No.

12,652. Blank was a moderate one, he want 1*l.*?—Last time he had more.

12,653. Were you one of the party who went out 1865 to Chamings, Drew, and Ruby?—I do not kn where they lived.

12,654. To his brother John?—I never went Chamings.

12,655. Did you go after the election to see Willi Byne, after the 1865 election?—No, sir.

12,656. After the petition?—Oh, yes; I believe did.

12,657. Did you offer to buy a rick of hay?—No.

12,658. It was known there was going to be petition; did you go and see William Byne?—N sir, I do not recollect; I may have offered to buy rick of hay he had, but he offered me the hay first.

12,659. What was it worth?—About 30*l.*

12,660. Did you not offer him a good deal more? I do not think I did.

12,661. Did you recommend him at the same ti to tell the truth?—Yes, he came to my house, an says, "I shall out with the whole truth; I shall it all out;" that is just my remark.

12,662. Is there anything you want to tell us m than you have told us?—No, I think you have ask me all I know about the municipal elections.

12,663. You, of course, cannot tell when the syst of creating votes was first adopted?—No; but I kn it is adopted now to a great extent; there are scarc half of them real and *bonâ fide* votes.

12,664. Have you looked after the registratio all?—No.

Mr. G. R. Stone.

GEORGE ROBINS STONE sworn and examined.

12,665. (*Mr. Longe.*) When did you first take part in an election here?—I always felt a great interest in it from a boy.

12,666. What are you?—I am a shoemaker.

12,667. A master shoemaker?—Yes.

12,668. How long have you had a vote?—Since 1860; that was the first time I was on the poll list.

12,669. What was the first election at which you voted?—I first voted in the council election of 1861.

12,670. At what borough election did you vote?—In 1862; I was one of the five who voted for Mr. Dent.

12,671. Did you get anything for that?—No, sir.

12,672. Were you asked by either side?—Yes.

12,673. Were you offered any sum?—Yes.

12,674. On which side?—On the Liberal side.

12,675. Who offered it to you?—A stranger; a man whom I do not know tapped me on the back as I was standing looking over the bridge. He said, "Is "your name Stone?" I said, "Yes, it is." He said, "How are you going to vote?" I said, "I promised "Mr. Dent, and I intend to stick to my promise;" he said, "Would 100*l.* be of any use to you to vote for "Mr. Pender?" I said, "No, nor yet 200*l.*"

12,676. Was anyone with you; how did he know you?—I do not know; I suppose I had been seen standing on the bridge; there were always lots of people at election times standing on the bridge.

12,677. (*Mr. Bere.*) Can you give us a description of the man?—No, it was dark.

12,678. (*Mr. Longe.*) How could he know you?—Very likely a runner told him.

12,679. Had he been down some time?—I never saw him before or since. That was the only offer I had at an election.

12,680. Did you take any part for the Conservative side in the election?—No, I did not.

12,681. At the next election, 1863, what part did you take then?—I took no part beyond voting.

12,682. At the election were you canvassed by either side?—Yes; I first signed a requisition to Mr. Dent to come forward again after Earl Gifford died.

12,683. Who asked you to sign it?—I was aske sign it.

12,684. Who by?—Mr. Harris. I was pass down the street, and Mr. Harris went into Woodl house, and asked me to sign, and I did.

12,685. Were you canvassed by anyone else Afterwards, before Mr. Dent came down, Mr. Gill and Mr. Edmonds called on me and asked me would support Mr. Dent. I said, "Yes, certai "I signed the requisition and I consider myself in "bound to support him, and I will do so."

12,686. You never asked for any money?—certainly not.

12,687. Had you any money offered you?—Yes

12,688. Did anyone offer you anything on Conservative side?—Yes, they gave me 20*l.*

12,689. You had never asked for it?—No.

12,690. How was that?—I will tell you why I the vote. They sent me 20*l.*, Frederick E brought the money; if I omitted to state this it unintentionally. I told you I voted in 1861; I v for the Conservatives, and I did so because I had the tyrannical way in which the Duke of Some agents had driven the voters to the poll; I felt gusted at it, and I determined the first time I h vote they should find out they could not depend me. I should tell you I was put on the muni register before I was entitled to go on, they thi I was a Liberal man.

12,691. Who were acting in that way to put on?—The overseers for the parish of Berry Pon manufacture a list of voters there as they proper.

12,692. They make up the lists of voters?—and hand them to the town clerk.

12,693. For the manor of Bridgetown?—Yes.

12,694. (*Mr. Bere.*) If you do not choose, a not object to be put on it is your own fault i came before the barrister?—Yes; I had see Conservative agent before that, and gave hi information that I was on the list, and he to

at if I was objected to, it would be their own fault.

12,695. (*Mr Longe.*) You voted?—Yes.

12,696. Was any offer made to you by the other de?—In 1863?

12,697. Yes?—No; they did not canvass me in 1863 all.

12,698. Did you act then for the Conservative arty?—No, I did not.

12,699. Did you not?—Oh, yes, I sent one of my pprentices; quite as a joke. Someone next door to e called Farley I asked to come out to me; I said my apprentice, I am going to have a bit of fun ith old Farley. I called on him one morning and I id, "Farley, how are you going to vote?" He said, You know I live in the duke's house; I am bound to support the duke." I said, "Well, look here now, will 200*l.* be of any use to you to vote for Mr. Dent?" ie said, "I cannot tell you now, I will see you again."

12,700. (*Mr. Coleridge.*) Bribery is rather a rious and dangerous experiment to joke on in otnes?—I daresay it is.

12,701. (*Mr Bere.*) You may very easily let a man with an offer of a bribe?—I do not know that; he es not consider it a job till he has got the money.

12,702. (*Mr. Coleridge.*) Till his hand is closed?—That is it.

12,703. (*Mr. Longe.*) In 1865 you were employed y the Conservative committee?—No, I was not employed; I volunteered my services.

12,704. They were accepted and you acted?—Yes.

12,705. Who did you volunteer your services to?—volunteered them to Mr. Harris.

12,706. Who did you communicate with; only Mr. Harris?—Only with Mr. Harris.

12,707. Throughout the time you were acting?—Oh, no; I was asked to do various things many times.

12,708. Afterwards who did you deal with? Who were the persons?—I principally distributed the bills nd circulars for the electors and the addresses.

12,709. That sort of general electioneering business?—Yes.

12,710. You saw Mr. Mum?—Yes, twice.

12,711. At the "Seven Stars?"—Yes.

12,712. Where was he?—In the lobby. I should ay the Saturday before the election was the first time saw him.

12,713. Let us have your description of him?—They have given a truthful description of the gentleman, with black hair and light whiskers.

12,714. Old or young?—A middle-aged man.

12,715. Can you tell whether his hair was natural?—I believe it was a wig.

12,716. You were sent to him by whom?—No one.

12,717. It was accidental?—Yes, quite; somebody old him my name was Stone.

12,718. He knew who you were?—Yes; I was about there all day long.

12,719. What did you do under his direction?—He said, "Do you know a man named Kellow; are you friendly with him?" I said, "Yes." He said, "Can he be got?" I said, "I do not know; I think he can." He said, "Go and offer him a tidy sum of money; put a sticker into him." I said, "What do you mean?" He said, "Offer him 150*l.*; go to that." I did so.

12,720. On the Saturday?—Yes, before the election.

12,721. Did you get him?—No.

12,722. How was that?—He said he would consider of it and see me again.

12,723. (*Mr. Bere.*) Is that person an eating-house keeper who works for Mr. Condy?—That is the man.

12,724. That is a rather large sum for him?—It was considered that as he was working for Mr. Condy and Mr. Condy being a member of the Liberal committee, he would get money on the other side, and if he was got he was worth two.

12,725. (*Mr. Longe.*) You failed?—Yes.

12,726. He did not accept it?—No.

12,727. Did you see him on the morning of the election? Did you see him more than once?—Yes, on the morning of the nomination.

12,728. What did he tell you then?—He would see me again, but he did not.

12,729. Did he intimate that offers had been made by the other side?—No, he did not.

12,730. Did he say anything about being afraid of Mr. Condy?—No.

12,731. Did you see him in his own house?—No, in the street both times.

12,732. To whom did you communicate that?—To Mr. Mum.

12,733. No one else?—Yes.

12,734. Did you see Mr. John Heath down on Saturday night in the lobby?—No, I went home early that night.

12,735. At what time was it Mr. Mum spoke to you?—At about 6 o'clock in the evening.

12,736. Do you know Mr. Smith by sight?—Yes; I saw him in the ball room the night of the public meeting, the night after the volunteer meeting.

12,737. (*Mr. Bere.*) Was there a little drinking going on after the public meeting?—Yes.

12,738. Did Mr. Smith stay at the meeting?—I do not know. He addressed the meeting. I do not if he stayed long.

12,739. Did you see him in the lobby with Mr. Mum?—No, I did not.

12,740. (*Mr. Longe.*) There was another man of the name of Crawford?—Yes.

12,741. What did you offer him?—I offered him 30*l.*

12,742. On the nomination day?—Yes.

12,743. Who sent you to him?—The same man.

12,744. You did not succeed with him?—No.

12,745. You saw him?—Yes.

12,746. You went twice or once?—I went once, in the afternoon of the nomination day.

12,747. Did he give you a reason for not accepting your offer?—He said he was offered 200*l.* on the other side, and if he could not get it he would be there in an hour at the "Stars."

12,748. I suppose he got it?—I suppose so.

12,749. He did not say who offered it to him?—No.

12,750. (*Mr. Bere.*) Did you ever yourself receive money from Mr. Mum?—No.

12,751. You were only promised it?—No.

12,752. You never paid any yourself?—Never a farthing in my life.

12,753. Who should you have looked to for it if it had been accepted by the voters?—I should have gone back and tried to see the man again.

12,754. Not Mr. Edmunds?—No.

12,755. (*Mr. Longe.*) Are those the only cases you were employed to deal with at all?—Those are all.

12,756. The last time you were distributing circulars?—Yes.

12,757. (*Mr. Bere.*) Had you ever been employed at any election before in distributing money?—No, I never paid a farthing for a vote.

12,758. You were paid for your services?—I was not.

12,759. In 1863 you got 20*l.*?—Yes.

12,760. Not in 1865?—No.

12,761. (*Mr. Coleridge.*) You did not treat it as matter-of-course money?—No, I did not.

12,762. We have been told that the 1863 election was all over, and Mr. Dent withdrew the night before; how came you to vote?—I voted directly the poll opened.

12,763. How long afterwards did you hear that he had withdrawn?—Half an hour afterwards I saw Mr. Kellock. He was standing at the "Stars" door, and I heard him say, "Stop the votes; the election is "over, and it is not worth while to keep the poll "open."

12,764. They kept voting for Pender to make a show?—Yes.

12,765. How long did it go on?—All the day.

12,766. Where is your house now?—In Victoria Street, Totnes.

ELEVENTH DAY.

Mr. G. R. Stone.

4 Sept. 1866.

12,767. You did live at Bridgetown?—Yes, I did; they came in an underhanded way and got me out.

12,768. How did they get you out?—I lived in a house belonging to a lady called Gilbert, and she held the house during her life. After her death it came to her sister, a Mrs. Honey, and her husband was a strong Liberal, and to get me out someone connected with the Seymour interest, I believe, came forward.

12,769. Do you know who that someone was?—I can produce the notice to quit, which is one of the duke's notices.

(*The witness handed in the following document:*)

"To Mr. George Robins Stone.

"I hereby give you notice to quit and deliver up, on or before the 25th day of March next ensuing the date hereof, or at the expiration of the current year of your tenancy, the possession of all that dwelling-house and garden, with the appurtenances thereto belonging, which you now hold under me, situate at Bridgetown, in the parish of Berry Pomeroy, in the county of Devon; and in failure thereof I shall require and insist upon your paying thenceforth for the same double the yearly value thereof for so long time as you shall keep possession of the said premises after the expiration of the said notice, according to the form of the statute in such case made and provided.

"Dated this twenty-seventh day of September 1864.

"Thomas Honey."

12,770. It is one of the printed forms?—Yes.

12,771. You have seen some of the duke's notices?—Yes, I have, I compared it with the notice in this room. In fact Mr. Honey had told me that the duke's agent had bought the life interest of him on purpose to get me out of it, and then to put two or three cottages together in the rear of the premises to complete the two, and make votes of the whole.

12,772. That has not been done?—There is only one vote there now; the cottages have not been put together.

12,773. (*Mr. Longe.*) When you say the tyranny of the duke, you do not mean the former landlords have used the land and filled it up with votes for the particular party?—Yes, I do.

12,774. That is not what is meant by tyranny; what do you mean?—I mean at the council election of 1859. I was most particularly struck with this; I was coming across the bridge on the morning of the poll, on the 1st of November, and I saw Mr. Callard and Mr. Elliott and 30 or 40 men driving them up to the poll. I thought to myself, "These men call themselves Liberals; this does not look much like it."

12,775. How do you mean that two managed to drive 30 or 40?—They had taken them down to breakfast, and I daresay they had had some of "all nations." They walked up very comfortably; those two were obliged to go with them, for fear of passing the "Stars," and some of the ducks in the flock should desert.

12,776. Do you know who was employed to distribute money in 1865 on the Conservative side?—I do not know more than the others,

12,777. Frederick Evens?—Yes.

12,778. Screach?—Yes.

12,779. George Evens?—Yes, I have heard so.

12,780. John Heath and George Heath?—I do not know, only what I have heard.

12,781. As far as you know, was it distributed on the Liberal side?—I saw that John Sandford Screach was always in the business.

12,782. Where did you catch him?—I did not see him going anywhere in particular; he saw I was looking after him.

12,783. (*Mr. Coleridge.*) Had he that peculiar downcast look that Mr. Harris has described as belonging to the Liberal party generally?—I do not wish to abuse anyone.

12,784. Had he?—He would skulk along with his hands in his pockets, and he looked as if he did not want to be looked after.

12,785. Parnell?—Yes.

12,786. You saw him in 1865?—Yes.

12,787. Do you give him the same description? Yes.

12,788. John Elliott?—He was busy looking after John Fox Green.

12,789. The man that went off to Plymouth?—Yes.

12,790. He was offered 150*l.*?—I have heard so.

12,791. Do you know anything about Mr. Mitchell?—Yes.

12,792. What was he doing?—About canvassing.

12,793. Do you know anything about a man called Samuel Goodman?—That was in 1863. I have heard that he was at the "Oxford Arms," in Goodman's house, on the morning of the poll, and John Heath, jun., went and told him off somewhere; no more than that. I heard that Mitchell was tampering with him. Goodman will tell you.

12,794. Charles Pengilley do you know?—No more than that he was employed as a messenger.

12,795. Charles Michelmore?—I only saw him about with other people.

12,796. Did he ever say anything to you about the election?—No.

12,797. (*Mr. Bere.*) Have you told us all you know about 1863 and 1865?—Yes.

12,798. (*Mr. Coleridge.*) Did you know Captain Helms in 1863?—No.

12,799. Did you see the mysterious stranger in 1863?—I cannot say; I was not mixed up with that election.

12,800. You have no recollection if any mysterious stranger had a private room?—No.

12,801. You cannot tell anything about the china bowl?—No.

12,802. (*Mr. Bere.*) Can you give us a definition of a Totnes Conservative?—I believe there are some men in Totnes that vote conscientiously; very few.

12,803. How many; a dozen?—That is drawing the line rather sharp.

12,804. Do you put it as high as 20?—Oh, yes; as high as 50.

12,805. (*Mr. Bere.*) I do not mean with regard to bribery; I mean men who have any real political feeling. Is it not a question of dislike to the duke?—Yes, principally.

12,806. Supposing the duke were a Conservative, would there not be a great many Liberal?—Yes, I would myself. If he was to go on in that way, I would now turn round and vote against him.

12,807. (*Mr. Coleridge.*) Are you, like Mr. Heath, for the ballot and electoral districts?—No; I was once.

Adjourned till Thursday, at 11 o'clock.

TWELFTH DAY.

TWELFTH DAY.

Mr. J. Guscotte.

6 Sept. 1866.

Thursday, 6th September 1866.

Mr. John Guscotte sworn and examined.

12,808. (*Mr. Bere.*) Are you a partner in the firm of Smith and Guscotte?—Yes.

12,809. Carrying on business in Essex Street, London?—Yes.

12,810. Have you been concerned professionally for some years past for Colonel Dawkins?—Yes.

12,811. In June 1865 did Colonel Dawkins become anxious to go into Parliament?—Yes, I think about the

of May, about the 30th of May, Colonel Dawkins placed on half-pay, and immediately afterwards thought he should like to go to Parliament to ress what he considered an injustice at the Horse rds.

2,812. Did he consult you as to what constituency should become a candidate?—It was discussed. had several interviews from time to time, and I k Kidderminster was spoken of, I think Totnes spoken of, and I think Beverley; and we mately decided on Totnes.

2,813. Had you then any personal acquaintance n the borough?—I had always known Totnes.

2,814. Mr. Smith has told us that you are a ve of Devonshire?—Yes.

2,815. What part?—Crediton.

2,816. Did you know people in Totnes personally the general reputation of the borough?—The eral reputation of the borough.

2,817. That was not a very good one?—I knew as a place where the candidates generally pur-sed their seats.

2,818. Did you intimate that to Colonel Dawkins he time?—I think I first saw Mr. Wescomb, or I k I wrote a private note.

2,819. Mr. Charles Wescomb of Exeter?—Yes.

2,820. What made you write to Mr. Wescomb?—new he was the editor of the Conservative paper Devonshire.

2,821. Had you known him in other matters?—. I always took his paper, for instance; I had wn him in Exeter. I was once in Exeter and uently saw Mr. Wescomb.

2,822. Were you in partnership then?—No, I a short time with Mr. Barton.

2,823. Have you known anything of Mr. Wescomb ommercial matters, such as mining?—I had some perty in Devonshire, and I have met Mr. Wescomb several occasions.

2,824. You wrote to Mr. Wescomb about Totnes? es.

2,825. Did you get an answer from him?—Yes, I t have had an answer from him.

2,826. Have you the answer now?—No; I have graphed to my clerk to look out every letter. I not sure whether I got an answer or he called at ex Street; I cannot recollect.

2,827. Have you got the letter you wrote to him he letter book?—I do not think it was taken off. ink it was private; I do not like to swear. I do know whether I wrote or telegraphed, I think I graphed.

2,828. You would hardly telegraph about the racter of Totnes?—No; whether I wrote or tele-hed it would be—How much money would he re?

2,829. We want to know what the terms of the mmunication were?—Here is a letter (*referring to r book*) would you like to read it. This is a r in answer to him. The previous letter must e been private, and of that I kept no copy.

2,830. Can you remember the terms of the letter? think it would be simply asking what sum would required to carry a candidate.

2,831. Do you remember what answer you got?—o not recollect now; I fancy he thought about 0*l.* or 3,000*l.*, I think he said about 3,000*l.* When ote him that letter I think I said it was too large m. I suggested whether Exeter would not do, I think he replied Exeter would not do, that Mr. ridge would carry that.

2,832. The answer you wrote is—

ar Sir, 20th June, 1865.

I am afraid that the sum would be rather too much, that our client has a conscience rather tender.

It has occurred to me that Exeter might want a second ervative, for if Mr. Gard retires, as I believe he does, I ascended that Lord Courtenay and Mr. Coleridge ld walk over the course.

Why not carry two Conservatives? Exeter is Conservative enough for anything. Our client is open to spend about 1,000*l.* or 1,500*l.*

"Yours very truly,

"JAS. GUSCOTTE,

"C. Wescomb, Esq. for Smith and Guscotte."

What answer did you receive to that, do you remember?—I do not think he wrote any reply. I think he came to town, in fact I am almost certain he did.

12,833. He came on purpose to see you?—I do not know that he came on purpose, but he did see me while in town.

12,834. Did he see you at your office?—I think he must.

12,835. Do you recollect what passed between you then?—I think he talked of Totnes, and thought a Conservative would be carried if 2,000*l.* or 3,000*l.* was spent. He did not think it was any use to go to Totnes unless he was prepared to spend that.

12,836. Did he give you to understand that he knew Totnes?—No; but I knew he must know about Totnes. I had frequently a reference to Totnes and the politics of Totnes in his paper.

12,837. Is that all the communication you had with Mr. Wescomb?—I think after that I said I would see Colonel Dawkins, and Colonel Dawkins seemed to think it was too high, too much money. His object was to get into Parliament for a purpose having reference to the Horse Guards, and I think he thought that was too much. However it went on for some time and I think I heard from Mr. Wescomb by-and-bye.

12,838. When did you first see Mr. Spofforth?—Not till after the election.

12,839. Had you any communication with Mr. Spofforth before Colonel Dawkins came to Totnes?—I think not.

12,840. You know Mr. Smith, your partner, saw Mr. Spofforth in Colonel Dawkins' presence?—I did not think he did.

12,841. I do not know that he had a conversation with him, but there was a conversation between Colonel Dawkins and Mr. Spofforth?—I never knew of that; I may tell you this, I was busy at the time, had a great deal to do, and after what had taken place Colonel Dawkins, I think, saw Mr. Spofforth himself. I think he was recommended to see him by some friends of his who told him that he had interest with the Carlton Club, and I think he saw him without either Mr. Smith or myself being present, then I think Colonel Dawkins decided with Mr. Spofforth; and I think I wrote to Mr. Edmonds a letter about that time (I daresay in my letter book you would find it), asking him whether any candidate was in the field for Totnes. And Mr. Edmonds replied that Totnes would be represented through the Carlton.

12,842. When you went to see Mr. Spofforth did you see none of the firm of Baxter, Rose, and Norton about the matter?—No.

12,843. Or any of the managing clerks?—No, I never went to their office.

12,844. Did the clerks come to you?—No; I had no communication with the office, clerks, or partners previous to the election.

12,845. Do you know a person named W. H. Oldrey?—I might say I know him from meeting him in the committee rooms of the House of Commons. No more than this, that when I went to register my vote for Middlesex I had seen him in the clerk's office.

12,846. Is he clerk to Mr. Henry Smith?—Yes, and I think I was surprised to hear that he knew me. He knew me from calling on me for an account for Mr. Wescomb's paper.

12,847. Is he Mr. Wescomb's agent?—No; but I think he had a brother who was a clerk at Mr. Wescomb's. I recollect that in the committee room he spoke to me; that is the first time I saw him with reference to any election matter.

12,848. What sort of looking man is W. H. Oldrey?—I do not think I ever saw him in my life but

TWELFTH DAY.

Mr —— J. Guscotte.

6 Sept. 1866.

on those occasions. I think he was rather dark, with black eyes.

12,849. Is he tall or short?—I do not think he is either one or the other; about 5 feet 7 or 8.

12,850. What colour beard?—I do not think he has any.

12,851. (*Mr. Coleridge.*) What age man?—I should think he is 8 or 9 and 20 or 30.

12,852. (*Mr. Bere.*) Was he at all haggard, his face worn?—No, I should say not; he has rather a swarthy complexion; but I do not think he is at all haggard or worn.

12,853. (*Mr. Coleridge.*) Do you know how old his brother who is in Mr. Wescomb's office is?—No; I do not think I ever saw him.

12,854. (*Mr. Bere.*) Was what you have told us all you had to do with Colonel Dawkins going down to Totnes before he did go down?—Yes; I do not think I had anything further to do with it.

12,855. Did you make any arrangements before he went down as to how the money that was wanted was to be supplied?—I made no arrangement with regard to money before he went.

12,856. Had you arrived at any idea what money would be wanted?—I think that he must have felt that he would spend 2,000*l.* when he went down, for I think he must have heard the cost. The least would be 2,000*l.*

12,857. Had Mr. Wescomb told you that the cost would be between 2,000*l.* and 3,000*l.*?—I do not recollect the exact figures, but I think that was it.

12,858. Did Mr. Smith go down with Colonel Dawkins also?—Yes. Mr. Smith, I think, knew some Totnes people, and Colonel Dawkins wrote him a private note asking him to go down with him, and he went down with him. I was at Colonel Dawkins' house in Arlington Street, and he asked me, and I told him I could not go, I was so busy; and I told him that Mr. Smith knew some Totnes people.

12,859. In what capacity did he go down with Colonel Dawkins?—I should say he came down as a friend. Of course I saw what was reported, but it had never occurred to me, till I saw that in the newspaper, in what capacity he went. I think Colonel Dawkins regarded him as much as a friend as a solicitor; he regarded him in that light I think.

12,860. As much a friend as a solicitor; I do not quite understand that?—It is very difficult for a man who is a solicitor to throw off the character.

12,861. As a solicitor he would charge, as a friend he would not?—I do not think he had any intention of making a charge.

12,862. When did Mr. Smith come back again?—He went down, I think, on the 27th June; I was refreshing my memory about that this morning.

12,863. Have you a diary or journal?—I have not a journal; I keep a diary in which I make notes, and I telegraphed to a clerk to bring that also. You would not find much in that, I think only the date Mr. Smith went to Totnes.

12,864. What time did he come back?—I think he was away a week; I think the 27th was a Tuesday, and I think he came back on the following Tuesday.

12,865. Had any clerks gone down to him?—No; on the first occasion he did not take a clerk, but he went with Colonel Dawkins.

12,866. What brought Mr. Smith back to London?—I recollect his writing to me to say that he had a dinner party and must come home. I think he had some private matters and also matters of business to attend to.

12,867. How long did he stay in London then?—Two or three or four days, I think.

12,868. When did he first intimate to you that he should want to take down some money?—I rather think when he came from Totnes first; he went to his residence at Finchley, and I do not think I saw him again that day. I should think it was the day before he left he said he wanted to take 1,500*l.*

12,869. In sovereigns, did he say?—I will not be certain; at all events I know that he did take it in sovereigns.

12,870. It was at that time that he wished to take somebody else down with him?—Yes, he did.

12,871. Who?—Mr. Lind, who is one of our managing clerks. Mr. Lind, who has been in the office a great many years, has always been in the habit of going with Mr. Smith.

12,872. Did he give you any reason why he wished a clerk to go with him?—His chief reason was, he said, first, he should like to have somebody with him, and I said at first it would not be any use, and we were very busy, and it would be awkward for a clerk to go; but Mr. Smith said he did not like to go by himself with 1,500*l.* in gold.

12,873. Who did go with him eventually?—Then Mr. Lind could not go, at least it was very inconvenient for him to have gone; then it was thought that Mr. Henson, I think of the Temple, happened to call and Mr. Smith suggested that he would be a very good man to go.

12,874. He was clerk to Mr. Edy and is now clerk to Sir Robert Collier?—Yes. Mr. Henson said he did not much like it and would rather not go; in fact, he declined to go; he said he did not know much about electioneering. Mr. Smith told him he would have nothing to do but to go down with him.

12,875. At that time was Mr. Healy mentioned —I think after that Mr. Mason of Victoria Street who is a solicitor and parliamentary agent, called, believe, on some other matters.

12,876. Where does he live?—I do not know; his office is at No. 4, Victoria Street. I must tell you that he has done some parliamentary work for us.

12,877. Was it suggested that he should go down —Mr. Smith asked him if he would go and he would have gone, I think, but I suggested that it should be left open. It occurred to me there was no necessity for it, and it would be only a useless expense.

12,878. Did Mr. Smith explain to you why he wanted a clerk to go down with him, except for the purpose of taking care of the money?—I quite understood for no other purpose whatever, he simply wanted a clerk to go with him. Mr. Smith met with a railway accident some time ago, and he does not like much to travel alone; he said to me he did not like taking this money.

12,879. Are you quite certain that Mr. Mason did not come down?—I am not quite sure, but I am sure we never asked him to come down after that. You can see him and you will find that he did not come; he did not to my knowledge. I suggested to Mr. Smith that it should be left open, and we took no further notice and never wrote to him afterwards.

12,880. Did Mr. Mason come down with Mr. Smith?—I think I might say there was no further communication with Mr. Mason after. Then Mr. Healy called.

12,881. Who is Mr. Healy?—He is an accountant and surveyor in Bedford Row, and he does business for us.

12,882. Was he calling at your office on other business?—I am not quite certain about that; I rather think he was calling on other business. He frequently calls, if he has any property to sell, about the particulars. I must tell you I think he was on one occasion secretary to an hospital of which Mr. Smith was honorary secretary.

12,883. (*Mr. Coleridge.*) What hospital was that —The Great Northern.

12,884. Did Mr. Mason suggest any person who would be good to go instead of himself?—He did not; I think I can swear that.

12,885. (*Mr. Bere.*) I understand that Mr. Henson, Mr. Mason, and Mr. Healy were the only persons you saw about this matter?—Yes; I have no recollection to two or three who called; it might have been mentioned to others.

12,886. When you spoke to these gentlemen, did you intimate it to either of them that they would have to stay at Totnes some time?—No, I do not think

12,887. Was it intimated to them that they were go with Mr. Smith to take care of the money and en come back immediately?—I do not think there as any intimation of the sort one way or the other; do not think there was anything said as to their ming back.

12,888. Do I understand, then, that it was simply r. Smith's reluctance to travel alone by railway that used him to wish to have a companion?—I think so understood it; I never understood any other ason.

12,889. Mr. Smith has told us that he had the oney in a portmanteau, and I suppose the portmanau went into the van?—No, I think that is very probable, I should think it was put into the carage with them.

12,890. Then it was to take care of Mr. Smith and e money?—I must tell you that Mr. Smith invably takes a clerk with him even in London, to ceive dividends, and Mr. Lind has always been a rt of factotum of his, and he wished him to go ith him.

12,891. None of those three men did go?—No.

12,892. Mr. Healy seemed anxious to comply with r. Smith's request; I want to call your attention a letter you wrote?—I will explain it. Mr. Healey emed disposed to go, but after he left he was to let know whether his engagements would admit of it. fter he left I said to Mr. Smith, "Really there is no necessity for taking him, there will be nothing to do, and he will be of no use; I think you had better not take him." Mr. Smith said, "Having asked him we must wait for his answer at all events." said, "We had better write him a letter that he is not to go, and tell him we have made another arrangement;" and then, I think he suggested king Mr. Daw.

12,893. That does not explain your letter; just read . Here is a letter from you to Mr. Edmonds stating ie fact that you had been negotiating with Mr. Wesomb and mentioning Colonel Dawkins' name?—That is very probable.

12,894. Do you remember the date of that?—No have never seen that letter since I wrote it.

11,895. Just look at that letter and read it over to ourself, that is not an order to Mr. Healy not to go?—That is not putting him off entirely.

12,896. In consequence of that letter did Mr. Healy ome and see you the next morning?—I do not rellect that; he said if he had not received that letter e should not have gone.

12,897. What do you mean by the words "do not care to have anything to do with it?"—He said he ould not have gone if it had not been for my letter, e would rather not have anything to do with eleconeering.

12,898. Was he to receive payment for it?—There as not a word said about that.

12,899. Would he have gone down to Totnes on an ncertain mission without being paid?—I believe if e had asked him he would, but of course if he had one he would have been paid.

12,900. What do you mean by this passage, "I have so arranged matters to-day to avoid an inconvenience arising to Mr. Smith by your not going, so please to do whatever you think best." What rrangements had you made?—That Mr. Daw should o for that day, and that Mr. Lind should then go own to Mr. Smith, and that when one went down the ther should come back.

12,901. What age is Mr. Lind?—About 36 or 37.

12,902. Has he been some time with you?—He has been in the office longer than either of us, he has been here for the last 20 years.

12,903. When Mr. Smith came back to London did e mention to you any conversation he had had with Mr. Edmonds?—No, he never said anything of it.

12,904. That Mr. Edmonds had suggested to Mr. Smith that it would be necessary to employ a stranger from London for the purpose of distributing the money?—I am perfectly certain that Mr. Smith never mentioned that to me.

12,905. Did he tell you how the 1,500*l.* was to be spent?—No. I always understood that it would be handed over to the local agents. We know nothing about electioneering, and had never had anything to do with it before.

12,906. Are you certain that Mr. Smith never told you to bring a man from London for the purpose of distributing the money?—I am perfectly certain of that.

12,907. (*Mr. Coleridge.*) When one of your clerks went down the one who had gone with Mr. Smith was to return?—I understood that when Mr. Lind went down Mr. Daw would come back. I could not so well spare Mr. Lind as Mr. Daw.

12,908. What caused Mr. Smith to want anyone down here? I can understand his wanting some one to go with him when he had the money in his charge, but why did he want anyone here?—I do not know why he kept them here.

12,909. If Mr. Daw went down why did he want Mr. Lind at all?—He wished Mr. Lind to go with him in the first instance, but he could not go that day, so the arrangement was that Mr. Daw should go with Mr. Smith and then Mr. Lind should follow.

12,910. I suppose you would imagine that when Mr. Smith kept them here he had found something for them to do?—That is a matter which never entered into my mind; I was very busy at that time.

12,911. Did you not think he had found something for them to do?—It would seem rather strange that he should keep them there without their having something to do.

12,912. When he not only kept Mr. Lind but Mr. Daw down here, did it never occur to you that he had found something for them to do?—Until after the election I never heard of it. I considered that they were doing something.

12,913. Did you write to Mr. Smith to remonstrate with him about keeping them down here so long?—Certainly not. I did not know anything about the arrangements of the election. It might have occurred to him that they would be exceedingly useful.

12,914. (*Mr. Bere.*) What was Mr. Lind in your office at this time—was he your managing clerk?—He was our managing clerk.

12,915. The managing clerk of the whole business of the office?—No; he more particularly attended to the common law and to the books; he was a very important clerk.

12,916. What did Mr. Daw do—what was his department?—The conveyancing department more particularly.

12,917. How many clerks do you keep?—Eleven or 12.

12,018. This was during the time of the London sittings and the sittings of the Court of Chancery, a most busy time of the year for you?—Yes; we were particularly busy before they went, and it was very inconvenient to me for them to be down here.

12,919. Do you know what time it was that Mr. Lind went down?—I am not quite sure whether it was the day after or two days after Mr. Smith went down.

12,920. Did he go down in the middle of the day or by a late train?—I do not know.

12,921. Did you see him in the office on the morning of the day he went down?—I really cannot tell you that; I rather think he went down in the after part of the day; I am not sure of that.

12,922. The arrangement was that Mr. Smith should go down with Mr. Daw, and that Mr. Lind should follow. Was there any communication received by you from Mr. Smith desiring that Mr. Lind should come down also?—I do not think there was any communication to that effect, it was understood that Mr. Lind should go down.

12,923. And that being so, you then thought that Mr. Daw would come up?—I thought so.

12,924. Would such a communication have been

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made through you, or would it have been made by Mr. Smith directly to Mr. Lind?—I think that Mr. Smith would have written to me; he might have written to Mr. Lind at the same time.

12,925. Is Mr. Daw a person with light whiskers?—Yes, he is a man of light complexion.

12,926. What height should you say he is?—About five feet nine or ten.

12,927. And about what age would he be?—About 22 or 23. He will be coming down here to-morrow.

12,928. How long did Mr. Smith and the two clerks stay away?—I think Mr. Smith came back on the night of the election. He did not come to the office; he wrote me a note from the "Great Western" hotel, saying he had arrived and had gone home to Finchley.

12,929. Did you receive any communication from Mr. Smith, Mr. Lind, or Mr. Daw during their absence?—No doubt I did, but I never kept any of those communications.

12,930. Were you not aware that a good deal more money would be wanted than you have mentioned to us?—I was not aware of that at the time.

12,931. At the time when Mr. Smith went to Totnes was it agreed between you and him on which account he should draw if money was wanted?—There was no agreement made about it.

12,932. Did you draw on the partnership account with Ransom and Bouverie?—Yes.

12,933. It was necessary for you to know what cheques were drawn on that account, was it not?—Mr. Smith was at liberty to draw what cheques he liked, of course.

12,934. Must you not have communicated with him and said you know the account is not to be overdrawn?—No; we should know pretty well about that.

12,935. Was Mr. Smith then drawing heavy sums, because there were two cheques of 1,000*l.* and one of 500*l.*?—No; we had a very large sum of money at our bankers at that time.

12,936. You had?—We had. I think I saw a letter or read a letter in which it was said we had not any money of Colonel Dawkins. I may tell you we had 9,000*l.* or 10,000*l.* at the time of his election The book shows the receipt of 9,500*l.* on the 4th of July.

12,937. I do not think it does?—I think you will find it does. I will go and get the ledger and show it to you.

12,938. (*Mr. Coleridge.*) From the time Mr. Lind came down to Totnes to the time when Mr. Smith returned from Totnes, on the occasion that Mr. Lind returned to town for a short time, you did not see him?—I did not see him.

12,939. You did not see Mr. Lind from the time he was away till the time he came home?—He did not return to the office, that is my impression. I never heard of that or anything like it.

12,940. (*Mr. Bere.*) Have you now got the book, and can you tell us what Colonel Dawkins' account was at that time?—I see on July 10th, received 9,500*l.* from Colonel Dawkins.

12,941. How is it that Mr. Smith could not have known that you had received that, because it was before he drew those two cheques for 1,000*l.* each, which were drawn upon the very day it was paid in?—No, he drew on the 17th.

12,942. No, the 10th?—They are entered in the books on the 10th.

12,943. Did you receive any communication of the drawing of them till the 17th?—No, until I saw them as being paid in the bank book.

12,944. (*Mr. Coleridge.*) Do you know of any large cheque being drawn by Mr. Smith on the 17th besides this?—I have it. "You at Totnes, 6*l.*;" the same day, "You, 1,000*l.*;" "You, 100*l.*" "You, "500*l.*" They are drawn at Totnes and entered in our books as drawn on the 17th.

12,945. It must have been the clearing between the country bankers and the agents?—Those are the cheques.

12,946. They are the 10th?—Then they would be the same.

12,947. Just go back to your account and see what was the last large cheque you drew before that?—1,500*l.*; that was drawn on the 6th. The 7th, I suppose, would be the day it was paid, when Mr. Smith came to Totnes.

12,948. Do I understand you as to what you heard. What communications did you receive from Mr. Smith during the time?—If I received many I very likely should know. If I received anything like an important communication I should remember it. This is not important. I may have heard they were spending a good deal of money, and as to the chances of Colonel Dawkins getting in, nothing more.

12,949. Who came back first, Mr. Smith or Mr. Lind?—Mr. Smith and Mr. Daw; he is a Devonshire man, and he went to see some friends, and I think he took Mr. Lind down with him.

12,950. When did he come back again?—In three or four days.

12,951. Did you have any talk with him when he came back about what had happened in Totnes?—I never entered on the subject very much; I might have had some general conversation.

12,952. Did you say you were surprised at Lind and Daw going down together?—I might have said so to him.

12,953. Did you not remark that?—I daresay something of the kind passed. I think I asked why they stayed, and they said Mr. Smith did not tell them to go back, and so they stayed.

12,954. Did they tell you how they employed themselves while down here?—I understood them to say that they had nothing to do but to walk about the place seeing the people and voters, and what was going on. I think on one or two occasions they went over to the "Seymour Arms."

12,955. Did they tell you what they did when they saw the voters?—No, I never had any conversation. I may tell you I asked the question whether they paid anything to the voters, and they told me distinctly not.

12,956. (*Mr. Coleridge.*) Mr. Smith told us the money was paid by one of the clerks to Mr. Edmonds?—That is very possible.

12,957. (*Mr. Bere.*) Can you tell us distinctly the day when Mr. Lind came back?—I do not see how I could. I think he would know better than me, but if I had my diary here there might be a note of it. I think the Monday morning after the election was the last time he came to the office; I am not sure.

12,958. Did you have a note from him on the day of the election?—I think he said he should not come in for a few days unless he was particularly wanted.

12,959. Did he happen to be particularly wanted for the next few days?—No. I do not think that he did come in till the Monday following.

12,960. When you saw him did you speak to him about the Totnes election?—I do not recollect any conversation I had with him about it.

12,961. Did you ask him how it had been lost?—Yes, I suppose I did; and I think he told me a lot of Totnes voters who had signed the requisition to Colonel Dawkins went and voted the other way.

12,962. Did he tell you how much had been spent?—I think he told me what cheques had been drawn. I have no doubt he did.

12,963. Did he tell you how the money was got rid of, to whom he had given the money?—No, he did not at that time. I have since heard at the time of the petition that he had paid it to Mr. Edmonds.

12,964. Before Colonel Dawkins went down do you know whether any communication about money matters had taken place between you and Mr. Spofforth?—I do not know.

12,965. Or the Carlton Club?—I do not know.

12,966. Do you know that any money had been

romised him by the Carlton?—No, I never heard it.

12,967. (*Mr. Coleridge.*) You never heard that the arlton were going to stand so much money?—No.

12,968. (*Mr. Bere.*) Did you have any communiation with the Carlton Club during the time of the ection?—I interfered with it very little. I was xcessively busy, and I had a great deal to do at that me.

12,969. When was the next time you saw Colonel Dawkins?—I think he went to Plymouth on the aturday night, and I wrote to him at Plymouth. I o not know when I next saw him.

12,970. That would be after the election, would it ot?—Yes, I should think so.

12,971. Were the letters copied?—I do not know, rather think they would be. I think the purport of y letter was, that I understood Mr. Gathorne Hardy as elected for Oxford as well as Leominster, and I hought there would be a vacancy at Leominster if he elt disposed to try.

12,972. (*Mr. Coleridge.*) Do you know whether any emand regarding this election had been made against Colonel Dawkins besides the sums communicated by Mr. Smith at the time of the election, and in the ccounts sent in by Mr. Hannaford?—I was speaking o Mr. Edmonds about the account last night, and I hink I heard that Mr. Robert Harris wanted 50*l.*

12,973. He had the regulars?—He had the regulars.

12,974. Did nobody demand any sum of money of Colonel Dawkins excepting the election account?—No, I do not recollect.

12,975. (*Mr. Bere.*) Here is a letter of the 16th of July. "Dear sir,—When you return to town I shall e glad to see you as early as possible to-day." Was hat before or after?—I think that is one of the letters.

12,976. You say in this letter, "I would suggest, on ' your standing, not to spend more than a few hun- ' dreds beyond any sum the Carlton may be disposed ' to pay." At that time had you any reason to believe that the Carlton would advance money if he stood for Leominster?—I really cannot tell you. I suppose I must have heard something from some one about it.

12,977. Did you see Mr. Spofforth about Leominster?—I rather think I did. I fancy I saw Mr. Spofforth at Westminster, after hearing that Leominster would be vacant. That is the first time.

12,978. In this communication that passed, you ntimated to Colonel Dawkins as he had spent so much t Totnes, and had been unsuccessful, that it would be nfair to spend money at Leominster?—I think so. There may be something of that kind, that as he had pent so much money at Totnes he ought not to pay he expenses.

12,979. Did he say he would do it?—I think not. I think I said the contrary. I did not know what the Club would do.

12,980. You had some communication from Mr. Edmunds afterwards?—Yes.

12,981. In regard to the payment of the bills?—I was in North Wales at the time, and I do not think I had anything to do with it.

12,982. When did you leave London?—I left London on the 21st of August.

12,983. And you were away for some time?—I was away a month or six weeks.

12,984. Who made out the account?—The election account.

12,985. With regard to the election?—We had nothing to do with that; no doubt Mr. Edmonds did.

12,986. Who made out the 69*l.* 8*s.* 8*d.* that was charged to Mr. Smith's disbursements?—That is my account; I made that up entirely.

12,987. Out of what materials?—We did not intend to charge Colonel Dawkins anything professionally. We drew another draft, and made out the disbursements thus, 8*l.* 18*s.* 6*d.* paid to Mr. Smith. The way we managed was, when he was going he drew upon the firm for it; he drew 8*l.* 18*s.* 6*d.* for his first journey, and 19*l.* 5*s.* for the second. I do not know how that sum was made up. I think that it was of sums drawn as expenses. The clerks drew 15*l.* odd for theirs. Then I find my own expenses in London, cabs to various places before any place was decided on, telegraphed to different places, and there were various disbursements taken out of the petty disbursements book, and they made up 10*l.* or 11*l.* I think I put down a round sum of 25*l.* to cover all sorts of petty disbursements of that kind; that is all we charged. I am able to take about 8*l.* or 9*l.* out of that, out of my petty cash book. That is how it was made up at the time, and was charged to cash account as our disbursements.

12,988. You charged the expenses of the clerks?—Yes.

12,989. Though you never knew what they did?—When they came back they drew their expenses from the office.

12,990. The hotel bills?—I am sure I do not know anything about it.

12,991. Mr. Smith's hotel expenses came from Colonel Dawkins?—I do not know how that might have transpired. I know nothing more than that Mr. Smith drew that sum as expenses. I fancy it was spent in railway fares; and he once paid Colonel Dawkins' railway fare as well as his own.

12,992. (*Mr. Coleridge.*) Taking the fact that those clerks were useful in London, you would charge Colonel Dawkins for their expenses?—I was not there. I never saw anything of them.

12,993. No doubt they were of some service?—I should assume they were doing something. I have heard them say that they did nothing. Of course you can ask them.

12,994. (*Mr. Bere.*) Did you receive that letter from Mr. Bryett (*handing a letter to the witness*)?—I think I have seen that before. It was to Mr. Smith.

12,995. Do you know whether in consequence of that letter the sum of money mentioned was sent down?—I rather think I gave Mr. Harris 25*l.* after that letter.

12,996. Did you receive communications from any person in Totnes with the exception of Mr. Edmonds?—No, I do not think I did. I do not recollect having any communication.

12,997. Did you write, during the time Mr. Smith was in Totnes, to Mr. Edmonds?—I have no doubt I did.

12,998. Can you tell me the purport of those letters?—No, I have not the least recollection. I am almost certain I had not any communication with him in regard to the election, but on general matters I had.

12,999. When did you first hear of the election petition?—I think after the election Colonel Dawkins returned to London, and told me he should like to present a petition, and I think we wrote to Mr. Edmonds that he had better get up what evidence he could to see if there was a chance. Mr. Edmonds got up some evidence, and sent it up to me. I read it through, and sent it on to Mr. Spofforth.

13,000. Was there any intention on Colonel Dawkins' part to claim the seat?—Yes, I think at one time he thought about it.

13,001. You very soon undeceived him?—I told him it was of no use, he was tainted in the same way, and it was clear that the petition would show there was bribery on both sides, and it was a useless case.

13,002. Look at that letter from Mr. Spofforth; was that the first letter you received from Mr. Spofforth on the subject of the election petition?—I cannot tell you whether this is the first letter I received.

13,003. Just look at that (*handing another letter to the witness*)?—I should think that letter had reference to it.

13,004. In consequence of that did you go and see Mr. Spofforth?—I think that either Mr. Smith or myself went to see him. I know we had an interview with him upon it, and I think the matter slept until January.

13,005. Just look at that letter. Who is Mr. Tomlinson?—I never heard the name before.

13,006. Read the letter down, and perhaps it may

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refresh your memory?—I did not know his name was Tomlinson; I have no doubt that is Mr. Spofforth's private secretary, I see it is his handwriting; Mr. Spofforth's shorthand writer, or his private secretary.

13,007. That is as far as you can remember the first letter you received?—Yes, I think it was the 18th of January 1866.

13,008. "Private and confidential.—6, Victoria "Street, Westminster Abbey, S.W. Dear sirs,—I "have had a letter from Mr. Edmonds to say that he "has now got his evidence as perfect as possible, and "proposes to come and lay it in its present state be- "fore me. I have written to him appointing next "Tuesday the 23rd, at 11 o'clock, for this purpose, "and shall ask Mr. Cooke, Q.C., to attend the con- "sultation. Commander Pim came in whilst I was "writing the letter, and I told him of it. He has "written to Colonel Dawkins, suggesting that at 11.30 "on Wednesday the 24th, Colonel Dawkins, he, and "yourselves shall have a meeting here finally to de- "cide on the course to be taken and the nature of the "petition to be presented to the House. Will you "tell me if this appointment will suit you? I am, "dear sirs, yours faithfully, M. SPOFFORTH.—Messrs. "Smith and Guscotte, Essex Street, Strand"?—Yes, I received that.

13,009. In consequence of that did you see Capt. Pim and Col. Dawkins at Mr. Spofforth's?—I think Mr. Smith attended.

13,010. When did you first begin to take any trouble about the election petition?—I think the next I heard of it was that Mr. Spofforth sent to me to know if we had determined to go on with it.

13,011. Did you not see Commander Pim and Col. Dawkins?—Not at that time. I knew there was something almost immediately after.

13,012. When did you first see Capt. Pim and Col. Dawkins upon the matter together?—The first time I saw them together was at Mr. Spofforth's.

13,013. How long after the 24th of January?—I think it must have been at that interview; I do not think there could have been two interviews.

13,014. Can you remember what passed on the part of Capt. Pim?—Yes. I think Capt. Pim seemed quite certain that we ought not to withdraw, but that we ought to go on; he felt certain that Mr. Pender would resign his seat.

13,015. Had he any reason for thinking that?—He said he had very good gronnds for thinking that; he was not certain.

13,016. Do you now know whether Capt. Pim is mixed up with the mercantile people to whom Mr. Pender is related?—I do not know; I think it is highly probable that he is.

13,017. (*Mr. Coleridge.*) Do you know if it is with the Whitworth ordnance or the electric telegraph?—I do not know. I know he has a good many speculations and things of that sort; it is just possible, but I do not know.

13,018. (*Mr. Bere.*) Did Capt. Pim bring a friend with him?—To attend to the election?

13,019. Yes?—Now I know that he had.

13,020. Did you ever see any person on Capt. Pim's behalf; just look at that name and do not mention it, you will know it when I refer to him again (*showing a signature to a letter to the witness*)?—I have not seen him.

13,021. If I ask you a question about Capt. Pim's friend I mean that person?—All right.

13,022. You saw Capt. Pim and he was of opinion that Mr. Pender would retire?—Yes.

13,023. He did not give any certain reasons?—I rather gleaned from his manner that he had his reasons for thinking so.

13,024. Was any negotiation entered into with Mr. Pender before the petition was presented?—Not through me.

13,025. Through anybody?—The first I heard was from Mr. Spofforth, as I told you. Mr. Spofforth said to me he would like to see me; I think he said, "Did "the Colonel intend to go on with the petition?"

13,026. When was that?—It must have been at the end of January; it was after the interview he said he was anxious to have it withdrawn. I gleaned from his manner that if this was withdrawn three or four others would probably be withdrawn as a set-off against it.

13,027. That there must be a set-off?—It was probable.

13,028. You understood what I said?—I considered that he asked that.

13,029. Did Mr. Spofforth give you any idea at the time of negotiations having been carried on between the two parties?—No, he did not.

13,030. Then this person; was it the name of that person I have just shown to you?—Not at that time. The first time I heard that name mentioned in connexion with this matter was by Capt. Pim himself.

13,031. Did Capt. Pim give you to understand this person had negotiations with another of the same name?—I do not think he mentioned the name so early but later.

13,032. At that time did you understand that the petition from Totnes was to be set off against others, but money was to be paid for the withdrawal of it?—After I saw Mr. Spofforth, he said the best thing is to telegraph to Col. Dawkins. He was at Brackley, hunting, and I telegraphed to him and he came up. I telegraphed to Mr. Edmonds and he also came, and Capt. Pim.

13,033. What passed then?—We first went through the evidence, and then Mr. Spofforth said, "Having "gone through the evidence, is there sufficient case to "go on with?" Everybody was of opinion that there was, and everybody was desirous to go on. He said, "Are you able to go on? I think if you with- "draw the petition now the expenses up to this time "will be paid."

13,034. Was Mr. William Henry Cooke present at the conversations?—I think he was.

13,035. As counsel?—I am not certain; I do not think he was present at the time.

13,036. Before the petition came on how many consultations were you present at when Mr. Cooke was there?—I think two.

13,037. Two times before that?—I think we had only one some time before; I think we had one when Mr. Cooke was there to give an opinion.

13,038. Were the other counsel in the case there?—No; at that time they had not briefs.

13,039. Mr. Cooke was generally advising you?—He was to attend and go through the evidence; he heard it, and said he thought there was a good case; he pointed out two or three strong cases from the evidence. Col. Dawkins said he did not feel disposed, and he did not think he ought to be expected to withdraw the petition on the expenses being paid unless the whole of the expenses were paid. Mr. Spofforth said, "What is that?" He said, "5,000*l.* altogether." Mr. Spofforth said it would not be legal for you to compromise the petition like that. I think he said he would consider it, and he went away. Some little time afterwards he decided he would go on unless they brought forward his own case with a view of getting a commission of inquiry.

13,040. Was a communication made by you to Col. Dawkins, or do you know that he communicated with a person that had been a Liberal member of Parliament?—Yes, I think he did.

13,041. The petition went on, did it?—Yes. I must tell you that Col. Dawkins wrote up from the country; I was to telegraph to him to come up again. I did not consider it quite settled; I thought before entering into the matter of the expenses it would be better to put it before him. He said, "I do not see "the use of my coming; I have quite decided to "come in should Mr. Pender give up his seat."

13,042. When did the witnesses first come up to London?—I think the night before the petition was coming on.

13,043. Whom had you employed besides Mr. Edmonds to get up the evidence; did you not employ

Tucker, of Ashburton?—No, he is on the other

044. (*Mr. Coleridge.*) Mr. Spofforth merely as the parliamentary agent?—Yes, he had no- to do with it; there were no briefs.

045. (*Mr. Bere.*) Do you know the day the esses came to London?—They came up the night e the petition.

046. When did you first see Mr. Harris?—On iorning of the petition; he went to Westminster me.

047. Did he come down to your office?—Yes, Mr. Narramore.

048. Do you remember any conversation taking about the compromise?—Yes, I do. I recollect, it his: Mr. Narramore had received a threatening from some person in Totnes; he was very an- about it, and it had reference to Charles erick Michelmore. I was taking him down, and Narramore was talking to Mr. Harris, and I think s Mr. Narramore said, although I am not certain, eard the other side had offered 10,000*l.* to com- mise it." I said, "Indeed." He said, "I believe . Pender would give anything to get it with- wn." That is all that passed.

049. Was anything at that interview mentioned your having communicated with Col. Dawkins gard to the same?—No. I saw that Mr. Harris omething about it, and I am certain that was a ke; he must have misunderstood what I said to Dawkins before we decided to go on at the last nt.

050. Had you ever heard of an offer made by ther side?—No, I never heard of any distinct only in a general way.

051. What did you hear about Mr. Pender? you hear, excepting in a general way, that Mr. r would give a good deal to compromise?—I ever heard it distinctly. He said he was sure e had good reasons for knowing that Mr. Pen- ould give any sum.

052. Did you hear of any sum of 15,000*l.*?—I ill last night. I felt quite satisfied that the sum oned in my notice was not 15,000*l.* I am not n.

053. (*Mr. Coleridge.*) Was there something hat mentioned?—I think it was; that is at the iew that Mr. Harris referred to.

054. (*Mr. Bere.*) Do you know that negotia- had gone on between your side and Mr. Pender's that a sum of money had been mentioned, and 'ender refused to give that sum of money?—I heard of it. I cannot fancy it ever took place. iid it must have been with Mr. Spofforth.

055. The petition was fought?—Yes, the on was fought.

056. (*Mr. Coleridge.*) Did you hear it was to ne on with in order to get this inquiry?—No. k he told me that Mr. Pender had made some rks on the hustings that he did not like, and he letermined to carry on the petition.

057. Had any communications been made or ing said, or did they infer that a Royal Com- on would be appointed, and was that given as a n for withdrawing the petition?—I never heard ing of that. I think it was suspected.

058. Have you heard that he said it was of no or the thing to go on, because there probably l be a Royal Commission?—I do not recollect I do not think that anything of the sort was I think I might have said Totnes was too well n. I do not recollect anything about it.

059. When the negotiations were taking place Ir. Healy to go down, was it not understood that urpose for which he was to go down was to dis- te the money?—I will take my oath that it cer- y was not. There was not the slightest idea of ng him for that purpose.

060. However it might have been concealed, not that the purpose for which he was to go ?—I never heard a word about it, and I think Mr. Healy would have been the last man to do anything of that kind. He is a highly respectable man in a good way of business, and it would be absurd to ask him.

13,061. (*Mr. Coleridge.*) Is Mr. Mason a more likely man to do anything of that kind?—He is quite as unlikely; he is a solicitor, though he practises as a parliamentary agent.

13,062. (*Mr. Longe.*) Was there no conversation as to the manner in which this money was to be distributed?—No. I quite understood, and I think Mr. Smith did so, too, that the money would be paid over to Mr. Edmonds, who would distribute it.

13,063. (*Mr. Coleridge.*) Has any stranger made any claim upon you for doing such services as these?—No. I am perfectly certain that no such person has ever been paid by our firm. I have asked our clerks about it since I saw the accounts in the papers, and they both of them say they never saw such a man, and I never heard of such a person.

13,064. (*Mr. Longe.*) Have you any reasons for saying positively that your own clerks are not the men who did this?—Yes; they have told me they knew nothing about it. I came up from Brighton myself the day before yesterday, and we talked about what we had seen in the papers as to Mr. Mum, and I said to them, "Do you know anything of this man?" and from what they said I am quite certain they never saw the man or took any part in it.

13,065. (*Mr. Bere.*) Did you see Mr. Rennie as to any of these transactions?—No, I never saw him.

13,066. Had you any communication from him in writing?—I merely know him by name.

13,067. He came down here intending to stand on the Conservative interest and did not stand?—I never had any communication with him.

13,068. (*Mr. Coleridge.*) In getting up the evidence down here I suppose there is nothing you learnt about the other party which Mr. Edmonds cannot tell us?—I think not; I saw no one but those he introduced to me. I think he can give you all the information except as to the 50*l.* note.

13,069. Let us hear about that?—I think Mr. Edmonds can tell you all about that.

13,070. Have you got the note?—No; I think it was handed over to Mr. Edmonds after the election. I suppose he passed it away.

13,071. Can you describe that note?—I think it will be found described in our brief.

13,072. (*Mr. Bere.*) Did you see Mr. Oldrey while you were getting up the petition?—No, not except in the committee room.

13,073. Had you any conversation with him?—I think, while we were waiting for the decision, he came up and spoke to me. I met him one day in the Strand.

13,074. Did he tell you anything about Totnes, from his knowledge of it?—No; he told me that he had started for himself as an election agent.

13,075. (*Mr. Longe.*) Did you ever understand from Mr. Lind that he was to act according to Mr. Edmonds' instructions?—I think Mr. Lind understood that Mr. Edmonds was conducting the election, and that he would have to act under his instructions.

13,076. Did you send or receive any message to or from Mr. Smith while he was away?—I do not recollect any telegram.

13,077. (*Mr. Bere.*) Do you remember that the 50*l.* note was number 05843?—I think that was it.

13,078. And dated July 9th, 1865?—I think so.

13,079. And the 100*l.* note number 22828?—Yes.

13,080. And dated April 10th, 1865?—Yes.

13,081. Was the 50*l.* note endorsed "Pengilley"?—Yes, that was the ear mark of the note. That was the reason why it was kept.

13,082. (*Mr. Longe.*) Can you tell us any conversation that passed between you and your clerks when they came back?—The election was lost, and there was an end of it.

13,083. Then how came you to ask them any ques-

TWELFTH DAY.

Mr. J. Guscotte.

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tions ?—From pure curiosity I asked them what had taken place at Totnes generally.

13,084. Which of them was it who spoke to you about it ?—I do not recollect; most probably it was Mr. Lind.

13,085. You cannot tell us any of the conversation ?—No; I never made any note of it. It never occurred to me that it was of importance. When they came to the office in the morning in all probability I should ask them a question about it. I did not go into details.

13,086. (*Mr. Bere.*) Since the Commission have you received any communication from Mr. Spofforth or from Colonel Taylor ?—I have not received any from Colonel Taylor.

13,087. From Mr. Spofforth ?—I think I have had one letter from Mr. Spofforth, a private letter.

13,088. Have you got that letter ?—No, I think not. I do not know whether it is amongst the other letters.

13,089. Was it on the subject of the Commission ?—It was stating that Colonel Dawkins was away, and that he said he could not come back until after the second day.

13,090. Stating that Colonel Dawkins had gone to Boulogne, and would not be back by a certain time ?—That he would not be back on that day in particular.

13,091. Did you ever have any conversation with Colonel Dawkins as to the expense of contesting Totnes ?—Yes; I have no doubt many times.

13,092. And you communicated the knowledge you had acquired from others to him ?—Yes.

13,093. What expense did he seem willing to go to ?—I think when he came to Totnes he had no idea of going beyond 2,000*l.* or 2,500*l.*

13,094. Do you remember at this time what balance was in your hands belonging to Colonel Dawkins, about the 10th July for instance ?—We knew a fortnight before that of this 9,500*l.* coming. I think Mr. Smith would have known of that.

13,095. (*Mr. Coleridge.*) Had Colonel Dawkins asked you to provide the money ?—No.

13,096. Have you your banker's pass book here ?—Yes, here it is (*handing it to the Commissioners*). We had a general cash account with Col. Dawkins.

13,097. Most of these cheques were drawn on Mr. Smith's private account ?—I think only one of them.

13,098. I suppose that either of you sign cheques "Smith & Guscotte"?—Yes.

13,099. Have you anyone besides yourselves, anybody in the situation of a cashier, who is empowered by you to sign on behalf of the firm ?—No. With regard to what I said just now about the 50*l.* note, I may mention that after Mr. Edmonds had sent up the particulars of the 50*l.* note I saw Mr. Spofforth, and he arranged to write to the Bank of England to know to whom these notes had been paid, saying that it was necessary to the ends of justice that such information should be obtained. They informed him that on that day 2,000*l.* had been paid by the Bank of England to the Consolidated Bank.

13,100. And that this note formed part of the money ?—Yes, and that it had been paid to the account of a Mr. Salmon. We found out that he had drawn this out of the bank, and that this same note had been paid over to Mr. Salmon, and formed part of a sum of 2,000*l.* drawn out of the bank by him that day in notes.

Mr. S. Brown.

SAMUEL BROWN sworn and examined.

13,101. Are you a waiter at the "Seven Stars" hotel ?—I am.

13,102. Were you acting as waiter in July 1865 ?—Yes.

(*Mr. Guscotte.*) There is one thing I wish to correct. I am told that I had the 50*l.* note from Mr. Edmonds, but I did not recollect the circumstance. I think I paid it into our bankers, and gave him a cheque for it after the matter was over.

13,103. (*Mr. Bere.*) You received the note from Mr. Edmonds ?—Yes, I think so, and I gave him a cheque instead.

13,104. Could it be got back ?—I should suspect it is gone back to the Bank of England.

Mr. S. Brown.

Examination of SAMUEL BROWN continued.

13,105. (*Mr. Bere.*) How long have you been acting as waiter at the "Seven Stars ?"—Nearly six years.

13,106. (*Mr. Coleridge.*) During how many elections have you been waiter, three or four ?—From Mr. Dunn's to Col. Dawkins' and Capt. Pim's.

13,107. (*Mr. Bere.*) Do you remember Col. Dawkins coming down to your hotel ?—I do.

13,108. What room did he occupy ?—No. 20.

13,109. Sitting-room ?—Yes.

13,110. What bedroom ?—A bedroom adjoining the sitting-room on one floor.

13,111. Did you wait upon him ?—Yes.

13,112. Who came with him ?—I think Capt. Fox.

13,113. Did Capt. Fox come the same day ?—I rather think he did, to the best of my recollection.

13,114. You have seen Mr. Smith; did not Mr. Smith come with Col. Dawkins the first day ?—I think so.

13,115. Did Col. Dawkins bring any servant ?—He brought his valet.

13,116. What sort of man is his valet ?—Tall, rather dark, with sallow complexion.

13,117. Old or young ?—Between 20 and 30.

13,118. Then Capt. Fox came down ?—Yes.

13,119. Did he dine in the same room with Col. Dawkins ?—Yes.

13,120. Do you remember Col. Alexander ?—Yes.

13,121. Did he have his meals with Col. Dawkins ?—Yes.

13,122. What is the largest number of people you saw at breakfast or dinner in Col. Dawkins's room ?—I can hardly tell you.

13,123. Have you seen more than four dine there ?—Yes, I have.

13,124. Have you seen Mr. Edmonds dining there ?—Yes.

13,125. And Mr. Kellock ?—Yes.

13,126. And Mr. Smith ?—Yes.

13,127. Mr. Harris did not dine there ?—He has dined there.

13,128. Did Col. Dawkins ?—I think so.

13,129. Have you seen him there ?—Yes.

13,130. Do you remember Capt. Pim coming down ?—Yes.

13,131. About the same time that Capt. Pim came down, do you remember a gentleman coming down who occupied a bedroom at the top of the house ?—I remember a gentleman coming down with Capt. Pim or soon afterwards, a friend of his.

13,132. Do you remember where he went; what bedroom he had ?—No, I do not.

13,133. You have heard of this mysterious stranger; did you ever see him ?—Yes.

13,134. Will you give us a description of him ?—He was a man about middle height, dark hair, rather light complexion.

13,135. (*Mr. Coleridge.*) Where did he have his meals, in his bedroom ?—I never took him any meals in the bedroom, occasionally in the coffee-room. I have known him dine in the commercial-room.

13,136. Never with Col. Dawkins ?—Never with Col. Dawkins.

13,137. How long did he stay there ?—He was there several days.

13,138. Two or three days?—I cannot tell to a day two.

13,139. Did you ever have any talk with him?—.

13,140. Do you know the exact time when he came wn?—No, I do not. I do not remember the day, t I believe he came by the mail train in the morning.

13,141. Were you up?—No, I was not.

13,142. Martha Gale was up that night?—I do not nk Martha Gale was there then.

13,143. Who were the servants in the house?—The ne servants as we have now, with the exception of e boots.

13,144. Who was the boots then?—Thomas Pack.

13,145. Where is he now?—At the "Globe" hotel Newton; he is boots there.

13,146. Can you tell when he went away, this man? No, I cannot.

13,147. Had you many strangers about the house at that time?—Yes, we had several there.

13,148. Did you know the names of any of them?—No, I could not remember.

13,149. Can you give us the name of any stranger down here?—No, I cannot.

13,150. Did you see two persons with whom Mr. Smith was often in communication?—The two clerks, I remember them, that is all.

13,151. Where did they sleep?—I rather think 15 or 16 bedroom.

13,152. Where did they have their meals?—No. 6 sitting-room.

13,153. Whose sitting-room was that?—It was what they used themselves. Mr. Smith was occasionally there, but he did not dine with them.

13,154. Did they dine by themselves?—Yes.

Mr. John Guscotte recalled.

Mr. J. Guscotte.

13,155. (*Mr. Coleridge.*) You have heard the name Henson, the name of the late Solicitor-General's rk?—Yes.

13,156. What was he wanted to come down for?—ecisely the same as a clerk. If he had come the rks would not have come. Mr. Smith wanted some e.

13,157. Do you know Mr. Henson?—Yes, I know him well. He was Mr. Edy's clerk, our pleader, and I have frequently seen him.

13,158. He was to come in the same capacity as your own clerks?—Yes. Mr. Smith wanted some one, and he thought Henson would do.

Samuel Brown recalled and further examined.

Mr. S. Brown.

13,159. (*Mr. Bere.*) When first had you any communication with this mysterious stranger?—I never d any communication.

13,160. Did he never send you to fetch any person him?—I remember his sending me on one occasion.

13,161. When?—I cannot tell the date.

13,162. Yes you can?—No, I cannot.

13,163. How long after he had come?—I have not e slightest recollection.

13,164. How long after he had come?—I really do t know.

13,165. What time of the day?—I believe in the ning.

13,166. On the evening of the day that he came?—, I believe not.

13,167. You say he came by the mail train?—Yes.

13,168. In the morning?—Yes.

13,169. Was it on the evening of the day that he ne by the mail train?—I think not.

13,170. The day after?—It may have been; I do t know.

13,171. Where did you see him?—Upstairs.

13,172. In his bedroom?—No, on the landing.

13,173. Near his bedroom?—No, the second floor.

13,174. That is the bedroom floor?—No, it is not.

13,175. (*Mr. Coleridge.*) What number was his lroom?—Thirteen.

13,176. Did you ever see him in his bedroom?—, I never went to it.

13,177. Did he ever have any meals in the bedm?—I never took him any. I do not know whether had any.

13,178. Who would attend to him?—The chamberid.

13,179. What is her name?—She was the same as have now.

13,180. What is her name?—Maria Pomeroy.

13,181. (*Mr. Longe.*) Do you know that he slept No. 13?—I could not swear to it. I know he was ying there.

13,182. (*Mr. Bere.*) You saw him on the landing? Yes.

13,183. Near the committee-room?—On the same or.

13,184. How far from the committee-room?—I do know.

13,185. Was the door open?—I do not know.

13,186. Did you see where he came from?—Upirs.

13,187. What did he say?—He told me to go and call Mr. Evens from the smoking-room.

13,188. Was that the first time you had ever talked to him?—I believe it is.

13,189. Had you ever spoken to him about Mr. Edmonds before?—No.

13,190. He told you to go and call Mr. Evens?—Yes.

13,191. Did you go?—Yes.

13,192. Did you give him Evens' christian name?—No.

13,193. Where was Evens?—In the smoking-room.

13,194. What Evens was it?—Mr. Frederick Evens.

13,195. Did you go and call him?—I did.

13,196. Did Frederick Evens go upstairs?—I believe he did.

13,197. Did you see him?—I did not; I left directly.

13,198. Did not you go in and say to Mr. Evens, "This is the gentleman that wants you," and point the stranger out to him?—I do not remember.

13,199. Are you sure you did not?—I do not believe I did.

13,200. Did not Evens and you go upstairs together?—I showed Mr. Evens up stairs; but I did not introduce him.

13,201. Did not you and Evens go up stairs together?—I do not recollect that I did.

13,202. Did you see the stranger again that night?—I did not.

13,203. (*Mr. Coleridge.*) Where did the stranger tell you to send Evens to?—Upstairs.

13,204. To 13?—Yes.

13,205. Did you tell Evens to go to No. 13?—Yes.

13,206. And you went to show him where the room was?—No, I did not.

13,207. Before you got to the room did not you and Evens meet the stranger?—I did not.

13,208. Are you sure you did not point him out as the person?—I do not remember that I did.

13,209. You may have done so?—Yes; but I do not remember it.

13,210. (*Mr. Bere.*) Did the stranger tell Evens to come up to 13, or come up to where he slept?—I did not see him speak to him.

13,211. When he told you, what did he tell you?—He told me to call Mr. Evens.

13,212. And to give Mr. Evens what message?—To tell him to come to 13. The gentleman was standing on the landing.

TWELFTH DAY.

Mr. S. Brown.

6 Sept. 1866.

13,213. Did you do nothing with Screach ?—No.

13,214. With regard to the stranger and Screach, did you not introduce Screach to the stranger ?—No.

13,215. (*Mr. Coleridge.*) Did you send Screach to the stranger ?—No.

13,216. Did the stranger ask you to send Screach to him ?—No.

13,217. Did you hear the stranger mention Screach's name ?—Never.

13,218. Did you ever fetch anyone from the Bridge to the stranger ?—No.

13,219. (*Mr. Bere.*) You had better take care. Do you know what Screach has sworn ?—Yes, I have read it.

13,220. (*Mr. Longe.*) You know the evidence he gave ?—Yes.

13,221. You deny it ?—I do deny it.

13,222. (*Mr. Bere.*) What is it you deny ?—That I fetched Screach from the Bridge.

13,223. Where did you fetch him from ?—I never fetched him at all.

13,224. Did you talk to him about the stranger ?—I do not know that I did.

13,225. Take care. When did you talk to Screach about the stranger, and where did you talk to him ?—I do not remember ever talking to Screach about the stranger.

13,226. Did Screach talk to you about him ?—I do not remember an instance.

13,227. (*Mr. Coleridge.*) Did you ever talk to anybody else about the stranger in Screach's presence ?—I may have heard remarks about Mr. Mum.

13,228. Let us hear what you said to anybody else in Screach's presence ?—I do not remember.

13,229. You say you may have made remarks ?—Yes.

13,230. What remarks ?—I might hear about Mr. Mum.

13,231. Did not you contribute your quota as to what you knew about Mr. Mum ?—No, not in the least.

13,232. Had you been told to hold your tongue ? Be careful ?—No.

13,233. Did not John Heath tell you to be careful what you said ?—No.

13,234. Never about the election ?—No, never.

13,235. Has anybody else ?—No.

13,236. Had you any caution from anybody about what you said at the election ?—None whatever.

13,237. Did you ever see Screach and the stranger together ?—I did not.

13,238. Did you see Screach go to 13 ?—I have seen him go upstairs.

13,239. Towards 13 ?—I think he must have been going there.

13,240. Was 13 the only room occupied as a sitting-room on that floor ?—It is a bedroom.

13,241. But the stranger sat in 13. Was any other room occupied like that ?—Not that I am aware of.

13,242. Then if Screach was going upstairs he must have been going to 13 ?—He may have been, and I have no doubt he was.

13,243. (*Mr. Longe.*) Numbers 15, 16, and 13 are on the same floor ?—Yes.

13,244. No. 14 between them ?—Yes.

13,245. (*Mr. Coleridge.*) Do you know the names of Mr. Smith's clerks ?—No.

13,246. Was one named Lind, and the other Daw ?—I have heard their names mentioned.

13,247. Do you know them by sight ?—I think so ; I would not swear.

13,248. Come, come, you say you saw them ?—Yes; but I do not know that I should know them again.

13,249. You saw them here ?—Yes.

13,250. You knew they were about as Mr. Smith's clerks ?—Yes.

13,251. Did you see them going to No. 13 ?—No.

13,252. They slept in 15 ?—Yes.

13,253. How far is that apart from 13 ?—Two doors.

13,254. Did you see them going towards 13 ?—never saw them at 13.

(*Mr. Bere.*) You were not asked that, you know.

13,255. (*Mr. Coleridge.*) Going towards it ?—No.

13,256. Must you pass 13 to get to 15 ?—No.

13,257. Must you 15 to get to 13 ?—Yes.

13,258. Have you seen them going towards 15 ?—Yes ; 15 is just at the top of the stairs.

13,259. You have seen them going towards 15, and never towards 13 ?—I never did.

13,260. You have never seen them pass 14 to go to 13 ?—No.

13,261. You have seen them going the way that would lead to 13 ?—The stairs would lead them.

13,262. You have seen them going towards 15 ?—Yes.

13,263. And never seen them going to 13 ?—No.

13,264. (*Mr. Longe.*) Did they sleep in one room ?—I do not know that.

13,265. When did they come ?—I believe one with Mr. Smith, and one the day after.

13,266. (*Mr. Coleridge.*) When did you last see the stranger ?—I do not know.

13,267. Come, be careful. Who paid the stranger's bill ?—The stranger paid his own.

13,268. Did he pay you ?—I believe he did.

13,269. What amount did he pay ?—I cannot tell.

13,270. About ? What did he give you for yourself ?—He is charged that.

13,271. How much ?—I cannot recollect.

13,272. Was it a week ?—I do not know.

13,273. Was he down more than once ?—I do not recollect.

13,274. Do you recollect his going away ?—I cannot say I do.

13,275. Do you not recollect ?—I do not.

13,276. Be careful. Do you recollect the stranger leaving your house in the morning ?—I had missed him nearly the whole of the day.

13,277. Tell me the day you missed him ?—I cannot tell you.

13,278. Was it the Sunday before the election ?—I may have been ; I cannot tell.

13,279. Was it the Monday before the election ?—I cannot tell.

13,280. Was it the Monday before the election ?—I cannot tell.

13,281. The Saturday ?—It may have been.

13,282. Was it before or after the election ?—Before I think.

13,283. You have got so far. How much before it ?—I cannot tell.

13,284. Nonsense. We must have it ?—I cannot tell.

13,285. How came you to recollect that you missed him a whole day ?—Because he did not have any meals.

13,286. What day was it ?—I cannot answer. I am sure.

13,287. Do you recollect what time he came back when he returned ?—I cannot.

13,288. You missed him a whole day ?—Yes.

13,289. What time did you miss him ?—I believe he went after breakfast.

13,290. When did you see him again ?—I do not know. Not till the next morning.

13,291. What time ?—I think in the morning.

13,292. Are you sure ?—I am not sure.

13,293. Did you see him again till the Monday morning ?—I cannot recollect.

13,294. When did you miss him again ?—I do not know.

13,295. Who brushed his coat—the boots ?—I suppose so.

13,296. Where did you attend him ?—He sometimes had his meals in the coffee-room.

13,297. Had he them regularly in the coffee-room ?—I do not know.

13,298. Did you look at his bill before you took it up ?—I cannot remember.

13,299. Do you look at bills before you take them ?—Occasionally.

13,300. Did you see what meals were charged for his bedroom ?—No; I do not remember it.

(*Mr. Bere.*) If you go on in this way we shall take e same course with you as we did with regard to r. Heath, and perhaps that may have the same effect on your memory as it did upon his.

13,301. (*Mr. Longe.*) You say you do not know e day when the stranger and the two clerks arrived ? I do not know.

13,302. What made you say he came by the mail ain ?—I remember a gentleman coming by the mail ain, and his bedroom was No. 13.

13,303. (*Mr. Coleridge.*) In whose handwriting as the bill made out ?—I do not know.

13,304. You know the handwriting of the barmaid? I might if I saw it.

13,305. (*Mr. Bere.*) Who gave you the bill ?—I do t know.

13,306. (*Mr. Coleridge.*) Do you know the handriting of the barmaid ?—Yes.

13,307. Do you know Mr. John Heath's handwrit-g ?—No.

13,308. Do you know whether the bill was made t in the handwriting of the barmaid ?—I do not ow.

13,309. In whose handwriting was it made out ?— lo not know.

13,310. Who usually makes out the bills ?—Some-nes Miss Heath and sometimes Miss Prout.

13,311. Is it always Miss Heath or the barmaid ?— es.

13,312. Do you know Miss Heath's handwriting ? Yes.

13,313. In whose handwriting was the bill ?—I annot remember.

13,314. At what time did the stranger ask you for e bill ?—I believe in the morning.

13,315. What day ?—I do not remember.

13,316. Before or after the election ?—I think fore.

13,317. How much before ?—I do not really know.

13,318. Will you swear it was not the election day? I could not swear, but I do not believe it was.

13,319. Will you swear it was not the day after the ection ?—It may have been.

13,320. Do not you know perfectly well it was the ay after ?—No.

13,321. You do not believe it was the election day? No.

13,322. Nor the nomination day ?—No.

13,323. How did he pay you your bill ; gold, notes, what ?—I forget. It was not much of a bill, I ink. In fact sometimes he paid for what he had.

13,324. Everything he had was not charged in that ill ?—Everything he had, I think.

13,325. Then what do you mean by saying he some-mes paid ?—Sometimes what he had he paid for.

13,326. He would pay for a meal in the coffee room ? Yes.

13,327. You took him this bill and he paid it ?— es.

13,328. Did you get it receipted ?—I do not remem-er that I did.

13,329. Don't you usually ?—If it is a large mount.

13,330. Do you receipt bills yourself ?—No.

13,331. Who receipts them ?—I take them to the ar.

13,332. Was it Miss Heath or Miss Prout ?—I annot recollect.

13,333. What time did the stranger go away after e got his bill ?—I do not remember.

13,334. How long after the stranger paid his bill id you see him again ?—I do not remember.

13,335. (*Mr. Bere.*) The last time you saw him was when he paid his bill ?—To the best of my tion.

13,336. What time ?—I cannot say.

13,337. Night or morning ?—I believe morning.

13,338. Do not you know it was the morning after the election ?—I do not know.

13,339. The morning of the election ?—I believe it was the day after.

13,340. You know perfectly well it must have been ? —I do not, and if I knew I would answer.

13,341. Did not you see the stranger on the morning of the election ?—I do not think I did.

13,342. Did not you see him on the evening of the nomination day ?—I could not swear.

13,343. Will you swear you did not see him on the day of the election ?—I will not.

13,344. (*Mr. Longe.*) You say you remember the two clerks coming and this person, the stranger, coming ?—Yes.

13,345. Who came first ?—I think the stranger came first.

13,346. What is your reason for thinking that ?—I fancy so, to the best of my knowledge.

13,347. Did you ever see the stranger in conversation with Mr. Heath ?—I do not remember that I ever did, except once I think I did near the smoking room door.

13,348. Where were you in the habit of seeing him? —Only when he had his meals, that is all. I might pass him occasionally, but I cannot remember exactly.

13,349. Several times you saw him about the house? —Yes, I have seen him walking about in the evening.

13,350. Did you ever see him in conversation with Mr. Edmonds ?—Never.

13,351. Did you ever see him in conversation with Mr. Smith ?—Never.

13,352. Did you ever see him in conversation with Mr. Lind ?—I do not know him.

13,353. Either of Mr. Smith's clerks ?—No, never.

13,354. Do you remember the Saturday night before the election ?—I remember the Saturday.

13,355. Did you see Mr. Heath constantly in the lobby of the "Seven Stars" on the evening of that day ?—No doubt I did.

13,356. Did you see a number of people outside the door ?—Yes.

13,357. Did you see Mr. Heath? We have had this from Mr. Heath, and you need not at all be afraid of saying it ?—I am not at all afraid.

13,358. Did you see Mr. Heath hand anything to the people near the door ?—I did not.

13,359. Did you see the stranger in the lobby at the time ?—I do not remember.

13,360. Yes, you do ?—I do not. I may have.

13,361. Will you swear you did not see him ?—I will not.

13,362. Were refreshments being supplied in the large room at that time ?—I do not know. They were at other elections.

13,363. Anybody who came in got a ticket and got what he wanted ?—I think so.

13,364. Were not you the person who executed the orders ?—For dinners.

13,365. But for grogs ?—No.

13,366. Who did that ?—Either of the assistants.

13,367. Who are they ?—The servants that are kept.

13,368. Who are they ?—They are changed now.

13,369. Who were they at the election ?—I think a girl named Heath was my assistant ; I think she was there at the election.

13,370. Who else ?—Thomason.

13,371. Who were the other assistants ?—There was the under-boots.

13,372. Who is the under-boots ?—They have changed.

13,373. (*Mr. Coleridge.*) Was his name Clarke ?— That is the waiter.

13,374. What is the name of the under-boots ?—I will remember presently.

13,375. (*Mr. Bere.*) Were dinners served in the large room ?—Yes.

13,376. How many dinners were ever served in one day in the large room ?—I cannot tell.

TWELFTH DAY.

Mr. S. Brown.

6 Sept. 1866.

13,377. Did the stranger ever take his dinner in the large room?—I never saw him.

13,378. When the stranger had anything from you and did not pay, how did you describe him to the barmaid?—I do not know whether I entered him as "13" or "light gent."

13,379. (*Mr. Longe.*) You waited on the two clerks?—Yes, occasionally.

13,380. How did you enter things for them?—As "No. 6" or "Mr. Smith's clerks."

13,381. How did you distinguish them?—They were entered together.

13,382. Do you mean you kept an account for those two?—Yes.

13,383. Do you swear that?—Yes.

13,384. Did you enter things to Mr. Smith's clerks without specifying which?—Yes.

13,385. Whatever they had?—Yes.

13,386. (*Mr. Coleridge.*) Did that go to Colonel Dawkins's account?—I do not know.

13,387. (*Mr. Bere.*) When this stranger told you to go and fetch Evens what did you suspect you wanted him for?—I did not suspect at all.

13,388. You really mean us to believe that?—I did not know his business.

13,389. I did not ask you that. Did not you suspect what his business was?—Certainly I did.

13,390. What did you suspect was his business?—To see about voters, to get voters, to buy voters.

13,391. (*Mr. Coleridge.*) How often during the time the stranger was in the house did you take messages or notes to Mr. Heath?—On one or two occasions.

13,392. More than that. Try and recollect?—I cannot recollect; it is impossible.

13,393. Did you take several bits of paper?—I think one or two.

13,394. Did you take messages by word of mouth?—I do not remember that I did.

13,395. When you took those did Mr. Heath go up to No. 13?—I believe he did. I would give the message and leave directly. I had a great deal to do; other business families in the house.

13,396. (*Mr. Longe.*) Mr. Smith's clerks were in the house how long?—I think two or three days.

13,397. Did you have any conversation with them with regard to the election?—No.

13,398. Did you have a private conversation with them?—Never.

13,399. No chaff?—Not the least to my recollection. I merely gave them what they asked, and left the room directly.

13,400. (*Mr. Coleridge.*) Are you a voter?—Yes.

13,401. (*Mr. Longe.*) Were Mr. Smith's clerks always in their room?—No.

13,402. Did you have any conversation, ordinary conversation with them?—I may have spoken to them, but I cannot tell what passed.

13,403. You have had a conversation with them?—Yes, I suppose I have spoken to them.

13,404. You had a conversation with them?—Yes.

13,405. Several times?—Yes.

13,406. Where?—In the room No. 6, in the sitting-room.

13,407. Nowhere else?—Not to my recollection.

13,408. Did they never stop in the lobby or hall and talk to you?—I never remember any such thing.

13,409. Do you know where they came from?—I do not know. I thought they came from London.

13,410. Were there any other strangers in the house?—Not that I am aware of. There may have been commercial gentlemen in. I do not know of anyone else.

13,411. You would not swear there were not strangers in the house except the clerks?—I could not swear; I cannot remember.

13,412. (*Mr. Bere.*) Where did you think the stranger came from?—I never thought at all.

13,413. (*Mr. Longe.*) Do you swear that you did not know the names of the clerks?—Not till to-day.

13,414. You never heard the names mentioned?—I do not remember.

13,415. Did not you see the luggage?—I have nothing to do with that; that is for the porter.

13,416. Is not it an unusual thing for persons to be in conversation and for you not to know their names?—It is seldom I know them.

13,417. After staying a week in the house?—I do not know.

13,418. (*Mr. Bere.*) You took care not to ask their names?—I never asked them.

13,419. (*Mr. Longe.*) You knew their names were not to be known?—No.

13,420. (*Mr. Coleridge.*) Do you keep a stranger book?—No.

13,421. Do you ask people not at elections for their names?—No.

13,422. You do not ask how to make out their bill?—No.

13,423. What qualification do you vote upon?—Orchard and buildings.

13,424. Where are they?—In the direction of South Street.

13,425. Have you ever seen them yourself?—I should think I had.

13,426. What do you do with the orchard and buildings? how do you use the buildings?—I keep pigs and poultry.

13,427. How many pigs?—Two.

13,428. How large is the orchard?—I should think three parts of an acre.

13,429. Of whom do you rent it?—Miss Emma Taylor.

13,430. What do you pay for it?—11*l.* a year.

13,431. Do you pay your own rent?—Yes.

13,432. What does Mr. Heath do with it?—I should like Mr. Heath to pay it, but he will not.

13,433. Do you make it pay?—Yes; but I keep it more for a hobby. But I have several buildings on it.

13,434. One for pigs?—Yes; one poultry and another pigeons.

13,435. Who canvassed you?—Captain Pim and Colonel Dawkins.

13,436. Who else canvassed you?—Nobody.

13,437. What did you get?—Nothing.

13,438. What did you get?—I never asked, and never got anything.

13,439. What did you get afterwards?—Something for my labour.

13,440. How much?—A sovereign.

13,441. Did Evens send you anything?—No.

13,442. Did Screach?—No, nothing at all.

13,443. It is a mistake to put you down as a matter-of-course man?—That is Mr. Harris's mistake.

13,444. You never got 10*l.* or 20*l.* after the election?—No.

13,445. You have only been paid for what you have done?—I have not been paid properly.

(*Mr. Bere.*) We are going to adjourn, and we shall require you to attend when we meet again, and we hope your memory will be a little fresher.

(*Witness.*) I hope it will. I have given you the best information I can remember.

M. Pomeroy.

MARIA POMEROY sworn and examined.

13,446. (*Mr. Coleridge.*) Are you chambermaid at the "Seven Stars" hotel?—Yes.

13,447. How long have you been there?—Six years on the 28th October.

13,448. You have been there through three elections?—Yes.

13,449. Do you recollect the last election?—Yes, quite well.

3,450. The house was quite full, I suppose?—y full, indeed.

3,451. How many beds do you make up there? cannot tell exactly.

3,452. Just think a moment; how many bed-ns do you make up?—Seventeen; 16 bedrooms 17 beds.

3,453. Which is the double-bedded room?—No.

3,454. Do you recollect Colonel Dawkins and Smith coming down about 10 days before the last tion?—I cannot tell you how long before.

3,455. About?—I cannot recollect the time they e.

3,456. What room had Colonel Dawkins?—No.

3,457. I suppose you gave him the post of honour? Ie chose to have it.

3,458. You had a very good looking young tleman, Captain Fox, where did he inhabit?— 4.

3,459. In which room did Mr. Smith sleep?— 15.

3,460. Was it Mr. Smith, or Mr. Smith's clerk, o slept in No. 15?—Mr. Smith.

3,461. Mr. Smith himself slept in No. 15?— s.

3,462. Colonel Dawkins' and Captain Fox's rooms re on the first floor, the sitting-room floor?—Yes.

3,463. Not on the same floor as No. 15?—No.

3,464. What other bedrooms were there on the t floor, the same floor as Colonel Dawkins and ptain Fox?—Captain Fox's bed room was between at we call the coffee-room and sitting-room No. 9, l the other room which has not been built a great ny years, Colonel Dawkins had that.

3,465. How many bedrooms are there on the t floor?—Four.

3,466. Colonel Dawkins had one?—Yes.

3,467. Captain Fox another?—Yes.

3,468. Who had the other two?—I cannot tell u. I do not remember in the least who had them. ather think commercials had them.

3,469. Not any of Colonel Dawkins's party?—

3,470. Mr. Smith came down with a clerk, did not ?—That I do not know.

3,471. Was there another gentleman with Mr. Smith ides Colonel Dawkins?—I do not know. I think . Smith had two clerks.

3,472. He had after a day or two?—Yes.

3,473. Mr. Smith had No. 15; did he sleep there all time?—Yes.

3,474. Where did the two clerks sleep?—I do not ow exactly; we were very full, and I do not re-mber in the least where they slept.

3,475. Just recollect where those two clerks pt. Have you a double-bedded room?—Yes.

3,476. That is No. 17?—That is No. 17.

3,477. Did they sleep in No. 17?— I do not think y did.

3,478. They had two single rooms?—I think so.

3,479. Just try and recollect where they were? I do not know. I can ask that question.

3,480. They were on the same floor as No. 13, at events?—I think they were.

3,481. Can you tell us at all what rooms they upied. The waiter said No. 15, but that seems to ve been a mistake?—No; that was Mr. Smith's om I am certain, but I cannot recollect where they pt.

3,482. If the house was so full what rooms were t for them to sleep in? Did any of them sleep in . 13?—I do not know; there was a gentleman in . 13.

3,483. In No. 13?—Yes, a gentleman.

3,484. Was that one of Mr. Smith's clerks?—I do t know at all.

3,485. You must try and recollect that?—I have d you as far as I can recollect; I do not wish to tell ls- about it.

13,486. Without telling falsehoods, we want you to tell us all you know, not all we ask you only?—I do not remember.

13,487. Who slept in No. 13?—A gentleman, I know. I know I made his bed, and I know he had a small black bag.

13,488. Anything else?—I cannot remember.

13,489. I want to know where the two gentlemen, called Mr. Smith's clerks, were put?—I do not remember. I should know them if I saw them, perhaps.

13,490. You knew them at that time?—I think I did.

1,3491. Did you ever hear either of their names?—No; I only made their beds, and that is all I know about it.

13,492. Do not gentlemen sometimes require meals in their bedrooms?—Yes, sometimes they require meals in their bedrooms.

13,493. Whose business would it be to take it up to them?—Mine.

13,494. Supposing a gentleman in No. 13 required anything you would take it?—Yes.

13,495. Did the gentleman in No. 13 require anything?—I never carried anything up during the whole time he was there; he always slept there.

13,496. Then the waiter must be under a misapprehension if he thinks he had anything in his room?—He never had anything in his room.

13,497. Not even brandy and seltzer?—Nothing at all.

13,498. Not even a cup of tea in the morning?—No.

13,499. Not Mr. Smith; did not he have a cup of tea in the morning?—I never carried Mr. Smith a cup of tea in his life.

13,500. You never carried anything into his bedroom?—I made his bed.

13,501. Not his bath?—He never had no bath.

13,502. You must know something more about this. Of all the gentlemen staying in the house at that time, how many had anything in their bedrooms?—None. I never carried up anything.

13,503. You mean from a fortnight before up to the time of the election you never carried up anything?—Never.

13,504. Neither a cup of tea, a bottle of soda water, or anything else?—Nothing.

13,505. Have you any assistant under you?—I do the whole myself.

13,506. You do the whole thing?—Yes, I do all.

13,507. What! all these 17 rooms?—Yes.

13,508. You have no one to help you?—No woman to help me whatever.

13,509. But, generally, have you had a man to help you?—No.

13,510. Are you sure?—No one put a hand to anything unless it was myself.

13,511. Had you never a waiter to help you?—No, I never saw a waiter upstairs.

13,512. I suppose the boots went into the bedrooms?—Not that I know of.

13,513. He did not take their clothes to brush?—No; very likely they brushed them themselves.

13,514. You mean of all these gentlemen none had their clothes brushed?—No; Captain Fox had his, and Colonel Dawkins', they had a valet.

13,515. Colonel Dawkins's valet brushed Captain Fox's things?—Yes, he looked after them both.

13,516. What was the valet's name?—Thomas Marshall he was called.

13,517. Had he been a soldier?—I think he had. I do not think he was out of his time when he came here.

13,518. I daresay you became very intimate before he went away?—No; he was not a young man I should like exactly.

13,519. Who brushed Mr. Smith's things?—I do not know. I should not think they were brushed at all but what he done himself.

13,520. Who cleaned his boots?—The boots.

13,521. Then the boots went into his room?—He might have carried them up to the door.

TWELFTH DAY.

M. Pomeroy.

6 Sept. 1866.

13,522. And the gentleman would come to the door and take them in?—Yes.

13,523. Who took the hot water up in the morning?—Very likely I did.

13,524. You told us just now that you never carried up anything?—I took it up to the door.

13,525. You may have carried it in?—Just outside the door.

13,526. You did not take it in?—I do not think I did. Mr. Smith came to the door and took it in.

13,527. Did that stranger at No. 13 come to the door?—I do not know; I never carried any hot water up all the time he was there.

13,528. Did that gentleman shave with cold water? Do you mean seriously to say that you never took any hot water up to No. 13?—No, I never went to No. 13 till the gentleman was out of the room. I made the beds after the gentleman went down.

13,529. Then when you came into the room he went out as you came in?—He was gone before I went in.

13,530. You never saw the gentleman who was in No. 13?—Yes; if he came up just as I had finished I might.

13,531. Did you ever see what was in that black bag?—Never.

13,532. The bag was left in the bedroom?—Yes.

13,533. In making the bed did you dust the bedroom?—Yes, and filled the jugs.

13,534. Had you ever occasion to move that little black bag?—Never.

13,535. It was always on a chair at the foot of the bed?—Yes, it was always there when I made the bed.

13,536. Was there not a chair at each side of the bed?—Nothing at all.

13,537. You never saw anything but the little black bag?—No.

13,538. You had no occasion to move that bag?—No. I do not know that I put my hand to it.

13,539. When you did how did it feel?—I did not.

13,540. You said you did not know that you had put your hand to it?—Never.

13,541. You cannot tell us what it felt like?—No.

13,542. Did you always make the beds after those two gentlemen came down?—Yes, because there was no one else there.

13,543. Where were they sleeping?—I do not know the numbers exactly.

13,544. Between three or four rooms tell us where they must have been?—They did not sleep in the double bedroom but the numbers of the bedrooms I cannot tell you.

13,545. In what numbers could they have slept?—I cannot say.

13,546. Tell us all you know of as occupying rooms in the house at that time?—I cannot tell them all.

13,547. We have Colonel Dawkins one; Captain Fox two; Mr. Smith three; the mysterious stranger four?—There was Captain Pim.

13,548. Yes, that is five; where was Captain Pim?—No. 16.

13,549. We have 15 and 16 occupied. Who was in 14?—I could not tell.

13,550. Try?—I do not recollect the number.

13,551. How is it you recollect the number of these other gentlemen?—Because I saw them much more often.

13,552. Do you mean that you saw Mr. Smith more than his clerks?—He and Colonel Dawkins and Mr. Fox were there a fortnight, I think.

13,553. And Captain Pim?—Yes, and Captain Pim.

13,554. Do you recollect Captain Pim telling you that a gentleman was coming down in the middle of the night? Do not you recollect Mr. Murchison coming down?—I do not remember anything of the gentleman, else I should have got up to make a bed for him.

13,555. Do you recollect Mr. Murchison, a friend of Captain Pim's, coming down?—I do not recollect the name at all.

13,556. How were the other beds? Was the house filled at all?—Just the same as at other times, I suppose.

13,557. Then Mr. Heath may be incorrect. He has told us that the whole house, except, perhaps, a chance commercial, was taken up by Colonel Dawkins's friends. Who else?—I do not know who they were or where they came from.

13,558. And you cannot tell us at all where the two clerks of Mr. Smith's were?—No; I heard he had two.

13,559. You know now that they slept in the house?—Yes.

13,560. But you do not know where?—No.

13,561. You would not know them if you saw them?—I do not know that I should.

13,562. Are we to understand that you cannot tell us at all where these two gentlemen slept?—No.

13,563. Try?—If I tried ever so much I could not tell you.

13,564. Here were gentlemen who were staying for a considerable time in the house, a week or 10 days together. Was anybody staying 10 days in the house not connected with the election?—Not that I remember.

13,565. These two gentlemen, you can suggest no others, must they have been two of the gentlemen connected with the election?—I do not know; I remember Colonel Dawkins quite plain.

13,566. Come, you must recollect this. Tell me do you recollect one other gentleman besides Colonel Dawkins, Captain Pim, Captain Fox, and Mr. Smith who stayed for 10 days together in your house at that time?—I do not think there was.

13,567. You do not think there was?—No, I do not.

13,568. Do you think anybody stayed a week?—I do not think there was. I do not remember making a bed up for so long.

13,569. Except those four gentlemen I have mentioned, can you tell me anybody who stayed at the house four days?—I cannot remember.

13,570. Do you think there was anybody stayed as long as four days at that time?—I do not think there was.

13,571. It may altogether be a mistake that I may have heard about these gentlemen being here at this time?—It may have been.

13,572. Do you remember any instance of a gentleman at that time staying in the house changing his room?—I do not.

13,573. If anybody had changed his room, or complained about the noise, or anything, you would have known it?—Yes.

13,574. You can swear, then, that no gentleman did change his room?—Yes.

13,575. Without going away and coming back again?—Yes.

13,576. If a gentleman did go away and come back, he might possibly go to a fresh room?—Yes.

13,577. Do you recollect the gentleman who lived in No. 13, and had the black bag, having a name given to him?—No. I never recollect the name of Mr. Mum before now.

13,578. Did not you have any other name?—No.

13,579. What used Mr. Heath to call him?—I do not know what Mr. Heath used to call him.

13,580. You never heard Mr. Heath call him any name?—Never heard Mr. Heath call him anything.

13,581. Was the gentleman in No. 13 in the habit of staying a good deal in his room in the daytime?—I do not know that he was.

13,582. You never found anyone there and found the door locked?—No.

13,583. You have given your evidence very carefully, I can see. There was no one else there but himself?—No.

13,584. We must have it all out of you, it is clear?—Yes.

13,585. How often did you go to this gentleman's room in the course of the day after you had made his bed?—I generally would make his bed and empty the slops about 12 o'clock, and fill the jugs.

13,586. When again?—And, generally, in the evening I went to turn the beds down.

13,587. What time?—Sometimes 6 or 7, or half-half-past 7.

13,588. I suppose you went into No. 13 on those occasions?—Yes.

13,589. You never found the door was locked all the time?—No.

13,590. It is a mistake, then, of Mr. Heath's, if he has said so?—Yes, it is a mistake.

13,591. And Mr. Edmonds must be mistaken?—Very likely.

13,592. Screach and Evens must be entirely mistaken, because they said they were constantly up there and found the door was locked?—Yes, I never did.

13,593. Had you told the stranger the usual time that you came to the room?—No; he never asked me to go to the room to do it, or anything of the kind.

13,594. Did you ever go into the room and find him there with the door unlocked?—I never found him in the room in my life.

13,595. What time did you call him in the morning?—I do not know whether he was called at all.

13,596. He was a wide-awake gentleman?—A great many gentlemen call themselves.

13,597. When you used to go and make No. 13 bed, used that bed always to have been slept in during that time the gentleman was there?—I do not know. If the house was full, the bedroom was sure to be used.

13,598. You cannot tell whether anybody slept in it or not?—No, I cannot. I do not know whether I made up the bed the same night or not.

13,599. Can you tell whether the bed was slept on or not?—Sir?

13,600. Can you tell whether the bedroom was slept in or not?—Certainly I can.

13,601. You said just now you could not?—Perhaps I did not understand what you said.

13,602. You can tell whether one or two have slept in it?—Yes, I think I can.

13,603. Was that bed slept in at all every night the gentleman was supposed to be occupying it?—Yes.

13,604. There was no night at all in which the bedroom was not occupied by this gentleman from the time he came until the time he went away?—I never found it so.

13,605. How long do you think the gentleman in No. 13 had been there before the election?—I do not remember the gentleman being there a day before the election who had anything to do with the election.

13,606. I did not ask you that. I am asking you about the gentleman with the black bag. How many nights had he been there before the election?—I do not know.

13,607. How many nights do you think?—I cannot tell whether more than one night; I do not remember one night.

13,608. You have just told me that you knew all the nights he was there you knew the bed was occupied?—I did not say by the same gentleman.

13,609. Not by the gentleman with the black bag?—No; I did not mean to say the same gentleman.

13,610. How long was he there?—I cannot say.

13,611. When did you first see him?—I do not remember the time, what day of the month.

13,612. I do not ask you that. How long before the election?—I cannot say.

13,613. I want to know how long before the election you first saw the gentleman with the black bag?—I do not know.

13,614. Was it 10 days?—I do not know.

13,615. Was it a fortnight?—I do not know at all.

13,616. Was it a month?—I do not know.

13,617. Will you swear it was a month?—I cannot swear to anything.

13,618. Was it a week?—No.

13,619. A fortnight?—No.

13,620. You must tell us this, because you must know?—I do not know.

13,621. You know perfectly well when the gentleman with the black bag was there. Was it 10 days before the election?—I do not know.

13,622. Was it before or after Mr. Smith came down?—After Mr. Smith, I think; I mean before.

13,623. Mr. Smith came down and went away again, did he not?—I do not recollect.

13,624. Do not you recollect Mr. Smith coming down with Colonel Dawkins, and then going away two or three days?—No.

13,625. Then, I suppose, when Mr. Smith went away, if he did not go away not to come back, he would keep his room all through, No. 15?—Yes.

13,626. Did you make the beds in No. 15 from the first day Colonel Dawkins came down till the election was over, always in No. 15?—Yes.

13,627. Was it always made for the same gentleman?—Yes.

13,628. You can swear that?—Yes; because if it is not the same gentleman——

13,629. You would change the sheets?—Yes.

13,630–1. Will you swear, on your oath, that it was occupied every night from the time Colonel Dawkins came down till the time of the election?—As far as I can remember.

13,632. You have sworn that you never changed the sheets, and you can recollect one thing as well as another. Was the bed occupied?—Yes, as far as I remember.

13,633. Will you swear that every single night, from the time Colonel Dawkins came down till the election was over, that room was occupied?—As far as I remember.

13,634. You emptied the slops every morning?—Yes.

13,635. If Mr. Smith has told us that he went away three days and slept in another bed it must be a mistake?—I should think it must. I do not remember his doing so.

13,636. Your memory is not very good?—It is not.

13,637. We will go back to No. 13. How many days did the same gentleman occupy the bed?—I do not remember.

13,638. How do you remember Mr. Smith occupying it all this time, and yet cannot tell us about the gentleman in No. 13?—Because I did not know him so well as Mr. Smith. I do not think he was in the house so long. If he was I think I should have known him.

13,639. How much shorter time had he been in the house, do you think, than Mr. Smith?—I do not know.

13,640. Do you think he was in the house 10 days?—I should think not.

13,641. You can always recollect about changing the sheets. How often did you change the sheets of No. 13, from the fortnight before the election till the election day?—I think I changed them after the first night.

13,642. You think you changed them after the first night?—I think I did.

13,643. When was the first night?—I do not remember the night.

13,644. Was it a fortnight before the election?—I could not tell.

13,645. Was it a week?—I could not tell.

13,646. Was it a day?—I could not tell.

13,647. You really cannot expect us to believe that. You have told us that you recollect all about Mr. Smith and his sheets, and his absence from the bath, and you cannot tell us that. Come, try and brush up your memory?—I cannot remember that.

13,648. Is No. 13 the only room you cannot

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recollect about?—I do not recollect about anything else.

13,649. Where did Colonel Dawkins sleep?—At No. 20.

13,650. On the first floor?—On the first floor.

13,651. Did Colonel Dawkins sleep in his bed every night from the time he came?—Yes.

13,652. You never changed the sheets?—I changed them at the week's end.

13,653. Colonel Dawkins had a bath?—Yes, in the room, every night.

13,654. And you emptied the slops, and all that?—Yes.

13,655. You recollect Colonel Dawkins?—Yes, quite well.

13,656. Did Captain Fox sleep in his room every night?—Yes.

13,657. He never went away a night?—He never went away a night.

13,658. And he had a bath?—I am not quite sure. Yes, I think he had.

13,659. You remember about Mr. Smith, Captain Fox, and Colonel Dawkins; cannot you recollect something about No. 13?—No, I cannot remember in the least.

13,660. Not No. 13 at all?—No.

13,661. Who slept in No. 14?—That I cannot remember.

13,662. That is another of the mysterious rooms?—Yes.

13,663. What made you say just now that you never went to the room when I did not ask you anything about it?—You asked me whether I went there and found that the door was locked.

13,664. You have heard about No. 13 being locked?—Yes, since this stir is up.

13,665. You have had a great deal of talk with Mrs. Heath?—She never talked to me about it in my life.

13,666. Who has talked with you?—Only what I have heard from other people,

13,667. Who talked to you—Brown?—No, I read the paper.

13,668. And did not you hear about the stranger in No. 13 at the time they were up in London on the petition?—No.

13,669. You have applied your mind particularly to No. 13 and locking the door?—I never locked the door in my life.

13,670. You have applied your mind particularly to No. 13 and the locking of the door. What makes you remember so much?—I do not remember, except from reading the paper and people saying that the door was locked.

13,671. And you have been thinking about it, and you do not think the door was locked?—No, I do not think so.

13,672. Then Mr. Heath must have been very much mistaken?—Very likely he was.

13,673. You do not agree with him, but think he was mistaken?—I think he was mistaken.

13,674. Did you ever find the blinds down?—Never.

13,675. Screach says the blinds were always down?—It was always just as I left it.

13,676. Did you leave it so?—No, except when the sun was coming in in the day.

13,677. Then you always kept the blinds down?—Yes.

13,678. From the opposite side of the street you can see into No. 13, can you not?—I think they can.

13,679. Did Colonel Dawkins always keep his blinds down?—No.

13,680. You never saw Colonel Dawkins' blinds down?—No.

13,681. Or Captain Fox's?—No.

13,682. How comes that?—I do not know.

13,683. No. 13; they were always up. Did Mr. Smith keep his blinds down.—I do not know; I might pull them down in the day.

13,684. Did you pull down the blind in Colonel Dawkins's room?—No; we do not get the sun there.

13,685. Try and tell us when the gentleman in No. 13 first came?—I cannot.

13,686. Do you recollect some gentleman coming down and occupying No. 13, and leaving and coming back at any time?—I do not remember it.

13,687. Do you recollect any gentleman shortly before the election going away and saying, "Keep "my room, I shall be back to-morrow night, but "shall not to-night?"—I do not remember anyone in connexion with the election.

13,688. You do not recollect any occasion in which No. 13 bed was not slept in?—No.

13,689. What sort of a looking gentleman was it who slept in No. 13?—I do not remember.

13,690. You have seen him?—I have, once.

13,691. What sort of gentleman is Colonel Dawkins?—He is is very tall, and with a dark complexion.

13,692. Moustache?—Yes.

13,693. What sort of gentleman is Captain Fox?—I think he is rather a light complexion.

13,694. Fair?—As well as I can remember.

13,695. Moustache?—I do not know.

13,696. Good looking?—I do not know.

13,697. You are not a judge, perhaps. You have told us about Colonel Dawkins and Captain Fox, now tell us something about the stranger in No. 13?—I cannot tell you the least about him; I have not heard the least about him.

13,698. There is a sort of mystery about No. 13, the blinds, and the stranger, and the bed, all equally confused. You cannot remember anything about it?—No.

13,699. You seriously mean to say that you can recollect everything else you have told us, and cannot recollect about No. 13?—Yes; and I do not remember No. 13.

13,700. (*Mr. Longe.*) As I understand, until you heard of Mr. Mum just now, you did not know of anyone of the kind being in the house, a mysterious stranger, or anyone of that kind; you had no notion?—No.

13,701. You had not?—No.

13,702. You did not know this person, whoever he was?—No.

13,703. You did not know there was a mysterious stranger come down to do the clandestine work?—No, I never heard anything at all about it.

13,704. You do not know but that he was one of Mr. Smith's clerks?—No; I did not know that he was.

13,705. You did not know that he was?—I did not know anything about it; I did not know that he had anything to do with it.

13,706. You do not know that the person who slept in No. 13, whose bed you made from day to day, was not one of Mr. Smith's clerks?—I cannot say he was not.

13,707. It was never whispered amongst you that there was a mysterious stranger in the house?—No.

13,708. You never heard there was some one in the house who was occupied in passing over money. You never heard there was a mysterious stranger, apart from the people, moving about the house from day to day?—I never heard anything about it.

13,709. You never heard any orders to treat No. 13 in any other way than you did other bedrooms?—No.

13,710. There were no injunctions given you not to walk in at any time of the day?—No.

13,711. It may have been one of Mr. Smith's clerks who was living in No. 13, for aught you know?—It may have been.

13,712. (*Mr. Coleridge.*) Now to resume my cross-examination. You particularly observed about this black bag?—Yes.

13,713. What made you recollect him with the black bag. It was always at the foot of the bed, you know?—It was there as long as he was there.

13,714. It was always on a chair at the foot of the bed?—Yes.

13,715. How many days?—I do not remember.

13,716. Eight or 10 days?—I do not remember.

13,717. You are on your oath?—I would tell you if knew, but I do not know it.

13,718. Tell me whether he was there two or ten?—I do not think it was more than one.

13,719. You do not think it was more than one?—o, I do not.

13,720. What size bag was it?—A very small black g.

13,721. What a gentleman generally carries his ggage in?—Yes.

13,722. Was it not a small one?—Sometimes I have en smaller.

13,723. What was other luggage?—I saw nothing e.

13,724. Do you mean that that was all this gentlean carried about?—Never saw anything else in the droom.

13,725. Or outside the bedroom?—No.

13,726. (*Mr. Bere.*) It lasted him a week?—I do t know; I do not know how long he was there.

13,727. (*Mr. Coleridge.*) Do you mean really to ll us that you do not recollect any other luggage?—o.

13,728. You will not swear that he was not there a eek?—No, nor that he was.

13,729. Will you swear that that little bag was not ere a whole week?—No.

13,730. Or a fortnight?—I will not swear anything out it.

13,731. What can you swear? Will you swear it as not there a month?—I will swear.

13,732. Will you swear it was not there three weeks?—I will not be certain; that I cannot be certain of.

13,733. You recollect about a month?—If he had een in the house a month I should have known him.

13,734. But if he had been in the house three eeks you would not. Is that what I am to underand?—I think I should three weeks.

13,735. You can say it was not there for three eeks?—Yes, I think I could.

13,736. Can you swear it was not there a fortnight?—No.

13,737. Is not a fortnight sufficient time to know a entleman?—Very likely it is, if you see him often ough.

13,738. He was sleeping in his bed every night you ave told us?—Yes.

13,739. Do you mean to tell us that that bag was ere a fortnight?—I cannot swear at all.

13,740. How often did you see the black bag; how any different times?—I saw it every time I went to the room, perhaps.

13,741. How many different days at different times?—I could not swear to it.

13,742. Give us a guess. Can you say you saw three or four different times?—I do not know.

13,743. May you have seen it?—I do not think I ight have.

13,744. You do not think you did?—No.

13,745. Do you think you saw it three or four times n succession?—I do not think I did.

13,746. Three or four times you might not have een it, might you have seen it two or three times?—I do not think I did; I do not think I ever saw he bag but that once in that day.

13,747. How often did you see the gentleman?—I o not remember seeing the gentleman more than one norning. I remember he came into his room as I was oming out, and had finished the room.

13,748. He was the gentleman who came by the ail train, was he not?—I do not recollect.

13,749. Do you recollect a gentleman coming down n Saturday or Sunday night before the election by he mail train?—No.

13,750. How do you arrange about being up at the 'Seven Stars?"—At what time?

13,751. The mail train?—We do not stay up.

13,752. If you know a gentleman is coming, how do you manage about keeping a bed ready?—If he writes and orders we keep it, but no one stays up.

13,753. Is there always "Seven Stars" fly at the station?—No, not the mail train.

13,754. It arrives at 10 minutes past four, does it not?—Yes; not unless it is ordered.

13,755. Supposing there was a fly on the night I mention, and it brought a gentleman to the house, it must be presumed that his bed would have been ordered?—His bed would have been ordered.

13,756. Do you recollect, on either Saturday or Sunday night before the election, No. 13 being left vacant for a gentleman coming by the mail train?—I do not recollect.

13,757. If a gentleman's bed was ordered, who would be the person to tell him his bedroom?—The under-boots.

13,758. What was the boots' name?—William Screach.

13,759. Any relation of the celebrated Mr. Screach?—What Mr. Screach.

13,760. John Sandford Screach?—I think he is; I think they are cousins.

13,761. Was the boots up on that night?—I do not know whether he was up or not; we keep a bed in the room downstairs, where he sleeps in case anyone should come.

13,762. Is it always the under-boots who lets them in?—I think it is.

13,763. Then the under-boots would know what room such a gentleman went to?—Yes.

13,764. Do you recollect a gentleman suddenly appearing in bedroom No. 13?—No; I do not recollect anything about it.

13,765. You are quite determined you will not tell us anything about No. 13?—I would if I knew. There are several rooms I do not know who slept in them.

13,766. You really mean to tell us that you do not remember who slept in No. 13?—No; and several rooms else I could not tell you anything about.

13,767. You are quite certain that the gentleman who had the black bag had no other luggage?—Yes; I could swear to it.

13,768. You could not say how long he stayed in the house?—No.

13,769. You are sure he never took his meals in the room?—I never took anything upstairs during the time of the election.

13,770. We have got you as far as a fortnight, but you will not swear to a week?—I do not remember his staying; I did not know how long.

13,771. You told us you could not recollect changing the sheets for a week?—I do not say that.

13,772. How often did you change the sheets in No. 13?—I told you just now I thought the day after, because I thought he was going on——

13,773. What was that day?—I cannot recollect about the day.

13,774. You recollect his coming and going?—If I see a gentleman's things packed up I always change them if he is going on.

13,775. Do you think he came down on the Friday before the election?—I do not know.

13,776. You seem to think, and probably you are correct, that he was only there one day; and do not you think he came down on the Thursday or Friday night, and went away on the Saturday?—I do not remember.

13,777. The gentleman who slept in No. 13 and had the little black bag you only recollect seeing once?—Only once.

13,778. You do not recollect seeing the little black bag more than once?—Not more than once.

13,779. What was the next time he came?—I do not know of his coming.

13,780. You do not recollect his coming?—No.

13,781. Nothing about his coming back again?—No.

13,782. Come, come?—I do not remember anything about it.

13,783. You must try and recollect this, or we must say the same to you as to Mr. Heath and the

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waiter; you will be kept here in attendance till you do. I do not remember. It is quite impossible for me to recollect.

13,784. (*Mr. Bere.*) Was there a woman named Martha Gale acting as chambermaid some time ago?—She has left a long time now.

13,785. When did she leave?—Two years in last June.

13,786. She was not acting at this time?—No.

13,787. Was anybody else chambermaid besides you?—No.

13,788. What are you, upper chambermaid?—I do everything.

13,789. You are the only chambermaid in the house?—The only chamber maid at the "Seven Stars."

13,790. You had no assistance whatever?—No assistance whatever.

Miss C. Heath.

Miss CHRISTIANA HEATH sworn and examined.

13,791. (*Mr. Bere.*) You and Miss Prout keep the books at the "Seven Stars"?—Yes.

13,792. Are your initials C. H.?—Yes.

13,793. And are those the initials which most commonly appear in this book (*referring to a book*]?—Yes; when I receive any money I sign my name.

13,794. Suppose a person has supper; who comes and tells you about that?—The waiter.

13,795. Do you know what bedroom a person occupies?—No, I do not know the room.

13,796. How do you describe the people in your books you do not know by name?—By sometimes "strange gent," and sometimes "dark gent."

13,797. Suppose the number of the bedroom is given, do you describe them by the number of the bed room?—We occasionally do.

13,798. Do you make out the bills generally?—Usually.

13,799. Do you give the bills to the waiter, and does he get them paid?—Yes.

13,800. And does he bring the money to you?—Yes, if I am there.

13,801. If not, to Miss Prout?—Yes.

13,802. And then do you receipt the bills?—Yes, if I am there.

13,803. You do if you are there?—If I am there.

13,804. There is an entry here I want to ask you about. Do you remember the time of the election?—Yes, I remember the time of the election.

13,805. You were at home at that time?—Yes, I was at home at that time.

13,806. There are a good many entries at that time in your handwriting?—I think so.

13,807. Will you come here and look at this book (*the witness inspected the book*). This is your handwriting, is it not, and that Miss Prout's?—The first is mine, and that is Miss Prout's writing. I entered all the carriages.

13,808. (*Mr. Coleridge.*) Did anybody else make entries excepting you and Miss Prout?—Yes, if anybody was in the bar.

13,809. Who would that be?—I do not know. Mrs. Heath, perhaps.

13,810. Has your father entered anything?—No, I think not.

(*The witness explained the entries in the book to the learned Commissioners*).

13,811. Supposing a person took his dinner in the commercial room, would not you charge him commercial prices?—Yes.

13,812. Then he might not have been a commercial, although you charged him commercial prices?—If they go into the commercial room, we generally charge them commercial prices.

13,813. Do you remember at the time of the election whether you had any commercial men about?—You can see by the entries. All the commercials would be entered into the other book, the summary book.

13,814. Did you transfer your accounts from this waste book to the ledger?—Yes, from this waste book to that one.

13,815. Is this 181?—Colonel Dawkins is not entered. If paid by a cheque it would not be put in.

13,816. I see opposite Colonel Dawkins' bill "181;" does not that mean the page in your ledger?—I do not think so.

13,817. What does the "181" mean in the waste book?—I can tell you if I see it. (*The witness further explained.*)

13,818. Now, would solicitors' clerks be allowed to go into the commercial room?—I think not. They usually find out who they are.

13,819. Do you find out their names?—No; we find out by their luggage whether they are commercials.

13,820. Do you think from the fact of a person coming with a small amount of luggage in a small bag about election time, that you should consider him to be a commercial?—No; the servants would find this out. The chambermaid would see, I suppose. Sometimes the commercials do not have all their luggage.

13,821. (*Mr. Longe.*) When a customer comes to the "Seven Stars," what is the rule; how is it arranged what bed he should take? I suppose he does not walk straight up into a bedroom?—He goes to the chambermaid, and whatever one she has prepared she gives him.

13,822. Do you mean that any person, with or without luggage, coming to your hotel, is immediately shown up to a bedroom?—Yes.

13,823. With or without luggage?—Yes; we have been cheated sometimes by their going away.

13,824. What is the rule? We have heard there are bedrooms on different floors. Is there no choice of bedrooms? Would you send all your customers to the same rooms without making any difference at all—Private gentlemen we should give the best rooms to if they are disengaged. If they had a private sitting room we should give them a better bedroom.

13,825. Who is to decide what bedroom any gentleman is to take, if a gentleman asked for a private sitting room?—The chambermaid would give a bedroom close to it.

13,826. Supposing he only asked for a bedroom—Then we should give him the best.

13,827. To a person in Colonel Dawkins' position—The best we had.

13,828. Who would decide that?—The chambermaid.

13,829. You mean it is left entirely to the chambermaid to decide whether to give a person the best or worst bedroom?—Yes, quite.

13,830. What is the custom; take commercial travellers; is there a particular set of bedrooms set apart for them generally?—No.

13,831. Would you ever put a commercial gentleman in any of these numbers on the first floor?—not otherwise required, we give the best bedroom we have, but not if engaged.

13,832. (*Mr. Coleridge.*) What sort of room is No. 13?—Not a very large room.

13,833. Looking out of the front, is not it?—Yes.

13,834. Just over the door?—Yes.

13,835. (*Mr. Bere.*) Did you see any gentlemen about No. 13 during the time of the election?—No, we never go that side of the house.

13,836. You do not live that side of the house?—No.

13,837. (*Mr. Coleridge.*) Did you see any strangers constantly about the house whom you did not know by any name during the time of the election?—Not one in particular.

13,838. How many did you see?—I cannot tell at all.

13,839. You know pretty well all the Conservative people in Totnes who were likely to be in your house during the election, besides Colonel Dawkins, Captain

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x, and Mr. Smith. How many other strangers ides those did you constantly see about the house that time?—I did not notice any in particular.

13,840. Did you notice two or three people with ange faces constantly about the house at that time? I think not. I should be very likely not to see them.

13,841. Did you notice one?—No.

13,842. Do you recollect ever seeing Mr. Smith and stranger in the bar together?—No; Mr. Smith dom came into the bar.

13,843. You have seen him in the bar?—I think I ve with Colonel Dawkins.

13,844. Do you recollect ever seeing him with some e else?—Never.

13,845. You have a little room at the back of the r?—No.

13,846. Or the side of the bar?—Yes, we have.

13,847. Do you recollect seeing Mr. Smith and a anger in a room at the side of the bar?—No; they ght go in there without my seeing them.

13,848. Could they go in without passing through e bar?—Yes.

13,849. There is a door at the back?—There is a separate door.

13,850. (*Mr. Longe.*) You remember the election of 1863?—Yes.

13,851. There was a good deal of excitement then at the "Seven Stars"?—Yes, very much.

13,852. Very much the same as at this time?—Yes.

13,853. De you remember then that there was a Mr. Mum there?—No.

13,854. You remember hearing?—I was young then, and did not know so much about it.

13,855. Do not you remember that there was a person answering to the description of Mr. Mum whom Mr. Heath spoke of as Mr. Mum then?—No.

13,856. You do not know anything at all about it?—No.

13,857. (*Mr. Bere.*) Did not you hear from time to time talk going on at the bar about a gentleman coming down from London whose name you did not know?—No.

13,858. Did you know Mr. Smith's clerks?—Not by sight.

Miss MARY ANN PROUT sworn and examined.

Miss M. A. Prout.

13,859. (*Mr. Bere.*). You keep the books, do not u, at the "Seven Stars" when Miss Heath does t?—Yes; if I am in the bar, and anything is taken vay and not paid for I enter it.

13,860. Who gives you information as to what to ter?—The waiter, or anybody assisting him at the ne.

13,861. Supposing any person applied for anything his bedroom, the chambermaid, I suppose, would the person?—We should know it in the bar.

13,862. The chambermaid would be the person to tch it, and give you the information?—Yes.

13,863. Will you come here and look at the books? ou see there is an entry "No. 6, gent." That is our handwriting?—No, I think "bread and tea" is.

13,864. Is not "No. 6, gent." ?—No.

13,865. Is that Mrs. Heath's?—Yes.

13,866. Can you tell who reported to you about the der?—I cannot tell now; it may have been the iarwoman or the servant who assisted.

13,867. Can you tell what servants were in the ouse at that time?—Who there was, who is not iere now?

13,868. We can find out that if you tell us their ames?—I do not know their names.

13,869. There is Thomason Heath, she assisted, rown has told us so?—Not at Colonel Dawkins' ection, she was kitchen-maid at that time.

13,870. He has told us that she did assist?—Of ourse she assisted.

13,871. I mean she helped to take the grog, and ings of that sort, up into the room?—She might ave done so, I do not remember it.

13,872. You do not?—No.

13,873. (*Mr. Coleridge.*) Who has the control of ne servants in the house generally; who engages iem?—Mrs. Heath.

13,874. That is her entry, is not it, "No. 6"?—Yes.

13,875. Whose is that; yours?—Yes.

13,876. Can you remember anything about that. That would be a sitting-room would not it?—Yes, a itting-room.

13,877. These would be the four persons who had ea?—Yes.

13,878. Can you remember if it is the sitting-room hich Mr. Smith's clerks occupied?—I think they id.

13,879. Did they ever have their meals in the coffee-oom?—I do not know at all.

13,880. These are all in your handwriting?—Mr. Smith's clerks would not be entered like that.

13,881. How would they be entered?—Altogether, ll the time they were there (*referring to the book*). They are not entered, I think.

13,882. Why not? That is exactly what I want to know. Those are the people who would have come in at this time when the room was occupied by the two clerks?—All the time it would be.

13,883. Where is Mr. Smith's accountant?—It is all entered.

13,884. Show me any item in Colonel Dawkins' account which will be what was supplied to Mr. Smith's clerks?—I cannot tell you.

13,885. (*Mr. Coleridge.*) It is all up together?—Not up together.

13,886. Would you charge the same luncheons to Mr. Smith's clerks?—Yes.

13,887. You would?—Exactly the same. Perhaps we were not told at the time that they were Mr. Smith's clerks. I do not see any entry for them.

13,888. (*Mr. Longe.*) How would the order be brought to you?—"Enter so many luncheons to "Colonel Dawkins."

13,889. That is in Colonel Dawkins' own room. You would not enter persons staying in another sitting room, to Colonel Dawkins' own account?—That is for the waiter.

13,890. How would the waiter bring the order to you. Look at that entry; is that your handwriting?—"Mr. Smith's friend."

13,891. Who is he?—Of course I do not know every individual man.

13,892. Just see if you can.

(*The witness examined the books.*)

13,893. This bill to which you have called our attention was not paid by Mr. Smith?—No, it was entered to Colonel Dawkins' friend. If you go through the ledger I do not expect that you will find the names of any parties entered there who come under the description you are alluding to; they are persons who pay their bill when they leave the house.

13,894. But Colonel Dawkins' bill was not paid for more than two months afterwards; how is it that that was not posted into the ledger?—That I cannot tell.

13,895. Is it not your business to know that?—No.

13,896. Then whose business is it to know that; can you tell us?—Either Miss Heath or some member of the family; I have nothing whatever to do with making out the accounts. My business is to sit in the bar, and if anything is taken from the bar and not paid for, then I enter it in the waste book.

13,897. Can you tell us how many beds you make up at the "Seven Stars"?—They sometimes make up many more than at other times.

13,898. How many can they make up?—They can make up as many as forty, I believe.

13,899. We have been told by the chambermaid that they can only make up 17?—But they have spare beds which they can put into some of the rooms and make them double-bedded rooms.

13,900. And you could also fill all the sitting-rooms

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if it were required?—Yes; but that is the business of the chambermaid, not mine.

13,901. Then would you charge the same to two persons who slept in a double-bedded room as if they had had a bed-room to themselves?—That would depend upon circumstances; sometimes we do, sometimes we do not.

13,902. What sort of circumstances are those to which you allude?—I do not know; it is not my business to attend to that. You have the books here and you can see for yourselves what it is that we do charge; it is sometimes two shillings, sometimes three shillings, and even four shillings for a double-bedded room.

13,903. That is a matter, I fear, as to which we shall get no explanation from the books?—If two persons sleep in a double-bedded room they are often charged three shillings, sometimes two shillings. If one gentleman sleeps in a double-bedded room perhaps they charge him only for one bed.

13,904. We have heard from the chambermaid that there is only one double-bedded room; how many do you say there are?—I do not know; I did not go through the rooms. I think No. 17 is a double-bedded room, and No. 20 is a double-bedded room, at least so far as I know; I think it was the last time I was there.

13,905. Are there any others which you know of?—That is not so constantly.

13,906. But is it so usually?—It is not so usually.

13,907. Then you have only two double-bedded rooms usually?—There are Nos. 17 and 20, so far as I know the last time I was there.

13,908. (*Mr. Coleridge.*) Then at the periods such as those we have been speaking of, at election times, you would be able to make up more beds?—I do not know anything about that.

13,909. Then the only way in which you would be able to get at your charges as to the beds would be from what the chambermaid may have told you?—We put down so many beds at so much.

13,910. May I ask what is your charge for a single bed-room?—That would depend on who it is.

13,911. I do not mean to what are called commercial gentlemen; take for instance an ordinary person?—We should charge two shillings.

13,912. And if the chambermaid were to bring you down word that it was a double-bedded room you would charge for two persons?—The chambermaid would bring down word of the number of beds the people have occupied.

13,913. Then how are we able to know the charge that was made, and able to tell how many double-bedded rooms were occupied on the occasion of the last election?—You can look at the waste book and see for yourselves.

13,914. But you are the persons who would know much better than we do?—And so we ought.

13,915. Were the whole of these sums charged to the committee in a lump?—No, they were not charged in a lump at all.

13,916. Then will you be good enough to show us how they are entered. I understand that the entries here are not the same sums as were charged to the Conservative committee?—I do not know; I cannot say. I did not make out the bill.

13,917. Then in what book shall we find the things entered which were charged to the Conservative committee?—In this book.

13,918. Will you be good enough to point them out?—(*The witness having looked over the book*). I cannot find that there are any beds charged.

13,919. Then did they never go to bed?—I do not know; I suppose they did.

13,920. But there are no beds mentioned here in this book?—No.

13,921. We do not wish to bother you about the book, but is it not the practice that the Conservative committee, or the member, whoever he may be, on such an occasion as this, takes the whole of the house, and you put it down to him in that way?—We have no member, we have only a candidate.

13,922. I am much obliged to you for the correction. Then is it not the fact that one of the candidates take the house for the time?—No, they do not.

13,923. Can you show us where these beds are charged?—If you look through the book you will see what number slept in the house during the election.

13,924. Cannot you point out to us the rooms which were entered to Colonel Dawkins, or if you like to Mr. Smith?—I think you will see that "apartments" are entered there.

13,925. Have you any entry as to Mr. Smith?—I think Mr. Smith's name is not in the book; I think it is "Mr. Smith's friend."

13,926. Or is it not "friends"?—I do not know, I think it is only "friend."

13,927. How are his two clerks entered there?—I do not know.

13,928. (*Mr. Bere.*) Can you tell us this: who made out the hotel bill that was sent in to Colonel Dawkins for his expenses here?—Either Miss Heath or her father.

13,929. You had nothing to do with it yourself?—Nothing at all.

13,930. You do not know how that would be made up?—No; I never saw it.

13,931. Would that bill be made out from the entries which are to be found in this book?—I expect it would; of course it would.

13,932. (*Mr. Longe.*) There was no other account kept during the time that Colonel Dawkins was in the house of the different charges that were made?—Nothing that I know of; that is the only book that we have kept in the bar.

13,933. That does not purport to contain all the accounts of the various things that were had from the bar by persons who were in the house during the time of the election. You do not believe that it does?—Yes, I do; I think you will find that it is accurate.

13,934. (*Mr. Coleridge.*) If there were any other books kept in the house you must know of it?—I can swear that there is no other book kept by anybody in the bar.

13,935. Then everything which is there is kept there under your entire responsibility?—Yes.

13,936. (*Mr. Bere.*) The amount of the bill which we have seen comes to very nearly 300*l.*; from what you known of these accounts do you think there are items amounting to 300*l.* set out in that book?—I do not know, I have never calculated the amount.

13,937. Cannot you form some idea of what it may be?—I cannot.

13,938. I am afraid that you give yourself credit for less ability than you possess?—All that I can say is that I only enter what is taken away from the bar and not paid for. I do not know anything more; if I am not paid for the things as they are taken from the bar then I enter them in this book.

13,939. If you are paid for such things as are taken from the bar where do you put the money?—I put it in the till of course.

13,940. And then I suppose you enter it in the cash book?—No.

13,941. (*Mr. Longe.*) When the waiter has brought an order to you from different persons in the house whose expenses were supposed to have been paid by Colonel Dawkins how did you enter it?—I entered it to Colonel Dawkins.

13,942. Did you do so when they were brought to you in the first instance?—Yes.

13,943. Whomever it was for,—if it was not for Colonel Dawkins or those who were in his room, or who were his own personal friends,—if they were staying in the house and were in any way connected with the election, did you enter these matters simply as for Colonel Dawkins?—Simply for Colonel Dawkins.

13,944. And the waiter would give you the order in that way?—Yes.

13,945. What were the orders which you had from Mr. Heath in that respect?—None, Mr. Heath never gave me any orders.

13,946. Then do you mean that you and the waiter would put down anything that was ordered by any-

e who came into the bar at that time to Colonel wkins?—No, certainly not unless he or his friends l it. I suppose that Colonel Dawkins would know o were his friends. No one but those who were ends of his would think of entering into Colonel wkins' private apartments, at least I should think not.

13,947. Then you had no instructions at all from . Heath what persons you were to recognize as lonel Dawkins' friends and what charges you were put down in his bill?—None whatever. Mr. Heath ver mentioned the names of Colonel Dawkins and ptain Pim to me during the election, or told me at I was to enter to the account of anyone.

13,948. Then if anyone came to the bar and gave an order for something which they required you uld put it down to the account of Colonel Dawkins? No, certainly not; the waiter would know who y were.

13,949. Do you mean to say that the waiter would ow whether those persons had been authorized to arge what they were partaking of to Colonel Daws' account?—He would certainly know whether y were friends of Colonel Dawkins or not.

13,950. Then did you trust entirely to the waiter? Most certainly we did, and we are bound to do so.

13,951. You would not trust to anyone?—I should ke inquiries for myself and find out whether it was rect or not.

13,952. Was it by no means an uncommon thing to r a person ask for a bottle of champagne, or a glass soda-water and brandy, or anything of that kind, l then say, "Put it down to Colonel Dawkins"? I never remember doing any such thing as that.

13,953. Did not the waiter bring any orders of that d?—He used to take it to Colonel Dawkins' private rtments.

13,954. Then anything ordered from No. 6 would taken to his room?—Nos 5, 6, and 7 were his rooms.

13,955. All the orders that the waiter brought to for Colonel Dawkins were for Colonel Dawkins his private friends who were living in these three oms?—Certainly they were.

13,956. Orders for Mr. Smith or for Mr. Smith's clerks, or for the persons who were staying in the house, the Conservative committee?—The committee had a separate account.

13,957. Was there a separate account in your book as regards Mr. Smith and his clerks?—No.

13,958. Then how were the orders as regards Mr. Smith and his clerks put down in that book?—They were put down as Colonel Dawkins' friends.

13,959. You mean both Mr. Smith and his clerks?—Yes.

13,960. (*Mr. Bere.*) That cannot be so?—If you know better than I do why do you ask me.

13,961. Do not answer in that way, we are not at all disposed to question what you say?—But you doubt my word.

13,962. We do not doubt your word, we doubt your accuracy. Here is an entry in this book "Sitting-room 5*s.*" that will not include three sitting-rooms?—That is No. 20 apartment, that would be his private room.

13,963. Then on the other side of the book there are these words "Coffee, gents. No. 6," who were those, were they not the people in No. 6?—I cannot remember now.

13,964. For a day sitting-room, 5*s.*?—That was No. 20 sitting-room.

13,965. Where do you find throughout the account Nos. 5, 6, and 7 charged to Colonel Dawkins?—I think if you look through the book you will be able to find them.

13,966. It is your business to look through the accounts not ours?—I think you will see "Rooms, a "guinea," put down there.

13,967. Then will you have the goodness to look through the book and see if you can find the entry to which you have been referring?—(*The witness having looked over the book*) I can only find one entry of a guinea.

13,968. And how many days does that refer to?—That I think refers only to three days.

(*Mr. Bere.*) You will be good enough to leave the book and we will not trouble you any further.

Mr. Thomas Hunt Edmonds recalled and further examined.

13,969. (*Mr. Bere.*) How long have you practised a solicitor in Totnes?—For some 15 or 16 years.

13,970. And always on your own account?—Yes, ways on my own account; I have never had a rtner.

13,971. Do you remember Mr. Charles Edwards? When I was under articles.

13,972. At that time was he acting on the part of e Conservatives?—I have heard so, but that was be-re I had anything to do with electioneering matters.

13,973. When did you first have anything to do th the Conservative cause as their legal adviser?—hink it was at Mr. Mackenzie's election in 1857.

13,974. Whom did you succeed as their legal viser?—Mr. Bryett.

13,975. Do you mean the present Mr. Bryett?—Yes.

13,976. Did he resign?—Yes, he did resign, and I ceeded him.

13,977. Were you associated with Mr. Kellock at t time?—No, we always acted together, but I was nsidered to be the chief.

13,978. Was Mr. Charles Edwards then dead?—s.

13,979. And Mr. Bryett had succeeded him?—I lieve he did, and I succeeded Mr. Bryett after Mr. nn's election in 1859.

13,980. Did Mr. Bryett act for Mr. Mackenzie at t time?—Yes, he did, he was the chief at Mr. nn's election.

13,981. Were you acting under him on those two asions?—I was. I was concerned for Mr. Gregory Mr. Mackenzie's election, and Mr. Bryett and Mr. llock for the other candidate.

13,982. Did you know anything of Mr. Gregory? Nothing.

13,983. What was he?—I understood that he was army agent.

13,984. Was he any relation of the Messrs. Gregory in Bedford Row?—I never heard that he was.

13,985. Then you took an active part for the first time in the election of 1862?—Yes.

13,986. And in 1863 and 1865 you were the recognized Conservative legal adviser we have been told?—Just so.

13,987. You have already given us an account of the communication you had with Mr. Spofforth with regard to the election of 1865; when did Colonel Dawkins come down here?—I think in the latter part of June, the 27th or 28th of June.

13,988. Did he bring any letter from Mr. Spofforth to you?—Yes, he did; he brought a letter from Mr. Spofforth introducing Colonel Dawkins to me, which I think is in the possession of the secretary.

13,989. Do you remember being asked on Tuesday last whether you had not mentioned to Mr. Smith that a person would be required from London to distribute the money; we are to understand that you did mention that to Mr. Smith?—I did, most decidedly.

13,990. Do you know whether Mr. Kellock was present when you mentioned this to Mr. Smith?—Yes, he was.

13,991. Do you remember about when it was that you mentioned it to Mr. Smith?—I think he was just going to London, at all events he told me so; Mr. Kellock was present at the same time, and upon my speaking of it Mr. Kellock reminded me of it last evening.

13,992. Then after that you have very little doubt that some man would come down from London to distribute the money?—I certainly thought so.

13,993. How long before the election of 1865 did you first begin to act on behalf of the Conservatives?—It was immediately after Colonel Dawkins came

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down here, when I think he was introduced to the committee, Mr. Bastard, Mr. Gill, and Mr. Bentall.

13,994. Were they deputed to receive him on the part of the Conservative committee?—There was a special sub-committee for that purpose.

13,995. Are the names which you have given to us correct?—They are.

13,996. And did you hold your committee meetings in the large room with the bow window at the "Seven "Stars"?—Yes, we did generally.

13,997. Had you and Mr. Kellock a room in that hotel, No. 8, in which you transacted your own business?—I think it was No. 8, it is the small room on the landing, we had that room to ourselves.

13,998. And I suppose people came from time to time to consult you who knew that you were occupying that room?—Just so, and reports were brought there to us by persons who were employed as scouts, and so on.

13,999. You had the appointment of all the persons who were employed as under officials?—No, I think not.

14,000. Then did you appoint what may be called the upper officials?—With regard to the runners or watchers, as they were called, I think they were appointed by Mr. George Heath.

14,001. I suppose that was because he had been entrusted with the management of the municipal elections and knew the people who had been concerned in them?—Yes.

14,002. Did you appoint Harris, Screach, and Evens?—No, I did not; they, however, brought me reports from time to time of what was going on.

14,003. How came they to bring reports of what was going on to you?—They knew that I was the principal agent engaged; sometimes they brought reports to Mr. Kellock as well as to myself.

14,004. Had you spoken to them at all about anything of the kind?—No, I had not.

14,005. Still they did from time to time bring you reports of what was going on?—They did occasionally.

14,006. Were you Colonel Dawkins' special legal adviser?—I was considered to be his special legal adviser in conjunction with Mr. Frederick Kellock.

14,007. You knew perfectly well that money would be required to bribe the electors, and knowing that, you did everything you could to keep yourself aloof from it?—I was perfectly aware that it was useless to fight this place without spending money.

14,008. You never saw this man who has been called Mr. Mum, and had no personal communication with him?—Never.

14,009. All the communications which you had with him passed through Mr. Heath?—Yes, they all passed through Mr. Heath.

14,010. But I suppose you have no doubt that there was such a person as Mr. Mum?—I have no doubt of it at all.

14,011. You have no doubt there was some one who came down from London who acted in the distribution of the money?—Yes, that is my impression.

14,012. Then, as far as you know anything of it, the transaction was this, that the money was given to you by Mr. Smith, was taken from you by Mr. John Heath, given by Mr. John Heath to this individual, and by that individual distributed?—Just so.

14,013. With regard to the first 1,500*l.*, did you get the whole of that from Mr. Smith, or did you not get two sums of 500*l.* from one of Mr. Smith's clerks? I think I got two sums of 500*l.* from the taller of the two clerks.

14,014. Do you know the name of that gentleman?—I think his name was Lind.

14,015. (*Mr. Coleridge.*) From what you have stated you have no doubt that there was a Mr. Mum down here on that occasion, in addition to the two clerks?—Just so.

14,016. You do not think that either of those two clerks was Mr. Mum?—I think not.

14,017. You have said that you had some conversation with Mr. Smith as to bringing some one down?—Yes, I think I did. I told him that as it would be necessary for us to spend money in order to gain the election, when he came down again he had better bring the money with him, and that I thought it was necessary there should be some person to distribute the money; or, I think my expression was, to do the dirty work.

14,018. Was that at the time you have spoken of, before Mr. Smith went back to London?—Yes; and Mr. Kellock heard the conversation.

14,019. (*Mr. Longe.*) Have you any reason for not thinking that it was one of Mr. Smith's clerks who took this active part?—I have no particular reason for thinking so.

14,020. You know of no fact inconsistent with it, why it should not be so?—Certainly not; but the description which has been given of him here by the various witnesses differs so very materially from that of these clerks that they could hardly be one and the same person.

14,021. You know of nothing beyond what has come out in the evidence before this Commission?—No, certainly not.

14,022. (*Mr. Bere.*) From time to time did you see Mr. Smith's clerks?—I saw Mr. Lind two or three times, and Mr. Smith told me if I could make him in any way useful that I was to do so, and I believe that I did employ him some two or three times to go to the printer's. I do not think they were very much at the hotel; one day I know they went over to Torquay.

14,023. Did you have any conversation with them on the subject of the election?—No, I did not.

14,024. You do not know whether they were concerned in the management of the election in any way?—I do not.

14,025. Then was your curiosity ever excited to ask the question why it was that Mr. Smith had brought them down here?—No, it was not. I certainly thought it somewhat strange that Mr. Smith should have brought them down here, because they were perfectly useless, but I did not say anything, and thought nothing more of it.

14,026. (*Mr. Longe.*) Did you not hear Mr. Guscotte say that Mr. Smith had told Mr. Lind he was to act according to Mr. Edmonds' instructions?—Mr Smith told me that I was to employ him if I had anything for him to do. I remember that I did send him up to the printer's once or twice, and on another occasion I sent him up to my office for a register of voters.

14,027. Did you ever see him employed in such a way as to render it certain to your mind that he was the man who was distributing the money, that he might have been the person who had handed the money to Mr. Heath?—I do not know at all.

14,028. You do not remember employing him at any particular time when the circumstance of his being so employed would render it impossible that they could have been one and the same person?—No, I do not. I do not recollect it. According to the best of my remembrance I only employed him twice, once, I think, was to go to my office and once to the printer's. He really had nothing whatever to do with the election so far as I know. That was on the Monday or Tuesday.

14,029. (*Mr. Bere.*) You never made use of Mr Lind as a distributor of money on this occasion?—Certainly not.

14,030. Very soon after what you have been telling us you went about to canvass the voters?—I did.

14,031. Had you the poll book with you?—I had.

14,032. And did you put down from time to time the way in which you thought people would vote as you had canvassed them?—Yes; I put down the way in which I thought they would vote from the information which had been brought to me.

14,033. I see the letter D. opposite some of the names, what does that mean?—That means doubtful. I put the letter D. against the names of some of those men, who, if they had voted for us, were men who would have required to be paid; they were men who would vote for that side which would pay them best.

14,034. I see the letter R. against several other names, what does that mean?—That means those who had signed the requisition.

14,035. You mean the requisition which we have en told Harris had taken round and got certain ople to sign?—Yes.

14,036. And you naturally thought that those ople who had signed the requisition would support u?—Just so.

14,037. You had no doubt they would have required me money for supporting you?—Yes; I thought me of them would certainly.

14,038. May I ask you, had you formed any opinion to how many there would have been?—I consider ere were about 15 or 16 on the poll book who were re inclined to the Liberal side, and about eight on e Conservative side; that they were about evenly vided.

14,039. And, I suppose, we may take it that Screach d Evens knew these men perfectly well?—Yes.

14,040. Did you see Screach from time to time, d did he report to you not only what he had done th regard to those men, but also with reference to her voters?—I do not think that he brought me any rticular report until the day of the nomination.

14,041. Will you allow me to ask you this general estion? As your canvass went on from time to ne, what did you yourself think of the chance of ccess of Colonel Dawkins?—Up to the Saturday I nsidered his success to be almost certain.

14,042. Can you tell us at all when you made up e final poll book; was that made up by you on the aturday?—That was made up on the Saturday.

14,043. And according to your calculation that ould have given Colonel Dawkins a majority of five tes over Mr. Seymour?—It would have given him re than that, because several alterations were afterrds made in that. This poll book was originally ade up before Colonel Dawkins came down, and at shows him to be 20 ahead of Pender or Seymour.

14,044. You thought he would poll 211; the second nservative 186; the highest Liberal 191, and Mr. ender 184?—That is so.

14,045. That was made up on the Saturday night?—Yes.

14,046. (*Mr. Coleridge.*) On the supposition of eir spending money and you spending none?—No; pending money equally.

14,047. If you were outbid you were done?—Yes.

14,048. (*Mr. Bere.*) On Saturday night you came the conclusion that you would not be able to win. ou say that you made up this poll book on the aturday?—I did not consider it was all up until uesday afternoon. Further reports were brought in, d I made up another poll. The next day I found e figures to be as they are shown on the paper you ve there.

14,049. How near would they have approximated em?—To something very near.

14,050. You got the show of hands?—Yes. I then ade up my mind it was all over.

14,051. (*Mr. Coleridge.*) There were more defalcaons that you expected?—Yes; when the election ok place there were a great many more.

14,052. (*Mr. Bere.*) In the 191 you credited Dawins with, can you tell how many of the requisitionists ou included?—I can hardly tell you without going rough the book.

14,053. Had you included more than the eight hom you mentioned?—No.

14,054. Had you any reason to believe, from what ou have heard from your scouts, that any of the ther seven whom you put down to the Liberals had anged their minds?—No, we could not manage em at all.

14,055. We have heard that besides the requisiionists and persons wavering on the Liberal side ere were persons described as matter-of-course men?—I did not trouble myself about them.

14,056. Did you canvass them?—Yes.

14,057. And they promised their votes?—Yes.

14,058. And you put them down?—Yes.

14,059. If you did not find a person at home would ou take the poll books of the two or three former lections and judge of their politics from them?—Yes.

14,060. So that without canvassing you might put a person down as to what way he would vote from the way he voted in Dent and Dunn's election?—Yes.

14,061. If you found he voted for Dunn and Dent you would put him down as to vote for Colonel Dawkins?—Yes, as a matter of course.

14,062. When did you see Evens or Screach?—I saw them during the election, but no special interview, so as to ascertain what they were doing. I saw Evens on the morning of the nomination and Screach in the afternoon.

14,063. Where did you see Evens?—Down in the entry.

14,064. The entry of the "Seven Stars"?—Yes.

14,065. Did you see him in room No. 8?—Yes.

14,066. Had he a canvass book?—No book or paper at all.

14,067. Had you got your canvass book?—Yes.

14,068. Did you begin to ask him questions about doubtful men?—There were 15 or 16 I had ticked off and I was anxious to know whether they were secured.

14,069. Did you make a list of the 15 or 16?—No. I never had a separate list.

14,070. Did your clerk?—No, he had nothing to do with the election.

14,071. Do you know how Mum came to get the names of the requisitionists?—I presume from Screach or Evens.

14,072. What we want to know is this; when Screach and Evens went to the room of the stranger he had a poll book in his hand and they went through the list together; sometimes he had a separate list with the names written on it. You never supplied any such list?—I never supplied him with any list at all.

14,073. Had you given instructions as to what people he was to see?—No, I did not.

14,074. I do not mean what individuals, but what class of persons he was to see?—No, I never gave him instructions.

14,075. He knew pretty well?—Yes.

14,076. He had been employed in former elections?—Yes.

14,077. They were the same class of people he went to in 1865 as at other elections?—Yes.

14,078. And nearly the same individuals?—As near as possible.

14,079. Who did you ask about when you got to No. 8?—I asked him about William Allen, there was nothing about him; and Thomas Blank.

14,080. What did he say about him?—He said he had not been able to make music out of him at all; not able to manage him. He had tried him very hard and could not manage him.

14,081. You knew what that meant?—Yes.

14,082. Are you quite sure he did not know anything about William Allen?—Yes; I found afterwards that he was under Screach's charge; I asked him about Crawford, and he said he would not go near such a scamp as he was, therefore he had nothing to do with him. I asked him about William Foote, and he said he had quite made up his mind to vote for the Conservatives. I did not ask him what inducement he had had, but I knew pretty well.

14,083. You knew there was an inducement?—Yes. I asked him about John Fox Green, and he said that he meant to vote, but he did not know what had become of him; he thought he was at the "Seymour Hotel."

14,084. Did Evens tell you that he had got Foote all right, making a motion as to where he had got him all right?—No.

14,085. He did not say that Foote was safely disposed of at the "Seven Stars"?—No, but I have heard since that was so.

14,086. Did he tell you anything about William Sloggett, jun.?—Yes, he said that man had swindled him on a previous occasion; that he had tried him hard, but could make no music out of him; he understood that he was gone over to the "Seymour Hotel." These were doubtful men as far as he was concerned. I afterwards saw Screach later in the day and he told me Allen was all right.

TWELFTH DAY.

Mr. T.H. Edmonds.

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14,087. And Baker ?—Baker, he thought, had quite made up his mind to vote for the Conservatives.

14,088. Did he tell you he had some others who had not made up their minds ?—Yes; he said he had tried William Crook very hard, and he could not get him. John Drew and James Edmonds he considered had treated him in a shabby and disgraceful manner.

14,089. Did you see Screach in No. 8 too ?—Yes. John Light he mentioned he was afraid would go against us.

14,090. John Diggins ?—John Diggins also was a very slippery customer.

14,091. Did he at any time tell you what amount of temptation was put before these people ?—He did not, and I did not wish to know. I wished to keep myself aloof from it.

14,092. Were those the only two occasions that you saw him and Screach on that day ?—I did not see them afterwards.

14,093. Did not they come and make a report to you again in the evening ?—No, certainly not; I made up the poll about eight o'clock in the evening.

14,094. The evening of the nomination day ?—Yes, and I was assisted by Kellock and Heath, and others from whom I got information.

14,095. Heath and Kellock got information from Screach ?—I do not know.

14,096. Was Mr. Kellock in No. 8 then ?—No.

14,097. What sources have you received information from besides Screach and Evens ?—Every Conservative and their sons who take an interest in it were constantly in and out bringing me information, sometimes absurd rumours.

14,098. I suppose John Heath gave you a good deal of information ?—Yes.

14,099. George Heath ?—Yes.

14,100. Young John ?—He had very little to do with the last election.

14,101. What had James Heath to do with it ?—I think he canvassed with Captain Pim ; I think he was devoted to Captain Pim during the whole time ; Captain Pim took a fancy to him and wished him to go with him.

14,102. Had not George Heath a great deal to do with the last election ?—I think not ; he did not take nearly so active a part as at the previous election.

14,103. Which son was it that took an active part in the election of 1865 ?—George took the most active part, but his principal business was to look after the watchers.

14,104. Did he go about as a sort of spy upon the watchers ?—I think he went to see that they were at their post ; but that was not under my management. I gave directions that they should watch certain men, such as Jacob Thomas Searle, Samuel Parnell, and Elliott. George Pengilley, Charles Pengilley, Prout, and Callard, Mr. Holman, Mr. Chaster, Mr. Jenkins, and a person called Worthy were very active, and also John Pengilley was very active. Those I directed should be watched, and I told Mr. George Heath if he saw any of those fellows going into the houses of the voters to tell a couple of men to go in with them and stay with them, and see that they were not tempted.

14,105. Is that what you consider the general superintendence on the Conservative side ?—Yes it was.

14,106. We have heard the story about the money, is there anything you wish to add further ?—I do not think I can add anything further.

14,107. With regard to " Mum," had you reminded Mr. Smith of his conversation before he gave his evidence on Tuesday ?—Yes, I did in the morning before he came up ; we were talking about the matter, and after saying that he could not think who " Mr. Mum " was, I said, " I thought you had sent him down;" and Mr. Smith said, " I know you said something about " it, but I never did it." I was very much surprised when I heard what he stated that I had not given him such information.

14,108. You took a considerable part in managing the election on the Conservative side ; what part did Mr. Kellock take ?—He assisted me generally. I do not know whether he canvassed with Captain Pim or not ; that would be a part of his duty.

14,109. He did not go with Colonel Dawkins at all ?—No.

14,110. Did not he go about and see the voters ?—I do not know that he did ; I daresay he might have done so.

14,111. Did he make a poll book ?—I daresay he kept one.

14,112. Did you compare your poll books together ?—I think we have made up our figures. I have had my poll book and gone through it, and called over the names generally, and said, " I think so-and-so will vote."

14,113. He has had a similar book to you ?—I think he must have had, but I do not recollect seeing it.

14,114. Was there generally some person in No. 8 with you and him ?—No, I generally locked the door when I came out; I had papers and things lying about there.

14,115. Had Mr. Kellock a key ?—No, he could not go there unless I was there. It was considered to be my special room.

14,116. Did you ever see Screach or Evens in conversation together with Mr. Kellock ?—No, I do not think I ever did.

14,117. You received, I believe, a cheque for 1,000*l.* from Mr. Smith ?—Yes, I did.

14,118. Did you give it to Mr. Kellock ?—Yes.

14,119. And he took it to the Devon and Cornwall bank ?—Yes.

14,120. Do you know that he got that cashed with Capt. Pim ?—Yes.

14,121. And the other was cashed at the Torquay bank ?—Yes.

14,122. Which was first ?—That at the Torquay bank, I think.

14,123. The entry is the election day when it was cashed at the Devon and Cornwall bank ?—It may have been so. If so it must have been cashed after banking hours. I was under the impression that it was cashed on the Tuesday.

14,124. How did he bring the money ; in gold or in notes, or all in gold ?—Partly notes and partly gold.

14,125. Did you know that he had five 100*l.* notes at Torquay, and cashed those for gold at the Devon and Cornwall bank in the course of that day ?—I was not aware of that. The parcel he brought to me, I think, was partly in notes and partly in gold.

14,126. 5*l.* notes ?—Yes.

14,127. The Torquay Bank has no private issue. It issues Bank of England notes ?—I do not know that.

14,128. Were there not two men named George Evens and Evan Evens who had to do with the Conservative party ?—There was a man named George Evens but I do not think he was employed.

14,129. Was he not paid ?—I am not aware that he was. He was never paid by me ; he was not a man I should like.

14,130. Had he been uncertain in former elections ? I think he had been.

14,131. Was not there a man called Gilbert ?—I do not think he took any part in the election. I think he was in London at the time.

14,132. Did you never hear the name in connexion with a man called Hardin ?—No.

14,133. Do you know whether Hardin did act or not ?—I am not aware that he did.

14,134. Did you pay any of these men yourself ?—No, I never paid any one. I omitted to state that Mr. Harris had 6*l.* ; he asked me to let him go up to see a man called Samuel Rolstone, and to pay his travelling expenses.

14,135. He was the gardener of Colonel Willoughby ?—Yes. We found he was coming down to vote. I knew his qualification was a bad one, and I thought we might get Rolstone to counterbalance him. There was also a party named Mark at Dartington had 5*l.* to send up to his brother who had left the neighbourhood to pay his expenses.

14,136. Evan Evens, had he anything to do with the election ?—No, not since Dunn's election.

14,137. Did you pay Frederick Evens and Screach?—I did not.

14,138. Did you know anything about a man named ephens?—I heard of him being exceedingly active the other side; he is a tailor.

14,139. Is he one of the three whose names were ven to the watchers in order to be looked after?—annot say.

14,140. Was George Stoyle another?—He was other.

14,141. You found on the night of the nomination at on making up the poll there was not much chance success?—I considered our chance was gone.

14,142. Did you communicate that at once to lonel Dawkins and Captain Pim?—I mentioned it Mr. Smith.

14,143. When did you first learn that there was no re chance?—I think they were aware of it the ening before, and we were in a desperate state. lo not recollect that I communicated it to them, I y have done so.

14,144. Was there any idea of retiring during the rse of the election day on the part of the candites?—I think not the last occasion.

14,145. It was kept up to a certain extent to enable e Liberal party to spend more money?—The very xt morning a lot of our young fellows went there d offered fabulous prices, with a view of raising the ce of votes.

14,146. Without any intention of paying it?—I do t think there was.

14,147. They would have found themselves in a ficulty if the sums had been accepted?—I do not ow what they would have done then; they would t have got it.

14,148. We have heard the door was closed at nine lock on the polling day, and no more money was thcoming; had the candidates heard anything about at?—I do not know that they had. I had very tle communication with the candidates. Mr. Smith the morning of the election offered me an additional n of money, I told him it was all up.

14,149. Whatever you knew Mr. Kellock knew ?—Yes, I think so.

14,150. He knew how the money was spent?—ndoubtedly he did; I do not know that he ever ew to whom it was paid, he knew it was being ent. We both kept ourselves aloof from that part it.

14,151. Had you before the election taken the uble to find out what was the state of the Convative party in Totnes before the election began, fore you had Colonel Dawkins at all?—Oh yes, we l a meeting. I went very carefully through the l book and made up the numbers just as I have ntioned now.

14,152. You thought you should carry it by 20?—s.

14,153. (*Mr. Coleridge.*) About the requisition, l these names that you have given us as having ned the requisition to Colonel Dawkins, did you ow those were people not to be depended on at the ne they signed the requisition?—I thought any n who would sign a requisition would certainly te for the Conservative party; I considered at the ne time that there were some on the list who would nsider they should have a little money.

14,154. Did it ever occur to you that a good many l signed the requisition in order to set the money ing, and in order to get a candidate?—That did t occur to me.

14,155. You thought there would be no contest, l you meant to put forward those who signed the quisition?—There are a certain number of men who ned it for the express purpose of getting bribes.

14,156. How many who signed it had voted against u at the previous election?—I can hardly tell thout looking through the book. I think only ree.

14,157. (*Mr. Bere.*) Diggins, J. Parnell Searle, ggett, and Helms?—Those are the four.

14,158. (*Mr. Coleridge.*) Did not those four names having voted against you at the previous election put you on your guard against these requisitionists?—To a certain exteut; there was nothing said about the matter at the time.

14,159. Those men having voted against you before the signing the requisition, those would be the ones that would expect money on your side?—I was rather suspicious of those men.

14,160. Were you not suspicious in the event of their being offered money on the other side?—Yes, I was.

14,161. In your calculations with Colonel Dawkins, did you take credit for all the requisitionists?—I did.

14,162. Did you not tell him about your doubts as to the requisitionists?—In the letter I wrote to Mr. Spofforth when trying to get the candidates, I stated I considered we could show a majority of 10 or 12. I cut off eight names, because I thought they were not to be depended on.

14,163. In your letter to Mr. Spofforth, you did not take credit for those four doubtful requisitionists?—No, for eight.

14,164. How came it about that these requisitionists made such a tremendous difference in the election; how many voted against you after all?—Four.

14,165. No more than that. Every one voted against you, I think. How many voted against you. Crawford?—No.

14,166. He did not sign the requisition?—No.

14,167. How many were there who signed the requisition?—Twelve.

14,168. How many voted against you?—Diggins; Edmonds.

14,169. (*Mr. Bere.*) They all voted against you?—They all did; the 12 voted against us.

14,170. (*Mr. Coleridge.*) In first making up the poll, giving to Colonel Dawkins a majority of 20, they would appear?—Yes, they would.

14,171. Did you consider that the requisitionists carried a certain amount of weight which was over and above themselves in point of numbers?—Only in their votes.

14,172. As soon as you found the requisitionists were going to vote against you, you thought the whole thing was up?—I considered so.

14,173. That did not give you the best description at all of the state of things?—It did not.

14,174. Did you hear of their going over in a party, or first by one and then another?—First one and then another.

14,175. Who did you hear of as having been tampered with?—I only had that in this way; the information was brought in to me, but no particular names were mentioned as to those who had dealt with them; it had been done secretly.

14,176. Had it been done for the most part by the monetary influence of Mr. Pender and the influence of the Duke of Somerset?—The monetary influence of Mr. Pender, nothing else could have done it.

14,177. It was no part of the influence of the duke that would have affected those voters?—No, certainly not.

14,178. You got a more moderate view in 1865 of the costs of the election than you had in 1863?—No.

14,179. Had you not told Colonel Dawkins after the withdrawal it would cost him 12,000*l.* or 14,000*l.*?—No. I told him that at least 4,000*l.* or 5,000*l.* would carry him triumphantly, particularly as Mr. Seymour was a poor man.

14,180. You never put a higher sum to Mr. Dent than to Colonel Dawkins on that occasion?—The first sum mentioned to Colonel Dawkins was 2,000*l.*

14,181. And subsequently it got higher?—It would cost more provided it was spent freely on the other side.

14,182. (*Mr. Bere.*) Do you know whether the information was given that those who signed the requisition would be obliged to vote?—No.

14,183. How have you got Thomas Blackler down?—As voting for the Conservatives.

TWELFTH DAY.

Mr. T. H. Edmonds.

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14,184. Henry Eastman?—Yes; his name was on the poll made up before the election as voting for both Conservatives.

14,185. William Farley, jun.?—Both Conservatives.

14,186. George Griffis?—The same.

14,187. Samuel Hill, jun.?—As voting for Mr. Pender only.

14,188. Richard Harris?—As voting for Dent and Seymour.

14,189. John Michelmore?—As voting for both Conservatives.

14,190. Edward Shinner?—Both Conservatives.

14,191. Out of those who split between Pender and Dawkins, you expected six to vote Dawkins and Pim?—Quite so.

14,192. (*Mr. Coleridge.*) One question upon the telegrams. You say there was a telegram you received from Mr. Spofforth of the 5th July?—I daresay I received one from him.

14,193. Did you give it to the secretary?—I cannot tell you.

14,194. Do you recollect on one day, the week before the election, receiving two telegrams from Mr. Spofforth?—I may have done so.

14,195. (*Mr. Bere.*) With regard to the names I asked you about, from whom did you receive information in regard to them which made you enter those six names as going to vote for both the Conservatives, was it from their speeches to you, or from an account supplied?—Partly from information they supplied to me themselves, and from the canvass of Colonel Dawkins, and from information Mr. Kellock had brought.

14,196. Can you give us information as to any one of those persons about whom Mr. Kellock gave information?—I do not know, particularly; we went through the lists together, and it would be from information he supplied me.

14,197. What sort of information was it, that he had seen them himself?—I think he said he had seen John Michelmore, and he stated he should vote for both Conservatives.

14,198. Had he seen any others, Shinner, Farley, Blackler, and Eastman?—No.

14,199. Had you seen them yourself?—No.

14,200. Have you any doubt that they were induced to vote for the Liberal side by means of bribery?—I strongly expected it; I cannot prove it. Taking into consideration the fact of the information offered to me on the nomination day, that certain Dartington farmers had been offered a sum of 100*l.* each to give one single vote for Mr. Pender, that may have had some influence upon it.

14,201. Can you say, the day before the day of election, you considered them staunch?—I considered them staunch up to the morning of the election. I was utterly surprised that they voted against us. We had made up the poll, and put down everyone we considered doubtful against us.

14,202. They seem to have voted so very late, that it was not from the polling early in the morning?—They polled early in the morning.

14,203. Not a single one of these men?—I have got here the paper upon which the election was generally put, showing the losses and the gains as the election went on. I find the first man who voted against us is Thomas Blank, then John P. Searle promised to vote; then Thomas and James Matcham, both of whom had promised; John Tozer, William Pengilley; we had no idea he was going against us. On the following day he returned the 50*l.* he had for his vote. Robert Jackson, we thought he would have voted for us, but he was under the Cranstoun influence.

14,204. (*Mr. Coleridge.*) Those who voted against you were not all as honest as Mr. Pengilley?—That is the only case I know of. I believe there is a sort of honour.

14,205. (*Mr. Bere.*) John Diggins returned the money?—Yes; and Tozer.

14,206. He gave it back to Screach, and he brought it to Mr. Heath, and having brought it to Mr. Heath, he kept it?—I understand Diggins kept the money in Dent's election. It was Pengilley who returned it at this election.

14,207. Was it ever accounted for to you?—No.

14,208. What became of the money Pengilley returned?—I have heard Screach had it for his services, and kept it.

14,209. Who authorized him to keep it?—I did not, certainly.

14,210. No account was taken. You were not responsible for any of the money that was passed through your hands?—No; I naturally kept myself aloof. I knew nothing about the matter. I considered the account had been delivered in London, and it came on through the agent.

14,211. Was that one of the reasons why a stranger was wanted, in order to see that the money was not wasted, and in order that no person connected with Totnes should be able to say that it was given?—That was one of the principal reasons.

14,212. There was a sum of 207*l.* returned to you by Mr. Harris, we believe you wish to account for that?—I paid Mr. Harris 6*l.*; Marks, 5*l.*; for telegrams 7*s.* 6*d.* I sent up to Page, a clerk in Mr. Bryett's office, 5*l.*, to pay his expenses down and back; and watchers, 23*l.* 14*s.*, through George Heath.

14,213. How many watchers had you?—I do not know. I had nothing to employ them but general instructions as to what they should do. I had a journey to London to see about the candidates' expenses, two days, 10*l.* 1*s.* 6*d.*; postages and so on, 1*l.* 4*s.* 6*d.*; registration expenses, 27*l.*; Tozer, 13*l.*; and Hannaford, 10*l.*

14,214. How much does that come to altogether?—I was out of pocket for the registration expenses myself. This is for altering buildings in order to bring them up to 10*l.* a year.

14,215. This is the bill paid to Mr. Harris?—Yes.

14,216. It was paid out of the 207*l.* 10*s.*?—I think there was something in addition. Mr. Heath paid Mr. Harris a part of that, and I paid the remainder.

14,217. It was part of the 207*l.*?—No, it was not; he got it from his father. That makes a total; with the registration expenses, I am out of pocket, 185*l.* I spoke to Mr. Smith when he came down first. It was 300*l.* we were out of pocket in connexion with the registration. It was usual for the candidate to pay this. He said he was quite willing to do so, and I believe that this money has come back. I told him that these expenses were to be paid; he said, "Let "me know what it is and I will send a cheque."

14,218. Had you any further money besides that?—Nothing more than the 185*l.* which came down some few months after.

14,219. (*Mr. Bere.*) As a retaining fee?—Yes, I got it as a retaining fee.

14,220. I suppose you took it because your professional brethren thought you ought to take it?—Yes. Mr. Smith offered me 100 guineas on the morning on which he left, and I told him I did not desire it.

14,221. (*Mr. Coleridge.*) You have got the telegrams. I see a telegram from Mr. Spofforth to Mr. Edmonds of the 5th July; telegram from you to Mr. Spofforth of the 11th July; do you know what the object of the telegram to him was? The answer is, "Does Colonel A "go to the poll? Telegraph back immediately"?—That meant Colonel Alexander.

14,222. Did you receive those telegrams at the time of the election?—I do not know that I did.

14,223. There is another of the 25th July, Mr. Spofforth to you?—I do not know that I had any more. I told my clerk to make a search for it; I have not got it.

14,224. A telegram from Mr. Spofforth to you on the 5th, and two from you to him on the 5th; do you know what they were about?—I cannot recollect. They must have been about getting a candidate.

14,225. Another from you to Mr. Spofforth on the 4th?—Entirely about getting a second candidate. This will cause a greater search to be made. I know that he has done it very carefully, for he made two searches

4,226. (*Mr. Bere.*) Do you remember the circum-ce whether you were told that 100*l.* had been ed to Mrs. Champernowne's tenant?—Mr. Heath me. He said he had seen Edward Shinner.

4,227. That was on the nomination day?—That on the nomination day, and Edward Shinner had him that Mr. Pender had offered the Dartington ies 100*l.* each to give a vote for him and give the r to Colonel Dawkins. He says, "If you will not ıy them, you may depend on it they will go against ou."

4,228. How many tenants were there?—Three or I think four. Shinner was one, Marks, Nathaniel ıonds——

4,229. And which of the Coles?—William Cole.

4,230. (*Mr. Longe.*) You have no particulars as other who was paid?—Mr. Heath was my infor-t; he sent it.

4,231. (*Mr. Coleridge.*) Do you know Brown, the er at the "Stars"?—Yes.

4,232. Was his qualification a *bonâ fide* one or one ıe made votes?—I cannot tell you. Mr. Harris is principal man; he had the registration.

4,233. Was there any building in Totnes like that h 11*l.* a year?—I do not know; they would e it worth 11*l.* no doubt.

4,234. (*Mr. Bere.*) How long has Brown been in ession of it?—I do not know. I knew nothing it until I heard it mentioned just now.

4,235. I suppose you saw that Mr. Heath was very re at the last election; what did he get paid?—hing at all, decidedly not. I do not think he ld take anything, and I do not think that either of his sons would take any consideration for their services.

14,236. They were not paid as agents?—No; they did the work voluntarily.

14,237. You saw eating and drinking going on at the "Seven Stars"?—I heard there was.

14,238. Did you never go into the great room?—I looked into it once. There were a great many people in it, and speeches were being made.

14,239. Did you ever know how those expenses were to be paid?—I suppose they were put down to the candidate.

14,240. They were entered in Mr. Heath's book to the Conservative candidate?—I gave no orders for them; on the contrary, it was my wish that there should be no treating.

14,241. How long have you conducted the registration for the Conservatives?—From the time of Mr. Dent's election.

14,242. During that time, with the exception of the Broomborough votes, have the Conservatives tried to put on any fictitious votes?—I think not.

14,243. Have any votes been tried to be put on by the Hayfield party?—I think I did hear of something of the kind; it was said that they had put them on the register.

14,244. Were you present when a vote was put on at Hayfield when the occupation was obtained by sending up a horse and cart to stay in a barn during the night?—It was mentioned I believe. I did not hear of it.

14,245. But the vote was not allowed?—The vote was not allowed.

JAMES CLARKE sworn and examined. *J. Clarke.*

4,246. (*Mr. Bere.*) At the last election of 1865 were a waiter at the "Seven Stars"?—I assisted e.

4,247. Where were you living then?—No. 3, New k.

4,248. At what time did you go to the "Seven tars" in the morning, and what time did you leave he evening?—I left at 12 or 1 o'clock.

4,249. At what time did you go in the morning?—bout 7.

4,250. What were your duties?—Merely as a ter generally.

4,251. Did you take orders from the regular er?—No. What was ordered from me, I gave orders and took it to the different rooms.

4,252. (*Mr. Longe.*) Did you wait on Colonel kins?—I did.

4,253. Did you wait on Mr. Smith?—I did not.

4,254. You knew Mr. Smith?—I could not say I

4,255. You said you did not wait on him?—I did know who Mr. Smith was. I did not take any icular notice one from the other. I knew there e parties connected with the election stopping he hotel. It was never pointed out to me who Smith was.

4,256. You said you did not wait on Mr. Smith?—ot that I am aware of, unless he joined Colonel kins and Mr. Pim during the dinner time.

4,257. Do you mean you did not know him?—Not onally. I was only there as an assistant to the er.

4,258. (*Mr. Bere.*) Did you attend to some one in 6 sitting room?—No.

4,259. (*Mr. Longe.*) You attended generally?—

4,260. Which was the room you were most fre-ntly in?—Sometimes the commercial room and a n downstairs.

4,261. Where was the room where the eating was g on?—I never attended to that general room.

4,262. Who was there?—I do not know. I was required to go there.

4,263. You were the waiter, were you not?—I

14,264. (*Mr. Bere.*) Did not Mr. Heath pay your rent for you at that election?—He advanced me 10*l.* for my services, which he agreed to pay me.

14,265. How often were you there?—A fortnight.

14,266. (*Mr. Longe.*) Did you hear of the mysterious stranger being there?—I knew some one was there.

14,267. What do you mean by that?—I know there was a good deal of money passing.

14,268. What did this some one do?—He was there in a private room to himself. I was not allowed to go to him; I never waited on him.

14,269. I am not asking you what you know now, but what you knew at the time?—I knew there was a party there, and that was all.

14,270. What do you mean by that, you "knew "there was a party there"?—In the room at the "Seven Stars."

14,271. Do you know that room?—I ought to know it.

14,272. What room was it?—I think it was No. 9.

14,273. What do you mean by "knowing there was "a party" in No. 9?—There was a party there; I did not go there.

14,274. What was the party doing in No. 9?—I do not know what he was doing. He was there for a purpose I could not tell you. I never went near him; I supposed he was there to distribute the money to the voters; that was my conclusion.

14,275. He was in No. 9?—Yes, across the house.

14,276. What is No. 9?—A sitting room.

14,277. What leads you to think it was in No. 9?—Because I saw the parties going up in that direction to the other side of the house.

14,278. You say you had orders not to go to No. 9?—I had no orders not to go, but I never went there.

14,279. You waited generally?—I did not go there, I was not allowed to go there.

14,280. How do you know there was anybody in No. 9?—I only know the parties going to and fro there.

14,281. Did you see him go into No. 9?—I saw him going up and down stairs. I know he went up and down stairs.

TWELFTH DAY.

J. Clarke.

6 Sept. 1866.

14,282. Is No. 9 near No. 15?—No, on the other side of the lobby.

14,283. But in going up to No. 15 would you go near to No. 9?—No.

14,284. Up a different staircase?—Certainly.

14,285. Do you know who was in No. 15?—That I cannot say.

14,286. Were there various people on the landing?—No. I do not think I went up at the time I was there. Not on the other side, I do not believe there was.

14,287. You do not know who was in 15 and 16?—I could not say.

14,288. No. 9 is the only room you know about?—Yes.

14,289. You understood there was a mysterious stranger there distributing money?—I did; where he came from I do not know.

14,290. You never said anything at all about it to anybody?—Certainly, I did not.

14,291. (*Mr. Bere.*) Whom did you ever see coming downstairs, tell us his name, what sort of person? Do you know Frederick Evens?—Oh, yes, sir.

14,292. Did you ever see him going there?—Yes.

14,293. Do you know John Sandford Screach?—Yes.

14,294. Did you ever see him go up there?—Many times.

14,295. Do you know Robert Harris, did you ever see him?—I would not say.

14,296. Screach and Evens you did see about?—Yes.

14,297. Did you see them go up with empty hands and come down with full ones?—No, I never suspected it.

14,298. (*Mr. Coleridge.*) Do you know of any one in No. 13 at the last election?—No, I do not.

14,299. Did you ever take anything up to No. 13?—I never did.

14,300. Do you recollect Mr. Smith?—I do not recognize him at all.

14,301. Do you know No. 6 sitting room?—No. 8?

14,302. No. 6; there were two clerks of Mr. Smith occupying No. 6 sitting room?—That was a sitting room, and they have converted it into a bedroom on the same landing. There is a communication between them from the other staircase.

14,303. No. 8 was a small room occupied by Mr. Edmonds and Mr. Kellock?—I do not know.

14,304. Do you recollect about No. 6?—I do not recollect.

14,305. Do you recollect about two clerks of Mr. Smith being there?—I did not interfere with it all. I only went where I was told to go.

14,306. (*Mr. Longe.*) You remember about the lame ducks?—No, I do not.

14,307. You know about their being up in the house?—Oh, no, I did not trouble myself about such matters at all.

14,308. Did you hear about George Stoyle?—Mr. Edmonds had got him at his own house dressed up in his uniform. I saw him up there at one time, that is all I know about him.

14,309. Had many persons offered you bribes on that occasion for your vote?—No one but Mr. Heath.

14,310. What did he offer you?—50*l.*

14,311. Did you take it?—I have not got a farthing.

14,312. You voted all right?—Yes.

14,313. You expected it?—He promised it.

14,314. (*Mr. Coleridge.*) Is 5*l.* a week your usual charge for going out as an extra waiter?—No, sir, 5*s.* a day, and 7*s.* 6*d.* if I go into the country.

14,315. 10*l.* for a fortnight was excessive pay?—I could have got it in Plymouth.

14,316. (*Mr. Longe.*) Did you give your orders in at the bar when you had them from gentlemen in the house?—I booked it to the number; sometimes "light "gent," and sometimes "dark gent;" they book them any way down there.

14,317. How is a person known?—They are booked by their names.

14,318. What do you do?—I ask them their names, otherwise they are not booked.

14,319. Did you ever give an order into the bar from any one you did not know?—No doubt about it, as I should not know them personally.

14,320. When you give an order you know the person that gives it to you?—Of course; a dinner or a luncheon, whatever it may be, they book it to the number of the sitting room; or, if he has been booked before, they refer to the book and book it to him.

14,321. You never gave an order without knowing the person in some way to identify him?—Certainly not.

14,322. I want to know how you identify them, not knowing their names, I mean Mr. Smith and his two clerks?—I never had anything to book to them; it was booked to the number. I was not supposed to know who the gentlemen were by their names. If it was No. 5, I booked to the number.

14,323. Taking those two facts together, you would not have given any order from anyone you did not know? Did you ever take an order from Mr. Smith or his clerk?—Not that I am aware of; I might have done so.

14,324. (*Mr. Bere.*) When you book an order for the first time from a man whose name you did not know, did you give a description of the gentleman to the barmaid?—Refer to the books.

14,325. But if his name is not there?—If not we book him afresh.

14,326. Then you described him. Suppose it is in the coffee-room?—Described him in the book accordingly.

14,327. Did you describe him the first time as the light gent? Used the barmaid to take the orders from you? Was not she told to put down to the persons you told to her?—Certainly.

14,328. With regard to the offer John Heath made to you, at what time was that?—In June.

14,329. Did you not tell Captain Pim about it?—Yes.

14,330. When?—The day of the election.

14,331. What did you say about it?—Before Mr. Edmonds and Mr. John Heath, in No. 7 sitting room. I said I expected he would pay it, and I should get the money.

14,332. Did Captain Pim tell you where to go for it?—No.

14,333. You never had it?—No, not a farthing.

14,334. (*Mr. Longe.*) Did you ever give any order from Colonel Dawkins to the bar?—I went when the dinners were on.

14,335. You waited?—I did.

14,336. Did you ever give any for Colonel Dawkins' account from anyone else, when anyone else wanted anything?—No, sir; none except those that came from Colonel Dawkins and his room. When they dined together it was booked accordingly to Colonel Dawkins, or he joined with Lord Cranstoun.

14,337. Did you ever know when you were there that there were any gentlemen in the house authorized to put down what they wanted to Colonel Dawkins' account through you?—I cannot say; I do not know.

14,338. Do you remember whether any gentleman told you to get "soda water" and put it down to Colonel Dawkins?—No one. Mr. Edmonds, when he had a lunch, paid for it himself.

14,339. Did you ever put these things down to the Conservative committee?—In the sitting room?

14,340. (*Mr. Bere.*) Used Mr. Kellock to pay for his lunch?—I never received an order from him.

14,341. Did you ever see Mr. Kellock?—He would go and dine with them.

14,342. He did not lunch in the middle of the day—I do not recollect; once he might have done it.

14,343. Did you give the names to Miss Prout and say, "Mr. Smith's friend"?—Not to my knowledge.

14,344. (*Mr. Coleridge.*) Did anybody on the other side ever offer you anything?—No.

14,345. At any election?—No.

14,346. In any election?—No.

14,347. Were you at the election of 1863?—Yes.

348. Were you offered anything then?—No.
349. On either side?—No.
350. Which way did you vote in 1863?—For Mr.

351. What did you get for your vote then?—50*l.*
352. Who paid you?—Mr. John Heath.
353. You expected that Mr. John Heath having sed you 50*l.* in 1865 would have kept faith with —He did not do it.
354. You voted in 1862 for Dent and Pender? did not go to the poll.
355. What were you promised if you voted?— ame.
356. Who promised you?—John Heath.
357. In 1859 did you vote?—I voted for Dunn.
358. What did you get?—Nothing.
359. Were you not promised?—No.
360. There was no money going?—Yes, plenty.
361. Did you get anything?—No.
362. Who canvassed you?—Mr. Dunn.
363. How came they to give you nothing that —I was living there then at the "Seven Stars."
364. You were a matter-of-course man?—Yes.
365. Did he give you something after the elec- —Not a fraction. He left a gold toothpick i him.
366. Is that all you got?—He left it on the ey-piece, and he says, "Keep that for yourself, ke."
367. Did you vote in 1857?—At Mackenzie's n? He did not stand; he went away.
368. Mackenzie and Gregory?—I voted for enzie and Gregory.
369. What did you get then?—Nothing.
370. Anything after the election?—Not a frac-

371. The first time you had the luck to get any- was in 1863?—In Dent's election.
372. Then you would have had 50*l.* in 1862 if he one to the poll, and you ought to have had in 1865, only you got out of it?—I did.
373. (*Mr. Bere.*) Though you had no offer from ther side, then did not some one tell you you have had money if you voted for Mr. Pender? doubt.
374. Who did you hear that from?—Mr. Jeffery lmore. He gave me a poke in the side in the of the confusion.
375. What did he say?—He wanted me to go o the "Seymour Arms." I did not go. I had ed my word, and my word is my bond.
376. If you had known how John Heath was to serve you?—I might have had it.
377. Was Jeffery Michelmore the only Liberal who offered anything to you?—Young Mr. Pender came in.

14,378. (*Mr. Coleridge.*) Did he venture into the "Seven Stars"?—They both came in; they brought a message for Mr. Kellock from Lord Cranstoun, stating he withdrew his services.

14,379. Mr. Jeffery Michelmore and Mr. Pender came to tell him that Lord Cranstoun had turned round?—He thought of sending a voter over with the vote to Mr. Kellock and Mr. Edmonds, but he brought it over himself to see me, and he did see me. There was a hue and cry that they were going over.

14,380. Had money been paid before that?—That was the nomination night.

14,381. (*Mr. Bere.*) It was at the "Seven Stars" Mr. Pender and Mr. Michelmore suggested that?—He gave me a poke in the side, and said, "Come "along with me."

14,382. (*Mr. Coleridge.*) Anybody in 1863?—No.

14,383. That was the first time the Liberals tried you?—In 1863.

14,384. What did they offer you?—Nothing.

14,385. Merely canvassed you?—They did.

14,386. Did they not tell you money would be going?—Nothing.

14,387. Did Mr. Pender offer you a butler's place? —No, he knew my principles before that; I told him.

14,388. In 1865 they did try you; how was it they did not know your principles so well then?—I do not know.

14,389. (*Mr. Bere.*) Are there any people in Totnes who have the same complaint as you, that they have been promised money by John Heath and have not been paid?—Yes.

14,390. How many?—Barker, the baker.

14,391. What did he complain about?—Because he had not got the money.

14,392. (*Mr. Coleridge.*) What did Barker say he had been promised?—He did not say what.

14,393. He had been promised by John Heath?—Yes.

14,394. Who else?—A man named Tilley.

14,395. Who did you say promised him money?—John Heath.

14,396. Who else?—I could not say any more.

14,397. They are all in the same boat?—There is a man named Pengilley.

14,398. Which?—The broker.

14,399. They all complained of John Heath?—I believe they did.

14,400. Was there a sympathising feeling amongst you about that?—Not the slightest. I kept myself aloof from it.

14,401. Had it reached Tilley?—I do not recollect.

Adjourned till to-morrow at 11 o'clock.

THIRTEENTH DAY.

Friday, 7th September 1866.

Mr. Thomas Hunt Edmonds recalled and further examined.

402. (*Mr. Bere.*) Among the other people who employed on behalf of the Conservatives in was not Mr. Heard employed?—I recollect two occasions employing him myself; on the ay I think I asked him to go and see a man l Smaridge.
403. Is he the brother-in-law of May?—He ther-in-law of Shillabeer. I told him to go ndeavour to bring him to the "Stars." I do ink I saw him afterwards, but from the result aridge voting for the Conservatives no doubt de it all right.
404. What other instance was there?—I asked him to go and endeavour to find John Fox Green, but he was unsuccessful, he had been taken to Plymouth.

14,405. You pretty well know what he was to do?—To bring them to the "Stars" no doubt, and introduce them to Screach or Evens. I have been told this morning that I stated here yesterday that Mr. Thomas Kellock had not canvassed with Colonel Dawkins. I never meant to state such a thing, and I do not recollect that I did so. No doubt Mr. Kellock did canvass with Colonel Dawkins, particularly before Captain Pim came down.

14,406. I think you stated it inferentially. I asked

THIRTEENTH DAY.

Mr. T. H. Edmonds.

7 Sept. 1866.

you whether Mr. Kellock canvassed, and I think you said he canvassed with Captain Pim, or ought to have done so, and the inference was that he did not canvass with Colonel Dawkins ?—He did.

14,407. Do you remember, in the course of the canvass with Colonel Dawkins, calling upon the Rev. William James ?—I do.

14,408. Was that at an interview when Captain Pim was present, or when you and Colonel Dawkins were alone ?—When I and Colonel Dawkins and Frederick Kellock were present.

14,409. Will you tell us what passed ?—We went with the object of canvassing him, and he said he had not promised his votes ; at the same time he liked Mr. Pender exceedingly, and probably he should vote for him. Colonel Dawkins asked him to vote for him, and he said I cannot promise you at present. It must have been the Thursday or Friday before the election.

14,410. At that time Mr. James had borrowed a a sum of money from you ?—Yes.

14,411. How much ?—230*l.*

14,412. Had he deposited any security ?—Yes ; the scrip of the National Discount Company and a promissory note.

14,413. How long before the election had you lent him that money ?—I think in the month of November 1864.

14,414. Had he paid the interest regularly ?—It was a loan for three months. At the end of the three months I met him in the street, and he said I am sorry I have not been able to repay you that money, but the shares in the Discount Company are down, and it would be the ruination of me to be obliged to sell them at the present time, and he would be glad if I would let it stand over for a short period, and I agreed to let it stand over. At the end of six months he paid the interest, and I said the money ought to have been repaid, as I had told my client it was only a temporary affair, and I had really become responsible.

14,415. It was not your own money ?—No, a client's money. I had become responsible to my client in making the advance, because it was not such a security as I could advise my client to advance upon. I said upon that occasion I should like the money to be repaid, particularly as I told my client it would be. He said, " Well, those shares are still " very low, and if you can let the matter stand over " I shall be very glad indeed. I feel you have been " a friend in need, and if I can return you a favour " I shall be glad to do it." The matter did stand over, I did not like to press him then, because ill-natured people would have said I was putting the screw on, and nothing was said about demanding the money until after the election ; I think about a week after.

14,416. Was not that the morning of the election ?—On the morning of the election I simply wrote this letter :—

" My dear Sir, Totnes, July 12, 1865.

" Being especially interested in the result of this election, I would ask you as a favour of the *most deeply personal kind* not to vote against Col. Dawkins, but, if possible, to give him your support.

" Yours very truly,

" The Rev. W. H. James, T. H. Edmonds.
" Totnes."

14,417. Was that the only letter you wrote on the day of the election or the day before the election ?—The only letter I wrote at the election.

14,418. Had there been at any time, by writing or by word of mouth, an intention to press him for the money before the election ?—Decidedly not.

14,419. (*Mr. Coleridge.*) You only asked him for one vote ?—Yes. My letter I understood to mean this, that if he voted at all he would not plump for Mr. Pender or vote for Seymour and Pender, so as not to vote against Colonel Dawkins.

14,420. He always had voted Liberally ?—It was the first time he had voted.

14,421. His family are Liberals ?—That I do n know.

14,422. Did you see him after that interview wi Captain Pim and Colonel Dawkins ; were you prese when Captain Pim was there ?—I was not.

14,423. (*Mr. Bere.*) What was the impression l on your mind at the end of the interview betwe Colonel Dawkins and Mr. James ; that he wou vote or not vote against you ?—My impression w that he would give one vote to Colonel Dawkins a the other to Mr. Pender, and it was the impressi of Colonel Dawkins at the same time, also of M Frederick Kellock.

14,424. Did you make an entry opposite his nam in the poll book ?—I think I did.

14,425. Will you look at the poll book ?—I am n sure whether I did or not, I considered he w doubtful. I find I made an entry that he wou probably vote for Mr. Pender and Colonel Dawkin

14,426. Dawkins and Pender ?—Yes.

14,427. Can you tell at what time you came to t conclusion that he would not vote for Colonel Daw kins, but for Seymour ; it must have been after y wrote that letter ?—Yes, it was.

14,428. Did he return any answer to that letter ?— No ; it was written early in the morning, I thi between 6 and 7 o'clock, and I sent it by a messeng but I do not know who took it. I have heard h he has since complained that it was put under t door, but I never knew anything of it at the time.

14,429. When did you first, after the election, pre Mr. James for the money he owed you ?—I wrote note on the 18th of July, this letter :—

" Dear Sir, Totnes, July 18, 1865

" I shall be glad if in the course of a few da you will repay the temporary loan which I made to you l year.

" Yours faithfully,

" The Rev. W. H. James, T. H. Edmonds
" Totnes."

14,430. Did Mr. James vote at the election ?—Y

14,431. He voted for Pender and Seymour ?—Y

14,432. Had that anything to do with your press him for the money ?—Not in the slightest degree.

14,433. Did you get an answer to that ?—I did. wrote an answer, saying he would pay it in the cou of a short time.

14,434. When did he pay it ?—He repaid it on 24th July 1865.

14,435. Six days after your application ?—Yes.

14,436. And the securities were handed back Yes.

14,437. How was it repaid, by cheque ?—No, no There was a 50*l.* note.

14,438. Do you remember the number of the note ?—I entered it in my diary at the time, 058 50*l.*, dated London, 9th June 1865.

14,439. Any endorsement on it ?—George P gilley. Mrs. James brought it to me, and im diately after she left I was turning over the not count them and see if they were all right, and attention was called to the name of George Pengi on the back of it. I immediately went downstair my clerk and said, " Do you know this writin " Yes, I do very well, it is the man who makes " boots and shoes." I said, " Have you any bill " letters at home, so that we may compare the " nature ?" And he said, " Yes, I have several." said, " Will you go home and bring them down ?" before he went I took the precaution to take numbers of the notes in his presence.

14,440. There was one note for 100*l.* ?— 22,828, 100*l.*, 10th April 1865, London.

14,441. Do you know any of the others ?—I not give you the whole of them.

14,442. Perhaps you will be kind enough to g list to the secretary ?—Yes.

14,443. Perhaps you will read them out ?— first is a bank post bill,—

6846, 10*l.*, May 13, 1865, London.
99676, 5*l.*, March 1, 1865, do.

52420, 5*l.*, Nov. 11, 1863, Plymouth.
70806, 5*l.*, June 1, 1864, Bristol.
57146, 5*l.*, April 29, 1864, Birmingham.
25192, 5*l.*, do. do. do.
83707, 5*l.*, do. do. do.
98521, 5*l.*, Jan. 2, 1864, Manchester.
69393, 5*l.*, July 18, 1865, London.
87719, 5*l.*, May 3, 1865, do.
48602, 5*l.*, April 5, 1865, do.
95077, 5*l.*, Nov. 11, 1863, Plymouth.
55199, 5*l.*, do. do. do.
61672, 5*l.*, do. do. do.
20625, 5*l.*, April 2, 1861, London.
05843, 50*l.*, June 9, 1865, do.

14,444. What did you do with that 50*l.* note?—As soon as my clerk came back with these bills I compared the signatures, and saw without doubt that it was the signature of George Pengilley, they were so exactly alike. Then I gave him the two notes, one for 50*l.* and the other for 100*l.* and requested them to take them up to Mr. James, in order that he might place his signature on the back of them. I may say I had not the slightest idea of Mr. James having received them as a bribe, I considered he was a man quite above anything of that sort, and my object was to be able to identify the notes as having been paid by him to me, that I might trace them.

14,445. Had you heard that George Pengilley had received money from either side?—I had heard that he had been employed as agent, and he appears on the books as having been so employed in the accounts.

14,446. What led you first to take the numbers?—From the fact of George Pengilley's name being on the back of it.

14,447. That was the first thing that suggested it to you?—Yes, I thought it was desirable to be cautious in a matter of that kind, and I purposely took the number in order to trace the note.

14,448. (*Mr. Coleridge.*) Is Mr. James a clergyman of the Church of England?—He is.

14,449. Here or in Wales?—He is living here.

14,450. Has he a living here?—No, he is living privately.

14,451. Has he held any preferment in this part of the country?—I am not aware that he has.

14,452. Was your clerk's name John Diggins?—Yes.

14,453. Did he, as far as you know, take the notes up to Mr. James?—Yes.

14,454. Did he bring them back to you with Mr. James' signature endorsed?—He did.

14,455. Then what did you do with them?—I kept the notes from that time till the petition. Of course I supplied Mr. Spofforth with the necessary information, and Smith and Guscotte with the necessary particulars. I never parted with it from that time till the day of the petition.

14,456. (*Mr. Bere.*) I suppose you found that both those notes, the 50*l.* and the 100*l.*, formed a portion of the money which had been drawn out of the Consolidated Bank on Mr. Pender's behalf?—The 50*l.* only, not the 100*l.* note.

14,457. Are you sure the 100*l.* was not?—I think you will find it so; I compared the numbers yesterday.

14,458. The 50*l.* was certainly?—The 50*l.* was certainly, there is not the slightest doubt of it.

14,459. Then at the time of the petition that note was produced, was not it?—It was.

14,460. It was then handed over to Mr. Guscotte by you?—He gave me a cheque for it. I remained in town a short time longer, and I did not like to keep a note for 50*l.* about me.

14,461. (*Mr. Coleridge.*) What has become of it now?—Mr. Guscotte told me that he had circulated it in the way of business; what has become of it I cannot conceive.

14,462. (*Mr. Bere.*) This note for 50*l.* had been given to George Pengilley long before it came into your hands. How did you find out that it came from the Consolidated Bank?—Mr. Spofforth's clerk went to the Bank of England first.

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14,463. Is that Mr. Tomlinson?—I do not know his name at all. He went to the Bank of England and inquired to whom the note had been issued, and they said the Consolidated Bank. He then went to the Consolidated Bank and inquired to whom they had been paid, and found they had been paid to Mr. Percy Salmon, Mr. Pender's secretary.

14,464. Do you know how they came into Mr. Pengilley's possession?—I have heard it was paid to a man named William Kellow. Pengilley is not a voter I think, I think it likely that George Pengilley was employed to go to the bank to get smaller money.

14,465. (*Mr. Coleridge.*) You do not think it was sent by Pengilley to Kellow, or anything of that sort?—It may have been.

14,466. Can you fix the time when Mr. Smith gave you a cheque for that 50*l.*?—It was on the day after the petition.

14,467. After you suspected that there would be a Commission?—Quite so. The petition was over, it had been heard.

14,468. And it was certain that in the course of events there would be a Commission?—We did not think much about it at that time.

14,469. At the time you handed over the note to Mr. Guscotte you knew pretty well there would be a Commission?—I never gave the thing thought.

14,470. You are aware that there has never been a report of a committee on a petition of that kind without a Commission following it?—I never gave it a thought.

14,471. (*Mr. Bere.*) Do I understand that this note had been paid into one of the banks here by Mr. Pengilley?—When in London Mr. Pearce, the manager of the Devon and Cornwall Bank, was summoned there on behalf of the petitioners, and he stated that this 50*l.* note had been paid into the bank by George Pengilley, that he had forgotten to put his name on the back of it, and that he had taken the number of the note and given him smaller monies for it, and he recognized George Pengilley there.

14,472. Did Mr. Pearce inform you how it got into Mr. James' hands?—He said he believed it had been paid to John Bowden.

14,473. Do you know when it was paid in by George Pengilley?—I think they can supply you with that at the bank, but I did not ascertain the date.

14,474. You did not get it cashed at that time?—I got it afterwards. There was a report circulated at the time that Mr. Pearce had taken this note of George Pengilley, put his signature on the back of it, and then handed it over to me, that I might use it for the petition; but that is quite untrue. I never saw Mr. Pearce or spoke to him on the subject; it is a pure invention. Mr. Tucker of Ashburton told several people that that had been done, but since that he has admitted that he did Mr. Pearce an injustice.

14,475. I will just ask you this question, are you perfectly certain that when that 50*l.* note came into your office it had the signature of George Pengilley on it?—I am perfectly certain.

14,476. Is there any foundation for the charge made against you that the name of George Pengilley was written on that note after it came to your office?—Decidedly not; it is utterly false and untrue.

14,477. (*Mr. Coleridge.*) On a former occasion you have stated that you told Mr. Smith, on the Saturday before the election, that it would be necessary to have a man down here, who was unknown, to distribute the money, upon reflection are you satisfied that you made such a statement to him?—I am perfectly certain of it, or to that effect.

14,478. You do not recollect Mr. Smith's making any answer to that?—I do not recollect what answer he made. I think he may have said, Very well.

14,479. And when he left you I suppose you were

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under the impression that he had arranged for some one to come down?—Undoubtedly.

14,480. And when some one did come down you fully believed that he had carried out your suggestions?—Yes.

14,481. And you were very much surprised to hear him say that he knew nothing of the matter?—I certainly was.

14,482. Have you had any conversation with Mr. Smith on the subject since he gave his evidence here?—No.

14,483. You are under the impression that this man did come down in consequence of what you said?—Yes.

14,484. Was that before or after Mr. Smith's second clerk, Mr. Lind, had come down?—I cannot tell that, I do not know when the man came down. The first intimation of his being here was on the Saturday morning.

14,485. When did you tell Mr. Smith it would be necessary to have a man down?—That was before he went to London.

14,486. Before he went to London in the first instance no second clerk had come down here?—No.

14,487. It was before he went to London that you had this conversation with him, and after he came back that the second clerk joined him?—I think he came the next day.

14,488. Do you imagine that the person who was upstairs could have possibly been the second clerk, Mr. Lind?—I fancy not, I think he went away for one day.

14,489. Did you at any time when you were sending messages through Mr. John Heath and receiving them from the man upstairs see Mr. Lind about the house engaged in anything else?—I frequently saw him about the house.

14,490. You do not recollect whether at the time this man was upstairs you saw Mr. Lind otherwise engaged?—I do not recollect. I saw Screach and Evans and others going up and down stairs; there was one day when he was away at Torquay.

14,491. When who was away?—Mr. Lind.

14,492. You mean that at that time you saw these people going to the man who was upstairs as you supposed for money?—I suppose so.

14,493. If that were so Mr. Lind and this man could not possibly be the same person?—Certainly not.

14,494. Then your conviction is that there were two clerks and a third person down here?—I have little doubt of it.

14,495. (*Mr. Longe.*) But you do not know positively that that is so?—No. I never saw the man, and it is not possible for me to speak about him from any personal knowledge.

14,496. (*Mr. Bere.*) Amongst other people whom you canvassed did you canvass the Rev. Mr. Butland?—I did.

14,497. You called on him with Colonel Dawkins?—Yes, with Colonel Dawkins and Mr. F. Kellock.

14,498. Were you the usual trio who went out canvassing?—Yes, during the first part of the time.

14,499. Will you tell us what passed between you and Mr. Butland?—Colonel Dawkins asked him for his vote, and he said he did not know, he did not think he should ever vote for the Tories again, he had voted for Mr. Dent at his election, and he said "My son was promised a situation at that time, and "it was not given him, and I was 150*l.* out of "pocket on account of it."

14,500. Have you any correspondence which passed between you and the Rev. Mr. Butland as to that matter?—No.

14,501. Did you leave that gentleman with an idea that if a situation could be got for his son he would vote for you?—Not exactly at that time.

14,502. Did you see him again?—I did not.

14,503. Did you hear from Captain Pim any account of his interview with him?—Captain Pim said that he had seen him, and he thought that if a situation could be obtained for his son he would vote for the Conservative party. That was spoken of on the nomination day.

14,504. Is that all that you know about the Rev. Mr. Butland?—Yes; he was at the same time very impertinent to me, and he hinted that I had been bribed at Mr. Dent's election. The fact is that I did not make any charge for my services on that occasion, and about three weeks after Mr. Dent sent down to my wife a bracelet, and the Rev. Mr. Butland seemed to fancy that his wife ought to have had one as well, and seemed bitterly disappointed at it.

14,505. How did he vote eventually?—He voted against us; he went to the "Seymour Hotel" and dined with Mr. Pender, and when I was making up the final poll I put him down as against us. I have got the letter here which Mr. Dent wrote to Mrs. Edmonds with the bracelet if you would like to see it (*hands the letter to the Commissioners*).

14,506. That was between 1862 and 1863?—Some time after 1862, before 1863. I may mention that after the petition I received a letter from Mr. C. H. James, a solicitor at Merthyr Tydvil in Wales, who is a brother of the Rev. Mr. James of Totnes, to this effect:—

"Sir, Merthyr Tydvil, April 19, 1866.

"What my brother means to say is this, that you sent a note to him to be indorsed by him which he had not paid to you, and that you used such note before the committee. It will be well to have the matter well aired and that if possible before the bill for re-distribution of seats is gone on with, so that we may, if possible, get rid of those places that are such a stigma to the English name. You can send me any process.

"Yours obediently

"T. H. Edmonds, Esq., Chas. H. James.
"Solicitor, Totnes."

14,507. Are you quite certain that the note which you received from Mr. James was the note you afterwards sent by your clerk to Mr. James to have his indorsement put upon it?—I am quite certain of it; within a minute or two afterwards I went down to my clerk and showed him the note.

14,508. (*Mr. Coleridge.*) The amount of money which went through your hands was about 4,700*l.*?—Yes, about 4,000*l.* and the election expenses; and there were 25*l.* paid to Mr. Harris. There were two cheques for about 2,500*l.* and another cheque for 1,000*l.*

14,509. Did you deduct the 300*l.* odd for the election expenses?—Mr. Kellock I believe deducted it.

14,510. At what amount do you put the money actually received by those who were bribed?—I cannot tell you; I do not know any of the amounts except from the evidence which has been given here.

14,511. Then you cannot tell what stuck to the hands of the bribers?—I cannot.

14,512. You believe that a great deal of it did?—That I cannot say.

14,513. It was not all absolutely distributed?—It is probable that the gentlemen who were employed helped themselves.

14,514. How much did Mr. John Heath distribute?—He did not receive any money at all from me.

14,515. (*Mr. Longe.*) Can you tell us what was the arrangement as to the committee meetings at the "Seven Stars"?—I said in the committee room I hoped there would be no treating, as it would invalidate the election; that nothing should be done in the way of treating. I mentioned it generally, there were a good many there, and I hoped there would be nothing in the way of treating.

14,516. At what time was that?—On the previous occasions the different inns had been opened, the agents were running about, I considered it illegal, and I hoped nothing of the kind would be done on this occasion.

14,517. The Conservative committee rooms were full of different people?—Yes.

14,518. What was Mr. Heath authorized to put down?—I never authorized him to put down anything in that way.

14,519. Was it supposed that Mr. Kellock and Mr. Bastard would pay it all.—No, I considered that Colonel Dawkins would pay it all.

14,520. Two separate accounts were kept?—There seem to have been.

14,521. Ultimately it was all paid by Colonel Dawkins?—It was all paid by Colonel Dawkins.

14,522. You do not understand two accounts being kept?—I do not; certainly the committee did not hold themselves responsible for any of the drink.

14,523. Nor had the committee anything to do with the dining in the common room?—They may have dined there occasionally at Colonel Dawkins' or Captain Pim's request if he invited them.

14,524. Did you ever dine there yourself?—I may have done so once or twice.

14,525. There was a dinner and any one could go and dine there?—There was a dinner ordered for so many and they invited their friends in.

14,526. Who would have given the order, Colonel Dawkins or Captain Pim?—Decidedly I should not have done it, neither I nor the committee would take on themselves the responsibility of that.

14,527. (*Mr. Coleridge.*) The responsibility was of another nature?—Quite so.

14,528. There was some stress laid on the requisition to Mr. Macleay. Was the first idea of the requisition in consequence of a letter of Mr. Mitchell to Mr. Harris? (This is the 27th of April, when you were talking about the members.) "Dear Sir, I have your note of the 20th."

"69, South Audley Street,
Grosvenor Square, London,
April 22, 1864.

"MR. HARRIS,
DEAR SIR,

"I HAVE your note of the 20th inst., and in reply have only to say that I am quite unable to assist you in any way towards the object in view; as far as Mr. Dent and his advisers are concerned, let it be clearly understood that he will never return to Totnes unless upon a requisition in which some of the more prominent electors on the other side shall concur, such men as Mr. Bowden, Mr. Chaster, &c. &c., whose high personal character place their motives beyond suspicion.

"I am, Sir,
"Your faithful servant,
"W. H. MITCHELL."

Was it in consequence of that letter that there was such a great effort made to get some one on the other side to sign the requisition?—No, I think that was not the idea at all. The first idea of the thing occurred in this way: Mr. Macleay came down here and saw the Conservative committee, and he said he would be disposed to come down provided he could get a good requisition signed; consequently it was got up and sent to him.

14,529. It was not Mr. Dent who started it?—Not at all; we tried to get Mr. Dent; we thought he was a good card to run and had plenty of money.

14,530. You tried to get Mr. Dent?—It was thought he might do something. He was talked of.

14,531. (*Mr. Bere.*) That is all you have to tell us with regard to the election of 1865?—I believe it is.

14,532. You were actively engaged as the manager for the Conservatives at the elections of 1862 and 1863?—I was.

14,533. When did you first have any communication with Mr. Dent about standing for the borough of Totnes?—Mr. Mitchell came to my office.

14,534. When was that?—Very soon after, a few days after Mr. Mills' death.

14,535. Had you heard anything of Mr. Dent before Mr. Mills' time?—No, I had not.

14,536. Had there been any negotiations going on in Totnes in consequence of the expected death of Earl Gifford before?—I think Mr. Colleton Rennie came down.

14,537. Was that the time that Lord Gifford was supposed to be dying?—I think it was.

14,538. Mr. Colleton Rennie came down in 1861?—He must have come down about that time. I do not think I had negotiations with any other person.

14,539. Was he the only person that had been down?—Not at that time.

14,540. Had you any communication with Mr. Spofforth or with the Conservatives about any candidate before Mr. Mitchell came down?—I do not think I had. He brought a letter to me from Mr. Mitchell; I forget whether it was a letter or a telegram.

14,541. From whom?—Mr. Spofforth.

14,542. After Mr. Mitchell's death did you put yourself in communication with Mr. Spofforth?—I think I did. The last communication I had was from him, in which he stated himself that Mr. Mitchell was coming down.

14,543. Did you have any communication with Mr. Spofforth before that?—I think I may have, but I do not recollect.

14,544. Did you know him personally before Mr. Mitchell came down; did you know Mr. Spofforth personally?—I think I had seen him. I recollect I saw him before I went up about Dunn's election. I was requested by the committee, as Mr. Bryett said he could not go, they requested me to go up and see about a candidate.

15,545. Did Mr. Mitchell bring down an introduction from Mr. Spofforth to you?—I think he brought a note from Mr. Spofforth.

14,546. Or a telegram?—I think it was a letter.

15,547. How long was it before the election?—I can hardly tell you; a little above a week after Mr. Mills' death.

15,548. What is Mr. Mitchell's name?—William Henry.

14,549. What did he describe himself as?—A personal friend of Mr. Dent's; he seemed to act as his secretary.

14,550. Did he describe Mr. Dent to you in a financial point of view?—He told me he was an exceedingly rich man, and would be able to do a great deal of good for the place, and he was in a position to fill that.

14,551. Did you discuss the amount that would be required?—We went into the register first. I had had the list made up, and I told him the numbers were very evenly balanced; indeed I thought that, provided no money was spent on either side, we could hardly tell which would win. If money was spent on the other side we must do the same, and the one who spent the most money would most likely win.

14,552. That was the first election at which you had been actively employed as the legal adviser?—In Dunn's election I was engaged, but Mr. Bryett was the principal.

14,553. Was it from the knowledge you acquired during Dunn's election that you formed your opinion of the amount of money that would be wanted if Mr. Dent was to put up in 1862?—Yes, just so.

15,554. Was Mr. Pender in the field before Mr. Dent?—Yes.

14,555. Was he living down at the "Seymour Arms" some day or two before Mr. Mitchell came down?—He was down canvassing the place 10 days before Mr. Dent came down; quite that.

14,556. Did Mr. Mitchell continue his stay at Totnes?—No, he went back.

14,557. You saw him, and you knew Mr. Dent?—Quite so.

14,558. Did you receive any communication from him or Mr. Dent before Mr. Dent came down?—I do not recollect that I did.

14,559. How long after Mr. Mitchell went; when did he go away?—The same day.

14,560. How long after that did Mr. Dent come down?—He was here about a week before the election.

14,561. Did you hear that Mr. Dent was coming down before he arrived?—I think I did; I had a communication from Mr. Spofforth.

14,562. Was it in writing?—I expect it was; I am not quite certain about it. I may have had a telegram.

14,563. Did Dent and Macleay come down too?—They did.

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14,564. Did Mr. Dent bring any London solicitor with him?—He did not.

14,565. You and Mr. Kellock had been appointed his legal advisers at that time?—We had.

14,566. Was Mr. Mitchell a commercial man or a lawyer?—I believe a lawyer, a barrister; he had been a police commissioner or a magistrate at Hong Kong, in China.

14,567. What age man is he?—I think about 50.

14,568. When Mr. Dent and Mr. Mitchell came down, did you see them early after their arrival?—I saw them immediately afterwards.

14,569. Had they been canvassing with Mr. Kellock before that?—This is the 1863 election?

14,570. 1862?—We did not canvass till he came down; we did canvass previously in 1863.

14,571. When he came down in 1862 and 1863, after he came down did you go and canvass with him?—Yes, I did.

14,572. What did you find the disposition of the voters to be then; were they hesitating?—Just the same as they always have been in Totnes.

14,573. They wanted to know how much was to be given?—They did not ask me that question or the candidate.

14,574. Did Mr. Mitchell tell you how much money he had brought down with him?—3,000*l.*

14,575. Was Captain Helms at that time a resident in Totnes?—He was.

14,576. Do you know whether he had anything to do with bringing the money down?—He said he had got the money; I never heard one way or the other how.

14,577. He did not show it to you?—He did not show it to me.

15,578. Mr. Dent withdrew upon that occasion?—He did.

14,579. Late at night or the evening of the nomination day?—He did.

14,580. Had you had a show of hands on the nomination?—We had.

14,581. Did he withdraw in consequence of your advice?—My advice, as well as Mr. Kellock's and a few other friends there.

14,582. What was the reason?—I think it was on the advice of Mr. Mitchell principally. We made a report to him, and the report was to this effect:—In the evening I could not look to make a majority. No money had been spent on either side. He said if we spend money could I guarantee it. I said, "I "cannot do that." I said I would not advise him to go to the poll.

14,583. Did you mention the names of those whom you thought were to be had for money?—No, I did not.

14,584. Or the number of votes to be had for money?—I did not.

14,585. It was merely uncertain, general information that it was uncertain, that money must be spent, and that you could not tell even if it were spent which way the result would be?—Just so.

14,586. At that time had they been spending money on the other side?—I do not know that.

14,587. Do you know now?—I have heard since large sums of money have been paid.

14,588. Had you heard anything at that time of the "slippery company"?—Yes, I had.

14,589. What did you hear about them?—I heard there was a "slippery company." I think Mr. Heath told me, and that they might be had for 1,000*l.* I mentioned that to Mr. Mitchell.

14,590. Had you heard of any specific instances in which before the election of 1862 the other side had spent money?—Before the election of 1862?

14,591. Before the election of 1862?—I had not.

14,592. I put that to you for this purpose, whether it is true or not that 1,000*l.* was afterwards spent by Mr. Pender in the town in consequence of no money having been given by him at the election?—I heard about it and I asked Mr. Kellock if it was really true, and he said yes, it was so; that Mr. Pender had stated that he would give 1,000*l.* to the town.

14,593. Had you heard of any sum of money having been spent on the other side before this information?—No.

14,594. I do not mean whether you heard it before; had you heard of any money spent before that in your hearing that you may have heard of since that time?—No, I do not recollect, except that 1,000*l.*; I never heard anything to that effect.

14,595. At the election of 1862 there were various men employed upon your side I believe; Frederick Evens and Screach?—And Harris; he was employed.

14,596. Just as on other occasions. Have you any reason to doubt the accuracy of what Evens and Screach have told us, that they went to men and promised money, and they did not vote?—I have no reason to doubt it.

14,597. Had you anything to do with any particular people at that election?—No, I had not.

14,598. Do you remember the scene at the "Seven Stars" when the announcement was made that Mr. Dent was not going to stand?—I recollect it perfectly well.

14,599. There was a good deal of clamour?—A great many people, with their wives and daughters, with baskets ready to take away the money. John Heath was the only man who had the courage to tell them it was all over.

14,600. (*Mr. Coleridge.*) There were a great many bankruptcies, were there not, in consequence of the disappointment?—I do not recollect.

14,601. (*Mr. Bere.*) What was the arrangement as to the payment of money?—There was a man down upon that occasion. I never made it a rule to see the interesting stranger.

14,602. At that time you intimated to somebody such a man would be wanted?—It was well known that.

14,603. It was true then a man was brought down?—Oh, yes, I told Mr. Mitchell he must bring down a man.

14,604. You do not know whether a man did come down?—I am not sure; I never saw him.

14,605. He did not go about the town?—I do not know. I think there was a man down upon that occasion. I told Mr. Mitchell he must bring a man down.

14,606. (*Mr. Coleridge.*) Can you tell us anything about Pender's Mr. Mum at the "Seymour Arms"?—I do not know anything of him; he was supposed to be a man with a white hat and black band on it.

14,607. Have you ever seen him?—He was pointed out to me on the Plains.

14,608. He was quite a stranger?—Quite a stranger.

14,609. What sort of a looking man?—A man who seemed about 55 or 60, with grey whiskers and grey hair.

14,610. A tall man?—A tall thin man.

14,611. Did you ever see him in company with young Mr. Pender?—I do not think I ever did.

14,612. You know Mr. Heald, he is a different man?—I do not know him.

14,613. You do not know whether the white hat man that came with Mr. Pender was the same?—I do not.

14,614. You did not know Mr. Heald?—I never heard of him till this morning.

14,615. There was another stranger down; was not Mr. Salmon down?—I do not know, I did not hear at the time.

14,616. You have no information to give us as to Mr. Pender's proceedings?—I am sorry to say I cannot.

14,617. (*Mr. Bere.*) Was Mr. Jack down with Mr. Pender?—I never heard so; I tried to find out when I was getting up the petition who the man with a white hat was.

14,618. Did you find out?—I could not, they were close over at the "Seymour" hotel that I could not anything out of them.

14,619. (*Mr. Coleridge.*) You have not got the entrée of the "Seymour" hotel?—No, not at election times.

SAMUEL HEARD sworn and examined.

14,620. (*Mr. Bere.*) How long have you lived in tnes?—20 years.

14,621. Were you born here?—No, sir.

14,622. What have you been, living at Totnes?—years I have been a fly proprietor.

14,623. Have you always been interested in poli-l matters?—No, never.

14,624. You never troubled yourself about them? No, sir, never.

14,625. You had nothing to do with the election 1865?—Not on my own account in 1865. I beg ır pardon.

14,626. You had something to do then?—Yes.

14,627. You were employed by the Conservative ty?—By Mr. Edmonds.

14,628. Then it was in 1865 he employed you to and look after Robert Smaridge?—Yes.

14,629. What did you do with him?—I could do hing with him.

14,630. What did you try to do?—I tried to get n into the "Seven Stars."

14,631. Did you offer him a temptation to get him o the "Seven Stars".?—No, nothing

14,632. Did you inform him something might be l if he came down?—I told him I had seen some them that had got money and made it all right.

14,633. Have you always been a Conservative?—ways.

14,634. You are not a person of easily turned ıvictions?—No.

14,635. Have you changed your politics?—No, I vays was a Conservative, and always voted for em at the municipal. I never was a voter for the rough before the last election.

14,636. You have not received gratuities, you are natter-of-course man?—No, I am not.

14,637. Was the matter-of-course test produced to u?—What do you mean.

14,638. How much money did you get for your te last time?—Nothing.

14,639. Were you paid 20*l.* by Mr. John Heath?—ss.

14,640. What were you paid that for?—For the uble I had taken.

14,641. Were you paid for your fly besides?—For e fly?

14,642. Was that the fly you took to King's idge?—That was another time.

14,643. That was in 1865, was it not?—No.

14,644. 1863 then?—Yes, sir.

14,645. You went with Frederick Evens?—It was 1863, Dent's election.

14,646. You had only one fly paid for this time?—ly one.

14,647. Where did the fly take you to?—It went different places. I did not go with it myself.

14,648. Did you send your man?—Yes.

14,649. How many days were you employed?—was engaged for the election by Frederick Evens.

14,650. Where is the election supposed to begin d where to end?—It began on the Sunday, that as the first time.

14,651. Your man drove him?—I drove it myself e first time.

14,652. Where did you go?—I went to Corn-orthy.

14,653. What did you go to Cornworthy for?—I not know.

14,654. Who did you take to Cornworthy?—derick Evens.

14,655. And William Willis?—I think it was John d one or two others, I cannot say; perhaps if I ard them I could tell.

14,656. Was a man called Tozer one of them?—o.

14,657. You took Evens and John Willis, where did you take them up to?—To the public house.

14,658. Who were there before you came?—No one.

14,659. Were there not some people you knew there?—No, there was no one there, I think, then; it was in the afternoon, all the people were gone to church.

14,660. Whom did you leave behind?—I did not leave any one behind me. I suppose it was for an excursion and airing.

14,661. Was it Eastman and Tucker, and did Evens see them?—No, I do not think he did, neither one of them; I rather think he waited to see Eastman.

14,662. Was he living at Cornworthy?—Yes.

14,663. How much did you get paid for this; you were out the Sunday, Monday, Tuesday, and Wednesday?—I almost forget now, Mr. Heath paid me.

14,664. What do you charge for a day?—It all depends on the journey.

14,665. What do you charge a mile at election times?—1*s.* 6*d.* a mile.

14,666. Two horses or one?—One; 1*s.* a mile forward and 6*d.* back.

14,667. Anything for the driver?—The driver charges for himself.

14,668. When you are the driver do you charge?—I put in mine at 5*s.* It depends on where you go to.

14,669. (*Mr. Coleridge.*) And on what business you are going on?—Yes.

14,670. You are better paid at election times than other times?—I never charge any different. If they go two or three miles in the country and keep me five or six hours waiting, I charge more.

14,671. (*Mr. Bere.*) You got paid 7*l.* or 8*l.* for the fly?—I cannot tell you, 4*l.* or 5*l.*

14,672. When did you get the 20*l.* from Mr. John Heath?—The polling day.

14,673. After the election was lost?—After the election was lost.

14,674. Where did you get it?—In the lobby.

14,675. The lobby of the "Seven Stars"?—Yes.

14,676. Did any other people get money besides you?—There was no person there but me and Mr. Heath.

14,677. What did you get it in, sovereigns or notes?—In sovereigns.

14,678. He said, "That is for your services"?—Yes.

14,679. (*Mr. Coleridge.*) What were your services besides driving the fly?—Do you mean in 1865?

14,680. Yes, how do you make out 20*l.*?—I did not charge 20*l.*

14,681. You got 20*l.*?—Yes; I never asked him for a farthing.

14,682. You are a voter, are you not?—Yes.

14,683. You voted for the Conservatives?—Yes.

14,684. What were the services that entitled you to 20*l.*?—I do not know I was entitled to that.

14,685. That is 20*l.* for your vote?—No, they never promised me.

14,686. What did you get it for?—As a present.

14,687. As a present for voting for the Conservatives, was it not?—I suppose if I voted for the other side he would not have given it to me.

14,688. You were bribed with 20*l.*?—For the work I had done.

14,689. How much for the work and how much for your vote?—At an electioneering time I should deserve 20*l.*

14,690. How many days did you work?—Three days.

14,691. You think in addition to being paid for

THIRTEENTH DAY.

S. Heard.

7 Sept. 1866.

your work your services are worth 20*l.* for three days?—I should think they were from what I have heard in this court.

14,692. I want to know what you did for the 20*l.*?—I used to work night and day running about.

14,693. (*Mr. Bere.*) You earned your 20*l.* the first week by seeing Smaridge?—Good part, I suppose.

14,694. How much do you put down to Smaridge?—I found he had come and voted for them, but not through me; somebody else had been before me.

14,695. You got paid for nothing?—I did not.

14,696. John Fox Green, did you go to him?—No.

14,697. You tried?—I tried.

14,698. Did you see Mrs. Green?—No.

14,699. What do you know about John Fox Green?—I saw his brother-in-law.

14,700. Who is he?—Willcocks.

14,701. (*Mr. Coleridge.*) How much did you put down for seeing the brother-in-law?—It cost me five or six glasses of grog.

14,702. Did you find the brother-in-law communicative?—No, I could not find him at all, not with the brother-in-law.

14,703. The brother-in-law would not let out where he was?—He told me he guessed, but did not know for certain.

14,704. Did you go to Plymouth?—No.

14,705. Where did you think he was?—At Bridgetown; he happened to be there.

14,706. Where?—At Mr. Elliott's.

14,707. Locked up in a room?—I do not know that he was locked up; he was there.

14,708. Did Elliott bring him up to vote?—He did, I saw him do it.

14,709. Did you see Crook?—Yes.

14,710. And did you have some talk with him?—Yes, I did.

14,711. What did Crook say about the money?—When I was looking out for Green I kept myself pretty near where he was stationed, at the "Bridge-house" inn. I stayed myself there for many hours. On the nomination day in the afternoon I happened to meet with Crook. I asked him for whom he was going to vote; he said, "You know which way." I asked him if any consideration would induce him to vote for the Conservatives; he said it must be a good one, for he would have one on the other side. I asked if 60*l.* would do; he said no, he could get a great deal more than that. I did not say any more to him then. I stopped there till some time in the evening, and when I found I could not find Fox Green I went back and reported, I think it was to Mr. Heath or to Mr. Edmonds, that I had seen Crook and he was to be had for a certain sum. They asked me to go again and see him again. I went to his house late in the evening; it so happened he was not at home; I saw his wife and she told me she did not think he would vote for the Conservatives unless they gave him 100*l.*, because if he voted for the Conservatives he would be sure to lose his situation. I went back again, and when I came back to the "Seven Stars" I told Mr. Heath; he said it is of no use, you will lose the election, it is all up.

14,712. Had Mr. Heath given you power to offer Crook 100*l.*, or did he leave it to your discretion to do the best you could?—I did not offer him any.

14,713. At that time did you not see somebody else besides Mr. Heath; did you not see a gentleman you had not seen before?—No.

14,714. You did see a stranger there once?—Yes.

14,715. When did you see him?—In the morning at half-past three, or that to four o'clock.

14,716. On the morning of the election?—Yes.

14,717. Where did you see him?—Upstairs.

14,718. In his bed room?—No; I think it was the under-boots went and told him I was come.

14,719. Was it William Screach?—I do not know his name; he called me at half-past three in the morning.

14,720. Where were you then?—In the evening I told Mr. Heath about the man Crook; he told me it was of no use, the election was all up, and he would not pay another halfpenny. I sat in the smoking room, and I had two or three glasses of grog; I went to bed, and at half-past three I was called up by young Mr. Screach, and he said I must come down to Captain Pim directly. So I went down and he went up stairs before me; I stopped at the front door and spoke to young Mr. James Heath. At that time young Mr. Screach was gone into the room; as I was going up over the stairs I made a stop and he asked me if I had not been about Crook. I told him yes. I told him I saw the wife the evening before, and I told him what she told me; he said, "Will you go "immediately and see if you can see him and get "him to the 'Seven Stars,' and offer him any money "you like?" I said, "Yes." He said, "Offer him 150*l.*"

14,721. Did you see Captain Pim?—He was in the room, the door was half open.

14,722. He was in the room out of which this strange gentleman came?—I suppose he was.

14,723. Have you seen Mr. Smith here?—Yes.

14,724. Was that the gentleman?—Oh, no.

14,725. What was the gentleman like?—Just like you, like Mr. Mum, as they call him.

14,726. What sort of man, what was his description?—A middling height man; he had got lightish whiskers and a thin face.

14,727. What age?—I do not know what age. I think between 40 and 50.

14,728. (*Mr. Coleridge.*) When you say grey whiskers, where they white or grey?—Light.

14,729. Was his hair dark?—I did not take particular notice. The only time I ever saw him he had a light coat on; no hat.

14,730. A slight man?—Not particularly slight.

14,731. (*Mr. Bere.*) Are you quite sure Captain Pim was in the room out of which this person came?—I did not see him come out. I saw the door opened and I saw Captain Pim inside; he was sitting down at the table.

14,732. Who else was in the room?—I could not tell you.

14,733. (*Mr. Coleridge.*) You would know him well if you saw him again?—Yes, I would.

14,734. (*Mr. Bere.*) Did you go to Crook?—Yes.

14,735. Did you offer him 150*l.*?—Yes.

14,736. What did he say to you?—He said he would not take it.

14,737. When were you to meet him to pay it?—He promised to meet me on the bridge at eight in the morning,

14,738. Did you go to the bridge?—I did.

14,739. Did he come?—Oh, no, sir.

14,740. Did you see anything of Farley at the "Bridge" inn?—Yes.

14,741. What did you see of him?—When I went on to the bridge I waited for Crook. I walked up and down 20 minutes. I thought I would go to Mr. Farley's and have a glass of something or a bottle of ginger beer; the old gentleman was cleaning up, and he said, "What do you do over the bridge?" I said I wanted to find out where Fox Green was; he said, "Are you after money?" I said, "Yes." He says, "Can I do anything for you?" I says, "If you "can do it, all the better." He said, "Which side "are you going to vote for?" I said, "I do not "know that I have made up my mind yet." He says "I have been told of 200*l.* Would you like to vote "for 150*l.*?" I says, "Where is the money?" "Oh," he says, "the money is all right enough." I said "Where can I go?" He said, "You will have to go "over to John Elliott and wait till Mr. Prout comes." I said, "I shall not have to be there all to myself?" He says, "No, there is Elliott and Green over there." "I shall have company," I said; "make sure if "see Green I will see if I cannot make 200*l.* or "of it." And so I went away again. He said, "I "think 150*l.* is about the market price for a Conservative man," and he said, "If you go down there "and wait, you will have plenty to come to you."

14,742. Did you go to Mr. Elliott?—No.

14,743. Why?—Because I did not want to. I nted to find out where Green was.

14,744. (*Mr. Coleridge.*) Where did you go to see r. Pender?—I did not go.

14,745. Had you not been to see Mr. Pender?—, he canvassed me.

14,746. When did he canvass you?—Two or three ys before the election.

14,747. Who was with him?—He came two or ree times.

14,748. Who was with him at either time?—He me by himself; no one was with him.

14,749. (*Mr. Longe.*) Are you quite sure that it s Captain Pim that the boots told you wanted to e you?—He will answer for himself.

14,750. Did you ever see Captain Pim before?—es, many a time.

14,751. Did you drive him about?—Yes, many nes at the election; during the election.

14,752. (*Mr. Coleridge.*) At any of the times Mr. nder canvassed you did he ever say anything more out it?—No, sir.

14,753. About a situation or anything?—No.

14,754. Did anybody come with him?—He always me by himself. I told him I had signed the requi-ion to vote for Colonel Dawkins and Captain Pim, d I should like to carry out my wish.

14,755. He was a good paymaster?—I never had a thing from him.

14,756. Did you tell him a good many who signed e requisition were going to vote for him?—No, ver.

14,757. When did you first know that some of the quisitionists were going to vote against them?—hen I saw them voting.

14,758. You never took a bribe?—No.

14,759. (*Mr. Bere.*) When Mr. Edmonds told you go and see what you could do with Smaridge, did give you any money?—Yes, half-a-sovereign.

14,760. What were you to do for him?—Pay the penses.

14,761. Did you have any little presents beyond is?—Yes, the next day when I went to see Fox reen a sovereign.

14,762. Was that all you had?—Yes.

14,763. You made 22*l.* out of the transaction?—I not know that I did; I spent the two sovereigns ry quick.

14,764. In 1863 you had a good deal to do, not rsonally, did you not, with the fly to the "Anchor," Kingsbridge?—Yes.

14,765. And bring the lame ducks home?—Yes.

14,766. Was that all you did in 1863?—I went ith Frederick Evens.

14,767. Was that all you did?—Yes, that is the ly place I went to, we took them out in the evening om the "Anchor."

14,768. And brought them down to the "Seven ars"?—No, I took them away towards Modbury.

14,769. Did you not bring some back the same ght?—No, not the same night; I went to Kings-idge three different times.

14,770. Do you remember taking Sercombe?—Yes; d Dean and Tozer; I took them over separately.

14,771. From the "Anchor" inn?—Yes.

14,772. Where to?—The "Seven Stars."

14,773. It was Stoyle and Kinsman you took to ingsbridge?—Yes.

14,774. You got your full pay?—I got my full ay.

14,775. What did you get for your services on that ccasion?—Nothing.

14,776. You were not a voter?—No.

14,777. You had a vote in the council, had you ot?—Yes.

14,778. How long had you had a vote for the ouncil?—All the while I have been in Totnes.

14,779. How much have you had for that vote?—Never the price of a glass of beer in my life; I was always out of pocket.

14,780. Did you never have a breakfast?—I believe I once had a breakfast; what they call a breakfast.

14,781. You were employed by Mr. George Heath in the municipal elections?—No; I never took any interest in it except voting.

14,782. You seem to have exercised a good deal of supervision over the Liberals; who were most active in 1865?—There were a lot of them.

14,783. Can you give us their names?—It would take some time to mention them all. Prout, Holman, Elliott, Thomas Searle, Worthy; I know all those.

14,784. And Callard?—He was one of the leading hands.

14,785. Did you see these men going in and out of Elliott's house when Fox Green was there?—No.

14,786. Whom did you see going in and out of that house?—No one.

14,787. Did you see Mr. Chaster about a good deal?—No; I only saw him at the hustings.

14,788. Did you come across these men at the houses of voters whom you were going to; were they there before you, or were you first in the field?—I do not know what you mean.

14,789. Did you find some one had been to Smaridge's before you?—No; he said a man belonging to the Conservative party had been treating with him, and that he had made up his mind to walk into the "Seven Stars."

14,790. Did he say that he had seen any of the Liberal party?—No.

14,791. Did Crook tell you whom he had seen?—No.

14,792. You saw these men canvassing and active?—Yes.

14,793. Did you see Mr. Jenkins?—I saw him walking about; he was not active.

14,794. (*Mr. Coleridge.*) Did you find that the price of votes rose as the election was coming on?—I cannot say.

14,795. You heard what had been offered on both sides?—Yes.

14,796. Did you hear that more money had been offered on the nomination day than had been offered before?—No.

14,797. What was the largest sum you heard of as having been offered for any vote?—200*l.* was the largest sum I heard of; I heard that that had been offered to Blank.

14,798. Did you hear who offered it to him?—I did not at that time.

14,799. Did you take the same sort of interest in the election of 1859 that you did in that of 1865?—No; I did not take any interest in it at all; I was never asked.

14,800. Did you attend to the driving business in 1859?—Yes.

14,801. Which side did you drive for?—The Conservative side always.

14,802. Did you get anything for your services?—No.

14,803. You were only employed as a fly man?—That is all.

14,804. And what would be the amount of your bill?—Something between 5*l.* and 6*l.*; I used to charge 5*s.* for myself.

14,805. Which was the best election; when was your bill the largest?—At Mr. Dent's election.

14,806. What did it amount to then?—Some 6*l.* or 7*l.* Sometimes Mr. Frederick Evens would pay it to me without looking at it.

14,807. Did you go out with Willis to Mr. Soper's?—No.

14,808. Or your man?—No.

14,809. Do you know the man who had that job?—I rather think it was George Beer of the "Seven Stars."

14,810. A man who was the postboy there?—Yes.

THIRTEENTH DAY.

Capt. H. Helms.

7 Sept. 1866.

Captain Henry Helms sworn and examined.

14,811. (*Mr. Bere.*) Are you an old friend of Mr. John Dent?—Yes.

14,812. Were you employed by him as captain of one of his vessels?—For some years; but latterly I have been on shore as their agent.

14,813. Where?—At Amoy.

14,814. When did you leave Amoy?—In 1854.

14,815. Are you a native of Totnes?—The neighbourhood.

14,816. Did you come in 1854 to live in Totnes?—In the neighbourhood. I came in 1857 to live here.

14,817. Before Mr. Dent came here in 1862 did you have any communication with him on the subject of coming?—None whatever.

14,818. Did you learn that he was coming down?—Yes.

14,819. When did you learn that, and from whom?—I learned it the day after Mr. Pender addressed the electors.

14,820. How did you hear it?—Mr. Mitchell, a friend of his, informed me.

14,821. Was he down then?—He came the previous evening, and came to see me in the morning.

14,822. Who is Mr. Mitchell?—At the time I knew him in China he was police magistrate at Hong Kong, a clever and astute man.

14,823. Was he a friend of Mr. Dent's in China?—Yes.

14,824. Did he come home with Mr. Dent?—No.

14,825. What position does he occupy now with regard to Mr. Dent?—I do not think he occupies any position. He has passed his examination for the bar, and is now practising in Hong Kong as a barrister.

14,826. Was he not a barrister when he was a police magistrate?—No; he has passed since.

14,827. He is practising now as a barrister?—Yes. He came home; he was ill.

14,828. What age man is he do you suppose?—I should think between 40 and 50.

14,829. How long had he been down here before he came to see you?—He only came the previous evening.

14,830. He came to see you amongst the first persons he came to see in Totnes?—Yes.

14,831. Will you tell us what the name of the firm is? What is the description?—Messrs. Dent and Company.

14,832. Dent and Palmer?—No. Dent and Palmer is a separate firm in London.

14,833. What is Dent, Mackellick, and Company?—The Hong Kong firm I was attached to was Dent and Company.

14,834. (*Mr. Coleridge.*) Is there a Mr. William Dent?—There are two William Dents, father and son.

14,835. Which was the William Dent that was asked to come here as a candidate?—That must have been the one in our house in China.

14,836. The son or father? What age man is William Dent?—I should think about 30.

14,837. Between 30 and 40?—Yes, somewhere thereabouts; nearer 30 than 40.

14,838. Is he out of the house now?—Yes.

14,839. That is the one they wanted to come as member here?—Yes, so I have heard. I do not know it as a fact.

14,840. (*Mr. Bere.*) John Dent is a partner in the house of Dent and Company, Hong Kong?—The senior partner.

14,841. Anything to do with the firm of Dent, Palmer, and Company, London?—I do not think he is any partner with them.

14,842. Are they correspondents of Dent and Company at Hong Kong?—Yes.

14,843. Any communication addressed to John Dent should be addressed to them?—In writing to the firm in China I address direct.

14,844. When did John Dent leave England last?—I should think 12 months ago.

14,845. Have you heard from him since?—I have heard from him.

14,846. When did you hear from him last?—About the time he arrived out.

14,847. Eight or ten months ago?—I think as long ago as that.

14,848. Have you heard since, or had any word from the house, as to whether there was any information when John Dent would be likely to come back again?—No.

14,849. Have you heard that he would be likely to be home?—No, but I think he is not likely to come home in a hurry.

14,850. What made him go out?—I think he was tired and disgusted with England.

14,851. With Totnes?—I do not know about Totnes altogether. It is a different life from here altogether.

14,852. (*Mr. Coleridge.*) He would have had to stay here if he had got in for Totnes?—Yes, that might be.

14,853. (*Mr. Bere.*) How soon did you become a voter for Totnes?—I was put on the list in due course after 1857.

14,854. Did you vote in the election for Mills, Gifford, Mackenzie, and Gregory?—No; I was not in Totnes then.

14,855. The first election at which you voted was the election of 1859?—I was absent from Totnes then.

14,856. In fact you had not voted then?—I have never voted more than once; that was for Mr. Dent in 1863, the only vote I have recorded.

14,857. (*Mr. Coleridge.*) You are a Liberal at heart, and it was a matter of friendship to Mr. Dent?—It was a matter of friendship. I would not care what politics he was.

14,858. You are a Liberal at heart?—I do not trouble myself about it.

14,859. It was for Mr. Dent's own sake?—Yes.

14,860. (*Mr. Bere.*) Did you know what the state of political parties were at the time that Mr. Mitchell came to see you?—Yes.

14,861. What was your opinion as to the predominant interest?—I thought the Liberal interest predominated on account of the territorial influence exercised by the Duke of Somerset.

14,862. Did you tell Mr. Mitchell that?—Yes; told him what I thought was a correct state of affairs.

14,863. Had you heard that a great deal of money had been spent in the elections between Blount and Baldwin and the elections in which Mr. Mills had stood?—Yes.

14,864. Did you communicate that fact to Mr. Mitchell?—Yes.

14,865. What did Mitchell tell you when you told him money would be wanted?—That he had not made up his mind, and he thought he would go back again.

14,866. Did he not intimate that he had got the money down with him at that time?—No.

14,867. He rather thought he would go back and advise Mr. Dent to have nothing to do with it?—Yes.

14,868. Do you know whether he did go back?—He did not.

14,869. Mr. Dent came?—Yes. I think he took other counsel which overawed mine.

14,870. Do you know whose counsel it was?—No.

14,871. (*Mr. Coleridge*). Was it Mr. Kellock's?—I cannot say.

14,872. Did he come down?—Yes.

14,873. How long after you had had that talk

ith Mr. Mitchell?—He did not come down for some me.

14,874. How soon after you came down did you see im?—I saw him the same evening.

14,875. Did you communicate to him what you ad communicated to Mr. Mitchell?—I cannot recolect that we had any conversation whatever about olitics.

14,876. Not about his chances in the borough?—I o not know.

14,877. Had you told Mr. Mitchell what your pinion was, not only with regard to the particular ontest, but with regard to the Conservative position enerally here?—Yes, I had.

14,878. What had you told him?—I told him this, hat I thought the Liberals preponderated.

14,879. Did you tell him that no Conservative had chance, and that the bringing a Conservative was a here swindle to get money out of his pocket?—Not ust then.

14,880. Did you tell him that at any time?—I did ot tell Mr. Mitchell that.

14,881. Was that your opinion at the time?—At hat time there was a better chance than since.

14,882. Then if it was your opinion then it is still nore your opinion now?—It was my opinion and is ow.

14,883. When did you first speak to Mr. Dent bout his chances in the borough?—On the day of he nomination.

14,884. Had you to canvass with him?—No.

14,885. Had you made up any poll book?—Nothing n connexion with him.

14,886. Had you made up a poll book for your own musement?—Yes.

14,887. Have you got it?—No, not now.

14,888. Have you got it at home?—No.

14,889. When you talked to Dent about his prosects did you tell him that he must spend money?—At that time I laid the list before him.

14,890. What was that list?—I had marked off he different parties according to my opinion.

14,891. Had you divided them into particular lasses?—Yes, I had made a tabulated form.

14,892. Can you remember what your classes vere?—Of course I took the staunch Tories first and marked them off.

14,893. Can you recollect how many you put as taunch Tories?—I think about 50 or 60.

14,894. Then I suppose you might take staunch Liberals?—Yes.

14,895. How many did you put down as staunch Liberals?—No more than those who had a sheer love of party.

14,896. About 50 or 60 each?—Yes.

14,897. (*Mr. Coleridge.*) Are you sure you have ost the list?—Yes, not lost it, destroyed it.

14,898. Do you recollect destroying it?—I generally destroy most of the papers.

14,899. Have you looked for it since this inquiry as been going on?—I did not think it was any use. I burn up all my papers once a year.

14,900. Do you think you may have this by you?—I have not that list I know.

14,901. Have you got any copy of the list?—I do not think I have.

14,902. Do you keep a diary?—Yes.

14,903. Did you enter the results of the lists in the diary?—No. My diary is merely what I do in the day myself; just a little matter.

14,904. Have you got any entries in your diary about Dent's election?—There might have been about going to London to see him.

14,905. (*Mr. Bere.*) We should like you to let the secretary look at that. We have got the two classes of voters, the staunch Conservatives and staunch Liberals. What was the next class?—Those that were bound to those parties.

14,906. On either side?—Yes.

14,907. Persons like the tenants of the duke or Mr. Baldwin?—Yes. Then there were two other classes, those of course would vote without money.

14,908. Did you have a class that would vote for money?—Yes, either side.

14,909. Conservatives that would vote for a less sum for their party?—Yes.

14,910. And so also on the other side with the Liberals?—Yes.

14,911. Did you head the table with any name to it?—Yes.

14,912. What did you call them in your tabulated statement?—I almost forget.

14,913. Were they venal Tories and venal Whigs?—Something of that sort.

14,914. Can you remember the numbers you put down belonging to those two parties?—I cannot recollect.

14,915. About; I do not want to one or two?—If I had the list I could tell you the exact number.

14,916. What was your last class?—The last class were parties open to either side.

14,917. Did you call them marketable voters?—Yes.

14,918. Did you ever give a copy of the list to anybody?—I never copied it.

14,919. Did you let anybody take a copy?—Mr. Dent saw it.

14,920. Did he take a copy?—No; but he saw the original.

14,921. Did you show it to Mr. Edmonds?—No.

14,922. Mr. Kellock?—No; I never had any conversation on politics.

14,923. When you showed Mr. Dent this was Mr. Mitchell present?—He was not. No one was present.

14,924. Did Mr. Dent make any remark as to the several classes?—He said it coincided with the observations he had made himself.

14,925. Had you put any figures at how much they might be bought for?—It was pretty generally understood.

14,926. How much did the marketable men want?—From 50*l.* to 150*l.* on the average. Some as low as 25*l.*, but the marketable men would not go so low.

14,927. Did Mr. Dent say he had plenty of money with him?—He did not say anything about money.

14,928. Did Mitchell tell you about money?—No. He said Mr. Dent would have to spend money go where he would.

14,929. Did not Mr. Mitchell tell you he had brought money with him at any time?—I cannot say he did.

14,930. (*Mr. Coleridge.*) Did you know there was money in the place?—I knew afterwards.

14,931. Did you at the time?—No, I knew nothing about money.

14,932. Did you tell him how much it would take altogether to buy up those voters? Did you tell him how much you thought it would take for the election?—He could form his own opinion.

14,933. Did you tell him?—I do not think I mentioned any gross sum.

14,934. (*Mr. Bere.*) Did you say about how much it would be?—I said it would take 5,000*l.* at least.

14,935. Did he intimate that he would be ready to spend 5,000*l.*?—No, he did not; but I told him spend what he would he could not make sure.

14,936. Was that the only conversation you had with him before he retired?—Yes.

14,937. After he retired had you reason to know that money had been brought down?—Yes.

14,938. How did you come to know that?—It had to go back.

14,939. You had got the bag?—Yes.

14,940. Where did you take it to?—A place in London where I was directed.

14,941. Where was the place?—I think Austin Friars, No. 3.

14,942. Dent and Mackellick's office?—That is not their office.

THIRTEENTH DAY.

Capt. H. Helms.

7 Sept. 1866.

14,943. Whom did you take it to at 3, Austin Friars?—I think Mr. Alexander.

14,944. Do you know how much you took back?—I should think 1,500*l.*

14,945. In sovereigns?—Yes.

14,946. Who is Mr. Alexander?—He is connected with the company in some way or other.

14,947. Do you know what became of the other 300*l.*?—Absorbed in the necessary expenses perhaps.

14,948. Of an uncontested election?—Just so.

14,949. Did you ever hear how any portion of it was spent?—No.

14,950. Did neither Mr. Mitchell or Mr. Dent tell you anything about it?—No.

14,951. Not a word?—No.

14,952. Were not you curious enough to know how that 1,500*l.* went?—I do not know much.

14,953. Did not Mr. Mitchell ever tell you that he brought down 3,000*l.*?—I am sure he never told me.

14,954. How was it that you came to take the money back, where was it given to you?—In the "Seven Stars," when they were declaring the state of the poll, of course it drew attention to the polling booth, and during that interval I had a conversation with Mr. Mitchell, and Mr. Mitchell gave me the money.

14,955. What conversation had you with Mr. Mitchell?—No more than he pointed out where the money was to be taken.

14,956. Did he point out where it was?—He gave me it into my own hands himself.

14,957. What was it in?—A black bag.

14,958. A black leather bag?—Yes.

14,959. And you took it up by train and took it to Austin Friars yourself?—Yes.

14,960. You did so?—Yes.

14,961. Did you receive anything from Mr. Dent for that service?—I should think not.

14,962. (*Mr. Coleridge.*) How did you take this up? Was it in a bag?—Yes, in one of those courier bags.

14,963. Did you carry it in your hand by the train or in a portemanteau?—I had a bag round my neck, a small bag, and I had to go twice, I found this courier bag was very inconvenient, and I used a small bag I use myself.

14,964. You went twice to the "Seven Stars"?—Yes.

14,965. Did you put it into your own bag?—Yes.

14,966. Was it given to you in loose money?—No, I never saw the colour of it.

14,967. How was it put into your bag?—I took out the small canvas bags of different sizes.

14,968. Small canvas bags were given to you and you put them into your own little courier bag, and that was not big enough to carry the whole lot at once?—They gave me the courier bag, and I took it up and came down a second time.

14,969. What did you do with the courier bag?—I emptied it out.

12,970. What then?—I put it in my own bag.

14,971. And then went back and got the rest?—Yes.

14,972. You took it up in your own bag?—Yes.

14,973. Did you put it into a portmanteau in order to carry it while travelling?—No, I put one bag round my neck and one I had in my hand.

14,974. All the way to London?—Yes, on the seat of the carriage.

14,975. When you got to London did you go straight to Austin Friars?—I did not, I did not get there till 9 or 10 o'clock.

14,976. Where did you go to?—Lodgings.

14,977. The next day you took it to Austin Friars?—Yes.

14,978. You asked for Mr. Alexander?—Yes, I knew him.

14,979. You gave it into his hands?—Yes.

14,980. Did you receive any receipt for it?—I think I received a slight memorandum in pencil.

14,981. Have you that?—No, I gave it to Mr. Mitchell.

14,982. (*Mr. Bere.*) Where did you see Mr. Mitchell to give him that memorandum?—He had returned to London before I left.

14,983. Then you saw him in London?—Yes, I saw him in London.

14,984. Is that happened about the election of 1862?—That is all I remember.

14,985. Before the election of 1863 did you receive a letter from Mr. Mitchell?—Yes, I did.

14,986. After Lord Gifford's death?—Yes, after his death.

14,987. I dare say you will only be too glad to clear this up. Did you get any information as to the Liberal party from Mrs. Thomas in 1862?—No, never at any time, nor she from me.

14,988. You never gave her any information as to what you were doing?—No, never.

14,989. Nor anything from her?—No.

14,990. Was it in consequence of what she said to you as to how the Liberals were going on that you thought Mr. Dent had no chance?—No, I should not pay attention to what anybody said.

1,991. You formed your own opinion from your own observation that he would have a hard run of it and not from what Mrs. Thomas told you?—No, Mrs. Thomas and me never had any conversation, she is the other side of politics altogether.

14,992. (*Mr. Coleridge.*) She is a Liberal?—Yes.

14,993. (*Mr. Bere.*) Did you receive a letter from Mr. Mitchell before the letter of 1863?—Yes.

14,994. Do you happen to have that letter with you?—No.

14,995. Did you destroy that?—Oh, yes.

14,996. Can you remember what the contents of that letter were?—It was merely to ask what my opinion was about the state of affairs in Totnes, whether they were the same as before.

14,997. Did you answer it?—He wanted other information as well, which I thought I could best give by a presonal interview.

14,998. Can you remember what the other information was?—He wanted to know the state of parties, and I put it just in a tabular form as I did before to refresh my memory.

14,999. And you thought a personal interview best to explain it to him?—Yes.

15,000. Did you go up to London?—Yes.

15,001. Did you see him?—I saw Mr. Mitchell and Mr. Dent together.

15,002. Where did you see them?—At Mr. Dent's lodgings.

15,003. Where were they?—I think in Bond Street; he was merely living in rooms then, I think so.

15,004. Did you see them alone then?—Yes.

15,005. You had a table similar to the one you had before?—Yes, with some slight alterations which experience had led me to make.

15,006. Are you quite certain you have not that list any where?—I am quite certain.

15,007. Did Mr Mitchell keep that list?—Yes, I think he did, I do not recollect bringing it away. It was merely figures on which I explained the context.

15,008. Was that list which you showed to Mr. Mitchell essentially different from the one you showed Mr. Dent in 1862?—No.

15,009. Much the same?—Much the same.

15,010. Was the qualification the same?—The qualification might have been nearly the same, but still it was the number and which way they would vote.

15,011. And the number of people to be bought?—Yes.

15,012. And the number of people who must be paid?—Yes.

15,013. As far as you remember which way was the majority then?—The majority was with the Liberals.

15,014. Can you remember by a majority of how many you thought the Liberals would have?—I think after making all allowances I gave them a majority of 13; I was wrong, they only got as many as eight.

15,015. (*Mr. Coleridge.*) After Mr. John Dent ad refused to stand on the last occasion, did you have ny communication with Mr. William Dent?—I never ad any communication with Mr. William Dent whatver. I have met him at the "Stars" just in a iendly way.

15,016. (*Mr. Bere.*) On your showing this list to fr. Dent and expressing your opinion, and showing hy it was your opinion, that the Liberals would win, id Mr. Dent seem disinclined to come down?—He ssured me he did not intend to come forward, and Ir. Mitchell the same.

15,017. Then did you return to Totnes?—Yes.

15,018. When, after your return to Totnes, did ou hear that Mr. Dent was going to stand?—A few ys afterwards I heard he was going to stand.

15,019. Did you write to him and ask him why he d changed his opinion?—No, I did not; I thought should know in good time.

15,020. When did he come down after that?—I ink a few days afterwards; I am not certain.

15,021. Did you hear that a requisition had been nt to him?—Yes.

15,022. Did he afterwards tell you it was in consenence of his receiving a requisition that he had anged his opinion?—Either he told me or Mr. itchell; I am not sure; Mr. Mitchell most likely.

15,023. Did you take some trouble? I suppose hen you came to Totnes and heard that Mr. Dent ad been prevailed upon to stand you made inquiries s to how he had been prevailed on?—Yes.

15,024. Then you heard of this requisition?—Yes.

15,025. Did you make inquiries as to when it had en obtained?—I did.

15,026. What was the result?—I found parties who id they should not vote were told "Never mind, put your name down; we want to get him down."

15,027. Did you hear who the person was who had one round with that requisition?—A very trustorthy and conscientious man; Harris by name.

15,028. He went round with the requisition?—es.

15,029. To Mr. Dent?—Yes, for Mr. Dent.

15,030. And you understood that he told them he id not want their votes, but merely wanted to have eir names down?—Yes; that is what he told them, nd likewise told the members of his own party that.

15,031. Was that repeated to you?—That was epeated to me.

15,032. Can you give the names of any person who epeated that to you?—No; after the lapse of four ears I do not recollect.

15,033. Just one or two names, because we should ke to test this?—I know there were some that signed hat voted the opposite way.

15,034. Can you give us the names of those?—I now one of the name of Sloggett. I did not see he requisition myself.

15,035. Did Byne? Do you remember such a man s that?—Yes; I think Byne. I am not certain.

15,036. Blank?—My mind is a blank on that ubject.

15,037. From what you learned did you believe hat the requisition was not an honest one?—I was ertain it was not.

15,038. And it was got up simply for the purpose f getting a candidate down in order to have money pent in the town?—Yes; he might be carried.

15,039. Mr. Seymour was down before Mr. Dent r after that in 1863?—I think he was down before.

15,040. He had of course all the Seymour influnce to back him?—Yes.

15,041. When did you see Mr. Dent first after he ame down?—At that time?

15,042. At that time?—I did not see him for hree days after I returned; three or four days.

15,043. What was the reason for that?—I did not eel inclined after my advice had been disregarded.

15,044. You felt rather hurt?—Yes; until I reeived a note from them begging me to come down as sual.

15,045. How long before the election was that?—I cannot recollect the day.

15,046. I do not want it to a day or two. Was it after he had been here some little time?—He had been here three days if I recollect.

15,047. The election was on Tuesday, the 20th of January. Can you remember whether it was on the Thursday, Friday, or Sunday before the election?—That I went down?

15,048. That you went down to see Mr. Dent, or earlier than that?—No, I cannot recollect. I know he had been here two or three days.

15,049. Would not you be able to tell from your diary what day it was?—I do not think so.

15,050. Would not you have entered "Saw Mr. "Dent." Perhaps you will be good enough to look during the adjournment. When you got down to see Mr. Dent was Mr. Mitchell there?—Yes, Mr. Mitchell was there I dare say.

15,051. Had Mr. Mitchell and Mr. Dent a private sitting room?—Yes.

15,052. At the "Seven Stars"?—They had a private sitting room; there were generally some friends there.

15,053. Where did you see them?—In Mr. Dent's private sitting room.

15,054. Can you tell us the names of the persons you saw in that private sitting room of Mr. Dent's?—At different times?

15,055. At different times?—I have seen many there. Captain Pim, Mr. Kellock, and Mr. Edmonds, and many personal friends of Mr. Dent's besides, who came in former years.

15,056. Did any person come down from London with Mr. Dent in either 1862 or 1863 besides Mr. Mitchell?—I am not aware that there was.

15,057. Did any person come down in either 1862 or 1863 to your knowledge after Mr. Dent came down just before the election?—No, I do not know of any one.

15,058. Did you ever see a mysterious stranger in London?—No; that was all Greek to me.

15,059. (*Mr. Coleridge.*) You do not know of there being any one?—No, I do not.

15,060. (*Mr. Bere.*) Then from the time you saw this Mr. Dent did he persuade you to interest yourself in his cause?—Mr. Dent?

15,061. In 1863 you held aloof from him a little and then you went down to see him?—But it was to interest myself in his cause. He knew I would vote for him.

15,062. But after you saw him did not you for old friendship's sake interest yourself?—No, I did not.

15,063. Did you talk to Mr. Mitchell and Mr. Dent about the money that would be required in the contest?—No.

15,064. Are you quite sure?—I am certain I did not with Mr. Dent.

15,065. Did not you with Mr. Mitchell?—I do not recollect with Mr. Mitchell.

15,066. Had not you made a calculation as you did at the election of 1862 of the sum of money wanted in 1863?—I think I may have told him that 5,000*l.* would not carry the election.

15,067. That 5,000*l.* would not carry the election?—Yes.

15,068. Did not you intimate that probably another 1,000*l.* might?—I did not name any specific sum.

15,069. A little more money might carry it?—Yes.

15,070. You do not live very far from here?—No.

15,071. Just go home and get your diary and see whether you can find any entries with regard to dates, and any other papers you have and if you can, find that list it will be very important.

(*After the adjournment the witness explained his diary to Mr. Bere.*)

15,071.* Did you know at that time in 1863 whether there was any person besides Mr. Mitchell who came down from London?—No, I did not.

THIRTEENTH DAY.

Capt. H. Helms.

7 Sept. 1866.

15,072. Did you ever go into the upper rooms of the "Seven Stars" at the time of that election?—No, I was never in more than one room.

15,073. Did you ever know from Mr. Mitchell how the election was going, how the canvass was going, whether the contest was in his favour or against him?—No, I did not from Mr. Mitchell.

15,074. Did you from anybody else?—From my own judgment.

15,075. How did you form that judgment, did you go about canvassing?—No, I did not, but I knew very well how every one would vote.

15,076. For instance, these venal voters who were to be had, you knew that several must be paid certain sums before they were procured?—Yes.

15,077. Did you find whether they had been either given or offered the sums which they wanted?—No; I took it for granted that they would get them.

15,078. You took it for granted they would get them?—Yes.

15,079. They are the marketable votes?—Yes.

15,080. Did you not make some inquiry about that as to whether they would be bought?—Marketable ones? Yes, I did. I did not make any inquiry, but I knew if wanted they could be bought by either side.

15,081. You did not?—I came to a very satisfactory conclusion as to how many votes there were and how the money brought down would go.

15,082. Did not you ask how many Mr. Mitchell bought?—I took it for granted he would buy enough to make a majority.

15,083. You did not ask anything about the people who had been bought?—I never asked Mr. Dent.

15,084. Or Mr. Mitchell?—I knew very well what was going on from what I saw about the town.

15,085. Did you have any confidences made to you on the Liberal side on that occasion?—No. Of what kind?

15,086. Of what was going on on either side?—Yes; I knew pretty well what was going on on their side as well.

15,087. (*Mr. Coleridge.*) The diary of 1862 that you have given us affords us some information, but the diary of 1863 as far as I can make out only tells us what the weather is. Have you not a diary of 1863 in the same form as this of 1862?—I had, but I do not know what became of it.

15,088. Did you try to find it?—I did; I know it is not in my possession.

15,089. You mean you have destroyed 1863 though you kept 1862?—Very likely.

15,090. Have you looked for it?—Yes.

15,091. This is merely a sort of thing which relates to Admiral Fitzroy?—The variations of the temperature and so on.

15,092. Beyond going to church and the weather it does not say anything in 1863?—No.

15,093. (*Mr. Bere.*) Did you ever hear from Mr. Mitchell after the election what amount of money Mr. Dent had spent here?—No.

15,094. Can you, from the knowledge you have, form any guess as to what Mr. Dent must have spent?—I should fancy that he must have spent more than 5,000*l.* and less than 10,000*l.*

15,095. But you cannot tell between those two numbers?—No.

15,096. The contest between Mr. Dent and Seymour was a close one?—Yes.

15,097. Did you form that judgment from the fact that you heard Colonel Dawkins had spent 5,000*l.* at this last election?—Just so.

15,098. Did you come to that conclusion because Colonel Dawkins was beaten by a large majority and Mr. Dent only by a small one?—That is it. But Mr. Dent was personally popular. I cannot say the same of Colonel Dawkins.

15,099. You think Mr. Dent was a good candidate?—They never had a better in Totnes.

15,100. Mr. Dent may have been an admirable candidate as far as money went, but personally?—Personally.

15,101. Was he a good canvasser?—No, he was not good, he was a bad canvasser.

15,102. Was he a good speaker?—No, I think he was more of an actual doer than a speaker.

15,103. (*Mr. Coleridge.*) It was the personal aspect that made him popular?—He had a very pleasant manner with him.

15,104. We have heard that they wanted to get a commercial candidate; had that anything to do with it?—Perhaps it may.

15,105. Because we have heard that Mr. Pender was the sort of man for the place?—Yes.

15,106. Is Mr. Dent the same sort of man?—Something like him I should think.

15,107. Did you do anything in canvassing with Mr. Dent?—No, I never canvassed a single voter.

15,108. What do you mean by "electioneering "1862"?—I suppose the electioneering was going on.

15,109. Did not that mean you were employed in electioneering?—No.

15,110. You never canvassed or asked for a single vote?—No.

15,111. You cannot tell me the names of people who were bribed in 1863. Do you know that offers were made to a great many on each side?—I can only tell from hearsay.

15,112. Did you know from hearsay that a great many offers were made to many people?—Yes.

15,113. Can you give the names of the people to whom offers were made?—No.

15,114. Some of them?—I should not like to mention them at random.

15,115. You took no money back to London after the election of 1863?—No, I am sorry to say more came down.

15,116. Have you any idea how it came down?—It may have come down in notes just to defray current expenses.

15,117. Do you think it more likely that a person should have brought it specially down from London?—If there was one I never knew it.

15,118. But you have no doubt that more money was wanted during the course of the election?—I dare say there was.

15,119. Have you any doubt of it really though you did not see the money brought down?—I have no doubt that there was, but I never heard of it.

15,120. Did Mr. Mitchell tell you that money was running short?—No; money did not run short.

15,121. The money that they had was running short?—No. We never had any conversation about it.

15,122. Did Mr. Mitchell ever tell you either during or after the election that it would cost Mr. Dent more than he expected?—I do not think he did.

15,123. You do not think he did?—No.

15,124. Mr. Mitchell is not likely to be coming home just yet?—No; I think not.

15,125. Although you cannot tell us the names of the people who voted for money, did you find that Mr. Dent's position as a man employing labour impressed a good many voters with the idea that they could get situations?—Yes, most certainly.

15,126. And were you as a friend of Mr. Dent's applied to from time to time, inquired of as to whether situations could be got?—Yes.

15,127. Can you give us the names of the people who applied to or inquired of you whether situations were to be had?—Young Butland I know asked me whether Mr. Dent would not give him a situation. He is a sailor.

15,128. Is that 1862 or 1863?—I think 1862.

15,129. Is that the son of the Rev. Gilbert Butland?—Yes.

15,130. Did he say anything about which way the father would vote?—It was understood I think that he was to vote for Mr. Dent.

15,131. If a situation was procured?—Yes.

15,132. Was any situation procured do you know?—None promised; I do not think Mr. Dent was brought acquainted with it at all. I never mentioned any of those solicitations to Mr. Dent.

15,133. Did not you mention it to Mr. Mitchell?—I may have told him of the solicitations made to me, but I was ashamed to say anything to Mr. Dent about it.

15,134. Did not you alter your own list that you had made and make another class of those who might be had for situations?—I might have done so.

15,135. And you put a great many into that class, did not you?—Yes.

15,136. Mr. Dent is a very large employer of labour?—Yes.

15,137. He has a large number of ships?—Not now.

15,138. Had he at that time?—He had at that time.

15,139. On your diary I have a few questions to ask you. You must have taken a very active part in 1862?—No, I think not.

15,140. You seem to have devoted a great deal of time to it. Your entries begin with nothing of note, then the 18th November and the 19th is electioneering. What does that mean, canvassing?—No, I had nothing to do with canvassing.

15,141. Then what does it mean, "electioneering"?—That electioneering was going on in the town.

15,142. There is 20th, electioneering again, 21st and 22nd, electioneering?—That is what was going on in the town.

15,143. Not your personal occupation, but the occupation of others?—No, instead of working as usual in the garden I might have been down in the town seeing how things were going on.

15,144. Then comes the 23rd when you went to church, then on the 24th electioneering, 25th electioneering, 26th electioneering, 27th electioneering, 28th electioneering, 29th electioneering. Does that mean that electioneering was going on, or that you were doing anything?—Going on.

15,145. That you were doing anything?—I had really nothing to do with it.

15,146. But here is your own note of two weeks in November, in which you were employed all the time electioneering. Do you recollect what time the electioneering took place?—Some time in December. The election did not take place till the 17th of December.

15,147. Now, we have two weeks electioneering up to the 5th December. Do you mean that you were doing nothing more than listening to what people said, and were not actually employed?—I was not actually employed.

15,148. Then here is the 8th and 9th December also electioneering, then the 10th you went to London. What did you go about, was that about the election?—I suppose that must be the day I went.

15,149. Was anything said about your supplying or advancing part of the money?—No.

15,150. Because *apropos* of going to London there is "sold India stock and returned from London"?—No.

15,151. Did you advance or find any money?—If I did I had no reason to conceal it.

15,152. But did you as a friend of Mr. Dent's?—No.

15,153. When there is a straightforward and a crooked way of doing these things the crooked is proceeded in?—If Mr. Dent wanted a thousand——

15,154. Did he at any time have a thousand?—No.

15,155. Did Mr. Mitchell?—No.

15,156. Or anybody for them?—No.

15,157. Or anybody in connexion with the election?—No.

15,158. Then comes the usual boast of going to church, and then there comes on the 19th, the election having been on the 17th, and oddly enough you have not made any entry on the day of the election?—There was no election.

15,159. You have made no entry on the day of nomination. How do you account for that?—I thought it of too little consequence.

15,160. You thought the proceeding of listening to other people so much more important?—Very likely I did.

15,161. And you were in the garden on the nomination day, and you went to Harberton on the election day, it seems; and then on the 19th, which would be two days after the election, there is "paid "money to Mr. Edmonds." What does that mean?—It was the transfer of a mortgage.

15,162. Was that in any way connected with any voter at the election?—I fancy it was.

15,163. Now tell us all about it. We have heard this before?—You see one of the electors ——

15,164. What is his name?—Sampson.

15,165. What Christian name?—I do not know; he lives behind the wall.

15,166. Tell us all about this mortgage?—One of the gentlemen on the Liberal side had a mortgage on his property when he was solicited for his vote on behalf of the Tories, and he told them he was afraid that the screw would be put on by the gentleman advancing the money.

15,167. Who was the gentleman advancing the money?—He is dead now.

15,168. Was it Mr. Samuel Huxham?—Yes. I do not know as a fact that Mr. Huxham did put on the screw.

15,169. Two days after the election you paid Mr. Edmonds some money?—Mr. Mitchell arranged to take over this mortgage himself, and it was to be done in my name.

15,170. Was it done in your name?—Yes, merely because Mr. Dent would not mix himself up with things of that sort.

15,171. What was the amount?—190*l.*

15,172. Who has the mortgage deeds?—I held the mortgage deeds for some time, and the interest was always paid me half-yearly as if it were my own; I do not think the mortgagor knew but that it was my own transaction.

15,173. Who paid off the mortgage?—Afterwards my health was declining, and I thought if I should happen to die, then it would be awkward to transfer back to the legal owner, and I represented this to Mr. Mitchell, and he agreed that it should be transferred to the agent here; Mr. Bryett holds it now, I believe.

15,174. Then in fact in order to get his vote you took the transfer of this voter's mortgage?—Yes.

15,175. For which Mr. Mitchell and ultimately Mr. Dent were to be liable?—Yes; I do not see that the voter gained any advantage by it, because he paid me the interest as regularly as if it were my own transaction.

15,176. But the reason of the transfer, I understood you, was that Mr. Huxham might put the screw on?—Yes, just so.

15,177. Well, instead of that he got Mr. Helms, who did not put the screw on?—Yes, he had that.

15,178. Whose money eventually paid off that mortgage?—I do not think it is paid off to the present time.

15,179. Has not Mr. Dent paid off the mortgage?—No.

15,180. Nor Mr. Mitchell?—No.

15,181. Are you sure it was not for 700*l.* instead of 190*l.*?—It was 190*l.*

15,182. Are you sure about that?—Yes, I think I am.

15,183. Then there is the usual "attending "Divine service;" but we come afterwards to —— When was there another payment to Mr. Edmonds after that?—If there is I might have got the half 10*l.* notes in one letter and the other halves in another.

15,184. Then there is "attending meeting in the "Guildhall" on the 30th December. Was that anything to do with the election?—Upon my word I forget that.

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Capt. H. Helms.

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15,185. Then you are in the happy position of paying off all your bills on the last day of the year. Were there any election accounts among them?—No.

15,186. You are quite sure it is not a mistake between 190*l.* and 700*l.*?—Quite sure.

15,187. Are you communicating now with Mr. Dent?—No, I might have letters of business occasionally.

15,188. Have you any statement to make respecting the accusation brought against you in this court?—I do not know of any accusation brought against me.

15,189. Is there anything in Harris's evidence you wish to contradict?—No, every one knows Harris. I know he said something mixed up with my name about 500*l.* That was a transaction which took place some years ago and was quite private.

15,190. Perhaps you had better explain that?—It took place in 1860; so it could not have anything to do with electioneering proceedings. A person had not money to spare exactly in this business, and I advanced that.

15,191. Did you make any use of that when the election came?—Not the least.

15,192. Did you say "I give you this for your "vote"?—No.

15,193. (*Mr. Bere.*) Were you here at the election of 1865?—No.

15,194. Then you took no part in it?—No.

15,195. Had you formed any opinion as to the general election which was going to take place?—Yes.

15,196. Had you formed any opinion of the chance of the Conservatives at any election in 1865?—Yes.

15,197. What opinion had you formed?—That the Conservatives stood no chance at all.

15,198. Did you form any opinion as to the reason why a Conservative would be brought down here?—Yes.

15,199. What opinion?—I thought that neither party would like to have a walk over.

15,200. Where no money was to be got?—No.

15,201. You had no doubt that a contest was provided here simply that money might be spent?—Yes, that is my impression.

15,202. (*Mr. Coleridge.*) Then who was it to benefit that a contest took place?—Why, all and sundry.

15,203. Who was interested to get up that contest?—Why, all the voters on each side.

15,204. And the agents also, I suppose?—Yes, of course.

15,205. I suppose the agents were active in getting up that contest?—I dare say they were.

15,206. Have you any doubt?—No.

15,207. Who did you believe was at the bottom of the contest?—I do not know.

15,208. You know as well as anybody in the town; who was it?—I cannot say.

15,209. You would rather not say?—I cannot say.

Mr. T. H. Edmonds.

Mr. Thomas Hunt Edmonds recalled.

15,210. (*Mr. Bere.*) I think we got to the end of the election of 1862. Now we come to the election of 1863, Mr. Dent's. Capt. Helms has told us something about a mortgage of a man named Sampson; can you explain it?—Yes; it was between the first and second election. Mr. Mitchell told me that if any person here required a loan, of course with proper security, I might be sure that Mr. Dent would advance money, and then Mr. Sampson told me that Mr. Huxham had a second mortgage on his house, and that he was afraid he would put the screw on him. I mentioned it to Mr. Mitchell, and he said, Oh, very well, I will supply the money provided you can get a valuation made. Mr. Heath made a valuation; I think it was valued at 1,140*l.*, and I represented this to him, and accordingly the transaction was carried out and the money paid by Mr. Helms; he handed it over to me, and I handed it over to Mr. Huxham, or his solicitor; 190*l.* was the amount.

15,211. Did anybody value besides Mr. Heath?—No one.

15,212. (*Mr. Coleridge.*) Was that a fair valuation?—I believe it was.

15,213. Has the mortgage ever been paid off since?—I do not know anything about it. I have had nothing to do with the transaction since. Whether Mr. Dent or Mr. Mitchell paid it off, I do not know. I did not know anything about the transaction till Mr. Helms mentioned it here.

15,214. Is it in Mr. Bryett's hands?—I do not know that he held it till Mr. Helms said so.

15,215. (*Mr. Bere.*) Was it an understood thing, when Mr. Dent retired in 1862, that in the event of Lord Gifford's death he should come down as the Conservative candidate?—I understood it.

15,216. As far as you know, was any money spent at all in 1862 by Mr. Dent?—Not that I am aware of; I know he gave me 50*l.* towards the funds of the rifle corps, and also a sum towards the races.

15,217. Did he give anything towards the Wesleyan chapel?—I never heard that he did. Not through me, certainly.

15,218. Or promise it?—Not that I am aware of; I never heard so.

15,219. Then it had been understood that Mr. Dent was to be the Conservative candidate in the event of a vacancy; when Lord Gifford died did you communicate with Mr. Dent at once?—I had a letter from Mr. Mitchell, who was then staying at Eastbourne lying confined to bed, seized with bronchitis, and he requested me to come immediately as he wanted to see me.

15,220. Did you go to him?—I went immediately.

15,221. Did you see him at Eastbourne?—Yes.

15,222. What passed between you and him at Eastbourne?—He said he had heard of Lord Gifford's death, and that Mr. Dent was disposed to go in and fight the thing upon this vacancy.

15,223. To fight it with proper weapons?—To fight it with proper weapons; there was no question about that.

15,224. Did you at all tell him what money would be wanted?—He asked me how much I thought it could be won for, and I told him he would be sure to win if he spent 4,000*l.*,—4,000*l.* or 5,000*l.* I said I think 4,000*l.*

15,225. Had you talked to Mr. Helms about this matter at all?—No, I had never talked on any occasion of any election.

15,226. (*Mr. Coleridge.*) You had the same distrust as Mr. Harris had?—I cannot say I had, but a great many members of the committee had a great distrust of him, that he was really a Liberal,—that he was communicating everything to Mrs. Thomas. They did not like the idea of the thing at all; but I did not think myself that he was a man who would be pretending to be a friend of Mr. Dent's and at the same time cutting us through in such a manner as that; I did not believe in such perfidy.

15,227. In all probability you did not communicate this?—I did not have any communication with him.

15,228. (*Mr. Bere.*) Is that all that passed at Eastbourne?—He said he would write to Mr. Dent by that post. He asked me to call on Mr. Dent the next morning.

15,229. Did you do so?—I did about the middle of the day.

15,230. Did you see Mr. Dent?—I saw Mr. Dent and he said he was determined to go on, and he gave me the particulars which I brought down.

15,231. Did he give you anything besides?—othing that I am aware of.

15,232. Nothing at that time?—No.

15,233. When did he come down after the address? I think he had been ill some time, and was then nder medical attendance, and not till some time terwards.

15,234. You as soon as the address was out canssed the voters?—Just so, I and Mr. Kellock and r. Frederick Kellock went and made a canvass.

15,235. What was the result of the canvass?—A ry satisfactory one indeed. Mr. Dent is a very pular man here.

15,236. Have you the poll book of that canvass?—, no papers.

15,237. Did you destroy them all?—Just after the ection was over, I was so disgusted with the whole air and the part I had been induced to take in it at I determined never to have anything more to do th an election in Totnes.

15,238. (*Mr. Coleridge.*) Was there any idea of petition at that time?—No; I think something was d, but Mr. Mitchell said their hands are not clean, lo not think they will.

15,239. (*Mr. Bere.*) Did you find there was the ual hesitation, or were people more open in their omises than they had been?—They were certainly re open an their demands as well as promises.

15,240. From the fact that Mr. Dent had retired the previous occasion?—They are a very venal here.

15,241. Was Mr. Seymour in the field before Mr. ent?—He was down here before Mr. Dent came wn; I do not think he was down here four or five ys before the election.

15,242. Mr. Dent?—Yes.

15,243. Had they begun to canvass?—I think we gan to canvass about the same time.

15,244. And you found the poll book satisfactory?—Just so.

15,245. When did Mr. Mitchell come down?—st about the same time as Mr. Dent. He had been ffering from severe illness; and he came down four five days before the election, which took place the 20th January.

15,246. You saw Mr. Mitchell almost as soon as came down?—Yes.

15,247. And did he tell you whether he had brought y money?—Yes.

15,248. What did he bring?—3,000*l.*

15,249. In gold?—In gold.

15,250. And did you afterwards let him have some ore money?—I did, I supplied him with 500*l.*

15,251. Where from?—The Devon and Cornwall ank.

15,252. Did you draw a cheque on the Devon and ornwall Bank?—No; I did not think it prudent do it myself, and I got a friend to give me a cheque hich I cashed there.

15,253. Who was that?—The late Mr. Phillips. nd I took the gold to him in his bedroom.

15,254. First of all, what day was that the 500*l.* as wanted?—I think that must have been about he nomination day. It was on the nomination day, think; I will not be quite positive.

15,255. Did you know from Mr. Mitchell that ore money had come down from London than the ,000*l.* which he had brought down?—I never heard .

15,256. You never heard that any money was rought down with that exception?—No.

15,257. With the 3,000*l.* had you anything to do all?—No, nothing; with the 500*l.* I had.

15,258. First of all, the 3,000*l.*?—No, that was assed through the friend he brought down with im.

15,259. He brought some one down with him?—e did.

15,260. Did you ever see him?—No; it was the an described as "Mr. Blackman."

15,261. Mr. Mitchell will of course be able to tell us who that was?—Yes, I suppose so. He brought him down, and I told him it was necessary.

15,262. Now the 500*l.*, had you anything to do with that?—I had received from Mr. Mitchell two or three sums of money.

15,263. What sums?—I am hardly prepared to tell you the amount, but I handed over some to Mr. George Heath. I recollect one sum of 80*l.*, which he said he wanted for William Byne, and I afterwards let him have another sum for three or four voters. I think several voters it was; I forget the number.

15,264. Was that money you received from Mr. Mitchell, or was it out of your own pocket?—I got it from Mr. Mitchell.

15,265. When Mr. George Heath came to you and told you he wanted money, did you go to Mr. Mitchell?—I went to Mr. Mitchell and asked him whether the stranger was there, "the man in the moon," or something; he said "No, he is out, he is not here." I do not know whether he said where he was, I do not recollect that, but I said "Here is a voter here which "it is of great importance you should secure, he "wants 80*l.*, and will go the other side unless he "gets it;" and he said "Here, I will let you have "the money." So I got the 80*l.* and took it down.

15,266. Did he go out of the room to get the money?—No, he gave it me in the room.

15,267. Where did he take it from?—A bag.

15,268. A black bag?—I think the same bag I took down the 500 sovereigns in.

15,269. Was that a canvas bag?—A canvas bag.

15,270. Did you ever see a china bowl on the table?—Never.

15,271. You never went upstairs to get any money?—I never got money from anyone except Mr. Mitchell.

15,272. Did not you give Edward Woodley some money?—I did; I forgot what the amount was, but he supplied me to-day with the particulars (*referring to a paper*), it was 150*l.*, I think.

15,273. For whom did you let him have that?—"John Fogwell Chapple, 40*l.*, John Nickells, 30*l.*, "Barter, 30*l.*, and Warren, 50*l.*" But from my own recollection, I do not know who he had it from.

15,274. Did you remember something happening to Mrs. Westaway?—I recollect her coming down to the large room under the archway and saying that her husband had received from Frederick Evens, whether 20*l.* or 30*l.* I am not sure which, and that Mr. Webber had taken away her husband, and that she had brought back the money; and I said "You "had better take it back to the person who gave it "to you, not bring it to me." There were others there at the same time, I do not know who. She put the money down and went away.

15,275. Who were there?—I forget now, there were others there.

15,276. (*Mr. Coleridge.*) You would not have said that if anybody else had not been in the room?—I think I should have.

15,277. (*Mr. Bere.*) What became of that money?—I handed it to Mr. Mitchell.

15,278. Who were employed about that election, were the same people employed who were employed in the election of 1865?—I think just about the same.

15,279. Screach and Evens, Mr. George Heath, and Mr. John Heath?—Mr. John Heath had the charge of the watchers.

15,280. Old John or young John?—Old John.

15,281. I suppose young Mr. John Heath took much the same part as in 1865?—Yes, much the same.

15,282. Did you ever pay him any money?—Never to my recollection during the election.

15,283. Did these men come to you in 1863 as they did in 1865, and make offers to you from time to time?—Yes.

15,284. And you altered your poll books?—Yes, just in the same way.

15,285. On the morning of the election what was

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your opinion of the prospects?—Well, I considered that it was a very close run.

15,286. Did not you then go to Mr. Mitchell and tell him more money would be wanted?—No.

15,287. Did he learn in any other way that a sum of money would be wanted that morning?—I do not know that he did.

15,288. Do you know from hearsay whether any votes were bought on the election day?—I never heard so.

15,289. Were they all bought before?—They were all bought before; in fact I think they were all bought a week before, and paid for a week before.

15,290. Did you believe that all the money spent at the election was 3,500*l.*?—With the exception of a sum paid afterwards.

15,291. What was that sum?—Mr. Heath had made some payment, I do not know the amount. I have the particulars in my papers, but can only speak from memory now.

15,292. He had made payments?—He had made payments.

15,293. Were the payments he made repaid him directly?—Directly.

15,294. Or through you?—Whether I paid or Mr. Mitchell, I know he got down some money.

15,295. Did Mr. Mitchell ever come down again after the election of Mr. Dent?—No.

15,296. He might have spent a good deal of money of which you are not aware?—I think he went up and Mr. Dent sent down some money afterwards.

15,297. He did?—I think so.

15,298. Have you any idea how it was sent down?—I think in bank notes, a parcel of bank notes.

15,299. Were you with Mr. Mitchell much after the election?—I saw him several times.

15,300. What did you learn from him, that more money would be sent down?—I do not know the amount.

15,301. Had you no idea at all what was the amount sent down?—No, I did not know.

15,302. Have you any doubt that Mr. Dent at that election spent more than 5,000*l.*?—I should think, from all I have heard, it was between 4,400*l.* and 5,000*l.*, or nearly 5,000*l.* I know Mr. Mitchell told me before he left it was somewhere about 5,000*l.*

15,303. Has he spent any more money in the borough since that time?—Not that I am aware of.

15,304. Had there been any communications between Mr. Mitchell and you and Mr. Dent, except those we have heard of?—Not that I am aware of.

15,305. With regard to the election of 1863, did you have a negotiation with Mr. Mitchell or Mr. Dent, about Mr. Dent's standing as a candidate?—I think I wrote a letter or two to Mr. Spofforth, but he finally said that Mr. Dent had made up his mind not to enter Parliament.

15,306. We have heard of a sum of 1,000*l.* which Mr. Pender left behind him for the benefit of Totnes, can you give us any idea how that amount was distributed?—I do not know the proportions, but I think a portion of it went towards building a new school, another portion towards the Wesleyan chapel, and another portion towards the Independent chapel. I do not know much about that.

15,307. Was that 1,000*l.* spent for the benefit of the general inhabitants of Totnes, or for that of the Liberal party only?—For the Liberal party I think decidedly, except that there was some money paid for putting a new bell into the tower of the church.

15,308. What did that amount to?—I never heard the amount.

15,309. Who had the distribution of the money?—I think I heard that it was Mr. Chaster and Colonel Willoughby; that it had been invested in their names or paid to them jointly; I only heard so.

15,310. Have you heard from them that they had received instructions from Mr. Pender as to how the money was to be appropriated, or were they to do with it as they pleased?—I do not know anything about that.

15,311. With regard to the charities of Totnes, how are they managed?—They are managed by the Charity Trustees.

15,312. How are they elected, supposing there is a vacancy, do the surviving trustees nominate?—They are now appointed by the Charity Commissioners.

15,313. How was it in former days?—That I do not know.

15,314. Are the majority of the Charity Trustees now Liberal or Conservative?—I think there is a Liberal majority, but I am not quite sure. I think they are pretty evenly divided.

15,315. Are the charities here valuable?—Yes, they are, decidedly.

15,316. What do they consist of, are there almshouses connected with them?—Yes.

15,317. For men and women?—Yes.

15,318. And schools?—I do not think there are any schools.

15,319. Who is the clerk to the charities?—Francis Brooking Cuming.

15,320. Did you ever happen to see Mr. Helms' tabulated statement?—I have never seen that.

15,321. (*Mr. Longe.*) Do you remember this requisition being sent round?—Yes.

15,322. Who got that requisition first sent round?—I think it was mentioned in the committee; myself and Mr. Kellock were there, I think we drew up the heading of it; Mr. Harris took it round and got the whole of the signatures to it, or the greater portion of them. He was the principal person concerned in the getting it up.

15,323. Was there a Conservative committee?—Yes.

15,324. And Mr. Bastard, Mr. Bentall, and Mr. Gill were engaged in that?—Yes. Mr. Macleay had said that he would like to have a requisition; that is how it originated.

15,325. Did he say he should like to know what Conservatives were pledged by a requisition?—Just so.

15,326. And was that supposed to show the men who would vote for Mr. Macleay?—Yes.

15,327. That was the object of the requisition?—That was the object of it, we considered that any man who had signed a requisition would certainly vote for the Conservatives.

15,328. And did you really believe that all those who signed the requisition would vote for the Conservative candidate?—Yes, unless they were tempted by the other side.

15,329. Do not you know that one half of them were men who had been paid on former occasions?—No, I do not know that, I know there were a great many who had. As a general rule there are a great number of men who, although they expect money if money is going about, yet will not vote against their own party.

15,330. Do you remember looking over the list when it was filled up?—I do not know that I did particularly; I dare say I did.

15,331. There were a large number of men who had signed the requisition who would have to be paid?—I think there were six or seven men who had generally voted for money.

15,332. Surely there were more than that?—I do not put in the matter-of-course men.

15,333. You say six or seven besides the matter-of-course men; were there not as many as 70 on that requisition who had received money?—Not that I know of.

15,334. Was that requisition sent to any one else but to Mr. Macleay?—It was sent to Mr. Henry Smith, his solicitor. I never made use of it myself certainly not.

15,335. Do you know who has kept it since?—It has been in Mr. Macleay's possession ever since; it was sent down by him very recently.

15,336. (*Mr. Bere.*) Do you know a Mr. W. H. Oldrey?—I do.

5,337. Did you know him when he was resident Totnes?—I recollect him in Mr. Bryett's office.

5,338. How long has he left Totnes?—I can dly tell you; it is some two or three years since.

5,339. He was a clerk in Mr. Henry Smith's office, is now in the office of the registration for Kent? have heard so.

5,340. Did you see him at any time in connexion h the election of 1865?—I do not recollect that I

5,341. Was he here during the time of the election? think I had a letter in his writing on behalf of Henry Smith about Mr. Macleay.

5,342. Was he here during the election of 1865? do not recollect seeing him; he may have been e; I had no communication with him of a special racter relating to the election.

5,343. Do not you recollect sending a telegram to at Plymouth during the election?—I do not re- ect it.

5,344. Will you take this list in your hand, look ough it, and tell me the names of the persons ntioned there who are not *bonâ fide* voters, but o are voters on a borrowed qualification. You can us that from your own knowledge, having been naging the registration for years?—I have not had ch to do with the register lately.

5,345. If there is any one whom you have any itation about we will ask some one else. Will tell us how many there are who are really *bonâ* e voters and how many who vote on a borrowed alification?—I am afraid I am not in a position to ply you with that information without reference the register. I cannot do so from memory. I have l little to do lately with the register.

15,346. Were there not many of the Duke's tenants o at Mr. Dent's election in 1863 voted against the ke and were afterwards turned out?—There were eral.

15,347. Do you not know that without any excep- n they were all turned out of their holdings?—I lieve they were all turned out.

15,348. Can you speak of the eviction of any indi- lual from your own personal knowledge?—No, I merely speak of it from hearsay.

15,349. I mean tenants of the Duke's who had ed for Mr. Dent, and who had come to you and nplained of the way in which they had been treated consequence of their voting?—I do not think I l any one of them come to me.

15,350. (*Mr. Coleridge.*) Is there a Mr. Oldrey ing in Totnes?—A Mr. William Oldrey.

15,351. What relation is he of the young man of om we have been speaking?—His father.

15,352. Do you know a Mr. Oldrey living in Ply- uth?—I do not.

15,353. There are several telegrams during the ction from Oldrey, Totnes, to Oldrey, Plymouth? I cannot say anything about that. I believe he has ee sons.

15,354. Do you know whether Mr. Oldrey, the rk to the Kent registration, was in this town during last election?—I do not recollect.

15,355. Do you know him?—Yes, I know him very ll indeed by sight.

15,356. If he had been about here you would have n him?—I should, no doubt. I do not recollect ing him.

15,357. (*Mr. Longe.*) In 1862 you told Mr. Mitchell at a man would be required from London to distri- te the money?—I did.

15,358. And in 1863 you also told that to Mr. itchell?—I did. Whether in 1863 I again told him will not be sure; he told me that he had brought wn a man.

15,359. It originated with you. In 1865 you told is to Mr. Smith in the same way?—Just in the me way.

15,360. And as far as you know a man was brought wn in pursuance of your suggestion?—I should nsider so.

15,361. You know that there was no one in the town who could possibly have brought that man down except through the communication from you to Mr. Smith?—There are many here who could have brought him down and who might have sent for him, but not to my knowledge.

15,362. Were there any persons who would have taken that part on themselves which you had always performed on other occasions?—I think it is not at all likely.

15,362*. Could you name any one who would have done that?—I could not.

15,363. (*Mr. Bere.*) You were not employed as the legal adviser in 1859; have you anything to tell us about that?—According to my books I find that I paid the election expenses. I had no retainer.

15,364. What was the amount of the election expenses?—I think 305*l.* was paid to the auditor.

15,365. That was Mr. Dunn's election?—Yes.

15,366. Did that include the hotel bill?—Yes, everything; we returned everything in those days.

15,367. (*Mr. Coleridge.*) What was the reason of the hotel bill being struck out of the last election expenses?—I have understood the reason was that Mr. Phillips, the mayor, considered that the hotel bills were the personal expenses, and he thought they ought not to be added to the bill.

15,368. Was not the reason rather that the bill contained a large amount of treating, and that 300*l.* for two gentlemen staying at an hotel for ten days was a very large bill?—I cannot say that.

15,369. There were 179*l.* charged to Colonel Dawkins and 110*l.* to Captain Pim; do you consider that that was a legitimate bill?—It is a very large sum certainly, but at election times it is usual to make extra charges, the house is as it were turned upside down, and set apart for the business of the election.

15,370. Must not a great deal of that amount have been spent in treating?—Very likely, there will be no doubt of it.

15,371. Then how was it that treating was made no part of the charge against Mr. Pender at the last election before the committee?—I think there was something said of it, and some evidence was given upon that subject.

15,372. What elicited this letter from Mr. Spofforth to you?

"6, Victoria Street,
"Westminster, S.W.,
"My dear Sir, 27 May 1865.

"I am afraid it is impossible to induce Mr. Potter to stand. I will, however, send your letter to him, with one of my own, to persuade him to do so. You may, however, rest assured that some one will come forward to vindicate Conservatism, and give you one more chance; but I have little hope that it either will be Mr. Dent or Mr. Potter."

What does that refer to, "Give you one more "chance"?—He meant to say that they would not supply us with another candidate unless we could get this one returned.

15,373. The letter goes on, "We are sure to have "Mr. Potter's influence with the North Devon with "whatever candidate we put up;" what does the remainder of the letter mean?—I think that should be South Devon, that is a mistake.

15,374. Had you asked him to use any influence with those people?—I think I had written to him to that effect.

15,375. To have the screw put on?—I thought Mr. Potter would be a good candidate and would have some influence with the people at the station, being connected with the Great Western railway.

15,376. We have heard that Mr. Malins, Q.C., was connected with this place?—He was by marriage, some years ago.

15,377. How is it that he never was asked to stand for Totnes?—I suppose he was not considered to be a person rich enough.

15,378. None of the gentlemen who would be naturally sought after seem to have been put forward;

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how is it that Mr. Rennie never seems to have been put forward?—Mr. Rennie was not in a position to spend sufficient money to counteract the heavy influence on the other side.

15,379. Was Mr. Champernowne ever asked to stand?—I never heard of it.

15,380. There has been no instance of a gentleman in the neighbourhood coming forward for the last ten years?—Where you get down such a man as Mr. Pender, with an income, as it was said, of 100,000*l.* a year, it was necessary to get some one to counteract that.

15,381. Have the Liberals ever tried Mr. Durant?—No; he knows too much of the place.

15,382. No one who knows Totnes will stand for it?—Just so.

15,383. (*Mr. Longe.*) Here is a letter from Mr. Samuelson, of the National Conservative Association, there was a requisition sent to him?—I think Mr. Kellock might have sent it up, whether he did or not I am not able to tell you.

15,384. When it was first sent up there were not all the names to it that there are now. It says, "Mr. "Macleay will be absent another fortnight, by which, "time will be allowed to make the requisition as "perfect as possible"?—According to that the requisition must have been returned, and when it came back Mr. Harris went round and got some more names added to it.

15,385. In this letter it says, "Evens and Dart "will not appear"?—They were at that time in London, and were asked to call at Mr. Smith's office to sign it. They were two voters belonging to the borough who happened at that time to be in London.

15,386. (*Mr. Bere.*) Who is Dart?—He was a young man, a cabinet maker, who was finishing his business.

15,387. And George Evens?—He was there learning his business.

15,388. Is he the one who was afterwards employed by the Conservatives?—No; a different man altogether.

15,389. What made Mr. Macleay retire or not stand?—He had a brother who died in Australia, and it was necessary that he should go there to wind up his affairs; that was the reason given by Mr. Smith.

15,390. Would he be available at some future election, if you should be so fortunate as to have one?—I do not think we shall have another.

15,391. Had you anything to do with one of the voters named Tucker in the election of 1865?—I do not recollect that I had.

15,392. W. H. Tucker?—I think not. I do not recollect that I ever saw him at all.

15,393. Did you mention his name to Heard?—I think not; I may have mentioned it. I thought he was a man who might be got to vote for the Conservatives.

15,394. Now with regard to the two Hills, had you not something to do with them? Did you not direct some people to look after them?—I do not think I did. I think Harris had to do with them. I may have asked him to go and see them; I am not sure.

15,395. Have you got your poll book here for 1865?—I have.

15,396. How is Charles Pengilley marked?—He is not a voter.

15,397. Did you hear that Pengilley had been employed by the Liberals at the time of the election?—He is returned in the account. A man called Bovey told me that he had offered him a very considerable sum of money.

15,398. Did you send Bovey to Pengilley?—I did. He told me of the fact of offering him money, and he said he had secured Bovey and made it all father all right. I asked him if he had heard him speak of the matter since the election; he said there was chaffing and joking going on. I was getting up the evidence for the petition, and I asked if they could find out anything as to what had been done. He promised me that he would do so. I think I told him if he could not get out anything else he might hold out the hope of some reward; that if he would come forward and speak the truth, and tell us everything that he knew about the matter, I would give him a trifle for doing so.

15,399. Did you mention the amount of your reward?—No. Bovey came back to me and said he had seen Charles Pengilley, and he says that he can give a lot of information, quite enough to turn out Pender and Seymour. I said to him, "Did he tell you all "about it?" Then I said to him, "What took place?" He said, "I held out an inducement to him." I said, "Would not 50*l.* tempt you to tell me all?" He said, "Oh dear no, neither 50*l.*, nor 100*l.*, nor 150*l.*; I "must have that at least, because it would be impossible for me to remain in the town after going "and splitting upon the people with whom I have "acted." Bovey made me acquainted with this. I said, "Let the matter drop, and we will have nothing "more to do with it."

15,400. Was 400*l.* ever mentioned?—No.

15,401. Either by you or Bovey?—No. I heard it mentioned at the time of the petition; that is the first I ever heard of it.

15,402. Had you anything to do with John Wright?—Yes. I canvassed him with Colonel Dawkins, and he said that he should vote as usual for the Conservatives. A few days after that I heard that Mr. Pender had been there and had stayed there a great length of time. I heard he had been there twice, or three times, and that Mr. Jenkins had been there, and had had a long interview with him. Our party thought there was something wrong, and I went over and saw him. He said, "You need not be "afraid of me; I should have liked if I could to "have voted for Mr. Pender." He did not say for what reason.

15,403. Had he rented any estate of you?—Never. He rented an estate of the same name as the one belonging to me, and not far from it, but it is not mine.

15,404. That was a mistake of Mr. Harris'?—It is the same name.

15,405. Did you afterwards find out that his son-in-law, Mr. Fowle, had a vessel in pawn?—I heard so.

15,406. And Wright voted against you, having voted for Dent in 1863?—Yes, and having said that he should vote for us.

15,407. Can you give us in 1863 and 1865 a list of the voters, who, having promised you, voted on the other side?—I think I can supply you with that.

15,408. Whom you canvassed, and whom you put down in your poll book as going to vote for the Conservatives, but who afterwards either voted for both the Liberals, or split their votes?—As to 1863 I shall have some difficulty, for I have no poll book. I did not canvass one half of the voters myself, and I am afraid I cannot do that. I can supply you with 1865, and give you some names in 1863 from recollection.

S. Brown.

SAMUEL BROWN recalled and further examined.

15,409. (*Mr. Bere.*) You remember the election of 1863?—Yes.

15,410. Do you think you remember it better than that of 1865?—I do not know that I do.

15,411. Who was the candidate who was then staying at your hotel?—Mr. Dent, I think.

15,412. Who was staying with him as his friend?—Mr. Mitchell.

15,413. Was there a Conservative committee in the house at the same time?—There was.

15,414. Were all the rooms taken up in the same way as they were in the year 1865?—Yes; something similar.

,415. (*Mr. Longe.*) Was there a room where dined and a table kept open to the public, or ose persons who came in authorized by the can- e ?—It was very much like that ; whatever they ed they had.

,416. How do you know that ; did you serve ?—Occasionally.

,417. Who was waiting with you then ?—I do hink I had any other waiter then with me. I am I had not.

,418. Was Miss Prout there then ?—Yes.

,419. And the same chambermaid ?—No ; Martha was the chambermaid then.

,420. How long was Mr. Dent in the house ?— not tell to a day or two.

,421. Was he there a fortnight or a week ?—I ld think he was there quite a fortnight.

,422. Do you remember whether Mr. Dent and Mitchell came together ?—I believe they did, to est of my recollection.

,423. At that time do you remember a Mr. Mum ng ?—I do not remember a Mr. Mum at that

,424. Did you ever hear the word Mum used ?—Not at that time.

,425. When was the first time you heard of a n being employed to distribute the money called Mum ?—I believe it was the day after he had ed by the mail train.

,426. The day after who arrived ?—This man as they term him.

,427. At which election ?—There was a Mr. Mum lonel Dawkins' election.

,428. Did you never hear of a Mr. Mum at the election ?—No.

,429. In 1863 was there anyone at the "Stars" was employed to distribute the money ?—I be- there was.

,430. You know there was ?—I do not know was, I believe so. I never saw him distributing y. I could not say.

,431. Then what reason have you to believe was ?—I know there was a man upstairs who d upstairs all the time.

,432. You never saw him go out ?—I never saw o out.

,433. In what room did he stay ?—In either 15 or 16.

,434. There was a person there who stayed up- ?—Yes.

,435. Did you ever wait upon him ?—Never.

,436. Did you ever take any voters up there ?— not remember doing so.

,437. Supposing that a voter was sent to the rs" to go to this man, how would he find out e he was ?—I do not know ; I had nothing to do it whatever.

,438. Had you never been told there was a n there who would be wanted by people in the ?—I was never told directly.

,439. You remember the person being there ?—

,440. And you did send persons up to his room ? ; I do not remember that ever I did.

,441. Who was the person who performed that ?—I do not know who did ; I did not do it.

,442. You know that there was such a person ?—I heard rumours of one and the other, I did xactly know what. There was such a man up- s ; he was not named Mum then.

,443. Was there not a man there in 1862 to ibute the money ?—No, I think not. That relates r. Dent's first coming.

,444. It was only a month before, in December ? cannot exactly remember the date.

,445. Was there not such a man there then ?— I do not remember that.

,446. Who was it in 1863 who waited on this ?—I believe the chambermaid did.

,447. He stopped in his room all this time ?— Yes, as far as I know ; I never saw him out of his room.

15,448. You have no reason to believe that ?—I have no doubt that he was there the greater part of the time.

15,449. His business was to keep himself in his room, so as not to be seen ?—I have no notion that he was bound to keep there.

15,450. You never saw him out of it ?—I never saw him out of it.

15,451. How long was he there ?—He was there for some days, I do not know how many. I do not ever recollect waiting on him myself.

15,452. Then how do you know he was there at all ?—I saw him come outside his door on the landing.

15,453. Can you say what he was like ?—He was dressed very much like a gamekeeper.

15,454. Was he very dark ?—I think not.

15,455. Who christened him the "black man" ?—I do not know I am sure.

15,456. As to what he had at the bar, how was that paid ?—I have no idea.

15,457. You say you never took him anything ; did he dine in his room ?—I never took him any.

15,458. If he did not dine in his room some one must necessarily have waited on him ?—I never saw him out of the house ; I did not wait on him ; I never saw him dine or saw any dinner taken to him. I have seen breakfast taken to him.

15,459. Did he take breakfast in his room ?—I think so.

15,460. You suppose that was either No. 15 or No. 16 ?—It was one of those ; I rather think it was No. 16.

15,461. Was there anyone at the election of 1865 who kept in his room as this person did in 1863 ?—I will not swear that.

15,462. Will you swear there was not anyone who was keeping in his room by day ?—I do not know ; I never went to see.

15,463. Did you know any room in 1865 where any mysterious stranger was living, and keeping in there all the day ?—I did not.

15,464. In what room did this stranger sleep who was there in 1863 ?—I do not know whether he slept or not ; he was in the bedroom.

15,465. You do not know whether he slept there ?—I do not know ; the chambermaid waited on him so far as I know.

15,466. Were you ever sent to him by any voter coming to the house and asking either for Mr. Mum, or for anyone in No. 13 ?—I have been asked where No. 13 was.

15,467. Were you asked that by voters, or by persons coming to the hotel ?—Yes, very likely the person was a voter ; I have no doubt of that.

15,468. And he wanted to see this person in No. 13 ?—Yes.

15,469. What did he ask you ?—They would merely ask me where No. 13 was, if they had not been there before.

15,470. Did he mean the room or the man ?—I suppose he meant the number.

15,471. What did you tell him ?—I told him to go upstairs and follow the numbers.

15,472. You told him whereabouts it was ?—I gave him the direction ; I never went there to point out the door. The room is directly facing the stairs, and those numbers follow one another.

15,473. You told us the other day that in 1865 Mr. Mum slept in No. 15 or No. 16 ?—In No. 13.

15,474. Do you know where Mr. Smith's clerks slept ?—Either in 15 or 16 ; the doors are close together.

15,475. Did they sleep in the same room ?—So far as I know. I never went into the room.

15,476. Where did Mr. Smith himself sleep ?—I really do not know. I cannot remember.

15,477. As I understood, Nos. 13, 14, 15, and 16 are all on one floor, and you pass 16 to go to 13 ?—Yes.

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15,478. In 1863 did you see either young Screach or Frederick Evens?—Yes, I believe I did.

15,479. Did they ever speak to you about the stranger?—No.

15,480. What did you call him in 1863; how was he identified by you?—I heard rumours going about of the "black man," the "man in the moon," and so on.

15,481. You say you had some communication with Screach?—No, I do not think I said so.

15,482. (*Mr. Bere.*) It has been sworn to by Screach and Evens that in 1863 and 1865 you communicated with one of them on the arrival of this mysterious stranger. You say it was not the case in 1865 and it was not the case in 1863?—It was the case in 1865; that was Colonel Dawkins' election.

15,483. You have sworn that it was not?—That was a mistake of mine.

15,484. (*Mr. Longe.*) We put it to you twice, and referred you to the evidence before the committee, and you said it was not true?—I deny it now. I deny that I ever fetched Screach from the bridge.

15,485. That you told Screach a gentleman wanted him at the "Seven Stars"?—I do not remember that I ever told him that. I have never said so.

15,486. What do you mean by the answer you gave a minute or two ago?—That must have been a mistake.

15,487. Which is the mistake?—1865 is the only time I remember. As regards Screach I was never sent to him.

15,488. Then what did you do in 1865?—The thing I was alluding to was the calling Evens from the smoking room and saying that he was wanted upstairs. I did not see Screach.

15,489. What did you tell Evens?—That he was wanted upstairs.

15,490. Had you nothing to do with Screach or Evens in 1863?—Nothing at all.

15,491. Did you send a message?—I do not remember that I ever did.

15,492. Will you swear you did not?—I do not remember it.

15,493. Did not this black man come down with Mr. Mitchell?—I do not know that he did.

15,494. Did you attend on Mr. Mitchell and Mr. Dent?—I did.

15,495. Did you ever see a stranger in the room with them whom you did not know?—Never.

15,496. (*Mr. Coleridge.*) You were here when the chambermaid was examined?—Yes.

15,497. Did you hear her say that the stranger had slept in No. 15?—It was Mr. Smith who slept in No. 15.

15,498. And if he slept in No. 15 his clerks slept in No. 16?—I have not the slightest doubt they were close together.

15,499. Are you certain of that?—I am not certain of it.

15,500. If, as the chambermaid said, Mr. Smith slept in No. 15, are you quite certain that his clerks slept in No. 16?—I should think so, but of that I am not sure.

15,501. And you are equally certain that at this same time a person whom we have called the mysterious stranger was sleeping in No. 13?—Quite so.

15,502. And you know that the door in No. 13 was generally kept locked?—I never went to the door.

15,503. And you say that the gentleman who was in No. 13 kept for the principal part of the time in his room?—I cannot say that, for I saw him about the house.

15,504. Did you see him about the house at all times of the day?—I cannot remember that. I have seen him occasionally.

15,505. When people asked you to show them the way to No. 13, did they ever come back to you and say that they had been to No. 13 and could find no one there?—I never remember anything of [illegible] kind.

15,506. Then if people went to No. 13 at all [illegible] would assume from that they had found there [illegible] they wanted?—There can be no doubt of that.

15,507. And you feel certain that there was gentleman in No. 13 in addition to Mr. Smith's [illegible] clerks who were there?—Yes; I believe so.

15,508. Can you recollect seeing the person [illegible] we have called the mysterious stranger and [illegible] Smith's two clerks in the house at the same time? I never remember seeing them together.

15,509. Can you recollect the stranger and [illegible] Smith's two clerks in the house at the same time? I never remember seeing them together.

15,510. Have you seen the two clerks and [illegible] stranger in the house?—I have no doubt of it.

15,511. (*Mr. Longe.*) Who slept in No. 14?—I not know.

15,512. What reason have you for saying that the two clerks slept in 15 and 16?—I believe I have [illegible] them going there.

15,513. You hear that Mr. Smith slept in 15; [illegible] the chambermaid knows better than you?—[illegible] ought to.

15,514. Why do you say one did not sleep in [illegible] —I do not know.

15,515. You must have some reason; you do [illegible] come here and pitch upon 15 and 16 without [illegible] reason?—The only reason I have is that I have [illegible] Mr. Smith's clerks going to 15 or 16.

15,516. Both the same room?—Yes.

15,517. You believe they slept in the same room —I have no reason to doubt it.

15,518. Is that your belief?—It is.

15,519. If two pairs of shoes or boots stood at [illegible] same door, the boots would know?—He would be likeliest person.

15,520. (*Mr. Bere.*) There have been three [illegible] nesses examined here; and those three witnesses have each said they had communications with you 1865 or 1863 with regard to this gentleman who came down, and they have been examined on oath. [illegible] Mr. Harris; Mr. Harris says he went down to "Seven Stars" and asked you for the gentleman who came by the mail, in 1865; do you remember Harris coming coming and asking you for the gentleman who came by the mail?—I do not remember he may have done it, but I do not remember.

15,521. Do you remember a person who came the mail train coming to the lobby and seeing Harris?—That I do not remember.

15,522. Was your evidence taken by any per at the time of the petition; were you examined anybody; you heard there was a petition against election in 1865, were you not examined as to [illegible] you knew?—I might have been asked.

15,523. Did not Mr. Edmonds ask you about it I do not believe he did.

15,524. Who did?—I believe it was Mr. Gu[illegible]

15,525. Did Mr. Guscotte come down here? believe he did to the best of my recollection.

15,526. Did he come and ask you about it rather think he did.

15,527. What did you tell him?—That I k nothing.

15,528. That you would know nothing?—I did say I would not know; I said I did not know.

15,529. (*Mr. Coleridge.*) What they wanted what you knew about the other side?—I do know.

15,530. Mr. Guscotte did not want to know your own side?—When he asked me I suppo thought I could tell him, but if I did not k could not.

15,531. You had a person ask you to go and Mr. Evens?—I have a remembrance of that.

15,532. Who was that person; how do you him; how do you identify that person?—It person in 13.

15,533. Will you swear he was living at 13 ?—I ve seen him going up-stairs.

15,534. How do you identify him? Do you swear was staying in 13?—I believe he was.

15,535. You do not swear ?—I never saw him going o his room.

15,536. Will you swear he was not one of Mr. Smith's clerks ?—I think I could swear it. If he was Mr. Smith's clerk he must have disguised himself.

15,537. Do you swear he was not ?—I do not believe he was.

15,538. You would not swear it ?—I would not swear it, but I do not believe he was.

15,538*. (*Mr. Bere.*) You may go at present, but we shall want you here to-morrow morning.

Mr. John Yabbicom sworn and examined.

Mr. J. Yabbicom.

15,539. (*Mr. Bere.*) Are you manager of the ational Provincial Bank ?—I am.

15,540. How long have you been so ?—About three ars.

15,541. Will you produce the books of the bank ? —They are carried up-stairs.

(*Mr. Bere.*) They must be left here and we must look through them. That is all we want you for at present, but we may want you again.

Mr. Thomas Creaser Kellock sworn and examined.

Mr. T. C. Kellock.

15,542. (*Mr. Coleridge.*) You are a solicitor practing in this town ?—I am.

15,543. How long have you been a solicitor in this wn ?—Since the 1st of March 1850.

15,544. Before that time were you resident in this wn?—I am a native of Totnes ; I resided here til 1844 ; I left it in 1844, and returned to it in arch 1850.

15,545. You left the town and were articled elsehere ?—No, I was articled here ; left the last year, d practised elsewhere for a few years, and returned.

15,546. You are now the mayor ?—Yes.

15,547. When did you first take any part in the ection of 1865 ?—When Colonel Dawkins came to otnes.

15,548. Was it when he came, or before ?—I had en an active partizan of the Conservative cause for me years before Colonel Dawkins came.

15,549. When had you first any communication th anybody about a Conservative member coming this borough ?—In conversation with my brother, d also with Mr. Edmonds ; I think I may say I ew all that had gone on about getting a candidate 1865.

15,550. Had you any correspondence by letter or egram with Mr. Spofforth ?—I never had any comunication with Mr. Spofforth verbally, by letter, or telegram in my life ; and to my knowledge I had ver seen him, but I had heard of him through other gentleman.

15,551. As you were in communication with Mr. dmonds and Mr. Edmonds with Mr. Spofforth did u see the communication between them ?—I do not ink I saw the communications, but I think Mr. dmonds communicated to me the purport of them.

15,552. You knew from Mr. Harris the purport of e communications he had ?—Some of them.

15,553. Were you in communication about a Conrvative candidate ?—On one occasion I went to ndon to see Mr. Macleay.

15,554. When was that ?—I think in July 1864.

15,555. You were then getting ready and looking t for a candidate for the time when there might be dissolution ?—I had never actively interfered in y matters, but I was going to London and I was quested to see Mr. Smith.

15,556. There was a probability of a dissolution in 64, and it was with a view of a general election at you saw Mr. Macleay ?—Yes ; I went to Mr. nith's office and was there introduced to Mr. acleay.

15,557. What Mr. Smith ? Mr. Smith of Victoria reet ?—Of Essex Street, Strand.

15,558. (*Mr. Bere.*) Do you mean Essex Street or orfolk Street, Mr. Henry Smith, or Mr. Smith, or nith and Guscotte ?—Mr. Henry Smith.

15,559. Did you go and see Mr. Macleay ?—I had interview with Mr. Macleay.

15,560. What brought you there in the first inance ?—I think some other person had made a mmunication.

15,561. Were you then thinking of running one or two candidates ?—I think one at that time.

15,562. When you had that interview with Mr. Macleay was there anything said about a requisition? —No, there was to be a meeting.

15,563. That meeting was to be held at Totnes ?— No ; probably you will be amused at it.

15,564. No, tell us.—It was arranged that Macleay and Smith should accompany me a few days afterwards to Exeter, and there we should meet three gentlemen from Totnes who had been appointed to look about for a candidate, Mr. Bentall, Mr. Bastard, and Mr. Gill.

15,565. They were to meet at Exeter ?—Yes.

15,566. Did the meeting come off ?—I wrote to the hotel at Exeter for a room and a dinner to be ready, and I wrote to Mr. Edmonds or some friend in Totnes to have an appointment made to meet Mr. Macleay there. I called at the Paddington station thinking to meet Mr. Macleay and Mr. Smith, but I did not meet them, and I came on by myself, and when I reached Exeter neither Mr. Bastard, Mr. Gill, or Mr. Bentall were there, and I found the room and the dinner ordered, and I was the only guest.

15,567. Was it the South Devon and Cornwall Railway's blame that the gentlemen from Totnes were not there ?—No ; I was told that a messenger had been despatched to prevent my going down, Mr. Macleay and Mr. Smith were prevented coming from some cause, but I had left the house before the letter reached me stating that the gentlemen were not coming from Totnes.

15,568. Was it that Mr. Macleay could not attend the meeting or was not going to contest the borough? —That he was not going to Exeter ; he came here afterwards.

15,569. When did you first get him here ?—I think some months afterwards with Mr. Smith.

15,570. Was there a meeting then ?—I saw him with some other gentlemen, and I think the meeting took place with the three gentlemen I have named.

15,571. Where was it ?—At the "Seven Stars;" the three gentlemen deputed to look after a candidate saw him.

15,572. Was anything said about a requisition ?—I don't recollect.

15,573. There was a requisition to Mr. Macleay? —Yes, and I believe I signed it myself, my name is to it I know.

15,574. This is a requisition signed by 173 voters ; what did Mr. Macleay say in answer to this requisition ?—After the interview at the "Seven Stars," which I have spoken of, and since I signed the requisition I have had no communication direct or indirect with Mr. Smith or Mr. Macleay.

15,575. You do not know why he did not come down ?—I heard from those in communication with Mr. Spofforth and Mr. Macleay that his brother had died, and that private affairs called him again to Australia, and that he could not stay in the kingdom.

15,576. When did you hear that Mr. Macleay

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Mr. T. C. Kellock.

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would not stand in the event of a dissolution, was it in 1864 or 1855?—I think early in 1865.

15,577. Did you know anything after Mr. Macleay was out of the field, about negociations for getting someone in his place?—I heard there were negociations.

15,578. You knew what was going on?—Yes.

15,579. Did you see the letter from Mr. Spofforth?—I don't think I did see them all.

15,580. You saw a great many?—No, but I think Mr. Edmonds communicated the result.

15,581. You knew Mr. Kennard?—That is the next person that I knew of. I was spending the afternoon at a friends, Captain Stacey's, when a message I believe was sent to Mr. Edmonds.

15,582. Was Mr. Edmonds there?—Yes, he was ensign of the 17th Totnes Rifle Volunteers, Captain Stacey was the captain and he was giving them a feed under a tent, and a message was sent to say that a gentleman had arrived or would arrive that afternoon, and some Conservative was requested to come and meet him immediately.

15,583. About when was then?—I think in the summer of 1865.

15,584. May or June?—I think June.

155,85. Not so late as June was it?—I think it was but I dare say some person could fix the day, it is a well known day and date. I believe it was in June, quite the middle of the summer, it was hot weather.

15,586. Was this after John Dent had been coquetted with? You say Mr. Kennard was here but was there not an attempt to get Mr. Dent to stand?—I do not know.

15,587. Don't you know that Dent refused to stand unless some of the important and respectable members of the other side would sign a requisition?—I heard of it.

15,588. Did you hear that he would not stand unless a requisition was signed by some respectable parties on the other side?—Yes, I heard so.

15,589. Afterwards Mr. Kennard came?—Yes.

15,590. There was an attempt to get Mr. William Dent cousin of Mr. John Dent here?—I do not know anything about it.

15,591. Do you know anything about Colonel Alexander?—Yes, he came after Colonel Dawkins.

15,592. Then Mr. Kennard came?—Yes.

15,593. Can you tell us anything more than we have heard about why he went away?—I returned from Sandwell with Mr. Powning before our other friends returned, and had an interview with Mr. Kennard.

15,594. Where?—At the "Seven Stars," and he seemed to like Totnes with the exception of one material feature.

15,595. What was that feature?—That one of his co-directors was one of the sitting members.

15,596. Didn't he know it?—No; and he went from the "Seven Stars" to the "Seymour" hotel to have an interview with Mr. Pender, and he returned to the "Seven Stars" and declined to stand because he would not oppose a co-director of his in the bank.

15,597. And so we get rid of Mr. Kennard, now now we have heard about when Colonel Dawkins came down. Had you any personal communication with Colonel Dawkins?—I never had any communication with Colonel Dawkins until he reached here.

15,598. Was this requisition which was sent to Mr. Macleay shewn to Colonel Dawkins?—I do not know.

15,599. While we are on the requisition can you look through the names and say how many of the persons who signed the requisition were afterwards bribed on one side or the other?—I can say at once it is impossible for me to do so; I have not seen the requisition from since I signed it till to-day.

15,600. If I hand it to you can you tell how many were bribed who signed the requisition?—I believe it is impossible, but I have no objection to try.

15,601. There are 173 names; how many out of the 173 would you say roughly who were bribed?—I am afraid mine would be a rough answer, because it would require a comparison with the list.

15,602. Tell us another time; give us the names and we will go through them with you, but not at present. You had several meetings with the Conservative party just before Colonel Dawkins came?—I think there were several meetings.

15,603. At which you, Mr. Edmonds, and others were present?—Yes.

15,604. When had you the first communication with Colonel Dawkins about becoming his agent?—I never had a communication of that kind with him, Mr. Smith came and I had an interview with Mr. Edmonds and Mr. Smith.

15,605. Then you and Mr. Edmonds were formally appointed Colonel Dawkins' agents?—There was no formal appointment.

15,606. But you understood you were to act?—I may say so as a matter of course.

15,607. You had acted as agent in 1863?—I had.

15,608. And in 1862?—Yes.

15,609. In 1859 had you acted as Conservative agent?—Yes; I am talking of elections since 1852 on behalf of the Conservatives.

15,610. You thought as matter of course that you and Mr. Edmonds were Conservative agents?—Yes.

15,611. After Mr. Smith had been down, before Colonel Dawkins came?—I don't think I saw him before he came with Colonel Dawkins.

15,612. After Colonel Dawkins came can you tell us of any arrangements made to get a second Conservative?—There were many conferences.

15,613. But conferences that brought forth fruit how came you to get Colonel Alexander down?—I do not know.

15,614. Had you any communication with anybody about Colonel Alexander?—No.

15,615. As far as we can see at present there is no knowing who sent Colonel Alexander down. Mr. Spofforth never seems to have mentioned his name. Do you recollect sending a telegram to Mr. Edmonds saying, "Will Colonel A. go to the poll?"—No.

Mr. T. H. Edmonds.

Mr. EDMONDS recalled.

15,616. (*Mr. Coleridge.*) Can you tell us, Mr. Edmonds, about that telegram, "Will Colonel A. go to the poll?"—I had a telegram before that saying a gentleman will be down. He came down, was introduced to Colonel Dawkins, and stayed one day. He dined with Colonel Dawkins and the next day I had a telegram.

15,617. Had you any communication with Colonel Alexander in addition?—Yes.

15,618. Did he go into the expenses?—No, I do not think he cared about playing second fiddle.

15,619. Tell us about it?—I do not think anything was mentioned about money matters. We wanted to get a second candidate.

15,620. Till Colonel Alexander came down you did not know who was coming in his place?—I did not know at all.

15,621. When he came down where did he go, to Colonel Dawkins?—I met with Colonel Dawkins.

15,622. Did he tell you that he was come down as a second candidate?—He said he had.

15,623. Did he take any steps to canvass?—None whatever.

15,624. The next day he went away?—Yes.

15,625. Do you happen to know that Mr. Seymour had shown him his poll book and after that he said it is no use?—Yes.

Mr. KELLOCK further examined.

The Witness.) All I can say about Alexander is t I heard there was a gentleman down, and there s an idea of his standing as second candidate, but went away.

5,626. You looked out for another candidate?— s.

5,627. How did you get hold of Captain Pim?— rst heard of Captain Pim at Exeter, some time ore Colonel Dawkins came here from Mr. Wes- ıb. I heard of Captain Pim's going to some other ough, and afterwards I heard of his retiring from t borough I believe.

5,628. What was that borough?—Abingdon, I ık. Then I heard about his being introduced to nes.

5,629. Was it through you that he was brought e?—No. I never saw him or communicated with t.

5,630. (*Mr. Bere.*) Didn't you talk to Mr. John ath about him; and did'nt Mr. Heath go to Mr. scomb, and then go and see Captain Pim?—I do know.

5,631. Wasn't it through that, that Captain Pim ıe to the borough?—I must at once say that I do know. I knew nothing of Captain Pim until he ved.

5,632. (*Mr. Coleridge.*) Has Captain Pim any- ıg to do with this place?—When he came down told me he had.

5,633. Did you know anything about Captain n being connected with this place?—He told me t his grandfather and great-grandfather lived here, pointed out their houses.

5,634. Did you take the same view as he did of exalted influence?—I told him that he would have run a risk.

5,635. The gauntlet of money, as much as lonel Dawkins?—I told him that there was no ınce of a second Conservative candidate being urned, and I asked him plainly if he would take second place.

5,636. Not to be returned, but to stand the fight? Yes, and the chance of what he might do; and he l he would do so, but he would'nt spend any ney.

5,637. Did he say how much?—I think he said t 500*l.*, and then 400*l.*, and he ultimately gave me heque for 300*l.*, and he wanted me to give him an dertaking that 300*l.* would pay the whole expenses his election, which I at once declined to do, and I l, "If you like to appoint me your agent, and give ıe 300*l.* to do the best with it, I am willing to act." en there was an arrangement that Mr. Edmonds, l my brother should act nominally for Colonel wkins, and that I and another gentleman should for Captain Pim.

5,638. You do not consider that Captain Pim efited Colonel Dawkins by his influence more than ouel Dawkins benefited Captain Pim by his money, ıe has told us. Do you think that Captain Pim's uence was as good as Colonel Dawkins' money. ve us a fair answer?—I will tell you at once I can- bear out Captain Pim's idea.

5,639. So I imagined?—Yes.

5,640. I suppose you may take it that with the eption of the Duke of Somerset there is no uence in the borough that will counteract the ct of money?—I think there is a strong feeling ngst the Conservatives, and I am free to confess, ugh as a native I am ashamed to confess, that the ney influence is the greatest.

5,641. You do believe that the Duke of Somer- 's, apart from the money, is great indeed?—Yes, doubtedly.

5,642. Always sufficient to carry one seat?— ıen we come to see how closely Dent ran.?

5,643. But that is a double election?—Undoubt- y he can always carry one seat, but in a single contest I thought that the Conservatives might beat the Duke of Somerset.

15,644. Captain Pim having come, his own influence and Colonel Dawkins' went in jointly?—Not altogether.

15,645. Will you explain it?—I kept a separate committee, a separate poll, and everything separate from Colonel Dawkins. I did it purposely.

15,646. Will you tell me if that is so, because I can quite understand why Colonel Dawkins couldn't petition; but why didn't Captain Pim petition if there was nothing wrong?—I cannot answer that question.

15,647. Was there a suggestion that Captain Pim should petition?—I thought he was going to petition together with Colonel Dawkins.

15,648. You knew it was useless for Colonel Dawkins to petition?—I heard he was.

15,649. Would you have advised him to do so?—Certainly not.

15,650. Would you have advised Captain Pim?—Yes.

15,651. Do you think that Captain Pim kept sufficiently clear of Colonel Dawkins that he might support a petition?—I thought so until I heard the evidence.

15,652. You thought he could have petitioned for the seat by striking off sufficient bad and bribed votes to come in?—Had I been consulted, and made an analysis of the poll, given it as much consideration as I have since, I think I could have advised him that.

15,653. You didn't think that he did commit bribery, or you were cognizant that Colonel Dawkins did not affect Captain Pim?—Yes.

15,654. I suppose it is the evidence of Narramore about his going out late on the night of the nomination that has informed you?—Yes.

15,655. You didn't think that he was implicated in the money spent by Colonel Dawkins?—I did not in the slightest degree.

15,656. Although you kept a separate poll book you canvassed together?—No.

15,657. You and Captain Pim canvassed one way?—I will tell you that I didn't canvass with CaptainPim.

15,658. Whom did you canvass with?—Only with Colonel Dawkins before Captain Pim came down. After Captain Pim came down it was arranged with Mr. Hare, the other solicitors, and myself, that they should do the canvassing in the town, and that Captain Pim and I should canvass the great number of the country voters.

15,659. Did you?—Yes.

15,660. Did you canvass with him?—Not with him that I can remember.

15,661. Your partner canvassed with Colonel Dawkins?—Yes.

15,662. And I suppose you compared notes of an evening?—Throughout the election I considered Mr. Edmonds as holding the first place, and whatever I did I reported to him, and he kept the poll book.

15,663. He reported to you?—No.

15,664. But he told you?—Yes.

15,665. You were cognizant from the beginning of money being spent on Colonel Dawkins' behalf?—I knew.

15,666. You canvassed the country voters by yourself?—Yes.

15,667. On behalf of Captain Pim, or for the double vote?—When Captain Pim came I asked for the double vote.

15,668. When you canvassed these voters had you any suggestion that made you aware that they required money?—I may say generally that throughout the election that I never talked to a single voter about money.

15,669. I don't suppose that you did?—But I may say that many persons came and without using direct language showed what they wanted. There was a kind of hint, and as soon as there was anything of

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the kind I said, "If you want to talk about money I "won't have anything to do with it."

15,670. Did you make a mark against those gentlemen's names?—No.

15,671. Have you got a poll book here?—Yes, I have; and with the exception of a mark against two names, I think there is none.

15,672. What are they?—I would rather you looked at them and saw them for private reasons. With the exception of that, there is not a single mark.

15,673. Is this the book you used?—Yes.

15,674. Before and after Captain Pim came?—Yes; and there is a mark only against the names of two voters. I have since found one of the papers I had, which I now produce.

15,675. It was after you had dissevered yourself from Colonel Dawkins that these people gave you this gentle intimation before they promised to vote Captain Pim and Colonel Dawkins?—I think before. After Captain Pim came I did very little in canvassing.

15,676. You have told us about canvassing the voters after Captain Pim came, tell us the name of the persons?—Chiefly Lord Cranstoun's tenants. There was one called Mortimer.

15,677. Where does he live?—Sandridge.

15,678. What is his Christian name?—I think Richard.

15,679. What gentle intimation did he give you that he required something?—I went with a letter from Lord Cranstoun to ask him for his vote, and the first time he was not at home. I saw his wife and read the letter.

15,680. Have you got that letter—No.

15,681. What was it?—Lord Cranstoun wrote me a letter.

15,682. You showed this letter and what was the effect of it?—Mortimer turned round.

15,683. What was the effect of the letter?—That he wished all his tenants to vote.

15,684. Anything more than a wish?—No.

15,685. Can you recollect the terms of it? Was it "Lord Cranstoun presents his compliments"?—No. I think it was to Mortimer and Oldreive, shortly stating that he took a great interest in the election, and wishing them to record their votes in favour of the Conservative candidate.

15,686. "Candidate or candidates"?—Only "candidate," because Colonel Dawkins was then only in the field, and when Captain Pim arrived he authorized me to use it for both; he then in a postscript intimated his intention to separate his land agency from any political influence.

15,687. From Mr. Michelmore?—Yes, and appoint a Conservative agent to watch his own voters.

15,688. Did he say who the Conservative agent would be?—No.

15,689. And you have no reason to guess?—No. You may guess at my name, but my name was never mentioned.

15,690. What did Mortimer say?—He thought it was a forgery, and told me he believed it was all lies.

15,691. What persuaded him?—I showed him the letter.

15,692. Did he take it?—Yes, and returned it.

15,693. (*Mr. Bere.*) Did he apologise?—No.

15,694. (*Mr. Coleridge.*) Did he say by any gentle intimation what would make him make up his mind?—No; he said he had made up his mind to vote for the opposite candidates.

15,695. Who was the next?—Mr. Oldreive.

15,696. Did he take the same course with regard to you?—No.

15,697. He didn't say it was a forgery?—No; he told me that Mr. Pender had canvassed him and he had a strong personal wish to vote for Mr. Pender, and he wished that he had never allowed himself to become a voter for Totnes; that he did not want to oppose his landlord, and he wanted not only to keep his own estate but to get his son into Mortimer's, and in addition to that he told me a long story on the border of Sandridge Wood that Mr. Pender had canvassed him, and that he had great influence in shipping, and that he wanted to get a situation for his son.

15,698. Did he give any hope that a pecuniary consideration might turn him?—No; he told me he wished to vote for Mr. Pender, and I found that he would not vote for the Conservative candidate, and I think that he told me that he could not or he would not.

15,699. Did he tell you that he wanted to vote for Mr. Pender and Mr. Seymour?—No, for Mr. Pender.

15,700. Would'nt he give you one vote?—No.

15,701. What did he do?—I believe he did not vote all.

15,702. Neither of these gentleman, Mr. Mortimer or Mr. Oldrieve, said that they were open to conviction?—No.

15,703. Whom did you canvass besides in the country?—I went to Mr. Coulton of Buckfastleigh and Mr. Hoare and some other people of Buckfastleigh and I went to Harberton and other places.

15,704. At any time amongst the voters that you had canvassed did you receive any intimation that they were open to conviction?—I don't recollect it.

15,705. Try and recollect whether there were not one or two whilst you canvassed for Captain Pim?—I cannot.

15,706. Did you take any one under you to whom they could be referred?—No; I generally went by myself on horseback or in my gig.

15,707. Did you never take any one with you?—I think Captain Fox went with me on one occasion,

15,708. I do not mean when you went to Torquay?—He went there that day.

15,709. But I do not mean then; on other occasions did he go with you?—I think we did ride or drive together when I went to see the country voters when he was here staying.

15,710. Did he take any part?—No.

15,711. You never heard him say that Colonel Dawkins would render a little assistance?—No.

15,712. When did you first see a voter during your canvass who held out that he was amenable to a little persuasion in that way?—I think I may say in the course of my canvass it did'nt come to me personally, but I heard of it in the town when one came back in the evening or afternoon after the hours that one spent out; one heard a deal of conversation at the "Stars."

15,713. When was it you first heard of a party during the canvass who had held out and was amenable to a little persuasion?—I think I may say in the course of my canvass it had never occurred to me personally, but I heard of it in the town when I came back in the evening or afternoon to the "Stars;" there was a great deal of conversation there.

15,714. You met with these observations about the opinion of the people?—They all knew me well.

15,715. You had no special ground for disbelieving it?—They said very little to me.

15,716. They did not give any price?—No.

15,717. Did you not gather from the way they refused or accepted that there was something going on, that they were waiting for something more?—I was such a regularly understood thing what money they would require that it never entered into one's brains to think of it.

15,718. After you were canvassing with Captain Pim did you not know that many of the voters had promised on the other side, and those who had not promised were waiting for an offer from one side or the other?—I believe so, I confine myself to my own personal knowledge; I heard of it.

15,719. Do you recollect Mr. Smith coming down with Colonel Dawkins?—Yes.

15,720. Do you recollect having any conversation with him about the conduct of the election?—Yes.

15,721. What did he understand about the amou

noney that would be necessary?—I never men-ed it.

5,722. Did he mention it?—I think not.

5,723. He got excited during the election?—He

5,724. Did he never tell you what Mr. Edmonds told him would be required?—Until Mr. nonds came back I never knew what Colonel kins spent, or that there were any arrangements le as to any amount.

5,725. Did he not say any amount?—Oh no, that vas to spend, I mean, for corrupt purposes.

5,726. Do you recollect Mr. Smith after having here go away again?—Yes, I do.

5,727. Do you know of any conversation you had Mr. Edmonds before he went off to London upon occasion?—On what point.

5,728. Of a conversation at which Mr. Edmonds te as to it being necessary to have a stranger n?—No, I was not present.

5,729. When did you first know a stranger was ing down?—I never knew it.

5,730. When did you first hear that a stranger expected?—I never heard that a stranger was ected.

5,731. Never till he arrived?—I never knew a nger had arrived.

5,732. When did you first hear there was a Mr. m in the town?—Some time in the course of election.

5,733. Three or four days before? Just try and llect when Mr. Edmonds mentioned to Mr. Smith necessity of having a stranger down; were you not sent?—I think I am able to swear I was not. I e asked Mr. Edmonds to refresh my mind.

5,734. Mr. Edmonds says he thinks you were?—I not recollect it.

5,735. Mr. Edmonds said that it is necessary on se occasions to have down a stranger from London; Smith on that occasion said, "Very well." Mr. monds was left with the impression on his mind t Mr. Smith would undertake he should be sent vn; he has told us you were present?—I have not slightest recollection of it.

5,736. Can you recollect any conversation with Smith before he went back to London the last e?—I recollect a conversation with regard to ney before the election.

5,737. Let us have it?—I recollect a conversation h Mr. Edmonds, and stating to him that certain ex-ses had been incurred for legal matters, and registra-n, and other things; and I recollect very well on ing that it was usual for a candidate to clear up the way he said he would do so. It was arranged to oup or repay me a large sum of money I had laid previous to the election, about 110*l.*, and that he uld pay to Mr. Edmonds 140*l.* or 150*l.* that he uld hold for election purposes.

5,738. Did he give you a cheque for 100*l.*?—I ed him to pay it to my London agent to my ncy account; it is a *bonâ fide* account.

5,739. But it has been credited?—Undoubtedly; vas to repay me for monies I had laid out. There s 140*l.* of that money laid out, that Mr. Smith ke about. I paid it myself first, and got Mr. ath's cheque for 207*l.* 10*s.*

5,740. You did not get it till later afterwards?—t till two days after the election. I believe from time I had a conversation with Mr. Smith I never ered into a single money matter with him during election.

5,741. You got this 100*l.* which was passed ough your account, and recouped yourself for things you paid; what are those costs incurred ; is that the account of Mr. Harris?—Partly.

5,742. Are those costs about making up houses 10*l.*?—No, I do not think any part of that.

5,743. That is a separate matter?—Chiefly legal tters connected with the registrations. I may tell u that part is connected with some quo warrantos ainst the Conservatives in this town. I was re-qnested to defend them. If I made up my own account of what I laid out I should be scores of pounds out of pocket.

15,744. You were employed to defend them?—I paid many expenses. I paid costs and expenses to a considerable amount in order to defend them.

15,745. Over what time did the 100*l.* that had been incurred run; all for 1862?—Chiefly 1863.

15,746. Have you got any list of what the items were?—I have not.

15,747. Who attends the registration court?—I attended one entirely myself.

15,748. Is a large portion of the 100*l.* your own costs of attending the registration?—No costs whatever; all money out of pocket. I should like to tell you my own position in regard to the costs.

15,749. What is it you want to tell us about your position in the registration court?—To assist in the registration I have incurred several expenses about it.

15,750. What were those expenses; as a matter of history I want to know what the candidate first bleeds for when he comes to Totnes. I want to know what this money was incurred for, and was it incurred between the election of 1863 and the election of 1865?—I believe it was; the election of 1863 was very early in January, and it was towards the latter part of the year we had some very severe contests, and there were costs and expenses I had paid.

(*Mr. Bere.*) That was long after the election.

15,751. (*Mr. Coleridge.*) Two registrations took place between the elections of 1863 and 1865, was the whole of this connected with the registration?—Oh, no.

15,752. Who kept the 100*l.* you say you thought you ought to have had for what you had already paid yourself?—There were a number of different things.

15,753. Tell me any one of them?—One was a sum of 30*l.*, and another a sum of 15*l.*; 45*l.* I think 50*l.* or 60*l.* for bills connected with a set of quo warrantos.

15,754. Those were the costs of defending those quo-warrantos?—They were not my own costs.

15,755. Your own costs; what were those quo warrantos about?—Connected with the town council.

15,756. They had nothing to do with the parliamentary representation, they were municipal matters?—They were.

15,757. Supposing it to be 60*l.*, what was it? Was it connected with the parliamentary registration?—Some parliamentary and some municipal registration, and the expenses paid at the meetings, and a great number of minute matters. Those I have kept a short account of, and it was intended to be placed before the Conservative committee. I have searched high and low for it, in order to be able to find it. I refer to Mr. Edmonds, to bear me out in this, that I have expended more than that amount of money. Mr. Smith agreed voluntarily to recoup me those expenses.

15,758. Was that the only conversation you had with Mr. Smith about those matters?—I saw one of the cheques for 1,000*l.* on one occasion, and those were the only two occasions.

15,759. How much of those expenses has the candidate to expend at the first starting connected with the registration of parliamentary voters, and how much for the municipal?—I cannot tell you, because I never had a sum of the kind paid to me before in my life. It was with that feeling I wanted to go over the list of elections before that.

15,760. This was the first sum you have been paid to wipe off the old score?—The first sum I received and the last in my life.

15,761. When you say the expenses partly of the parliamentary registration, did you put down the cost of the appointments as part of that?—No.

15,762. Did you put down the fees of the court?

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—I think I did pay a fee of ten guineas to Mr. Beer of Devonport.

15,763. Assuming there is 160*l.* for the municipal contest and the quo warrantos, then, to make up the odd 40*l.*; we cannot get at what the candidate is expected to pay, for we hear he has to pay almost all the debts of the borough?—There are several costs out of pocket for witnesses and other things.

15,764. You told us 60*l.*?—No, those were separate sums, not sums paid out of pocket. I am speaking of incidental matters two or three years before.

15,765. You cannot give us any information of the particulars as to how the 100*l.* went?—I cannot.

15,766. To cover your own charges? — No. I made out an account with Mr. Edmonds; I believe it was 150*l.*, and Mr. Smith agreed to pay 100*l* of it.

15,767. Now then, travelling over another matter again, cannot you recollect any conversation between you, Mr. Edmonds, and Mr. Smith, about the necessity of having some extraneous assistance at the election? —I do not, indeed.

15,768. Were you not aware, as an old parliamentary agent, there had always been a stranger down at an election?—I am aware that there has been a person here on one or two occasions, I happened to be at the hotel when he went away; it was after Mr. Dent's election. Some one said that a gentleman and a lady were living at the "Stars," and that they were Mr. and Mrs. Mum. Whether it was true or not I do not know.

15,769. That was at Mr. Dent's election?—It was.

15,770. It has been suggested that there were two Mums?—I do not know.

15,771. You knew there had on former occasions been a stranger down?—I know it has been done before.

15,772. You cannot undertake to swear you were not present?—No.

(*Mr. Longe.*) This is what Mr. Edmonds said:—At first he gave his opinion that you were present. Mr. Smith had first spoken to him about it, and then his answer is given to this question, "Do you re- "member about when it was you mentioned it to Mr. "Smith?"—"I think he was just going to London, "at all events he told me so; Mr. Kellock was "present at the same time, and upon my speaking of "it Mr. Kellock reminded me of it last evening." That is the day before yesterday.

15,773. (*Mr. Coleridge.*) Have you had any conversation with Mr. Edmonds since you made that statement about it?—He has reminded me that I did; I did not recollect the occurrence in Mr. Guscotte's room when he came down.

15,774. You reminded Mr. Edmonds of this conversation with Mr. Smith and Mr. Edmonds; do you recollect reminding Mr. Edmonds, during the course of this inquiry, of this conversation with Mr. Smith? —I had a conversation with him by accident in the presence of Mr. Guscotte a few evenings since, and there we spoke certainly of an arrangement to pay the expenses; but with regard to a man's coming down, it had escaped me; it is possible it may have occurred.

15,775. Did not Mr. Edmonds remind you of that conversation in Mr. Guscotte's presence, that Mr. Smith said it would be necessary to have someone? —I dare say he did, no doubt; it has occurred to me since.

15,776. Were you present at that interview?—I do not recollect the interview. I recollect speaking distinctly of Mr. Edmonds reminding me about a conversation about recouping the money. Now my memory is not clear about bringing any other person down.

15,777. Will you swear now, after this reminder, that you were not present?—No, I will not; I do wish to put it so decidedly as that.

15,778. Will you not swear you were present at the interview, and Mr. Edmonds spoke to Mr. Smith about the necessity of bringing someone down, a stranger?—I wil not swear distinctly to the fact one way or the other.

15,779. Do you not believe you were?—I really cannot recollect.

15,780. If you were not present can you understand how you reminded him of it?—I do not recollect it; I do not know now that I reminded him of it. I do not recollect reminding him of anything connected with that person.

15,781. Cannot you collect your mind sufficiently to say whether or not you were present at the interview when such a conversation took place?—I am sure I do not recollect.

15,782. Did you not hear at that interview or anywhere else Mr. Edmonds had said it was necessary to have some one down?—Yes.

15,783. When did you hear that?—It was in the course of this inquiry.

15,784. At the time of the election?—I am confident in my own mind there was a person down.

15,785. Do you not know that Mr. Edmonds had stated to Mr. Smith at some time it would be necessary?—I have no doubt such was the fact, but I cannot state it of my own knowledge.

15,786. Do you not believe that a person did come down, and he came down in consequence of a suggestion made to Mr. Smith at the interview at which you were present?—I have no doubt about it.

15,787. If Mr. Edmonds says that, you do not gainsay it?—Certainly not, I do not recollect, I may have been present.

15,788. If you were present at that interview, for what purpose was a stranger wanted down?—To do the money matters that neither Mr. Edmonds nor I would do.

15,789. (*Mr. Bere.*) Do you recollect your having a conversation with him just before you went to London?—I did have a conversation.

15,790. Mr. Edmonds says there was a suggestion made by him to Mr. Smith, can you remember that? —I do not.

15,791. (*Mr. Coleridge.*) You recollect nothing that took place at that interview?—Yes, Mr. Smith was to go back to town.

15,792. Tell us what you do recollect?—I have told you part.

15,793. About recouping and other matters, but beyond that?—He said Mr. Smith said Colonel Dawkins was going to spend a certain amount of money in Totnes, and he went back to make the money arrangements for the election, and when he came down afterwards I found he had not made those arrangements, and I was excessively disappointed because I was asked to go and get the check cashed.

15,794. How do you know he had not brought down the money?—Because Mr. Edmonds asked me to cash a cheque for 1,000*l.* I knew nothing of the money arrangements.

15,795. (*Mr. Bere.*) You could not have known in consequence of Mr. Edmonds asking you to cash a cheque for 1,000*l.* that Mr. Smith had no money?— I do not pretend to say that.

15,796. (*Mr. Coleridge.*) And the only disappointment caused to you was owing to your being asked long afterwards to cash a cheque?—I knew nothing about the money arrangements that had been made.

15,797. (*Mr. Bere.*) Mr. Smith came down here on the 28th of June, how long did he stay here do you know?—I think on that occasion two or three days.

15,798. Was that a cheque paid to your account to your agent in London (*handing a cheque to the witness*)?—I have never seen the cheque.

15,799. That cheque bears date the 1st of July?— Yes.

15,800. Was not that cheque drawn before Mr Smith went back to London?—Not to my knowledge I never saw it.

15,801. The inference from that is that your conversation in regard to the re-coupment must have been before the 1st of July?—I believe it was undoubtedly; I admit it.

15,802. Did Mr. Smith go back to London before e 1st of July ; he only came down on the night of e 28th, and there is the 29th and 30th, so he was t in Totnes at the time the cheque was drawn ?— annot say ; I think it is possible.

15,803. What was the arrangement made with gard to the way in which these expenses were to be id ?—That he was to pay my London agent. He ght have drawn a cheque and sent it up to Mr. uscotte, his partner.

15,804. He did not, he has sworn that. Whose iting is that (*handing a cheque*) ?—I have never en it until this moment.

15,805. You think it is clear it was a cheque drawn consequence of a written communication from Mr. ith to Mr. Guscotte ?—It is clear to me that the nversation about the recoupment did not occur t before Mr. Smith was going up to London. All an tell you was that this did occur just after Mr. ith first came down, and that he did go back to ndon afterwards, but whether he went back to ndon or not before the 1st of July I cannot say.

15,806. So you had had a conversation with Mr. ith just before he went to London and another nversation in reference to that subject ; you had re than one conversation with Mr. Smith ?—I really nk I had perhaps ten or a dozen conversations with n during the time.

15,807. I think Mr. Edmonds told us he was just the point of starting for London ; I do not know ether I am right in assuming it was the fact that s going up suggested to Mr. Edmonds that he would ve to take that charge. Had he not an interview th you just as he was going up ?—I believe we had.

15,808. That could not have been the interview as the recouping expenses ?—I had so many inter- ews with him ; my attention has never been called it.

15,809. Now I will ask you whether on that same bject you saw Mr. Guscotte on Wednesday ening ; you heard he had come, did you go down d have an interview with him ?—I went to the ttom of the town to enquire for an invalid gentle- an. I heard that Mr. Guscotte had come, and I t Mr. Edmonds with him without any pre-arrange- nt.

15,810. What passed with regard to the mysterious anger between you and Mr. Guscotte and Mr. lmonds ?—It was a general conversation with gard to the evidence that had been given here, and certainly spoke and told Mr. Guscotte about it, and nay tell you how I happened to know Mr. Guscotte as in the house, I went into the house to ask the rvant to show me the room so frequently mentioned the enquiry (No. 13), and then I heard that Mr. iscotte was in the house.

15,811. Did you speak to Mr. Guscotte ?—I think He showed me a long list of accounts that had en produced, and he was going to be examined as ere was some confusion in the evidence Mr. Smith d given here the previous day ; and there were the mes of two or three mentioned, Healy, Henson and nebody else that it was insinuated had come down th Mr. Smith, I asked Mr. Guscotte whether he ew of the person that had come down, and he said could not tell.

15,812. Was it not in this conversation you sug- sted that Mr. Smith [should bring someone down om London ?—Yes, that must be so.

15,813. Then what made you suggest this to Mr. lmonds if you had no recollection of it in your own ind ?—I had none when you put the question to me.

15,814. You now recollect telling Mr. Edmonds at you must have been present when he suggested Mr. Smith that someone must come down ?—Mr. lmonds has stated so ; I have no recollection of it, t Mr. Edmonds having stated so I have no doubt at it did occur.

15,815. Do you not recollect the actual interview at this time ?—There has been no time mentioned as to when this interview took place.

15,816. But we understand you were present at the interview when Mr. Edmonds said it was necessary that some person should come down from London to distribute the money ?—I quite recollect the interview we had before he went away.

15,817. At which it was said it would be necessary to have some one down from London ?—I recollect the conversation with Mr. Edmonds, but I cannot recall the circumstances under which it took place.

15,818. Do you recollect hearing Mr. Edmonds say to Mr. Smith in your presence that it would be necessary to have a stranger down from London ?—I did hear that.

15,819. Then why did you not tell us that a long while ago ?—You did not bring my mind to the circumstances.

15,820. But if Mr. Edmonds had not made that suggestion himself you would have made it ; it was an absolute necessity of the election ?—I never entered into any of the details of that sort of thing in my life.

15,821. When Mr. Edmonds made this statement to Mr. Smith did you dissent from it ?—Certainly not.

15,822. And did you not understand that Mr. Smith went up to London, and that he would send down the person who was required ?—I cannot go so far as that.

15,823. Did you not think that when Mr. Smith assented to what Mr. Edmonds told him that he would act upon it ?—I quite understood that he would do all that was necessary with regard to money or anything else that was necessary.

15,824. And when you heard that a mysterious stranger was down here you considered that that was in consequence of the intimation which had been given by Mr. Edmonds to Mr. Smith ?—Certainly.

15,825. (*Mr. Longe.*) You canvassed with Colonel Dawkins and Mr. Edmonds ?—I think that was only on such occasions as Mr. Edmonds could not attend. I recollect the day on which I canvassed with Colonel Dawkins in particular was the first Tuesday in July, the great market day.

15,826. When you went with Colonel Dawkins, did you take the same part that Mr. Edmonds did when he went ?—Yes.

15,827. When Colonel Dawkins says that he canvassed with Mr. Kellock or Mr. Edmonds he gave us to understand that in particular cases you made a mark against the names of those men who were to be operated on or of cases that wanted much pressure ? —That did not occur when I was present. I made no mark in my book.

15,828. Colonel Dawkins has said that it was done either by you or by Mr. Edmonds ?—I did not do it. I can produce the book, and there is no mark of that kind in it. I only went canvassing with Colonel Dawkins when it was not convenient for Mr. Edmonds to accompany him.

15,829. Suppose you had met with one of those men, should you have taken the same part as Mr. Edmonds ?—I think I should have reported to Mr. Edmonds what had occurred.

15,830. Then should you have carried that in your head without making making any mark in your book ? —No doubt of it. I knew every one of the persons whom I canvassed.

15,831. How many days were you employed canvassing with Colonel Dawkins ?—I canvassed with him on the great market day, the first Tuesday in July, in the town. I afterwards canvassed the whole of the Bridgetown voters, the voters in Buckfastleigh, and the tenants of Lord Cranstoun.

15,832. Did you on any of these occasions make a mark against the names in your book ?—No.

Adjourned to to-morrow at eleven o'clock.

FOURTEENTH DAY.

FOURTEENTH DAY.

Saturday, 8th September 1866.

Mr. Yabbicom.

8 Sept. 1866.

(*Mr. John Yabbicom.*) I want to make an application to set myself right. In obedience to your mandate I produced the books of the branch bank of which I am manager. Those books have been taken by you into your custody and possession. They were taken from a fireproof safe, and for them I am responsible to the extent of some thousands of pounds to my employers. Those books are placed in this room, amongst them is the ledger and some other very important books; and in the event of a fire I wish to be relieved from responsibility by this Court by your telling me that you have a right to detain them; consequently I take it my responsibility is at an end, for I have no alternative. I have no wish to take back the books, they may be retained by you; but I conceive I am placed in a very awkward position in the event of the ledger or any book being required in a court of law to show the accounts. You are welcome to them, and I speak it to you, to all the books kept in the bank, but I want to be relieved from al personal responsibility on that head.

(*Mr. Coleridge.*) We have perfect power to detai the books, but no power to relieve you.

(*Mr. Bere.*) Whether the fact of the books being detained by us is a release of your responsibility is matter that I cannot give an opinion upon.

(*Mr. Yabbicom.*) Then I submit to you, if you please, that the books shall be sent here, or the ledger sent here, every morning during the time that the Court may require them. I think that the ledger should be placed in a fireproof safe.

(*Mr. Bere.*) I think that is quite reasonable, and i you send up a clerk in the evening you shall have them.

(*Mr. Yabbicom.*) I do not care about the other books; they are at your command at any hour of the day.

Mr. T. H. Edmonds.

Mr. Thomas Hunt Edmonds recalled and further examined.

15,833. (*Mr. Bere.*) There are some matters you wish to explain?—I wish to correct the evidence I gave with regard to Dent's election. I think I gave Mr. John Heath, junior, a sum of money to pay a voter.

15,834. Who was that voter?—I think Robert Lake. I do not know whether I paid money on another occasion, but he will be able to tell you. I think I got the money from Mr. Mitchell. I think 50*l.*

15,835. At any time of the election of 1865 did you get money from Screach?—Yes; I wish to explain about that. I did not go into details as to when I got the money. Mr. Smith said he would hand over the money which he had, 1,500*l.*, to Mr. Lind, and he said I had better send up to him for it. Those election matters are done in a roundabout way, as you know. I saw Evens on the landing, and asked him to go and bring the money to me. He accordingly went up and brought what I considered to be 1,000*l.* wrapped up in a brown parcel, a heavy parcel, and I left it in a drawer I had in my little room. That is the reason I locked the door on several occasions. On opening this parcel I found only one bag. I happened to see Screach, and I asked him to go up to Mr. Lind; I do not think he knew his name, and I forget the number of the room Mr. Lind occupied, but I believe I asked him to bring down another parcel, which he brought down, and I afterwards received from Mr. Smith himself 500*l.* in another bag.

15,836. How much was in the parcel Mr. Smith brought down?—500*l.* in gold. In about half an hour afterwards I thought it as well to have the 1,500*l.*, and hand it over at once to make one job of it, and I went and saw Mr. Smith; he went to the bedroom, took it from his portmanteau, and I put it in a bag and handed it to Mr. Heath.

15,837. With regard to the conversation that took place between you and Mr. Kellock and Mr. Smith before Mr. Smith went to London, did not that conversation take place in Mr. Smith's bedroom?—Yes. He was on the point of starting by express train in the morning. He said, "I must be off now, I am in "a great hurry; I have not packed my trunk yet, "and if you will come to my bedroom we shall be able "to talk whilst I am packing it." Accordingly I and Mr. Kellock went up. He said, "I shall bring down "the money when I come down," and I said, "You "must also bring some unknown person to distribute "it, or do the dirty work." Those were, as far as remember, the words I used. There may have bee a little additional conversation, and I distinctly recol lect having told him it was necessary to bring dow some one to do the dirty work, or distribute th money. I think that that is what I said.

15,838. Did Mr. Smith ask any questions about th man, where he should find him or get him?—No.

15,839. Or what sort of man he was?—I do no think he said one word on the subject.

15,840. (*Mr. Coleridge.*) He seemed to understan it?—Yes, I quite understood so. I think he sai "Very well."

15,841. (*Mr. Longe.*) Do you say positively h heard you and understood you?—I have no dou about it. As I have stated before, that before I came to give his evidence I said, "You recollect "told you to bring down a man," and he said, "I "recollect something about it."

15,842. Did you have any conversation during th election as to whether he had brought down a man —I do not think the subject was mentioned.

15,843. Did you ever say so?—It is probable might have said something of the kind when I to him it was necessary that the 1,500*l.* or the mone should be put in circulation, and he said, "I do n "wish to have anything to with it. I leave it "you; you take the money."

15,844. (*Mr Coleridge.*) You have told us th you did not see more than two clerks Did you s the third stranger?—I saw a great many people abou but I am not aware that I saw this man referred t but I saw the two clerks, and I think I asked M Lind to go two or three times up the town for n and that is the only way I employed him. There w a younger clerk named Daw. I hardly knew whi was which when I was examined here before, but find the elder is Mr. Lind and the younger one, t articled clerk (or he is just admitted), is Mr. Daw.

15,845. The younger one came with Mr. Smi and the elder one afterwards?—Yes, I was under t impression that they both came at once.

15,846. (*Mr. Bere.*) Are you acquainted with th handwriting (*referring to a piece of paper*)?—I not.

15,847. (*Mr. Coleridge.*) I think you said Kellock was present at the interview in the b room?—Yes.

15,848. Was the door shut?—Yes; the conver

tion took place while Mr. Smith was busy putting his things in the trunk.

15,849. Is there anything else?—I am not aware that there is. I do not know whether I mentioned that at Dunn's election.

15,850. (*Mr. Coleridge.*) Just go on with the conversation. Was there any talk of recouping Mr. Kellock for his outlay of money at that conversation as Mr. Smith was going away?—No. That conversation took place, I think, the day after Mr. Smith arrived in the first instance.

15,851. Did not you wish to say something else?—I do not know whether you will go back to Mr. Dent's election. I let Edward Woodley have some money which I had from Mr. Cameron. That was in 1859. I recollect his coming up and saying there were three voters who would vote the other way unless paid immediately.

15,852. (*Mr. Longe.*) How much did you let him have?—I think it must have been about 100*l.*

15,853. What sort of looking man was Mr. Cameron?—A middle height man, rather stout.

15,854. A dark man?—No, not dark; grey whiskers. He was a member of the firm of Julius and Cameron.

15,855. Rather a stout man?—Yes.

15,856. Where did he get that money from, did you see?—He went to No. 9 room through the little bedroom which leads from the coffee-room at the "Stars." He brought it out to me wrapped up in a newspaper.

15,857. Was it in gold?—In gold.

15,858. You handed it over to Edward Woodley?—Yes; I handed it over to Edward Woodley.

15,859. Is he alive?—Yes; and he will be able to tell you the names and amounts.

15,860. (*Mr. Bere.*) When you saw Mr. Smith when he came down here—on Monday, was not it?—did you see him in Colonel Dawkins' presence?—What time do you refer to?

15,861. Last Monday, when Mr. Smith came down here?—The Monday before the election.

15,862. No, last Monday. Mr. Smith came down last Monday, did not he?—Yes; I saw him, and Colonel Dawkins was there. We were sitting over near the window.

15,863. What length of conversation had you with him then?—Perhaps about five minutes I should think, I do not know.

15,864. Are you quite certain that you mentioned to Mr. Smith then the fact of your having suggested to him that he ought to bring down a man from London?—It was not mentioned in that room, it was mentioned——

15,865. When did you mention it?—The same day, the same morning I had a talk with him in another room there.

15,866. Was Colonel Dawkins present then?—No, he was not present. When Colonel Dawkins was present we were merely just looking through some papers he had brought down, and he had asked me to look at them; and he had an account there I think, I am not quite sure.

15,867. After Screach had given his evidence before the House of Commons did you have a conversation with Mr. Smith with regard to Mr. Mum?—I do not think I ever mentioned the subject to him, I never mentioned it.

15,868. At his office in Essex Street?—No; I saw very little of Mr. Smith indeed. Mr. Guscotte had to do with it.

15,869. Did not Mr. Smith see you in his office, and did not he express his surprise that he had never known anything about the coming down of a person to Totnes until Screach had been examined in the House of Commons?—No; that took place about a month or five weeks ago, when I was in London. I asked Mr. Smith, "I suppose you know who Mr. Mum is?" He says, "No, I do not know; I have not the least idea. In fact, I did not know there was such a man down there;" and I said, "Well, I am surprised at that, because I fully thought you knew all about it." I believe that was all that took place on the subject.

JOHN SANDFORD SCREACH recalled.

Mr. J. S. Screach

15,870. (*Mr. Bere*). Mr. Edmonds has told us that he instructed you to go to the "Seven Stars" to get some money at the election of 1865?—Yes.

15,871. Is that the case?—He sent me there, to his little private room upstairs, I believe No. 15, to get a parcel; he did not say money, and I brought it to him. I believed it to be money.

15,872. Whom did you receive that from?—I do not know.

15,873. Is that person you received it from in court?—I cannot say; I cannot positively say; but I believe that to be the gentleman (*pointing to Mr. Lind*). I cannot swear it.

15,874. Was it the same or a different gentleman from whom you afterwards received the money?—That is not the gentleman I afterwards received the money from for the electors.

15,875. That is not?—That is not, I assure you.

15,876. (*Mr Coleridge*). Either of those two gentlemen there (*Mr. Lind and Mr. Daw*)?—No, either of those gentlemen do not answer to the description at all.

15,877. Were you here when Mr. Smith was examined?—No.

15,878. Do you know him by sight?—I do not know that I do.

15,879. Why did not you tell us this about taking money down to Mr. Edmonds the other day?—It never occurred to me; I had quite forgotten it.

15,880. It was rather an important fact?—Yes; but it had quite escaped my memory, I assure you.

15,881. Did you see the gentleman you got the parcel from in the same room as you afterwards saw the gentleman who gave you the money for the electors?—No, I did not; that was certainly in No. 13.

15,882. That was No. 13?—No. 13 the stranger was in.

15,883. (*Mr. Longe*). Before the Committee you said that the person you dealt with, called Mr. Mum, afterwards had a wig on?—Well, he certainly had a wig on; that was the Monday prior to the contest, the Monday morning, if you will allow me, the Monday morning I got the money from the tall gentleman here, whose name I did not at the time know, and then I took the money to Mr. Edmonds.

15,884. I think Mr. Edmonds has just stated that he sent you to get the money from Mr. Lind?—No, Mr. Edmonds did not give me the name of the gentleman, I do not believe. He told me to go upstairs to No. 15, I believe that was the number; I will not swear it; I believe that is right. Mr. Lind I dare say can tell you.

15,885. Do you know whose bedroom was No. 15?—I do not, indeed.

15,886. You mean you went straight to No. 15?—I went straight to No. 15, knocked at the door, and I believe that gentleman to be the gentleman who passed me the parcel, which I believed to contain gold.

15,887. Did you speak to him?—Of course, I said Mr. Edmonds has sent me for the parcel; and he said, "Here it is," or something to that effect.

15,888. Did you have any conversation with the gentleman afterwards?—Never during the whole time.

15,889. Never during the whole time?—Never during the whole contest, that I am aware of. Mr. Lind may remember something, but I believe that I may positively swear that I did not.

15,890. Suppose that gentleman wore a wig, and appeared to you as Mr. Mum, and you were introduced to him as Mr. Mum; could you swear he was not the same person?—I think I could with confidence.

FOURTEENTH DAY.

Mr. J. S. Screach.

8 Sept. 1866.

15,891. Is that the gentleman sitting under you?—No.

15,892. (*Mr. Longe*). With a black wig and light whiskers?—The whiskers appeared to me to be turning grey. He was a man about 40 or 50 years of age.

15,893. Are you sure that the person you always spoke to and were introduced to as Mr. Mum was the same person?—I was not introduced to him as Mr. Mum. I never heard the name till I came here.

15,894. Who was it who gave you the list of names?—Mr. Mum, as he is called.

15,895. Where was that given to you?—In No. 13.

15,896. Was that before or after you had seen Mr. Lind?—After.

15,897. You will swear that that person was not Mr. Lind?—I will swear that person was not Mr. Lind who gave me the list.

15,898. Was that person who gave you the list the person you saw afterwards and have always spoken of as the stranger?—I believe it to be so.

15,899. Did you see Mr. Smith?—I have not. I do not know the man, and I do not know; probably I may if the gentleman was present.

15,900. (*Mr. Coleridge*). Had you any dealing with that gentleman whom you pointed out as the man who gave the parcel to you?—I had not.

15,901. He never gave you anything else but the parcel?—No.

15,902. You know the waiter at the "Seven Stars" contradicts what you said before the Committee?—I know he does; and with respect to the waiter at the "Seven Stars," I stated on Friday last and I state most positively now that he came and fetched me.

15,903. What did he tell you?—He told me that a gentleman wanted me at the "Stars."

15,904. At the "Stars"?—Of course.

15,905. Is that all he said?—That is all he said; and he walked away to the "Stars," and as soon as I saw the way clear I went over.

15,906. Where were you?—On the bridge.

15,907. (*Mr. Longe*). When you got to the "Stars," how did you find the gentleman?—When I entered the lobby of the "Stars," this man, who I swear had a wig and a large moustache on, and a pair of greyish whiskers, standing at the end of the staircase, and Brown then said, "This is Screach," or he said "Screach, that is the gentleman," and the gentleman nodded his head, or something; I followed him up into No. 13, and he gave me the list.

15,908. He had a moustache?—I believe so.

15,909. What colour moustache?—It was black; I told you the other day.

15,910. A black moustache, and a black wig?—Yes, and greyish whiskers; consequently that is what makes me believe he was disguised, because there was such a disparity in the colour of the hair.

15,911. When you saw this man did he have his wig and moustache on?—When he was in the room he was always as I have described him; and he was a very curious object, I can assure you.

15,912. Did you ever see him with Mr. Heath?—If I did he had not his wig and moustache on.

15,913. Was his moustache grey?—No, he appeared to have put this false moustache and wig on when he was there; his whiskers naturally were of a greyish colour.

Mr. C. H. Lind.

Mr. Charles Henry Lind sworn and examined.

15,914. (*Mr. Bere*). Are you a clerk in Messrs. Smith and Guscotte's office?—Yes, I am.

15,915. How long have you been a clerk there?—Since Mr. Smith's connexion with the office—about ten years.

15,916. Were you with Mr. Smith before he joined the firm of Smith and Guscotte?—Yes; he was in partnership with a Mr. Jackson.

15,917. Was he not in business with his brother as a solicitor, at Crediton?—Not that I am aware of.

15,918. What is your particular department?—Attending generally to the common law.

15,919. And to keep the accounts?—Yes.

15,920. Have you any power to draw cheques?—No.

15,921. Do you remember Mr. Smith going down with Colonel Dawkins to Totnes?—I recollect he did go down with the Colonel.

15,922. Before he went did he communicate to you that he was going down?—He might have done so in the course of conversation.

15,923. Do you remember Mr. Smith returning to town after he had been down here?—I recollect that he did return to town.

15,924. Do you remember a conversation after his return to town as to some one being wanted to go down with him to Totnes?—No, I do not.

15,925. Were you not asked whether you would go down with him?—It is very likely he might.

15,926. Do you remember that?—I really do not recollect.

15,927. Would not going out of town in the busy time of year be a matter that would make an impression on you?—I think there was some mention made of my going down; we were very busy, and I was unable to go at the time.

15,928. Did Mr. Daw go down with Mr. Smith?—He did.

15,929. Who suggested Mr. Daw's going down?—I do not know who suggested it.

15,930. Did you suggest it yourself?—No, I did not.

15,931. Is Mr. Daw in your department or in another?—He is principally in the conveyancing department.

15,932. You did go down to Totnes afterwards?—I went on the Sunday following.

15,933. What time did you arrive at Totnes?—I think between 8 and 9 in the evening.

15,934. Was that on the 9th July, the Sunday before the election?—Yes.

15,935. What train did you go down by?—There was only one train from Paddington that morning; I think 10 o'clock.

15,936. Did you go to the "Seven Stars,"?—I went to the "Seven Stars."

15,937. What sitting room did you go into?—A small sitting room, No. 6.

15,938. Did you find your fellow clerk, Mr. Daw, sitting in that room?—He met me at the station.

15,939. And took you to that room?—Yes; to the sitting room used by him.

15,940. When did you first see Mr. Smith?—I think the same evening, shortly after I arrived.

15,941. What passed between you and Mr. Smith as to your coming down?—Nothing whatever; he shook hands with me, and asked me how I was.

15,942. You did not ask him what you were to do?—It was rather late in the evening—half-past ten before I saw him—and I had no business conversation with him.

15,943. Had you any conversation with him that night?—No.

15,944. Had you any conversation with your fellow clerk, Mr. Daw?—No; none.

15,945. Did you not ask Mr. Daw what he had been doing?—I cannot recollect; I think I did.

15,946. You were not curious enough to ask Mr. Daw what he had been doing?—I think I did; our conversation was general.

15,947. What did Mr. Daw tell you he had been doing?—That he had been doing nothing at all; that was all I heard.

15,948. And the business you would have to do would be to help him do nothing?—I cannot say that. I understood from Mr. Smith that he expected there would be a great deal of correspondence on matters connected with the election.

15,949. When did he tell you that?—He thought there would be some correspondence going on, and he

wished me to be down there in case I should be of any assistance.

15,950. Is that what Mr. Smith said?—Yes.

15,951. Did he say this before you left London?—I do not know whether it was before I left or after I arrived here. I understood I was to come and assist him generally.

15,952. And as soon as you came down Mr. Daw was to go back?—I thought he was to have gone back.

15,953. What bedroom did you sleep in?—No. 15.

15,954. And what room did Mr. Daw sleep in?—No. 14, next to me.

15,955. What room did Mr. Smith sleep in?—No. 13.

15,956. Did you see Mr. Smith the next morning?—Yes.

15,957. What did he tell you the next morning?—I really cannot say; there were no particular instructions at that time.

15,958. Did you not ask him what you were to do?—I do not think I did at that time.

15,959. Did he not give you instructions to obey Mr. Edmonds' orders?—We were to assist Mr. Edmonds.

15,960. How did you commence obeying his instructions?—I did not assist Mr. Edmonds in a single thing.

15,961. Then you did not obey Mr. Smith's orders?—I understood that if he wanted me he would communicate with me.

15,962. Did you go and see Mr. Edmonds?—I did not.

15,963. Did you see him at the hotel?—I saw him.

15,964. Did you speak to him?—No; I think not. I understood if Mr. Edmonds wanted me he would communicate with me.

15,965. It was to come from him, you were not to go to Mr. Edmonds?—He saw me about; I was not particularly directed to go to him.

15,966. On the Monday morning did you see Mr. Smith?—I saw Mr. Smith on the Monday morning.

15,967. Did he not give you some money on the Monday morning?—Yes; on the Monday morning he gave me some money.

15,968. Where did he give you this money?—I went up with him to his bedroom, and he told me that Mr. Edmonds would send a man there for a bag.

15,969. And his bedroom was No. 13?—His bedroom was No. 13.

15,970. He said that Mr. Edmonds would send a man there for a bag?—That he would send a man there for a bag of money.

15,971. Did you see where he took the money from?—Yes.

15,972. Where did he take it from?—He took it out of his portmanteau.

15,973. Where was his portmanteau?—It was in his bedroom, I think under the bed.

15,974. Was it under the window seat or was it on the other side?—It was in front of the bed.

15,975. Was there a little black bag there also?—I did not see one.

15,976. Had Mr. Smith a black bag with him?—He had his dressing-case with him.

15,977. You know the bags which are commonly called brief bags?—He had not such a bag as that with him.

15,978. You say that he had his dressing-case with him, was that black or not?—I think the dressing-case was green.

15,979. Green with gold mountings?—I think it had.

15,980. Do you know where he had this dressing-case or bag?—I do not know. I suppose he had it in his bedroom.

15,981. In what part of his bedroom was it?—I think it was near the window.

15,982. You took the money out of the portmanteau, and what did you do with it?—A man came up.

15,983. What did you do with it, did you take it to No. 13?—It remained in No. 13.

15,984. Are you quite sure about that?—Quite certain.

15,985. How long did you stay in No. 13 before anybody came up?—I should say about five minutes.

15,986. Did a person come then?—A person knocked at the door.

15,987. What did he say to you?—That he came from Mr. Edmonds.

15,988. Who was that?—It was Mr. Screach, that I saw sitting down here.

15,989. Did you give him the money?—I gave him the money.

15,990. How was it wrapped up?—In a banker's bag and wrapped up in brown paper.

15,991. Did Mr. Smith tell you how much there was there?—500*l.*

15,992. Was it only one sum of 500*l.* he gave you?—Only one.

15,993. Did you take out only one sum of 500*l.*?—Only one.

15,994. Were there other monies?—Another bag.

15,995. What became of that?—I removed it into my own room.

15,996. By Mr. Smith's orders?—By Mr. Smith's orders.

15,997. Did you afterwards take the money to Mr. Edmonds?—No; someone was sent for it to my room.

15,998. Who was that person they sent for it to your room?—I do not know the name of the individual, but I think I have seen him here this morning; I believe it was Mr. Evens. I fancy that he was the person.

15,999. There is a difference of opinion between you and Mr. Screach; did you see Mr. Screach in No. 13 and Mr. Evens in No. 15?—Quite certain of that.

16,000. How long after you had given Mr. Screach the money did you give Mr. Evens the money?—I think it must have been an hour or two afterwards, I cannot recollect exactly, I think it may be an hour afterwards.

16,001. Where did you get the money from that you gave to Mr. Evans?—Out of my own portmanteau.

16,002. And that money you gave to Mr. Evens?—Yes.

16,003. Did you open it?—I did not.

16,004. You gave it in the bag wrapped up in brown paper?—Yes.

16,005. Who breakfasted with you on the Monday morning?—Mr. Daw.

16,006. Did not somebody else breakfast with you?—I think there were two gentlemen in the room, one who appeared to me to be a clergyman.

16,007. Who were those two gentlemen?—I do not know. I think they went out fishing, they took a fishing-rod.

16,008. Where did they breakfast?—In No. 6 room.

16,009. Was that a room open to other people or one you kept to yourselves?—I believe it was open to others at the time.

16,010. Where did Mr. Smith breakfast that morning?—With Colonel Dawkins.

16,011. Did you see, when you opened Mr. Smith's portmanteau, anything else besides the money?—No; it was in the lower part of the portmanteau, and from the weight of the upper part I fancy it was his clothes.

16,012. You did not see anything but the money in the portmanteau?—No, I did not.

16,013. Was there nothing but the money?—In that part, I think, nothing but the money.

16,014. Was it an ordinary one?—An ordinary leather portmanteau.

16,015. In what part was the money?—In the bottom part.

FOURTEENTH DAY.

Mr. C. H. Lind.

8 Sept 1866.

16,016. Did you see a wig anywhere about the room?—No.

16,017. Or a moustache?—No.

16,018. Had you any such thing with you?—No, nothing at all.

16,019. (*Mr. Coleridge.*) Had you ever seen Mr. Smith with a wig on?—Certainly not.

16,020. He has not been in the habit of wearing one?—Oh, no.

16,021. (*Mr. Longe.*) Did you see anyone with this black wig?—I did not.

16,022. (*Mr. Bere.*) Are you sure you saw no one with the black hair and a black moustache during that time?—I am certain I saw no one.

16,023. How long did you stay at the "Seven Stars"?—Till the election was over.

16,024. During that time were you in the habit of going from time to time to Mr. Smith's bedroom?—Yes.

16,025. How many times a day?—I may have gone once or twice a day.

16,026. Have you ever found the door locked?—No, never.

16,027. Did you ever find any other person in the room except Mr. Smith?—Never. I may say Mr. Smith was very unwell at the time and he kept to his bedroom a good part of the day; he lay down. I know that for a fact.

16,028. As you were going up and down stairs did you meet persons going up and coming down?—Not more than I should expect to find at an hotel, nothing to call my attention particularly to it.

16,029. Not more than would be usual; do you mean by that usual at the time of an election?—Or at an ordinary time at a busy inn.

16,030. Did you see Mr. Screach and Mr. Evens go up and down stairs often?—I did not.

16,031. What used you to do with yourself?—I think in the morning I occupied myself in writing letters of my own. On the Monday afternoon I drove over with Mr. Smith to Torquay, and we dined there.

16,032. How long did you stay there?—We dined there; we simply went for a drive.

16,033. What time did you come back?—I think it must have been near 9 o'clock; it was just getting dusk, and I think it must have been about 9 o'clock.

16,034. What did you do with yourselves on Tuesday?—I think we took a walk out in the morning, and we were engaged in other matters not at all connected with the election; and in the afternoon we took a drive with Mr. Smith to some old building out here; we drove about the country; it was quite two or three hours.

16,035. I want to know did you have a bottle of champagne on the 28th of July?—What day was that.

16,036. That was the Monday?—I do not think I did; I am certain I did not.

16,037. Did you have a bottle of champagne while you were there?—I did when I arrived down here on the Sunday evening.

16,038. You did not have it at your supper?—Yes, sir.

16,039. And some ale?—I am not certain; I think I had a glass of ale.

16,040. During the whole of the time you were down here, did you go about the town and see the voters at all?—No, I did not.

16,041. Did you see any of them?—I went with Mr. Daw to one of them, a Mr. Norrish.

16,042. Mr. Nicholas Norrish?—I do not know his name.

16,043. What made you go to him?—He is an old friend of Mr. Daw's, and accordingly he went over to talk to him as to his polling.

16,044. Where does Mr. Norrish live?—I think about two miles off.

16,045. Was it the Monday night?—In the morning.

16,046. When you saw Mr. Norrish, what happened between you and Mr. Norrish?—Mr. Daw conversed with him as to his voting for the Colonel. He said he should like to do so, but he could give no answer till he had seen his landlord. I think he said that gentleman was a Mr. Durant.

16,047. What did Mr. Daw say to that?—He certainly said he hoped he would be able to vote for the Colonel, and he should come and see him again.

16,048. Were you wise enough to know what all that money in the portmanteau was wanted for?—I was not aware of it till I came down here.

16,049. (*Mr. Coleridge.*) At the election time?—At the election time.

16,050. (*Mr. Bere.*) When you took out the money from the portmanteau and gave it to Screach and Evens you knew how it was going to be spent?—I had my own opinion about it.

16,051. Did you communicate to Mr. Daw that you gave the money to Screach and Evens?—I have no doubt I did.

16,052. (*Mr. Coleridge.*) Did you receive any money during the election time from any person except that you gave to Screach and Evens?—No, certainly not.

16,053. Do you know Captain King?—No.

16,054. (*Mr. Bere.*) You gave the money to Screach and Evens before that; when did you call on Mr. Norrish?—We called on him on the Monday morning, he was a friend of Mr. Daw's.

16,055. How early on the Monday morning?—I think we went out very early; we were there between 8 and 9; we took a walk out early.

16,056. Did you take a walk before breakfast?—Yes, I believe we did; he was an old friend of Mr. Daw's.

16,057. Did not Mr. Daw say to him he thought it might be a good thing to him (Norrish) if he did vote for Colonel Dawkins?—No, certainly not; nothing whatever passed.

16,058. Did you go to Mr. Nicholas Norrish again?—We went down on the Tuesday evening.

16,059. Did you learn how he was going to vote then?—We did not; we went there more for pleasure than anything.

16,060. Did you not ask him how he was going to vote?—We asked him how he was going to vote; he said he could not tell as he had not seen his landlord, and he must vote as his landlord wished.

16,061. (*Mr. Coleridge.*) You say you received no sum of money from any one else except Mr. Smith during the election?—Yes.

16,062. You received two sums?—Yes, two together.

16,063. Will you just look at that gentleman behind you (*Mr. Evens*); did you see him during the election?—I do not recollect him.

16,064. You never received anything from him during the election?—Certainly not; I had nothing whatever to do with the election beyond what I have stated.

16,065. I merely asked if you saw that gentleman?—Certainly not.

16,066. (*Mr. Bere.*) Did you not speak to Mr. Norrish about his vote that evening?—Yes, we asked him.

16,067. What did you say?—Would he vote for the Colonel? He said he should like to vote for the Colonel, but his landlord had not returned and he thought that his landlord would like to vote on the other side.

16,068. Had you at that time some talk with him about money coming down?—I do not think so.

16,069. I suppose on the Tuesday evening you pretty well knew what sort of a place Totnes was?—Yes, I came to that conclusion.

16,070. Had Mr. Smith talked to you about the money?—In what way.

16,071. About having to advance this money?—He expressed great disgust at having to do so.

16,072. He drew some cheques on blank paper; did you see him draw those cheques?—I did not.

16,073. Do you know where he drew them?—I did not know; I think it was in Colonel Dawkins' room; I am not certain about it.

16,074. Did you communicate with Mr. Guscotte on the Monday or the Tuesday by letter?—I am not aware of it.

16,075. Did you not write to Mr. Guscotte to tell him that Mr. Daw was not coming down?—No, I did not.

16,076. Did Mr. Daw write?—I think he had been writing to him on matters of business on the Sunday.

16,077. Did Mr. Daw write on the Monday a letter and tell him he was not coming back?—I do not think he did.

16,078. Mr. Guscotte was in the middle of a pressure of business, his managing common law clerk was away, and he was expecting his conveyancing clerk to come back; the conveyancing clerk does not come back, and gives no information to Mr. Guscotte, but he was not going to return; is that the way you conduct business?—I do not know.

16,079. (*Mr. Coleridge.*) Were you trying any cases at Guildhall during those sittings?—No, we were not, but we were very busy in Chancery matters then; I was particularly so at that time.

16,080. You attend to Chancery as well as to common law?—Sometimes.

16,081. Did you occupy 15 as your bedroom?—I am quite certain.

16,082. And No. 14 was Mr. Daw's?—Yes.

16,083. Did you go into the room and see him there?—Yes.

16,084. You were certain that 15 was yours?—Yes.

16,085. Was Mr. Smith ever in your room?—I am not certain; I think he was. I cannot say for certain.

16,086. He has sworn that 15 was his bed room; that must be a mistake?—It must be a mistake; they are very much alike; I am certain of that.

16,087. (*Mr. Bere.*) You were there a week?—No, I came down on the Sunday evening, and I left with Colonel Dawkins after the election.

16,088. (*Mr. Logne.*) During that time you knew that the money Mr. Smith brought down was being used for the purpose of paying the voters?—I did not know that of my own knowledge.

16,089. I do not mean did you take any part in it? I suppose you had the ordinary curiosity and had a tolerably good idea of what was being done?—Yes; I thought it might be spent in that way; that was my impression.

16,090. Had you any notion at all as to where the money was being paid?—I had not the slightest notion.

16,091. You swear you had no notion that the money came from Mr. Edmonds to the "Stars"?—I gave the money to Mr. Screach.

16,092. I ask you of your own belief did you not know that the money came to Mr. Edmonds to the "Stars" that was spent there?—I did not know it.

16,093. Had you no idea?—I had no idea.

16,094. Were you not curious enough to think what might become of the money?—I thought what might be the probable destination of the money, but I did not inquire.

16,095. You cannot tell your own self at all the way in which it was spent, the modus operandi?—No, I took no interest in it.

16,096. Do you know Mr. Heath, junior?—I know him.

16,097. Did you know any other member of Mr. Heath's family?—No, I did not.

16,098. You did not see anyone else at all about the matter, or anyone but Mr. Heath?—I cannot recollect; I think a daughter was there and another female.

16,099. No son?—I do not know his son.

16,100. Did you never hear of one?—I heard he had a son; I do not know him.

16,101. You knew there was a young Mr. Heath in the hotel?—Yes; I heard there was a young Mr. Heath in the hotel.

16,102. What was his name?—I do not know.

16,103. Did you never hear of any one speak of of John Heath, James Heath, and George Heath?—I heard of a young Mr. Heath, nothing more; I had no conversation with him.

16,104. I suppose you had access to Mr. Smith's bedroom?—Yes.

16,105. Were you often in the habit of going there?—I went sometimes to see him.

16,106. During the day, I suppose?—Yes, during the day.

16,107. Do you know at any time; did you ever see anyone else go into his bedroom?—No, I did not.

16,108. You never saw anyone else?—No, I did not.

16,109. Do you know how were the orders given? When you had any refreshment how did you give your orders?—We simply ordered the breakfast to be brought up to us at No. 6.

16,110. You had other things besides breakfast?—We dined there.

16,111. Had you ever lunch?—Yes, I think we had; do doubt we did.

16,112. You used to have?—We used to order them. I presumed thay knew us as belonging to our bedroom; they were 15 and 14.

16,113. (*Mr. Bere.*) When you gave an order how did you tell the waiter that you were to be charged; what was to be the understanding?—I had no understanding, I simply thought they would be charged to me to my room.

16,114. Did you mention to the waiter you were sleeping in No. 15?—I think I did; I am not certain.

16,115. Did he bring you a bill on the Monday morning for the champagne and ale and supper you had?—No.

16,116. When you first gave instructions for the bill it was entered to Colonel Dawkins?—I gave no instructions about it.

16,117. When did you speak to Mr. Smith about it?—I think the last day we were coming away; I was inquiring as to the payment of my bill, and he said it would be all put down to the Colonel.

16,118. There is an entry I will just read to you, "Mr. Smith's friend;" it is clear from the items of of the entry Mr. Smith's friend is your description. There is no other entry to No. 6 of Mr. Smith's friend at all, and at the bottom of the entry of "Mr. "Smith's friend," there is in Miss Heath's handwriting, "Colonel Dawkins." How do you know how Miss Heath came to enter the account to Colonel Dawkins; who gave the instructions?—I do not know.

16,119. (*Mr. Coleridge.*) Did Mr. Smith tell you how your bills were to be paid whilst there?—Not till the last day. I understood at the time I came there I should pay my own bill and charge it back again. It was arranged that our bill should be charged to the Colonel. Mr. Smith said the Colonel will pay the whole of the bills, you will not have to pay.

16,120. When?—On the day of the election.

16,121. You took no heed of how things had been charged, and you expected them to be charged to you?—I expected them to be charged.

16,122. Up to that time?—Up to that time. They were charged to Colonel Dawkins.

16,123. (*Mr. Bere.*) This 69*l.* 8*s.* 8*d.* that we have heard were charged to Colonel Dawkins, did you make that account out?—Yes, I made it out with Mr. Guscotte.

16,124. How did you make it out; what are the items?—First, Mr. Smith's railway fare and expenses; the first time he came down it was 8*l.* 18*s.* 6*d.*

16,125. What is the railway fare?—I really do not know.

16,126. It is about 4*l.* 14*s.*?—I fancy it is.

(*Mr. Guscotte.*) I rather think that Mr. Smith paid Colonel Dawkins' fare, as he came down with him.

(*Mr. Bere.*) Then that would account for it.

16,127. What is the next item?—The next is 19*l.* 5*s.*

16,128. What is that for?—Mr. Smith's expenses.

FOURTEENTH DAY.

Mr. C.H. Lind.

8 Sept. 1866.

16,129. Where?—"Totnes election," on the second occasion.

16,130. You did not pay Colonel Dawkins' expenses; then it must have been 15*l.* nearly for his expenses and living at Totnes. Is that the way it is made out; who gave you the particulars of the 19*l.* 5*s.*?—Mr. Smith drew the cheque for it; he would either come to me for the money for his expenses, or he would draw a larger cheque for it, and in that way he drew a cheque for his expenses.

16,131. What is the next item?—The next item is 11*l.* 10*s.* 8*d.*

16,132. What is that for?—That is for Daw's railway expenses and of my own coming to Totnes.

16,133. Did you come down first class?—Second class; I think Daw would come first.

16,134. You came second?—I came second.

16,135. Your expenses of living at Totnes must have been charged in that?—No, we were with the Colonel after this. We went over to Torquay.

16,136. There is more?—Then the rest was made up of cab hire and disbursements which I cannot give you the particulars of, only the general amount, before the election and afterwards up to October. This account was not made out till the October following.

16,137. What is the account of which you cannot give us the particulars?—It comprises cab hire.

16,138. What is the amount?—25*l.* I think I put in for general disbursements and for costs previous to the election and after the election to October. This account was made out in the October following.

(*Mr. Guscotte.*) You will find them in my book 8*l.* or 9*l.* for cabs.

(*Mr. Bere.*) You have told us that.

16,139. I want to know first on that account of your expenses and Mr. Daw's, are your hotel bills charged twice; if they were paid for by Colonel Dawkins were they charged for by you?—Oh, no.

16,140. That 10*l.* 11*s.* 8*d.*; that is not included in the bill at Totnes?—It did not include that.

16,141. Was Nicholas Norrish the only one you ever saw?—That is the only one I ever saw.

16,142. Did you see a great number of people about the "Seven Stars," who seemed to be like voters?—There were a great number of people about there.

16,143. Did you ever see them standing in the lobby?—It was generally filled with people, whether voters or not I do not know.

16,144. Did you ever look into the large room of the "Seven Stars?"—I looked in there one Monday evening.

16,145. Was it pretty full?—There were a great many people there.

16,146. Eating and drinking?—They were drinking.

16,147. Were they there through the night?—I believe they were, but I was not in the room five minutes.

16,148. Did you get to bed on the night of the Monday?—Yes.

16,149. And on the night of the Tuesday?—And on the night of the Tuesday.

16,150. There was nothing to keep you up?—No.

16,151. Did you see Capt. Pim at all?—Frequently.

16,152. Did you talk to him?—I had very little conversation; not about the election.

16,153. Had you known him before?—No.

16,154. (*Mr. Longe.*) During the time you were here you never heard of or noticed any stranger about the place that would answer to the description or might have taken the parts as it has now come out about this stranger at Totnes?—No one.

16,155. You had no notion of any person?—Not the slightest.

16,156. (*Mr. Bere.*) Did you ever pay to any person any other parcels of money than those you mentioned?—Certainly not.

16,157. Did you ever pay a smaller parcel than the one containing 500*l.*?—Only those two.

16,158. Those were the only two you paid?—Those were the only two I paid.

16,159. What has become of the letters you have brought down; just show me what letters you have brought down?—I have brought my diary for the time. (*A packet of letters and the diary were handed to Mr. Bere.*)

Mr. C.J. Daw.

CHARLES JAMES DAW sworn and examined.

16,160. (*Mr. Bere.*) You are a clerk in Smith and Guscotte's office?—Yes.

16,161. How long have you been so?—About 14 years.

16,162. In the conveyancing department?—Yes.

16,163. In July 1865, did you accompany Mr. Smith to Totnes?—Yes.

16,164. What class did you come down by?—First class.

16,165. Did you know the reason why you were brought down by Mr. Smith?—I understood it was to take care of some money.

16,166. Who told you?—Messrs. Smith and Guscotte together.

16,167. Were you called into their private room?—Yes.

16,168. They told you where to go then?—In Mr. Guscotte's room.

16,169. Was Mr. Smith there?—Yes.

16,170. Who else was there?—No one.

16,171. Do you know Mr. Healy?—Yes, I know him.

16,172. Had he been at the office that morning?—I have not seen him.

16,173. Do you know Mr. Mason?—Yes.

16,174. Had he been at the office that morning?—I did not see him.

16,175. Mr. Henson, Mr. Edy's clerk, had he been at the office that morning?—I do not know him. Whose clerk?

16,176. Mr. Edy's clerk?—Oh, yes; I know him.

16,177. Had he been at the office that morning?—I do not remember; I do not recollect seeing him.

16,178. Had he been there a day or two before?—I cannot say at all.

16,179. Do you remember Mr. Smith returning from Totnes before you; he went down to Totnes and came back again?—Yes.

16,180. Do you not remember Mr. Henson coming and seeing Mr. Smith at the office?—I do not.

16,181. Did you ever see him at the office?—Oh, yes.

16,182. About that time?—I do not recollect. I have never seen him with Mr. Smith at all.

16,183. Do you not keep an appointment book of the people that come into your office?—I do not enter the names of any persons unless to make a charge against them.

16,184. When you were called into the room and saw Messrs. Smith and Guscotte what passed?—Mr. Smith said he was going to Totnes, and asked me to go with him. I consented.

16,185. Did he tell you why he wanted you to go?—I understood it was to take care of some money.

16,186. Did you understand that the money was going to be taken down?—Yes; I saw he had the bags.

16,187. Was the money in the room then?—I do not know that it was in that particular room; it was in the office.

16,188. Who had got it from Messrs. Ransome's?—I cannot say.

16,189. You saw it in the office?—Yes.

16,190. In a bag?—Three bags.

16,191. Was it lying open in the office that anybody might see it?—No; there were three bankers' little bags inside three leather bags.

16,192. What do you mean by leather bags?—Brief ags.

16,193. Small ones?—No, I think not.

16,194. Did you take the money with you?—Yes.

16,195. Where did you take it?—To Paddington a cab with Mr. Smith.

16,196. Where did you put the money?—In the rriage with me. I brought it to the station in otnes.

16,197. What did you put it in; did you keep it the bags or did you put the bags in anything else? -No, the bags were open; not in any other bags.

16,198. You took them with you into the railway rriage?—Yes.

16,199. What did you do with them?—Remained ith them myself.

16,200. Did you put them underneath the seat?—o, not underneath the seat; I put them where I uld have my eye on them all the way.

16,201. 1,500 sovereigns is no small weight?—No.

16,202. Did anybody carry any of the bags except urself?—I took them from the carriage.

16,203. Had you a portmanteau with you?—No.

16,204. What other luggage did you carry?—A rpet bag.

16,205. (*Mr. Coleridge.*) Is that your writing *hewing a paper to the witness*)?—No, that is Mr. ind's.

16,206. (*Mr. Bere.*) You came down with Mr. mith and the money?—Yes.

16,207. To the Totnes railway station?—Yes.

16,208. Did you get a fly then?—A 'bus.

16,209. Did you go with the money and the bags the 'bus?—I took two of the bags in the 'bus with e and Mr. Smith. I gave the other bag to the rson who comes with the 'bus.

16,210. The conductor?—One of Mr. Heath's ser-nts, and he put it on the top of the 'bus.

16,211. What servant was that?—I cannot say.

16,212. Can you say whether you have seen him at e "Stars" to-day?—I cannot say; it was late at night, tween 11 and 12.

16,213. Did you give a bag containing 500 sove-igns to the conductor to put on the top of the 'bus? -Yes.

16,214. Do you know whether it was Colonel awkins' servant?—That I cannot say.

16,215. Did Colonel Dawkins' servant come down y that train?—No.

16,216. Did he meet you?—There were two or ree persons with the 'bus; the bag was locked.

16,217, You were coming there at election times ith 500 sovereigns and you gave the bag to the con-uctor?—I did not give it to him.

16,218. Did he take it from you?—I only took two ags from the carriage.

16,219. Who took the other?—Mr. Smith took the ther bag.

16,220. Mr. Smith has sworn that he took it all own in his portmanteau?—I know he did not.

16,221. Are you sure that Mr. Smith did not bring own 1,500*l.* besides this in his portmanteau?—I do ot know what he had got in his portmanteau.

16,222. Had he got it with him?—I do not think ; I saw the contents of that portmanteau at the Seven Stars."

16,223. Then somehow or other the three bags got the "Seven Stars"?—Yes.

16,224. Did you see the three bags there?—I did.

16,225. Did you carry the two bags intrusted to ou up stairs?—Yes.

16,226. Where did you put them?—I think when got to the "Seven Stars" I took all the bags.

16,227. Did Mr. Smith give you the other?—It as handed down from the top of the 'bus.

16,228. Did you take the three bags up stairs?—es.

16,229. Where did you take them?—Into a bed-oom.

16,230. What was the number of the bedroom?—o. 13.

16,231. Where did you sleep that night?—No. 14.

16,232. What was done with the bags when you got in the bedroom?—Mr. Smith unlocked his portmanteau; I took the bankers' bags from the leather bags and put them into the portmanteau.

16,233. What became of the leather bags, do you know?—I left them in the room.

16,234. What day of the month was this?—I think it was the 7th of July.

16,235. That would be the Friday before the election?—Yes.

16,236. By what train did you come down, the late express?—Yes; 4.50 or 4.45.

16,237. What time was it that Messrs. Smith and Guscotte communicated to you that you were to come down?—It was in the afternoon.

16,238. Of that day?—Yes.

16,239. Where did you sit in the daytime at the "Stars"?—In a small room, a sitting room.

16,240. Was it No. 6?—I do not remember the number; it was next to Colonel Dawkins' room.

16,241. Was anyone else in the same room with you?—Yes; three or four persons.

16,242. Did you know any of those?—I knew two of them.

16,243. Was that room a public room?—Yes.

16,244. Who were the two people you knew?—Mr. Lind.

16,245. He was not there then?—I knew neither of the persons who were there when I came down.

16,246. Did you have any talk with Mr. Smith about the money?—I do not recollect that I did.

16,247. Did Mr. Smith tell you what the money was going to be used for?—No.

16,248. But you knew pretty well?—I guessed.

16,249. Did you ask Mr. Smith whether it had been all spent?—I knew how things went on; I knew when the money was all gone.

16,250. How did you know that?—From conversation with Mr. Smith and Mr. Lind.

16,251. When did Mr. Lind tell you about it?—Within a few minutes of his having disposed of it.

16,252. That was the 1,500*l.*?—Yes.

16,253. Did you know the exact sum you were taking down?—No, I did not see the money. I understood there were three bags containing 500*l.* in each.

16,254. When did you hear from Mr. Smith that it had been disposed of?—I heard him say he had given them a cheque for 1,000*l.*, and I understood by that that the 1,500*l.* was gone.

16,255. Was that the only information you received from Mr. Smith that made you think the 1,500 was gone?—I know that Mr. Lind had disposed of some of it.

16,256. Had he told you to whom?—Yes; he did not know the names of the persons.

16,257. Did he tell you to how many persons he had given it to?—To two persons.

16,258. In how many lots?—In two lots. I know there were only two bags which he disposed of. I have heard him say that he never saw the money.

16,259. (*Mr. Coleridge.*) Did Mr. Smith ever tell you how he had disposed of the remaining bag?—I never heard from Mr. Smith how he had disposed of it. When Mr. Lind came down from London he saw that the portmanteau in which he understood 1,500*l.* had been brought down had only two bags in it; he said, "What has become of the other"? I said, "I do not know, you had better inquire about it;" he then went to Mr. Smith and when he came back he said he understood it was all right, that Mr. Edmonds had had the first bag.

16,260. What instructions did Mr. Smith give you before you went there or while you were there as to your duties?—None in particular.

16,261. What did he tell you?—To look after the money.

16,262. Did you do so?—Yes. After the time I was directed to do so it was kept in the portmanteau, and the bedroom door was locked.

FOURTEENTH DAY.

Mr. C.J. Daw.

8 Sept. 1866.

16,263. Of No. 13?—Yes, it was locked part of the time; not the whole of the time.

16,264. From the outside or the inside?—I cannot say. I do not know when a person went in. I do not think it was locked except for the first two or three days.

16,265. (*Mr. Bere.*) Did you keep the key?—No.

16,266. Who kept the key of that bedroom?—I do not know; I cannot tell.

16,267. You received instructions from Mr. Smith to look after the money?—Yes.

16,268. And you obeyed those instructions by seeing to the room from time to time?—I looked to the room perhaps five or six times a day.

16,269. When it was locked what did you do?—I assumed from its being locked that Mr. Smith had the key.

16,270. Did you ever see anyone go in?—I saw Mr. Smith in that room many times.

16,271. And anyone else?—Mr. Lind.

16,272. Anyone else?—I do not remember.

16,273. Have you seen other people in that room besides Mr. Smith and Mr. Lind?—To the best of my recollection I never saw any one in that room but those two gentlemen.

16,274. Have you seen people going up to that room?—No; the room is in a line with others.

16,275. Have you seen people going upstairs either to Nos. 13, 14, or 15?—Yes.

16,276. Who were strangers to you?—I have seen Mr. Edmonds going to Mr. Smith in that room.

16,277. Who else? Have you seen Heath in that room?—I saw Mr. Heath in that room on the morning of the nomination.

16,278. Did you see Mr. Kellock there?—No.

16,279. How long did Mr. Heath stay in that room on the morning of the nomination?—I saw him from the hustings in front looking out of the window with Mr. Smith.

16,280. Out of the window of No. 13?—Yes.

16,281. Did you see him in that room again on that day?—No; I do not recollect that I ever saw Mr. Heath in that room except from the street.

16,282. (*Mr. Coleridge.*) You say you saw Mr. Heath in No. 13?—Yes.

16,283. You saw him looking from the window?—Yes; I saw him from the street.

16,284. Have you seen Screach in that room?—No.

16,285. Are you sure of that?—Quite sure.

16,286. Have you seen Evens?—No. I met Evens one day, at least I have been told it was Evens, on the stairs coming down from those rooms.

16,287. What day was this?—Either the Monday or the Tuesday before the election.

16,288. At the time you saw Evens was he coming down from No. 13?—Evens came from No. 15.

16,289. That was Mr. Lind's room?—Yes.

16,290. Who was in No. 13 at that time?—I did not go to see; the money had been removed from that room at that time.

16,291. Where to?—I think 500*l.* had been given by Mr. Smith to Screach, and the other 500*l.* had been taken by Mr. Lind to his own bedroom.

16,292. (*Mr. Bere.*) At the time you met Evens coming downstairs was not Mr. Smith in No. 13?—I do not know that he was.

16,293. Will you say that he was not?—No, I cannot.

16,294. What day was this when you met Evens coming downstairs?—Either the Monday or the Tuesday.

16,295. Are you sure it was not the Tuesday?—I am not sure. I immediately went into No. 15 and saw Mr. Lind, and I asked him if he knew that gentleman whom I had met, and he said yes.

16,296. (*Mr. Coleridge.*) Did you ever receive any sum of money from the gentleman who is sitting behind you there? (*Mr. Kellock.*)—No.

16,297. Did you receive any sums during the election except from Mr. Smith?—No.

16,298. Did you give any sum to Mr. Heath?—No.

16,299. Or to Mr. Lind?—No.

16,300. Or to anybody?—No.

16,301. I mean any parcel of money?—The 1,500*l.* is the only money which I saw throughout the election.

16,302. (*Mr. Bere.*) Independently of looking after the money, did you not from time to time go up to Mr. Smith's room?—Yes.

16,303. Did he keep his room a good deal?—Yes.

16,304. Was he not unwell?—He was not very well; he went out for a drive in the course of the day, and the greater part of the time I think he was with Colonel Dawkins.

16,305. Was he not a good deal in his own room, No. 13?—He was.

16,306. Did you see him there from time to time?—Yes.

16,307. Have you reason to believe that on any of these occasions when you found the door locked he was in the room?—Yes. I have known sometimes that he wished to be quiet and to sleep.

16,308. (*Mr. Longe.*) You had gone there after this period when the money had passed away and found the door was locked?—I cannot say that I have gone there and found it locked many times.

16,309. Did you not often do that?—Not very often.

16,310. Some three or four times a day?—Perhaps at many as that.

16,311. Locked from the inside?—I could not tell from which side it was locked.

16,312. Did you rap at the door?—I do not think I did.

16,313. Had you instructions not to do so?—No.

16,314. When you found it locked what did you do?—I assumed it was all right. I thought Mr. Smith might be fatigued and might be wishing to sleep.

16,315. At what time of the day was this?—At different periods of the day.

16,316. You went there and found the door was locked; did you not rap at the door?—When I tried it and found that it was locked I immediately walked away. I was in the habit of going in and out of the room without rapping at the door.

16,317. You have seen Mr. Heath in that room?—Yes.

16,318. Did you ever see anyone else go into No. 13?—No, I never did.

16,319. You cannot recollect any time when you saw anyone going to No. 13?—No. I have seen Mr. Lind in that room.

16,320. What going to it?—I could not tell which room they were going to, they were all in a line.

16,321. Did you ever hear anyone ask for No. 13?—No.

16,322. Did you go with Mr. Lind to see any voters?—I saw one gentleman with him.

16,323. (*Mr. Coleridge.*) You are quite certain that you and Mr. Smith brought down this money in three bags?—Yes.

16,324. And you kept your two bags on your seat, and Mr. Smith his one bag?—I think I took care of the whole of the money until we got to Totnes station.

16,325. And you are quite sure that it came the whole way to Totnes station in those three bags, and was not put into the portmanteau at all?—I am quite certain of that.

16,326. And you handed this to the conductor?—I took two of them, and Mr. Smith took the other: he put his on the top of the 'bus.

16,327. And you put yours where?—I held mine in my hand.

16,328. Then if Mr. Smith brought down money in his portmanteau that would be a different sum from what was in the bags?—Yes.

16,329. Mr. Smith has sworn that he brought down 1,500*l.* in his portmanteau, that must have been altogether different from what was in the bags?—I saw the portmanteau opened at the stars.

16,330. Did you see any bags in that portmanteau?—No.

16,331. Did you ever see Mr. Smith disguised in a g or moustache?—No.

16,332. Did you ever wear one yourself?—No.

16,333. (*Mr. Bere.*) Did you see any stranger cupying a bedroom in the neighbourhood of Nos. , 14, or 15?—I did not

16,334. How many rooms are there on that floor, you know?—That I do not know; there are some ther up the passage.

16,335. Do you know who occupied those rooms? I do not.

16,336. You were there for some time and knew it money had been brought down which passed from r. Smith to Mr. Edmonds?—I knew that 500*l.* of it d gone.

16,337. You knew that 500*l.* had gone; did not u know that all the money had passed away?—Yes, t not to Mr. Edmonds.

16,338. Still you knew that it was gone?—Yes.

16,339. Did you never have any notion of your n as to the way in which the money was distributed? I understood that Screach had distributed 500*l.* of and that a gentleman who I was told was Mr. ens distributed the other 500*l.*; as to the 500*l.* ven to Mr. Edmonds I know nothing.

16,340. You never understood from conversation th Mr. Lind or anyone else that the money was ought back to the "Stars," and distributed in the Stars"?—No.

16,341. You had no notion and never heard anying of the kind?—No.

16,342. You never heard of the stranger being ere?—Yes, I heard of the stranger. Mr. Smith d me of the stranger.

16,343. When did he tell you of the stranger?—I ink it would be Saturday.

16,344. Which Saturday?—Before the election.

16,345. The day after you came down?—I do not ink it could have been so soon after. It must have en Saturday or Monday.

16,346. (*Mr. Coleridge.*) Or Sunday?—It was not nday.

16,347. What did Mr. Smith tell you?—He said a rson had offered his services to be useful at the ection; but that he did not know him. He inquired the person where he came from. What he said s, he had been sent for by one of our party. Mr. nith asked the name of the gentleman who sent r him. He declined to tell. Mr. Smith spoke to e about it, and said that it looked suspicious, and d nothing to do with him.

16,348. Mr. Smith told you this story on the turday. Where was it?—In the "Stars."

16,349. Was Mr. Lind present?—No. I think it as before Mr. Lind came down.

16,350. Mr. Smith told you he would not have ything to do with him?—Yes.

16,351. After Mr. Smith told you that do you ow who did the work that the stranger was to have ne?—No.

16,352. Was the stranger employed at all to your owledge?—I understood, from Mr. Smith that the ranger was gone. The stranger tried to get his penses out of Mr. Smith for coming down, but he ould not hear anything about it.

16,353. You do not know of his having anyone to the work?—No.

16,354. Did Mr. Smith do it?—No.

16,355. Who did the work that the stranger ought have done?—I do not know anyone.

16,356. Cannot you tell?—My opinion is there was Mum at all.

16,357. But that Mr. Smith was the person talked out as Mr. Mum?—No. I fancy the money was stributed by Totnes men.

16,358. Where do you imagine the money was got om by the Totnes men? We have heard it sworn y many witnesses that there was a Mr. Mum, or at the money came from 13; and so far your account illies?—I was there so often, and Mr. Smith was ere, and I think we must have seen him.

16,359. Have you any doubt that Mr. Smith occupied 13?—Very little doubt.

16,360. (*Mr. Longe.*) Did you say anything to Mr. Heath about this stranger?—No, not at that time.

16,361. Since have you had any conversation with Mr. Heath or anyone about that man to whom Mr. Smith referred?—No, I have not. I have talked about it in London.

16,362. You talked about it to Mr. Lind?—Yes.

16,363. With anyone here?—No.

16,364. Did you talk to Mr. Smith about it?—Yes; I have this morning.

16,365. Did you remind Mr. Smith of his repeating to you the story about the false Mum; the man who came down and wanted to be employed?—I did; and I mentioned it to Mr. Lind at the time of the election.

16,366. Did you mention it to Mr. Smith this morning?—Yes.

16,367. What did Mr. Smith tell you when you told him about the conversation?—He made no remark.

16,368. You saw Mr. Smith's evidence?—Yes; I read it in the "Times."

16,369. Did you understand from Mr. Smith that Mr. Heath had been speaking about it?—No.

16,370. (*Mr. Bere.*) Have you spoken to Mr. Heath about the matter at all?—No.

16,371. Did you and Mr. Smith come in the same train from London yesterday?—No; I think he came by an earlier train. He said he had come from London.

16,372. (*Mr. Coleridge.*) Did you see Mr. Heath in London?—No.

16,373. (*Mr. Bere.*) Did you go and call with Mr. Lind upon a voter?—Yes.

16,374. Who was that?—A gentleman I was acquainted with. Mr. Norrish, of Sharpham Barton.

16,375. When did you go?—On the Monday, I think.

16,376. What time of the Monday?—In the evening.

16,377. Did you see him at Barton?—Yes.

16,378. What did you talk to him about?—I asked him to give Colonel Dawkins and Captain Pim his support.

16,379. Who sent you?—No one.

16,380. Did not you communicate that you knew Mr. Norrish at Sharpham Barton, and could do something about his vote?—No.

16,381. Is he a connection or relation of yours?—No; he came from the same neighbourhood.

16,382. Where did he come from?—Sandford.

16,383. You saw him?—Yes.

16,384. What did he say?—He said he could not promise. He expected his landlord down, and he should like to please him.

16,385. He could not vote without seeing the landlord?—He did not say that. He said he had no message from his landlord, and he should not like to offend him.

16,386. Have you been in Totnes before?—Never.

16,387. You knew what sort of place it was with regard to elections?—I heard a great deal about bribery.

16,388. And that a vote was worth something; a valuable commodity?—To a certain class.

16,389. Did you think Mr. Norrish was of that class?—I should think not. I should have considered I should have insulted him if I had mentioned money to him.

16,390. You did not mention money to him?—I did not.

16,391. When did you go and see him again?—On the Tuesday.

16,392. What time on the Tuesday?—In the morning, I think.

16,393. What made you go again on the Tuesday?—Because he said his landlord was coming down; and I went to know whether his landlord had been and he had been influenced by his landlord.

16,394. Did you find on the Tuesday whether his landlord had been?—His landlord had not seen him.

FOURTEENTH DAY.

Mr. C. J. Daw.

8 Sept. 1866.

16,395. How was he disposed to vote then ?—He did not inform me.

16,396. Is that the only person you went to ?—Yes.

16,397. Had you told Mr. Smith you had been to see Mr. Norrish ?—Yes.

16,398. Did he tell you he was uncertain which way he would vote ?—Yes.

16,399. When you said he was uncertain, what did he say ?—He said if I could get him to vote for the colonel it would be better.

16,400. Did he ask you if Mr. Norrish was a person to be influenced by money ?—He did not.

16,401. Didn't Mr. Smith intimate that you might say something about money ?—He did not.

16,402. Was he the only person you went to see ?—He is.

16,403. Did you ever get any instructions from Mr. Smith at all as to what you were to do when you went down to Totnes ?—All that Mr. Edmonds asked me to do.

16,404. Did Mr. Edmonds ask you to do anything ?—I don't think he did.

16,405. Did you ever go to Mr. Edmonds to get instructions ?—No. I had been to his office at the request of Mr. Smith or Colonel Dawkins. I am not certain.

16,406. What did you go to Mr. Edmonds' office for ? — To direct to the voters Colonel Dawkins' address.

16,407. To write the directions outside the address? —Yes.

16,408. Was that all you did ?—Yes.

16,409. (*Mr. Longe.*) You know Mr. Heath, sen. ? —Yes.

16,410. You had a conversation with him about different things ?—I have been to the bar once or twice.

16,411. Did you talk to Mr. Heath ?—Very little.

16,412. You knew him perfectly well ?—Yes.

16,413. Do you know the other Heaths ? — Mr. Heath, jun.

16,414. Which Mr. Heath jun., there are two or three ?—I heard that there were two.

16,415. What were their names ?—I cannot tell you.

16,416. Can you distinguish them yourself ?—The Mr. Heath whom I saw was about Captain Pim a greater part of the time.

16,417. You do not know his name ?—No.

16,418. Did you know another Mr. Heath ?—No; I did not see anyone else; but I understood there was another Mr. Heath, a surveyor.

Mr. C. H. Lind.

Mr. LIND recalled and further examined.

16,419. (*Mr. Bere.*) Your christian name is C. ? —Yes.

16,420. Who is F. S. ?—Mr. Smith.

16,421. Is this Mr. Smith's writing (*referring to a paper*) ?—No.

16,422. Did you see Mr. Henson on that day ?—I have no doubt I did.

16,423. Your initials are C. L. ?—Yes. I dare say I saw him at that time, or a few days previous to that; at that time I was preparing an affidavit to prove a claim in Chancery.

16,424. Did you not see Mr. Henson on other professional business ?—I do not remember. Mr. Henson had been a former clerk of Mr. Edy, and there was a claim to be proved in Chancery, and Mr. Henson was to make the affadavit. There was some specialty about it, and that was the matter.

16,425. Did you know that Mr. Henson had been asked to come to Totnes with Mr. Smith ?—No.

16,426. When he came on the 7th July did not he see Mr. Smith ?—I do not know.

16,427. You cannot say that he did not ?—I cannot say that he did not.

16,428. Would his calling on any other day be put down. Do you put down the names of everybody ?—They ought to be; but I should say our junior clerks are careless on that point.

16,429. They do not always put them down ?—No.

16,430. (*Mr. Coleridge.*) There are two or three things I want to ask you with reference to your diary. When you are engaged on important business you make no entries ?—I always make entries.

16,431. Every day, whether at home or away ?—If I am away I put "absent," perhaps.

16,432. Here is the 10th July, rather an important day, and no entry in your diary ?—No.

16,433. How was that ?—I had not the diary with me, I was on the election.

16,434. When did you get back to London ?—The Saturday following.

16,435. You had not the diary with you ?—No.

16,436. When your diary is not with you you do not make entries when you get back ?—Yes.

16,437. Would you under any circumstances make a fresh entry ?—I make the entries when I get back.

16,438. When you get back would you think about putting down what you did on the Monday before, not having taken your diary with you; would you put down what occurred on the Monday ?—Not unless I attended to some special matter of business.

16,439. Coming to Totnes on election matters was not special matter of business ?—It was not a matter of business I could put down and charge for.

16,450. It was not to be charged, but would be a matter of business for you to put down in the diary ? —No.

16,441. It was a sort of thing you would rather not put down ?—I think I put down when I left and returned.

16,442. We have got nothing at all on Monday July the 10th. No entry July the 11th, the nomination day. Did that never occur to you "Nomination day at Totnes" ?—No.

16,443. On the Wednesday you left Totnes for Torquay, was that important ?—It was merely for my own guidance, to know where I was.

16,444. You mean seriously that was so ?—Quite so.

16,445. On July 13th did you stay with Colonel Dawkins at Torquay, was that for your own guidance ? —I put it down.

16,446. The election day was not of sufficient importance to be mentioned ?—From the entry that I put there I knew where I was, and what I was engaged on.

16,447. You never mentioned the election day or the nomination day ?—No.

16,448. No. I cannot find all through your diary except that and Sundays, any instance of your not making an entry. Was not that done for a purpose ? —No.

16,449. Mr. Smith's diary is in the same peculiar state ?—You will find last year and years past little in it. He does not often attend.

16,450. It is a mere matter of form, his diary ?— He does not attend to business much.

16,451. There is an entry here in your diary July 3rd, "Colonel Dawkins 5,000*l.*" What is that ? —It was relative, I think, to a loan of 5,000*l.*

16,452. Explain that please. Is that the loan that you were to advance Colonel Dawkins on July 3rd ? —I think Mr. Guscotte attended to that.

16,453. Will you tell us what passed ?—If you will allow me to see the diary I will tell you. (*After referring to the diary*). I do not know what this is.

Mr. GUSCOTTE recalled.

16,454. (*Mr. Coleridge.*) Now I will ask you about this. In your diary here is "Dawkins, July 1st, 5,000*l.*" Does that refer to the same transaction?—I suppose it does, but I should like to look at the ledger.

16,455. What does 5,000*l.* mean, was it a loan to Colonel Dawkins at that time?—It was a loan advanced by our banker's, and put to our account for him.

16,456. Was that money advanced in contemplation of the election?—No, it had no reference to it, and will explain it.

16,457. 5,000*l.*, advanced four or five days before the election looks rather odd?—It is not four or five days, but I want the ledger, and I think you will find it was advanced two months before that.

16,457*. If it is two months before, perhaps you will refer me to a note in your diary about the 5,000*l.*?—(*The witness referred to the diary.*)

16,458. Can you tell something more about the 5,000*l.*?—What is the date of it.

16,459. Your entry is the 1st July, your clerks the 3rd, yours is the Saturday, his is the Monday?—I am certain it had no reference to the election.

16,460. I should like to know something about it?—I fancy it was part of the sum of 9,500*l.*

16,461. That was not paid till some time afterwards?—Mr. Lind tells me Colonel Dawkins owed us a balance of 5,000*l.* at the time, and we took a security for it.

16,462. How long before had you advanced that to him?—I think some long time, for years there was a balance of account running.

16,463. You told us that you knew this 9,500*l.* was coming in, and therefore you were in a position to advance him money. How was it that so late as the 3rd July, knowing that this was coming in that you did this?—That would be to secure us, and we should try to save the stamp if we received the money before.

16,464. You told us before Colonel Dawkins came to the election that you knew that 9,500*l.* was coming to his account?—I do not know the precise sum, and I should like to know what I said on the subject. Will you read the evidence? I think I said we knew we should receive a sum, and that we were making arrangement to carry out a larger loan, which I did not consider relevant to this; but the man who was going to advance the money was a much longer time in carrying it out than he ought to have been.

16,465. When was the sum of money for which the security was taken paid to Colonel Dawkins, the 5,000*l.*?—It was never paid to him, it was a security taken to cover us. I think you will find by our ledger that at that time he owed us above 5,000*l.* on the balance of account.

16,466. Mr. Smith said to the contrary, that there was a balance in his favour?—The books are the best test.

16,467. I want to test Mr. Smith's accuracy on a great many subjects. Mr. Smith said there was a balance due to Colonel Dawkins at the time, a small one. You knew there was 9,500*l.* coming in in the course of a week, how came you to go to the expense of a stamp to secure 5,000*l.*?—It never was stamped, there was a note to it to shew that it never was.

16,468. Why is the note made?—It is an entry to get the stamp, it is two months before.

16,469. Is that the utmost tether that you are allowed?—Yes.

16,470. Then it must be stamped?—Yes; a note is made to show when the day comes, and that is the entry to show when it was to be stamped.

16,471. Then it was stamped?—No; that was the time it was signed.

16,472. Should you have gone on for two months to make a note in your diary?—That is our invariable practice; Mr. Lind did it for me; it is not my handwriting.

16,473. Mr. Lind makes another note of the stamp?—That would be so.

16,474. Was it stamped?—It never was stamped. We knew that the 9,500*l.* was coming in, and it was unnecessary.

16,475. Was it exactly two months before?—As nearly as possible.

16,476. Then it would be the 1st of May?—About that time.

16,477. Then something would be in your diary about it?—Yes, I think so.

16,478. I see "Dawkins' deed," May the 3rd; is that what it means?—Yes; I had forgotten it; I knew it had nothing to do with this election. I had forgotten it till it was brought to my mind, and that is the explanation of it. We thought it a large sum for Colonel Dawkins to owe us without security, and we made a note to get a stamp; but we knew there was a large sum to receive in July.

16,479. Mr. Smith has told us that Colonel Dawkins had a small balance in hand at that time. The account was torn out and handed to me?—We deliver our accounts in a particular form; we keep our books in the general way of charging items as paid or received, but Colonel Dawkins likes each item to be separated, and we should put it under one head of business as money paid or received.

16,480. Colonel Dawkins gave me this paper (*referring to a paper*)?—If you take our cash account that will disclose it.

16,481. I think your explanation is sufficient?—I should have mentioned it the day before.

Mr. DAW recalled.

Mr. C. J. Daw

16,482. (*Mr. Bere.*) I want to ask you and Mr. Lind the question: Did you at any time when you first came here see any list of voters?—Yes, I saw it at Mr. Edmonds' office.

16,483. Did you see the names of the voters copied out on a piece of paper?—On the printed list I saw it.

16,484. Did you ever see any written list?—No.

16,485. When you went to Mr. Smith's room from time to time did you ever see any papers about?—No.

16,486. Was there a china bowl in Mr. Smith's bedroom?—I did not see and I do not believe there was such a thing there.

16,487. Did Mr. Smith's box contain writing materials?—No.

16,488. Were there any in the room?—I did not see any there.

16,489. You are quite certain that you never saw any names of the voters copied out on a piece of paper?—I am certain that I never did.

16,490. You saw some bankers' bags in which gold was?—Yes.

16,491. Did you ever see any little canvas bags besides these?—No.

16,492. You are quite sure about that; there were not bags to hold about 50*l.* each?—I never saw them.

16,493. Not in Mr. Smith's portmanteau?—No; I don't think he had a farthing in his portmanteau.

16,494. I ask whether besides the bankers' bags you saw any canvas bags empty?—No.

16,495. (*Mr. Coleridge.*) You never saw the inside of the bankers' bags?—No.

16,496. (*Mr. Longe.*) Did you not hear the name of John Heath, jun.?—No, not the christian name; but I have heard Mr. Heath, jun., mentioned.

16,497. Was it Mr. John Heath, jun.?—I cannot tell, but I knew there were two.

16,498. You didn't know it was Mr. John Heath jun.?—No; I only saw one Mr. Heath.

FOURTEENTH DAY.

Mr. C. H. Lind.

8 Sept. 1866.

Mr. Lind recalled.

16,499. (*Mr. Bere.*) You heard the question that I put to Mr. Daw, and I put the same question to you, did you ever see a list of voters copied on a piece of paper?—No.

16,500. Did you ever see a list of voters at any time on a piece of paper?—Never.

16,501. And never copied it?—Never.

Mr. F. Evens.

Frederick Evens recalled.

16,502. (*Mr. Coleridge.*) You had known Mr. Daw before he came down here?—No, I did not know the gentleman at all.

16,503. Did you not see him at the time of the election?—I do not know that I ever saw him before today.

16,504. Did not you nod to him before he came into court to-day?—Not that I am aware of.

16,505. Did you know Mr. Lind?—I know Mr. Lind now, but I did not know him till he came into the hall.

16,506. Did you see him at the time of the election?—Yes.

16,507. Where?—No. 13; I think I took the bag of him.

16,508. Are you sure it was not No. 15?—I will not be positive as to that.

16,509. Because he said in No. 13 he gave you the bag?—I will not be positive whether it was No. 13 or No. 15. I know I was rather in a hurry at the time.

16,510. You told us the other day the room the mysterious stranger was in was No. 13?—No. 13.

16,511. You have no doubt?—I have no doubt.

16,512. And if it was in No. 13 that you saw Mr. Lind it was in the same room as you saw the mysterious stranger?—Yes.

16,513. Was he ever present in the room when you received the bag from Mr. Lind?—No; Mr. Lind merely opened the door and gave me the bag, and I took it away.

16,514. You are quite sure that it was in No. 13 that you saw the stranger?—Quite sure.

16,515. And the stranger you told us gave you a written list of names?—A written list of names.

16,516. And then gave you in the first instance any money?—A few pounds just for my private use.

16,517. What did you do with the money you got from Mr. Lind?—I took it down to No. 8.

16,518. That is where Mr. Kellock and Mr. Edmonds were?—Mr. Kellock and Mr. Edmonds I believe were in the room. I put it on the table.

16,519. When you had got it there what did you do with it; open it?—No; I put it on the table and turned round and walked out again.

16,520. When did you next get any money to go about with?—I got some on the morning of the nomination day.

16,521. Did you get that at No. 13?—I got it at No. 13.

16,522. How much?—I got it in several sums.

16,523. And each done up in little packets?—They were not done up.

16,524. Bags?—I had little bags myself.

16,525. And it was told out to you, and according to the sum you wanted for a voter you put it into a bag?—I put it into a bag.

16,526. And then you knew what each bag contained for each voter?—I did.

16,527. Tell us again the appearance of this gentleman who gave you these little bags?—About a middle height man.

16,528. Light whiskers?—Yes; grey.

16,529. And dark hair?—Dark hair.

16,530. Moustache?—No moustache at all.

16,531. Did the hair strike you as being unnaturally dark for the colour of his whiskers?—I am sure it was natural. I am certain it was no wig.

16,532. Screach must be wrong about that?—I do not know what he saw, I am sure.

16,533. What made you see it was natural?—Because I had many hours' conversation with him, and of course I must have noticed such a thing at that.

16,534. Did you see Mr. Smith during the election at all?—I am not aware; I might have seen him; I had no conversation whatever with him.

16,535. Did you ever see a gentleman with grey whiskers and greyish hair about the size you describe in No. 13?—No.

16,536. Who did you ever see in No. 13 except Mr. Lind?—No one at all excepting Mr. Lind.

16,537. You do not think you saw him in 13, you think it was No. 15?—I will not be positive, it may be No. 15.

16,538. You never saw but one stranger in No. 13?—Never but one man.

16,539. (*Mr. Bere.*) What did you do with the money you got from Mr. Lind?—I took it to No. 8 and put it upon the table.

16,540. What is No. 8?—I do not know; it is a room in the house.

16,541. (*Mr. Coleridge.*) Mr. Kellock and Mr. Edmonds were there?—Yes, Mr. Kellock and Mr. Edmonds were in the room.

16,542. (*Mr. Bere.*) Was any one in the room?—No one but those two gentleman.

16,543. Were Mr. Kellock and Mr. Edmonds in the room when you brought the money down?—Mr. Kellock and Mr. Edmonds were in the room when I brought the money down.

16,544. (*Mr. Longe.*) When you went this time what were you told to do?—When I went to the "Stars"?

16,545. Yes; this time that you got the money, what were your instructions?—My instructions were to go and get the men I had ticked off.

16,546. I mean when you went to the "Stars" to get this money, what were the instructions given to you?—To get what money, what were my instructions?

16,547. Yes, what were your instructions?—Mr. Edmonds told me to go to No. 13 or No. 15, I will not be positive, I rather think No. 13; Mr. Edmonds instructed me to go upstairs.

16,548. Do you remember whether it was the same room you were in the habit of going for it?—I will not be positive; I will not exactly say whether it was the same room, I might be mistaken in the room.

16,549. What was the room you had been in the habit of going to?—No. 13 was the room I was in the habit of going to.

Mr. J. S. Screach.

John Sandford Screach recalled.

16,550. Are you quite certain that the room you went to was No. 13?—I am.

16,551. You have no doubt?—Not the slightest.

16,552. And it was No. 15 that you got the money from Mr. Lind?—Yes it was, I am thoroughly convinced.

Mr. T. C. Kellock.

Mr. Thomas Creaser Kellock recalled.

16,553. (*Mr. Coleridge.*) The last answer we have from you is, after some trouble, that you were present at that conversation in Mr. Smith's bed room before they went up to town?—I wished to make an explanation yesterday evening on the point, but I was too late; on returning to Mr. Edmonds he reminded me of

the circumstance that occurred in the bedroom, and that till then had escaped my memory.

16,544. Had he reminded you before you were examined yesterday?—He said he had spoken of that in Mr. Guscotte's presence.

16,555. Told you?—Told me, but I did not recollect it had taken place.

16,556. That was not in Colonel Dawkins' presence?—It was not, I believe Colonel Dawkins had left Totnes.

16,557. You had some conversation about what was going on here in Colonel Dawkins' presence but that was not alluded to then?—No.

16,558. You have told us several times over that you had nothing to do beyond cashing the cheque for the money at that election?—Two cheques.

16,559. Do you recollect being in No. 8 when a bag of money was brought down to No. 8 and given to Mr. Edmonds, you being present?—I heard Evens' evidence in this hall this morning, that he brought a bag of money down when Mr. Edmonds and I were in the room, but I may say distinctly I was not aware of any arrangement of the kind, and I did not know that he had brought money down till I heard his evidence.

16,560. You never heard about an arrangement?—I mean to say that he might have brought it down while I was there, but I knew nothing about it.

16,561. Do you recollect his having brought down a bag and put it down somewhere or other by Mr. Edmonds while you were present?—I do not recollect it, and I may say distinctly that I never took the money or did anything with it.

16,562. The thing is this, we want to know have you any recollection of Evens bringing the money in a bag into the room?—I have not, but I am told that Mr. Edmhnds admits in his evidence that he was in the room when the money was brought down.

16,563. You are not prepared to say that Mr. Evens did not do that?—Certainly not, considering the time that has elapsed and the number of circumstances connected with the election.

16,564. We got as far as the necessity for Mr. Smith bringing down a man. Now when did you know after that that Mr. Smith had supplied the necessary individual?—I only read an account of the proceedings in London, I think on the petition.

16,565. When you read the account of those proceedings was it your impression that Mr. Smith had brought down a stranger for that purpose?—My impression distinctly was that a stranger had come to the "Stars" for the purpose.

16,566. In consequence of the communication made by Mr. Edmonds in your presence to Mr. Smith?—I cannot say that my impression arose from that; it arose from the evidence given, because I had forgotten that circumstance.

16,567. When you heard the evidence given did not you think that if that stranger came down he came down in consequence?—Yes.

16,568. Go on and tell us when the first time was that you negotiated any money at that election?—Trusting entirely to memory, I believe it was on the Monday before the election.

16,569. That is the day before the nomination day?—The day before the nomination day I was asked by Mr. Edmonds to get a cheque for 1,000*l.* cashed. I had arranged to go to Stoke Gabriel to canvass some voters with Colonel Dawkins and Captain Pim, but at the last moment Captain Pim did not go. Captain Lane Fox, whose name has been mentioned before, joined Colonel Dawkins and me in a carriage, and I sent my servant with my horse and gig to a place called Follaton on the road to wait for me.

16,570. What was the reason for sending on your horse and gig?—In order that when Colonel Dawkins had finished his canvass at Stoke Gabriel I might go in my gig to Torquay and get this money.

16,571. Then your going in a carriage that way was not in order that you might distract attention from your going away from here?—I did not wish to cash the cheque myself in Totnes, that was my only reason.

16,572. Did you send the carriage away in order that you might not be seen driving out of Totnes to Torquay?—But I did, with Colonel Dawkins and Captain Fox.

16,573. Colonel Dawkins had to come?—Yes; and I had my gig to meet me at that point.

16,574. You knew perfectly well what you were going to cash that cheque for of course?—Nobody told me, but I had no doubt. I admit that with regard to that cheque and the other.

16,575. Then you went and cashed that cheque; was it after banking hours?—It was very shortly after.

16,576. I suppose you were known at the bank at Torquay?—Very well.

16,577. What took place between you and the manager about cashing it after banking hours; who was the manager?—He was not the manager; I called on a gentleman, Mr. Charles Kitson, who was a brother professional man.

16,578. Mr. Charles Kitson the solicitor?—Yes, the solicitor, and he went down to the bank with me, and there one of the clerks opened the bank and cashed the cheque.

16,579. You say one of the clerks, a clerk would not have had the power, it must have been the manager himself?—No, neither of the partners were there. I think he is managing clerk.

16,580. What was his name?—I really cannot tell you.

Mr. Frederick Smith recalled. *Mr. F. Smith*

16,581. (*Mr. Coleridge.*) There are two or three things I will refresh your memory about. On the last occasion when you were examined here you stated that you slept in No. 15 bedroom?—So I thought, so the chambermaid told me when I left.

16,582. But now that your clerk, Mr. Lind, has assured us that he slept in No. 15, and that Mr. Daw slept in No. 14, and you in No. 13, you have no doubt it was No. 13?—I have no doubt about it, from a piece of furniture my clerk pointed out to me.

16,583. We have also heard and recalled the witnesses in order that there may be no doubt about it that the room in which some money was received by the mysterious stranger and paid to Screach and Evens was No. 13?—That is no doubt where I handed the 500*l.*

16,584. I mention this in order that you may set it right; that room was No. 13, and who was the person who occupied your bedroom besides you at the time of the election?—No one whatever.

16,585. Were you not the person who really did distribute these sums of money to Mr. Screach and Mr. Evens?—Certainly not, I never saw Screach until this morning.

16,586. Did you ever see Evens until this morning?—I never saw Evens that I am aware of.

16,587. Then the person who had lists of voters and gave these sums of money was not yourself?—Certainly not; I never heard of a voter being in that room or anyone but myself.

16,588. Did you ever see Screach in your room?—Never.

16,589. He is sitting behind you?—I have not seen him till this morning.

16,590. Is Evens in court?—Yes.

16,591. You see that dark man with a moustache (*pointing to Evens*)?—I never saw him before.

16,592. Then you are not the person who distributed those sums of money in No. 13?—Certainly not.

16,593. Were you aware whilst you were occupying that room that anybody else occupied it whilst you were out of it?—Certainly not.

FOURTEENTH DAY.

Mr. F. Smith.

8 Sept. 1866.

16,594. Were you in the habit of locking your door when you went away from it?—I used to lock my door when I lay down sometimes in the day, which I frequently did.

16,595. We have heard that you were not very well during the time of the election, and that you kept a good deal to your room?—A great deal.

16,596. Can you tell me from the Thursday before the election up to the election day how much of the day had you spent do you think there. Were you there half the day?—I was constantly going up and down to my room.

16,597. And except at such times as you went out for a drive we have heard more or less you were in your own room?—Yes, or the sitting room below.

16,598. So if any person had been in your room carrying on the practices we have heard, you must have crossed him occasionally?—Most decidedly.

16,599. I must ask you this. Did you whilst you were at the "Seven Stars" hotel during the last election at any period diguise yourself in any way?—Certainly not.

16,600. I think it is right to tell you you have already admitted quite enough to have yourself placed on the list of bribers, therefore anything you admit beyond that will not affect that position at all. I ask you at any time did you sit in that room in disguise and give any money to Screach or Evens?—Most decidedly not.

16,601. Then if anybody swears, as several have sworn, that somebody did sit in that room with a black wig and moustache and grey whiskers you will undertake to swear that that is not yourself?—Most decidedly.

16,602. Can you account in any sort of way for the unanimous testimony that we have that that was the room in which these practices were carried on?—I cannot, indeed.

16,603. Did you at any time during the election see Screach or Evens or anybody else to give them money in that room?—The only person I saw was Mr. Edmonds.

16,604. And that refers to one single sum of 500*l.*?—And the cheques.

16,605. I am speaking now of the money. And that refers entirely to the 500*l.* you gave Mr. Edmonds, the other two 500*l.* having, I understand, been distributed by Mr. Lind.

16,606. You told us the other day that you brought this money down in your portmanteau?—I wish to correct my evidence in that respect, inasmuch as I brought either in a portmanteau or a dressing case 500*l.*; and 1000*l.* I find Mr. Daw brought down with him. The money must have been separated in London.

16,607. Did you bring that 500*l.* in your portmanteau?—Either my portmanteau or dressing case.

16,608. Where did you receive the 500*l.* you brought yourself?—I received first of all 1,500*l.* at Hanbury's, I took it to my office at 19, Essex Street, where it must have been divided.

16,609. It is as to that division that I wish to know. Did you take away 500*l.* and leave 1,000*l.* to Mr. Daw, or how was that?—Mr. Daw came to me and I said "Will you take charge of this money and "I will take charge of 500*l.*"

16,610. Did you take the 500*l.* home with you?—No, I took it direct to the railway.

16,611. Did you go in the same carriage with Mr. Daw?—Yes.

16,612. What was the 500*l.* in?—In this bag that the bankers had put it up in.

16,613. Did you put it into anything else?—No, certainly not.

16,614. You carried it open in a canvas bag?—Yes.

16,615. And you took that to the railway?—Yes.

16,616. Mr. Daw taking charge of the other two canvas bags?—Yes, so Mr. Daw informs me this morning. I thought I took the whole myself.

16,617. As far as your own recollection went are you certain you were not correct the other day in saying you put it into your portmanteau?—I am perfectly satisfied.

16,618. You are perfectly satisfied that the only sum you took down at the election in the first instance was 1,500*l.*?—Quite so.

16,619. When you got to Totnes do you recollect what you did with your bag?—It was taken at once into my room.

16,620. No; when you got to the station Mr. Daw has told us that he carried the two bags in his hand. What did you do with yours?—I carried mine. I do not think I should trust a porter.

16,621. If Mr. Daw has sworn that he saw you hand it to a conductor who put it up with any other luggage that is not true?—I think I must have put it in my dressing bag I am inclined to think now.

16,622. Do you mean that your dressing bag with the money in it was handed to the conductor of the omnibus, or did you keep it constantly in your hand?—I should say certainly in my hand, to the best of my recollection.

16,623. Then if Mr. Daw says he saw a bag of money handed up to the top of the omnibus he must have been mistaken, or it was another bag?—I know nothing about that bag.

16,624. If a bag was handed up to the top of the omnibus you know nothing about it?—Certainly not; to the best of my recollection it certainly did not belong to me.

16,625. Since you were here the other day, Mr. Kellock and Mr. Edmonds have both deposed to a conversation you told us nothing about. Mr. Edmonds and Mr. Kellock have both now stated that before you left Totnes on the first occasion after you came down on the Dawkins business you, being in a hurry, asked them to come into your bedroom. Do you recollect that circumstance?—No.

16,626. Do you recollect either Mr. Edmonds or Mr. Kellock being in your bedroom just as you were going away?—I do not.

16,627. Do you swear not?—To the best of my recollection.

16,628. Will you undertake to swear, because you know this is a matter between gentlemen of the same profession, that they were not in your bedroom?—I cannot recollect anything of the kind.

16,629. Then to the best of your belief they were not?—Certainly.

16,630. You do not recollect any conversation to the effect that you were in a hurry; would they talk to you just as you were packing your box?—Such a conversation may have been, but I have no recollection of it.

16,631. You have no recollection about such a conversation?—None whatever.

16,632. Now, without asking them to come to your room, assume that they did come to your room; can you recollect a conversation about the necessity of your going up to town to get money?—I do not, because I should not have gone to town unless I had gone on private matters.

16,633. Having to go on private matters, and having told him that you had to go on private matters, did you think it a good opportunity for you to get money?—Mr. Edmonds thought it a good plan to bring down money in gold.

16,634. How came you to know that unless he told you something about it?—He did tell me something about it.

16,635. What did he tell you?—He thought it a good plan to bring down 1,500*l.* in gold.

16,636. Did he tell you that while in your bedroom at the "Stars"?—I cannot tell.

16,637. Can you tell me how long before you left for town on private matters Mr. Edmonds told you it was necessary to bring down that money?—I should think very likely directly he knew I was going to town.

16,638. How long before your going to town did you tell Mr. Edmonds that you were going to town?—I think the Saturday before I went.

16,639. When did you go?—Either on the Monday or Tuesday.

16,640. Then you mean that Mr. Edmonds knew the Monday or Tuesday you were going up to town?—I should say he certainly did.

16,641. Can you fix upon the time, between when you told him that and the time you went to town, the date when he told you it would be a good plan to bring down 1,500*l.* in gold?—He may have told me on the Monday, not on the Sunday, because I was not here, or on the Saturday.

16,642. It would have been on the Monday that he probably told you?—Very probably, Saturday or Monday.

16,643. Monday or Tuesday he might have told you?—No; I think I went up on Monday.

16,644. Then it must have been on the Monday he told you?—Very probably.

16,645. Now you have got it to the Monday, the same day as you went, can you recollect anything about this interview in this bedroom?—I cannot.

16,646. (*Mr. Longe.*) You said you went up the other day between the 1st and the 8th?—I suppose it was the 1st to the 8th. I came down, I think, on the 27th. I am inclined to think I went up on the Tuesday.

16,647. (*Mr. Coleridge.*) Then it must either have been on the Monday or Tuesday that Mr. Edmonds told you this about the necessity of bringing money down in gold?—Very possibly it might be.

16,648. Though you cannot recollect this interview in the bedroom, can you recollect anything to do with Mr. Edmonds there immediately before you left?—I cannot, indeed.

16,649. You have no sort of recollection about that?—Nothing whatever, except that he was constantly at the "Seven Stars," and may have spoken to me several times before I left, and I have no recollection of it.

16,650. When you were at the "Seven Stars" on the first occasion, did you stay at No. 13, as afterwards?—I believe I did; my room was all through much alike.

16,651. (*Mr. Longe.*) Was it the same room?—I do not know whether it was the same room.

16,652. (*Mr. Coleridge.*) What was your impression? Was it the same?—I always thought it was No. 15, but I am inclined to think now it was No. 13.

16,653. You knew you would be back in a few days?—Yes.

16,654. Did you leave any of your clothes behind you, or take anything away on the first occasion?—I cannot tell. I think very likely I left my hat box.

16,655. Did you leave any of your dirty things to be washed?—I have no recollection of doing so.

16,656. What is your habit when staying at an hotel when you leave and coming back in a day or two?—It depends on the quantity of luggage I have.

16,657. What quantity had you on the first occasion?—A very large portmanteau.

16,658. A hat box?—I think a hat box.

16,659. Anything else?—Dressing bag and umbrella.

16,660. When you came back on the second occasion, what luggage had you then? The same portmanteau?—I must have taken my portmanteau up to London and brought it back.

16,661. And your dressing bag you took back to London, as you have told us?—I do not know.

16,662. Have you two?—I have a travelling dressing bag and a dressing case I left at home.

16,663. Was it your dressing case you brought on the first occasion or your dressing bag?—The dressing bag.

16,664. You have told us that you brought with you your portmanteau and dressing bag on the first occasion?—Yes.

16,665. And if you brought your dressing bag on the second occasion, it must have been the same as you brought on the first occasion?—Quite so.

16,666. Then we may assume that you took your dressing bag back on the first occasion?—I think you may assume that.

16,667. Then what did you leave behind?—I might not have left anything. I do not know of anything if I took the dressing case.

16,668. When you went away did you say anything about coming back shortly and should like to have the same room?—Very possibly I might.

16,669. Did you?—I cannot recollect.

16,670. Do you mean you cannot recollect?—I cannot recollect those things.

16,671. How did the money go from the bank to Essex Street?—In a cab.

16,672. What was it in?—It might have been in an office bag. I cannot tell.

16,673. Was not it in your own dressing bag?—I do not think it was.

16,674. Did you ever take your dressing bag to your office when you knew you were going off on a journey?—Yes, I should.

16,675. Did you take your dressing bag from your office to the bank, and there have the money put into it?—No; I think I took an ordinary clerk's bag.

16,676. Do you know whether you took your dressing bag to Essex Street?—No doubt of it.

16,677. You think you took your dressing bag?—No doubt.

16,678. Are you certain?—I am certain.

16,679. Do you recollect transferring the money to the dressing bag?—Yes.

16,680. The whole of it?—I think 500*l.* of it.

16,681. Then 500*l.* of it you put into your dressing bag?—Yes.

16,682. And the two other 500*l.* you gave to Mr. Daw?—Yes.

16,683. If you put 500*l.* into your dressing bag, what made you leave the other two loose?—Mr. Daw had his own portmanteau.

16,684. Why, if you put 500*l.* into your dressing bag, leave him to carry two loose canvas bags?—He must have packed them up in his portmanteau.

16,685. He has not told us he did anything of the sort; he has sworn that the whole three bags went loose to Paddington?

(*Mr. Daw.*) I beg your pardon; I said that the canvas bags were put inside a leather bag.

16,686. (*Mr. Coleridge.*) The canvas bags were put inside a leather bag by you?—No; the canvas bags were put in a leather bag when first I saw it.

16,687. That was not the leather bag to which Mr. Smith refers?—I am positive that 500*l.* of the money was in Mr. Smith's dressing bag.

16,688. That is exactly what he says.—I am positive of that.

16,689. The other two 500*l.* were put into a leather bag for you?—Yes.

16,690. (*To Mr. Smith.*) You have no recollection. I think I am correct here as to what Mr. Daw has said, that you handed one to the conductor or driver or somebody on your arrival at Totnes?—I certainly think I should not part with my bag.

16,691. When you came back with this money on the second occasion, did you go straight to No. 13 with a bag of money?—I should say most certainly I did.

16,692. You went up straight with the bag?—Yes.

16,693. What did Mr. Daw do with his; bring it to you? I will tell you fairly that Mr. Daw has stated that he went to your room, the portmanteau was opened, there was nothing in it, and there and then the bags were put in.

(*Mr. Daw.*) Mr. Smith had wearing apparel in his portmanteau.

16,694. (*Mr. Coleridge.*) Then did you take the bag out of your dressing bag and put it into your portmanteau?—I think I did.

16,695. Do you recollect what Mr. Daw did with the bags he had?—I think they were put in my portmanteau.

16,696. How long after they had been in your port-

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manteau did you first deal with those bags in any way?—I should think the following day.

16,697. Not that night?—I have no recollection of it.

16,698. When did you give a bag to Mr. Lind?—I gave a bag to Mr. Lind when he came, and I told Mr. Lind he was to act under the authority of Mr. Edmonds.

16,699. He was not to part with the money unless he had authority from Mr. Edmonds?—Everything from him, yes.

16,700. How much money did you give Lind?—1,000*l.*

16,701. In two bags?—In two bags.

16,702. Did you part with that or your own 500*l.* first?—With my own first.

16,703. You say you gave it to Mr. Lind; were you in the room when Mr. Lind came for it?—I cannot recollect whether I was or not.

16,704. Did you take it to Mr. Lind or did Mr. Lind fetch it from you?—I should say he fetched it from my room.

16,705. Was that in consequence of the instructions you gave him?—Yes, I suppose it was.

16,706. You suppose you gave instructions to Mr. Lind to fetch the money, and having got the money he was to do whatever Mr. Edmonds told him?—Quite so.

16,707. Then Mr. Lind and Mr. Daw, from what they have told us today, did not come down merely to be a consolation to you, but to assist in the distribution of this money. You told us on the last occasion that you merely had your clerks down because you liked to have some one about you?—I am not aware that they paid any money away.

16,708. Did not you tell Mr. Daw in London that he was to go down and help about some money?

(*Mr. Daw.*) I did not state that.

16,709. (*Mr. Coleridge.*) Did you tell Mr. Daw what to come down about?—I simply wanted him to come with me because I was unwell at the time.

16,710. Did he know or was he told what to go down about?—I do not think so.

16,711. Having got this money down, and having given 1,000*l.* to Mr. Lind, what was the next thing you did with the 500*l.*? Had the 500*l.* you kept been disposed of at the time Mr. Lind had the residue?—I do not know what became of it.

16,712. Did you part with the 500*l.* to Mr. Edmonds, as you have told us, before you gave the other two 500*l.* to Mr. Lind?—In all probability I did, but I do not recollect.

16,713. You do not know which went first?—I should say the first 500*l.*

16,714. How long after you came down did you find the whole of your money gone? You came down in the evening, as we have heard; what time in the morning was the whole of the money gone?—My clerk will explain that to you.

16,715. Your clerk has deposed to a conversation. What time after you had arrived had you got rid of your money? I think your clerk Mr. Daw said (he will correct me if I am wrong) his way of testing the knowledge of when the money was gone was that he heard about another cheque being wanted; can you recollect what time it was that all the money was gone?—I cannot, indeed.

16,716. Was it gone by 10 o'clock the following morning?—As far as I recollect it was not.

16,717. Did you distribute any money the night you came down?—I do not think that Mr. Edmonds came then.

16,718. Did you give Mr. Lind any money?

(*Mr. Lind.*) I was not at Totnes at that time.

16,719. (*Mr. Coleridge.*) Was your own 500*l.* gone the following morning?—I cannot say, but I think it was very likely.

16,720. Then the other 1,000*l.* remained till Mr. Lind came down?—No doubt about it.

16,721. Had you applications for that money in the meantime?—I should say certainly not.

16,722. If you had you would have given it?—I should have given it to Mr. Edmonds.

16,723. Or anybody else?—I do not suppose I should.

16,724. To John Heath?—Certainly not, unless I receive a private note from Mr. Edmonds to do so.

16,725. I want to put this to you, and give you plenty of time to answer the question. If No. 13 was the room to which Mr. Screach and Mr. Evens came and obtained the money, and it was also sworn distinctly that they obtained it from a stranger with grey whiskers, with dark hair, and one says with a moustache, and one says without, can you at all explain who that person could have been, the room being occupied by you?—Certainly not.

16,726. Was there, beyond the person who you told us came (and you are corroborated by Mr. Daw), any person you saw in the bar?—The small room behind the bar.

16,727. Can you, in addition to that, tell us of any other stranger who could have been making use of your room?—I do not believe there was anybody in my room, and could not believe it, because I was constantly backwards and forwards.

16,728. You believe it is altogether a mistake?—I do indeed, decidedly.

16,729. And altogether a mistake that there was any such person at all?—I do believe so.

16,730. Then where do you believe Screach and Evens got those various sums of money which were told out to them, that they have sworn to?—I cannot imagine, except through Mr. Edmonds.

16,731. If they have sworn it was not Edmonds, but a stranger, who told out the gold into the little bags they brought, you know nothing of it in the room No. 13?—Certainly not.

16,732. You told us the other day that you had just a casual conversation with the stranger at the bar, and nothing more?—Nothing in the room behind the bar. Mr. Heath told me there was someone who wanted to see me; I went down and saw a person there who hemmed and ha'd, and as far as I can recollect said, "Can I be "of any use in the election?" and I said, "Certainly "not," and walked out of the room. I believe an application was made by Mr. Heath whether I would pay the man's expenses, and I said, "No."

16,733. When did you first recollect that application about his expenses?—In conversation this morning with Mr. Daw; he says that I repeated it to him at the time.

16,734. When we examined you on the former occasion you did not recollect?—I did not.

16,735. Did you pay his expenses?—No.

16,736. You do not believe that a person afterwards occupied No. 13?—No, certainly not.

16,737. We have heard it sworn to here by Mr. Edmonds and Mr. Kellock that you were asked to bring down a person to do the needful, a stranger, or words to that effect?—I have no recollection of anything of the kind.

16,738. You have forgotten the conversation to which those two gentlemen have sworn; may it have been that the conversation took place, you acted upon it, and that somebody was sent down?—Certainly not; I never sent anybody down here.

16,739. It cannot have been then that you heard that and acted upon it?—No, I did not act upon it.

16,740. You are sure you did not?—I am sure.

16,741. Will you swear you did not hear and assent to that conversation?—They might have talked to me about it; they talked to me a great deal about the election.

16,742. It is a very essential point in an election to have sent down a stranger?—I am not conversant with elections.

16,743. You may have dissented or not, but have you any recollection of their saying that it was necessary to have a stranger?—Not any. If I had heard it I should certainly have declined.

16,744. Mr. Edmonds and Mr. Kellock have sworn that they suggested it to you, and that you assented to

it?—I observed in Mr. Kellock's evidence that he doubted very much that he did so.

16,745. The last answer in the newspaper I have here is, "'I believe I was not present, I never heard "'of it.' The witness was pressed very much on "this point, and Mr. Kellock at length admitted that "he was present when the conversation took place?" —I have no recollection of it; Mr. Edmonds might have talked about it but I was never asked to do anything of the kind.

16,746. Do you recollect in a general conversation Mr. Edmonds saying more than you thought necessary on the subject?—Certainly not.

16,747. Have you an impression on your mind that Mr. Edmonds talked to you about matters that had better be left alone?—I do not quite understand.

16,748. Have you any impression that Mr. Edmonds mentioned matters which you would rather not have heard? Did you hear anything which you thought was sailing too near the wind?—No, I think not.

16,749. You have no impression, I do not ask you for your knowledge, have you an impression that anything was mentioned by Mr. Edmonds that you thought had been better left unsaid, about sending some person from London?—I might have heard Mr. Edmonds say that some one would be wanted, but he never said anything to me about it.

16,750. Did Mr. Edmonds in your presence to somebody else say, or soliloquising to himself say that somebody would be wanted to come down?—I cannot recollect.

16,751. Have you any recollection of something of the sort being said?—I cannot recollect at all; I do not think that Mr. Edmonds would venture to suggest such a thing to me.

16,752. He has sworn it?—I have no recollection at all of it. Is is entirely out of my way, these election matters.

16,753. Then you put it that you cannot recollect against two gentlemen who swear they did?

(*Mr. Longe.*) Here is the question, "Do you "recollect hearing Mr. Edmonds say, Mr. Smith, in "your presence that it would be necessary to have a "stranger down from London"?—I did hear that.

16,754. Then why did not you tell us that?—It was a long while ago, and you did not bring my mind to the circumstances.

16,755. (*Mr. Coleridge.*) Did you always lock No. 13 when you went out of it?—I always did when I was in there myself. I cannot recollect.

16,756. You used to go to lie down because you were unwell?—Yes. If there was any money in the room in a portmanteau I have no doubt that I locked it.

16,757. Mr. Lind did not come down till the Sunday night, and you came on Friday?—Thursday, I think.

16,758. We must assume that there was 1,000*l.* in your room till the Sunday night, when Mr. Lind came down and you gave it to him?—Yes.

16,759. And you have no doubt that whenever you left your room during that time you locked your door outside?—I have no doubt.

16,760. Did you leave the key with John Heath?—No, certainly not; I put it in my pocket.

16,761. Do you know whether Mr. John Heath used your room in your absence?—No, it is utterly impossible that anyone could use my room, I was so constantly in and out of it.

16,762. We have heard from your clerks that each day you had a drive?—Only two I think while I was here.

16,763. Did you go out driving on the Friday?—Not on Friday, that was the day I arrived.

16,764. Did you go out on the Saturday?—I was absent from Saturday afternoon till Monday morning. I spent that time with Colonel Dawkins at Teignmouth.

16,765. You went from the Saturday to the Monday?—Yes, Saturday afternoon to Monday.

16,766. Did you leave your room with the door locked all that time?—It is very probable that Mr. Daw had the management of the money.

16,767. He had the control of the money in your absence?—Yes, I should think it is probable; I cannot recollect.

16,768. Do you recollect whether he had the key of your room while absent at Teignmouth?—I cannot recollect.

16,769. You kept your room, nobody else slept there?—I kept it no doubt.

16,770. Do you know whether Mr. John Heath ever went to your room in your absence?—I never heard so certainly; I should have thought it a great piece of impertinence.

16,771. I mean the landlord?—Mr. Heath was only once in my room, on the night of the nomination. I was lying down on the morning of the nomination.

16,772. We must take it by steps. Do you know on the Friday, the day after you arrived, Mr. Heath coming to your room at all?—I cannot recollect.

16,773. Can you recollect how long you were absent from your room on the Friday?—I arrived Friday morning.

16,774. Did you go out for a drive?—I think it is very unlikely.

16,775. You were about all the Friday on the business of the election?—Yes, with Colonel Dawkins.

16,776. Can you recollect at all whether you breakfasted with Colonel Dawkins on the Friday morning?—I breakfasted with him every morning.

16,777. When you left your room to go to breakfast, money being in your room, did you lock your door?—In all probability.

16,778. Before your room was done, so that the chambermaid could not get in?—I cannot recollect; If the money was in my portmanteau I may not have locked it.

16,779. You did not lock your portmanteau only, but your room?—I cannot recollect.

16,780. Should you say generally that if ever you left your room and there was money in your portmanteau you locked your door?—I should say I should.

16,781. You took the key away?—Yes.

16,782. After breakfast on the Friday what was the time you would be likely to return to your room?—A few minutes after breakfast.

16,783. You found your room still undone; the chambermaid had not been?—Very frequently.

16,784. What did you do after this; when you went away again did you lock your door again?—I should say I did.

16,785. Then was your room done when you were present?—No; I have told you that when I left the room to go to breakfast I left the door unlocked. I thought I said so.

16,786. Then was it that you think you went to breakfast and left the room unlocked?—I should I say did.

16,787. You went and came back and found the room done?—If not done I went for a stroll, and came back and found it done.

16,788. Leaving your door unlocked?—Yes.

16,789. And what time did you come back?—11 or 12.

16,790. And what time did you breakfast?—About half-past 9 or 10 generally.

16,791. During your breakfast hour, and probably your stroll afterwards, you left your door unlocked?—I should say I did.

16,792. Was your portmanteau locked?—Yes.

16,793. Was the little black dressing bag inside the portmanteau or not?—No.

16,794. Where was the dressing bag, on the table or the chair at the foot of the bed?—Somewhere in the room; I cannot say where.

16,795. According to what you have said there were two periods in the morning at which your room door was unlocked; and if you came back at 12 to your room and found the room done and again went down, would you lock the door again?—I should say I did.

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Mr. F. Smith.

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16,796. So we may take it that all through the afternoon your door was locked?—I should say it was.

16,797. Then you went and dined with Colonel Dawkins in the evening, I suppose?—Yes.

16,798. Should you keep the door locked then?—I should say I did; I cannot say positively.

16,799. This is very important as to the probability of anybody else using your room in your absence?—It is utterly impossible; I was backwards and forwards so much, and was lying down nearly the whole day frequently.

16,800. Nearly the whole of the first day, Friday?—Very likely I was; I cannot say.

16,801. Very nearly the whole of the next day, Saturday?—It depends on how I felt.

16,802. Did you as a general rule feel unwell while down here?—Some days I did.

16,803. Do you remember whether on Saturday you went for a drive and locked the door?—I should say it was locked, but I cannot say.

16,804. And you cannot tell of course whether any other of the keys of the doors in the hotel would open your room?—I do not. I think there is only one door to my room.

16,805. Do you know whether the keys of other doors would open it?—No.

16,806. Did you ever hear any complaint of people being in your room in your absence?—No.

16,807. Did you ever make a complaint?—Never.

16,808. Can you at all then account for the statements that have been made by four different people about No. 13?—I cannot; it must be a perfect mistake.

16,809. You can hardly put it in such a mild way; it must be an absolute falsehood on the part of those persons?—An absolute falsehood.

16,810. Because it is right to bring it distinctly to your memory that your own clerks have accounted for No. 15, No. 14, and No. 13, and it is No. 13 to which it is sworn that people went to get money from the mysterious stranger; so it must be an absolute falsehood?—An absolute falsehood, unless it was Mr. Edmonds came up for that 500*l.*

16,811. I am not alluding to that?—It is then an absolute falsehood.

16,812. (*Mr Longe.*) Have you had any conversation with Mr. Heath since you have been down here about this matter?—I do not think I have, with the exception of when I was coming here on Tuesday, he said that he was prepared to go through a strict examination as regards Mr. Mum; he said that to me as I was leaving the hotel.

16,813. Have you mentioned to him the discrepancies in your evidence and his as to the interview with the false Mr. Mum?—No, I have not. I have not seen him for the last few days.

16,814. Then that statement of yours was correct, that the man came down and was sent back again?—I understood from Mr. Heath that he had left the hotel.

16,815. What did you say to him?—Only that which I have repeated before. Will you allow me to say that I am more anxious than you are to find out who Mr. Mum is.

16,816. Coming down as you did as the confidential friend of Colonel Dawkins, and having the special function of bringing his money down, as I understand, you were responsible to him, and undertook that the money should be properly distributed?—I was to distribute it to his agents here; he had requested Mr. Edmonds to act for him.

16,817. Colonel Dawkins never understood from you that you had passed over your responsibility to Mr. Edmonds. Did anything to that effect take place?—No; I should have been responsible.

16,818. Then do you mean to say that having this money in your hands you merely passed it over to Mr. Edmonds, and took no further part in the distribution of the money?—Quite so. I had no control over the money after it had passed out of my hands.

16,819. Did you have any conversation with Mr. Heath, senior, as to the distribution of this money?—Certainly not.

16,820. Not a word?—Not a syllable.

16,821. (*Mr. Coleridge.*) Did you ever have a list of voters before you?—I may have seen it.

16,822. With sums of money appended to their names?—Oh, dear, no. I only saw the printed list.

16,823. Can you assist us in solving the problem who this mysterious stranger was?—I wish I could. I would give 50*l.* if I could find out the man.

16,824. Do you believe that anyone was there at all?—I do not believe it.

16,825. If so, could it be anyone in the world who distributed this money, except either Mr. Heath himself or one of his sons?—I know nothing about that.

16,826. Mr. Edmonds has sworn that he sent the money to some one who he imagines to have been a mysterious stranger, in No. 13. Mr. Edmonds and Mr. Kellock have both sworn to that. You are without doubt the inhabitant of No. 13. Screach and Evens say that in No. 13 they received the money from some disguised individual; the question is could anyone have had access to that room besides yourself except Mr. Heath or his son?—I should say not.

16,827. Except those occasions you have told us of about leaving the door open, as a general rule you took the key and locked the door?—My impression is that I did; I cannot say for certain. I am certain of this, that the money was under lock and key; my impression is that I locked the door, but I cannot say.

16,828. You always kept the portmanteau locked?—Decidedly.

16,829. Did you ever leave the portmanteau open with the money in it and the door of the room locked?—No.

16,830. Then you would like to correct your former statement; you cannot go further than to say that you always kept the money locked up, but you cannot say that you locked the door?—I cannot say that I kept the door locked.

16,831. Did you ever lock the door except when you were lying down?—I cannot say that I did not.

16,832. The whole of your examination has proceeded on the hypothesis that you kept the door locked?—I knew that the money was under lock and key. I have not sworn that I locked the door, only to the best of my belief.

16,833. Do you think that you did?—I should think so.

16,834. Are you equally positive, that if you locked the door you did not leave the key with Mr. Heath at the bar when you went out?—Decidedly not. If I locked the door the key would remain in my pocket.

16,835. Did you ever tell Mr. Heath that the money was in your room?—I am not aware of it.

16,836. Or did you hear anyone tell him so in your presence?—Certainly not.

16,837. Can you swear that you did lock the door, or you did not?—I cannot swear that I did.

16,838. The door being left open, it may be the whole of the day, anyone might have use your room in your absence?—They might have gone in and out of the room; they would not have used it.

16,839. Mr. Daw says that one or two days you went for a drive?—One day we went to Torquay, and another day to Mr. Champernowne's.

16,840. Going to Torquay you would be absent three or four hours?—Yes.

16,841. If the door had been open during that time anyone else might have gone into your room?—In my absence they might, certainly.

16,842. And if by an extraordinary coincidence Mr. Heath had known the money was there he might have obtained it?—If he had unlocked my portmanteau.

16,843. You are quite certain you locked your portmanteau?—I am certain of it.

16,844. (*Mr. Longe.*) When did Mr. Heath come to you and say that a man wanted to see you?—I think it must have been either on the Friday or the Saturday morning.

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Mr. F. Smith

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16,845. Was that the first day you came?—The first or the second day that I came.

16,846. What time of the day?—I think it was in the morning, between 10 and 12; he said that some one wanted to see me, and pointed to the room where he was.

16,847. Did he say anything more?—No.

16,848. He did not give you to understand what the man wanted?—I do not think so.

16,849. From what he said to you did you understand the object for which the man had come?—I think he may have said, "I suppose he is come about "the election."

16,850. You went to this room behind the bar?—I was passing the bar at the time that Mr. Heath spoke to me, and then I went in there.

16,851. Was Mr. Heath with you?—No.

16,852. Did you ask him what he had come about?—I think he spoke first.

16,853. Did he say anything about coming from the club?—Certainly not; he said he came about the election.

16,854. Did he not give you his name?—No, nor did I ask him. I said, "What do you want"? and he said, "Can I be of any use?" and speaking to the best of my recollection, I said, "Certainly not," and I walked out of the room.

16,855. Did you see Mr. Heath there?—I do not think I saw Mr. Heath until an hour after.

16,856. And then did you speak to him or he to you?—I think Mr. Heath afterwards asked me if I would pay the man's expenses, and I said, no. I believe that is all that took place.

16,857. Nothing took place between you and Mr. Heath to explain this man's being sent back again?—Nothing of the kind.

16,858. You understand from Mr. Heath that he was sent back?—I heard from some source or other that he had left the hotel; that was either the 8th or 9th of July.

JOHN SANDFORD SCREACH recalled and further examined.

Mr. J. S. Screach

16,859. (*Mr. Coleridge.*) Do you still adhere to your statement, that during the election the gentleman who supplied you with money was in No. 13?—Most certainly.

16,860. You have no doubt about that?—No; I took particular notice of the door.

16,861. What days were you in No. 13?—On the Monday and Tuesday.

16,862. Were you there at all on the Saturday?—I was not.

16,863. At what hour on the Monday were you in No. 13?—To the best of my recollection, the first order I had given to me was the day preceding the nomination day about half past 10 or 11 in the morning.

16,864. Was that in No. 13?—Yes.

16,865. Who sent you to No. 13 on that occasion?—That was when Brown, the waiter, called me, and the stranger was standing at the foot of the stairs; he either said, "That is Screach," or "Screach, that is "the gentleman," and I followed him to No. 13.

16,866. When you got to No. 13, had you any conversation with him before he gave you the money?—He gave me a list.

16,867. Did you hear his voice?—Yes, distinctly.

16,868. You have heard the gentleman who has been just now examined, is he the person who gave you the money?—The only thing in which Mr. Smith resembles the man from whom I had the money is with regard to his whiskers, as I told him at the "Stars."

16,869. Could you recognize him by his voice?—I could not.

16,870. Was he the same sort of person in size?—I think the description would answer as to size.

16,871. You are quite certain this person had a dark wig and black moustache?—I am.

16,872. And you were struck with the difference in the colour of his hair and his wig?—I was.

16,873. Beyond that you cannot answer?—I cannot, indeed.

16,874. (*Mr. Longe.*) Did you know it was not Mr. Heath himself?—I should not say it was Mr. Heath; I could not positively say; but Mr. Heath's whiskers are all but white; this gentleman's were a little tinged with grey.

16,875. Do you remember any other fact inconsistent with the supposition that would render it improbable that the man who dealt with you was Mr. Heath?—I do not.

16,876. You know nothing that would render it impossible; did you ever see the two together?—No. I would not undertake to swear it was Mr. Heath, I cannot undertake to swear it was not.

16,877. How long have you known Mr. Heath?—I have known Mr. Heath ever since I was a boy.

16,878. And you are in the habit of seeing him I suppose almost every day?—I see him very often.

16,879. (*Mr. Coleridge.*) Do you mean to say that the mere disguise of a black moustache and a wig would prevent you from being able to recognize Mr. Heath?—I do not know that it would.

16,880. Can you swear that it was not Mr. Heath?—I think I may swear with every amount of confidence that it was not Mr. Heath.

16,881. Will you swear it was not Mr. Heath?—I will swear solemnly it was not Mr. Heath; this is the only gentleman who answers that description.

16,882. Can you swear it was not the gentleman who was in No. 13?—I believe I can swear it was not him; still he answers to the description I have given.

16,883. You can swear that you saw someone who gave you money?—I can.

16,884. (*Mr. Longe.*) Had you much conversation with him?—I had not.

16,885. Whatever conversation you had with him was very short?—It was very short.

16,886. And very few words passed between you?—Very few.

16,887. Did you ever see him in broad daylight?—No; the blinds were always down.

16,888. (*Mr. Coleridge.*) Were you there on the nomination day?—No; I had settled with all my men on the Monday.

16,889. There has been a frightful scene of perjury on the one side or the other in relation to this matter. I suppose you know Mr. Heath intimately?—Yes, as well as I know anyone.

16,890. And you say that you know his voice. Did the gentleman who spoke to you at all resemble Mr. Heath in voice?—I should say not, for this reason, that Mr. Heath speaks a little through his nose, and I do not recollect that this gentleman did so.

16,891. Does that gentleman's voice, Mr. Smith's, at all resemble the voice of the gentleman who spoke to you in the room?—I do not recollect; I could not undertake to swear.

16,892. Does it at all resemble it?—I do not recollect the voice; he spoke in a very soft, easy tone.

16,893. Do you believe that this gentleman, Mr. Smith, was in No. 13?—I do not believe that this gentleman is the one I received the money from.

16,894. Do you believe that he is the gentleman who was occupying No. 13?—I do not know.

16,895. How often on the Monday were you in No. 13?—Two or three times during the day.

16,896. You were there between 9 and 10; what was the next time you were there?—About one o'clock.

16,897. When were you there again?—I was not there again until I returned from Bovey Tracey. I think I came back about 8 o'clock. I went by the express, took a cab to Bovey Tracey, and returned by the train that left Newton at 7.30.

16,898. The time you have accounted for would be the time when Mr. Smith would have been most

FOURTEENTH DAY.

Mr. J. S. Screach.

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likely to be absent from his room?—At that time, according to one of the gentleman's evidence, Mr. Smith was absent at Torquay.

16,899. (*Mr. Coleridge to Mr. Smith.*) Do you recollect what time you went to Torquay?

(*Mr. Smith.*) I think we started about three. We dined at Torquay that day.

16,900. (*Mr. Coleridge.*) About what time did you get back?—About nine.

16,901. (*Mr. Coleridge to J. S. Screach.*) Do you still maintain that you received the money in No. 13?—I do, most certainly.

16,902. And you swear that Mr. Heath was not the person who gave it you?—I think I may do so positively.

16,903. You do not think that Mr. Smith is the person?—I cannot undertake to say that Mr. Smith is the man.

16,904. Did you receive the money in some other place?—On my oath I received no money from Mr. Heath, not one farthing, at the last election, or at any of the borough elections.

16,905. Did you receive any money from Mr. John Heath, junior?—I did not; nor from George Heath.

16,906. Nor from any person except the mysterious stranger?—I did not, on my oath.

16,907. (*Mr. Longe.*) Your conversation with this stranger was very short?—He must evidently have been informed about me and my whereabouts. If you keep me here till Christmas day I can only tell the truth. You will get no more from me.

16,908. You stated before the Committee that you saw so little of him that, beyond the mere circumstance of his having a wig on, you could not tell him from the gentleman who was examining you?—That was merely a bit of bravado on my part. I hardly knew what I was about when Mr. Serjeant Ballantine was badgering me.

16,909. Did any long conversation ever take place between you and him?—No, not the slightest; he merely gave me the list.

16,910. And whenever you saw him he had his wig and moustache on?—He had, most decidedly.

16,911. You never saw him without those?—No.

16,912. And you never saw him and either of the Mr. Heaths together?—I did not, to my knowledge.

16,913. Was it Brown, the waiter at the "Seven "Stars" hotel, from whom you received this money you have been speaking of?—No, he was a much taller man than Brown.

Mr. S. Brown.

SAMUEL BROWN recalled and further examined.

16,914. (*Mr. Coleridge.*) Is that the gentleman (*pointing to Mr. Smith*) who occupied No. 13 at the election?—I believe not.

16,915. It was a mistake when you said that a mysterious stranger occupied No. 13?—It was no mistake of mine that I am aware of.

16,916. You say that No. 13 was the room occupied by the mysterious stranger?—I did not say it was occupied; all I know is that he called his No. 13.

16,917. Is there a No. 13 sittingroom?—No.

16,918. Look at Mr. Smith and tell me is he the gentleman whom you knew as the mysterious stranger?—He is not.

16,919. And no disguise would make him like that man?—I cannot tell.

16,920. Had the mysterious stranger dark hair and moustache?—Yes, to the best of my recollection.

16,921. Assuming that Mr. Smith had a dark wig and moustache, would he be like that person?—I cannot assume. If I saw him so I might answer that.

16,922. You told us the other day that the mysterious stranger occupied No. 13, or called himself No. 13. If Mr. Smith is No. 13, he is not the person whom you refer to?—No, not that I am aware of.

Mr. F. Evens.

Mr. FREDERICK EVENS recalled and further examined.

16,923. (*Mr. Coleridge.*) You have said that you went to No. 13 and got various sums of money from a mysterious stranger with dark hair and moustache and light whiskers?—Yes, rather grey.

16,924. You think his hair was natural?—I am sure it was natural.

16,925. You have heard Screach say that he thought he wore a wig?—I have heard Screach's evidence, but the gentleman whom I saw was not disguised in any way.

16,926. Is Mr. Smith who is sitting there the person whom you saw?—No.

16,927. Is he at all like him?—Not at all.

16,928. You always saw the same person?—I always saw the same person.

16,929. And no other?—No other, only one.

16,930. On the Saturday before the election how often were you in No. 13?—I dare say four or five times during the day.

16,931. Did you ever see Mr. Smith in No. 13?—I never saw him in No. 13.

16,932. On the Monday did you go to No. 13 at all?—I did.

16,933. How often did you go there?—Three or four times. I was there by 8 o'clock in the morning.

16,934. Was Mr. Smith there?—No.

16,935. Are you quite certain of that?—I am certain of it.

16,936. Was there any gentleman there in bed?—There was no one there in bed.

16,937. How long have you known the "Seven Stars"?—All my life.

16,938. Have you been over the house since the last election?—No.

16,939. Have you ever known the numbers of the rooms to have been changed?—I do not know that I have.

16,940. Have they always been the same in your recollection?—They have.

16,941. You were there at 8 o'clock, and Mr. Smith was not there in bed or out of bed?—I did not see him.

16,942. But you must have seen him if he had been in bed?—I must have seen him; the room is not so large but that I must have seen him.

16,943. At what other time were you there during that day?—About 12 o'clock.

16,944. Was Mr. Smith there then?—No; there was no one there but the stranger.

16,945. When were you there again?—I think about 3 o'clock.

16,946. Was Mr. Smith there then?—No.

16,947. Was the stranger there?—The stranger was there.

16,948. When were you there again?—In the evening about 11.

16,949. Was Mr. Smith there then?—No.

16,950. Was the stranger there then?—He was.

16,951. On all these occasions was the door locked when you came to it?—On all occasions the door was locked before I came in and after I got in.

16,952. Did you hear the door locked again after you went out?—Yes.

16,953. Did you see Mr. Smith on the Tuesday?—No.

16,954. How early did you go there?—I was there pretty early; 6 or 7 o'clock.

16,955. Was Mr. Smith in bed then?—No; if he was in bed he was very quiet.

16,956. You only saw the stranger?—I only saw the stranger.

16,957. You never saw Mr. Smith in No. 13?—I never saw him there, to the best of my knowledge.

16,958. You have seen the stranger there?—Yes.

16,959. And Mr. Smith could not be disguised in that form?—No.

16,960. You are quite certain that No. 13 was the room?—Yes, I am positive of that.

16,961. (*Mr. Longe.*) Will you swear you never saw that person before?—I never saw him before or since.

16,962. Did you know Colonel Dawkins' valet?—I did not know him; I might have seen him.

16,963. Was he ever pointed out to you?—I think I was at the "Stars" one evening and he came in there; he was rather a peculiar sort of man. I asked who he was, and I was told he was Colonel Dawkins' valet.

16,964. Was he the mysterious stranger?—No, he was not at all like him.

16,965. Will you swear it was not one of the Heaths whom you received this money from?—I will swear it was neither of the Heaths.

16,966. Did you receive this money from some one who has not been examined on this occasion?—I received the money from a gentleman I have not seen since the election.

16,967. You say it was not John Heath, junior?—It was not him; I know him so well.

16,968. Was the voice of the person like John Heath senior?—No; not at all.

16,969. Like young Mr. Heath?—No.

16,970. Like the gentleman examined to-day?—No.

16,971. Who was it?—I cannot tell.

16,972. Will you describe the furniture of No. 13, where is the bed?—On the right.

16,973. Where is the window?—Facing the door.

16,974. When you went in on the nomination day was the blinds down all the time?—The blinds were down all the time.

16,975. You went at 6 o'clock in the morning and frequently during the nomination day, were the blinds down all the time?—Yes.

16,976. If a gentleman has stated he saw Mr. Heath in the room he must be labouring under a mistake?—I am sure it must be.

16,977. You are sure that if Mr. Heath was in the room that no gentleman could have seen him in the street?—Quite sure of it.

16,978. Then there is a bed and dressing table in the room?—Yes, near the window. I think rather on the left.

16,979. That is the room you have known as No. 13?—Yes.

16,980. You have no doubt whatever that the only room you went into during the election to receive money was No. 13?—I am sure of it, with the exception of the room downstairs.

16,981. That was No. 15?—It might be No. 15, but I would not be positive.

16,982. (*Mr. Bere.*) Describe to me this room 13, do you enter it from the passage?—From the passage.

16,983. As you go upstairs which way do you turn?—To the left.

16,984. Where would the door be, to the right or the left?—After you got on the landing and turned the door would be on the right.

16,985. When you get to the door how does it open?—Against the bed.

16,986. What size room is it?—A room 20 by 15.

16,987. What height?—About eight or nine feet high.

16,988. How is it carpeted?—I didn't take any particular notice of the carpet.

16,989. Is it in strips or carpeted all over?—All over.

16,990. What sort of bed is it?—A four-post bed or half-tester.

16,991. You say Mr. Smith must have lain very quiet in bed, but you may not have seen him if the curtains were drawn and it was a four-post bed, but if it was a half-tester you must have seen him?—I think it was a four-post bed.

16,992. What were the curtains made of, dimity, or what?—I cannot say.

16,993. How many windows are there in the room?—Only one.

16,994. Has that window got curtains?—I did not notice anything but the roller blind.

16,995. As far as you know there were no curtains?—I do not know.

16,996. You open the door against the bed and there is a fireplace opposite the bed?—I do not know.

16,997. You must know. You must have taken particular notice of the room in which you were so often, and in which you stayed so long on such important business?—I took more notice of the business than of the room.

16,998. I wish you had taken notice of the room, it is very important. Do you know how many chairs were in the room?—I cannot say how many.

16,999. Was there an easy chair there?—I rather think there was.

17,000. Was there a chest of drawers or a wardrobe?—I do not know.

17,001. Was there a dressing table?—Yes, a dressing table.

17,002. Now it is part of your business to look at the furniture of a room, you are a cabinet maker yourself and it is a thing you would observe whether the furniture wanted to be done?—Perhaps on another occasion I might have taken notice of it.

17,003. Do you do the cabinet work for the "Seven Stars"?—I used to do it.

17,004. Don't you do it now?—No.

17,005. Had you ceased to do it at the time the election happened?—Yes.

17,006. Can you tell us the things that were on the dressing table?—A looking glass, I know.

17,007. Do you know the sort of travelling bag people carry with them, a green morocco bag with gilt mounting?—Yes.

17,008. Did you see such a bag as that in the room?—No.

17,009. Was the four-post bed birch, beech, or mahogany?—I cannot say.

17,010. Where did the money come from?—From a square box.

17,011. By the side of the bed?—Yes.

17,012. Was there a chair between the door and the bed?—No. I didn't notice a chair there.

17,013. Did you ever get any money except the money you took from Mr. Edmonds? Didn't you take that very identical 500*l.* and distribute it?—No, I did not.

17,014. Where is the washing table?—I think at the right, at the end of the bed; and as well as I can recollect since I think I recollect that the fireplace is on the inside of the bed, on the right of the bed.

17,015. Between the door and the bed?—Oh, no.

17,016. Between the window and the bed?—Between the bed and the wall, in the centre of the wall.

17,017. Where is the bed?—Close inside the door. The door opened here (*describing*), close by the wall, then the door went back against the bed as well I can recollect, and then the fireplace was inside the bed.

17,018. (*Mr. Coleridge.*) What was No. 9 during the time of the election?—As far as I can recollect that was the poll room, where a poll was kept.

17,019. Did you ever call that the bribery room?—No.

17,020. Did you ever send a man named Willis there?—No, he was speaking to me about it just now, but he made a mistake about the number.

17,021. Have you made a mistake in the number?—No; I am sure about that.

17,022. You're sure that No. 9 was not the room in which the mysterious stranger was?—I am sure about it.

17,023. Are you sure there was a mysterious stranger?—Yes, I am certain of it.

FOURTEENTH DAY.

Mr. F. Evens.

8 Sept. 1866.

17,024. It was no one you knew before?—No.

17,025. You can undertake to say it was not Mr. Heath?—I can undertake to say it was not.

17,026. Not Mr. John Heath, Mr. James Heath, or Mr. George Heath?—No.

17,027. Will you swear it was not Mr. Smith?—Yes.

17,028. Wasn't it Mr. Lind sitting under you?—No.

17,029. You can swear that distinctly?—Yes.

17,030. Not the gentleman sitting next to him (*Mr. Daw*)?—No.

17,031. He was a man about 40 or 50?—Yes, with slight grey whiskers.

17,032. You never sent Mr. Willis to No. 9?—No.

17,033. Where did you send him to?—Nowhere. He came and asked me for some money, I think I saw him outside No. 8.

17,034. Isn't No. 8 Mr. Kellock's and Mr. Edmonds' room?—Yes; I was coming downstairs and met him on the landing.

17,035. Tell us what took place?—He asked me for some money. He was going away with those lame ducks and wanted some money.

17,036. What did you say to him?—I gave him 6*l.* or 7*l.*, and told him to take care not to let any persons get tampering with them.

17,037. To take care of the ducks?—Yes.

17,038. Did you tell him where to go and get the 6*l.* or 7*l.*?—No, I had it in my pocket.

17,039. Did you mention No. 9 to him?—No.

17,040. Did you mention No. 10 to him?—No.

17,041. (*Mr. Bere.*) Did you call it the bribery-room?—No.

17,042. What did you call the room you sent Willis to?—I didn't send him to any room.

17,043. (*Mr. Coleridge.*) What is the room opposite Mr. Edmonds', No. 8?—The front room.

17,044. What is the name of it?—I cannot tell you.

17,045. Is it No. 9?—No, that was the other side of the house.

17,046. What room is it opposite No 8?—It is the front room.

17,047. What is the number of it?—I do not know.

17,048. Is it the ball room?—No.

17,049. Where is the room the committee sat, is it No. 8?—No, it was in the front room the committee sat.

17,050. Do you recollect sending young Willis to that room?—No.

17,051. (*Mr. Bere.*) Did you ever give any room in the "Seven Stars" the name of the bribery room? Never.

17,052. Never in your life?—No.

17,053. Not even No. 13?—No.

17,053*. Come here, will you?—(*The witness went and described on a piece of paper the position of the rooms.*)

17,054. Has No. 13 got a door opposite to it?—Oh, no.

17,055. No. 14?—No.

17,056. Is there a little door going off here from the gallery?—You come in here, and there is a door in front (*describing*). It is a curious sort of place.

Mr. J. S. Screach.

JOHN SANDFORD SCREACH recalled and further examined.

17,057. (*Mr. Bere.*) When you come upstairs to come to No. 13 how you get at it?—Turn round to the right.

17,058. How many doors from where you turn is No. 13?—I do not know that I ever counted the numbers.

17,059. Is it the first door or the last?—Nearly to the end.

17,060. How does the door open, to the left or to the right?—The rooms are all on the left.

17,061. But the door of the room itself?—I think it is on the left hand side and opens inward, but I would not be certain.

17,062. On which side of the door is the handle?—I cannot say.

17,063. Does it open that way or this way (*describing*)?—The door opens into the room, I think.

17,064. Does it open to the left?—No, I think it turns to the right; it falls back against the bed.

17,065. What sort of bed is it?—I didn't take any particular notice; it is a four-post bed with furniture round it.

17,066. Where is the fireplace?—That I do not know; my time was very short.

17,067. Is the room carpeted?—Yes, I think it is.

17,068. All over?—Yes, I think it is; and I am sure that the curtains of the bed were drawn.

17,069. Do you know the sort of travelling dressing bags that people have? Have you ever seen them?—I dare say I have seen them.

17,070. Green morocco with gilt mountings?—No doubt I have, but I do not recollect.

17,071. Did you see such a thing in the bedroom?—I don't recollect it.

17,072. Was it left on the dressing table?—I do not know.

17,073. Did you say that it was 1865 that the money was taken from the china bowl, or in 1863?—In 1863.

17,074. In 1865 he took it from the side of the bed?—Yes; he went to the other side of the bed.

17,075. Are you quite certain that No. 13 is the 1865 room; may you not be confounding it with the 1863?—I do not think I am.

Mr. W. J. Willis.

WILLIAM JOHN WILLIS sworn and examined.

17,076. What are you?—A butcher.

17,077. Did you go to the "Seven Stars" during the election of 1865?—Yes.

17,078. Did Mr. Edmonds tell you to go down there?—No.

17,079. Who told you then?—No one told me to go.

17,080. Did you go of your own accord and meet Mr. Evens there?—I went there.

17,081. For what purpose had you gone to the "Seven Stars"?—I went on the nomination day.

17,082. To see whom?—No one in particular.

17,083. When you went to the "Seven Stars" did you see Mr. Frederick Evens?—I went in the morning first.

17,084. Did you see Mr. Frederick Evens at any time?—Yes.

17,085. Had you got a telegram with you when you went to the "Seven Stars"?—Yes.

17,086. Was it a telegram from James Page?—Yes.

17,087. Did you show that to Mr. Edmonds?—Yes.

17,088. What did he tell you to do with it?—To go to Exeter and see him.

17,089. As you were going to see Mr. Edmonds did you meet Mr. Evens?—I saw Mr. Evens in the passage. I asked him where Mr. Edmonds was, and he said upstairs.

17,090. Did he say where?—I knew pretty well where he sat.

17,091. Did you go straight to the room where he sat?—Yes.

17,092. How did you know Mr. Edmonds' room?—It was the committee room.

17,093. Had you heard it called by any other name?—No. I have heard there was a little room, the one opposite the other.

17,094. Is No. 9 the room opposite No. 8?—I do not know the rooms at all.

17,095. Was it called the bribery room?—I never heard it called by that name.

17,096. Have you never heard it called the bribery room?—I may have heard Evens say it, but I would not swear to that.

17,097. Have you any doubt that Mr. Evens did call it the bribery room?—I do not know at all that; he might have said so.

17,098. Are you sure he didn't?—I would not say that.

17,099. You did go to this room?—Yes.

Mr. JOHN HEATH recalled and further examined.

17,100. (*Mr. Bere.*) Have the numbers of the bedrooms of the "Seven Stars" always been the same?—To my knowledge they have.

17,101. They have never been altered by your orders?—No.

17,102. Not to your knowledge?—No; no painting. The numbers are painted on.

17,103. Where there ever numbers put on a piece of paper and pasted on, to your knowledge?—Not to my knowledge.

17,104. Did you ever know of such a thing being done?—I think I have seen No. 8 pasted over "private."

17,105. Any other number?—No.

17,106. Was there a piece of paper over it in the time of the election?—There was at one door, I think, but I am not certain.

17,107. Was there any piece of paper pasted over any of the bedroom doors?—Not to my knowledge.

17,108. Have you had the furniture in any of the rooms changed since 1865?—Not changed with my knowledge; but I have nothing to do with the bedrooms; Mrs. Heath looks after them.

17,109. Who looks after the arrangement of the furniture?—My wife.

(*Mr. Bere.*) There is great uncertainty as the description of No. 13, and we are now going to adjourn the Commission to the "Seven Stars," that the witnesses may be examined there.

The Commissioners adjourned accordingly to the "Seven Stars" hotel.

Mr. SMITH recalled.

17,110. (*Mr. Coleridge.*) Is this the room you slept in, No. 13?—Yes, no doubt. I thought it was 15, but I am certain this is it.

17,111. (*Mr. Bere.*) Is the furniture the same as when you were here?—I think so.

17,112. (*Mr. Coleridge.*) There was contradictory evidence; some one said it looked on the plains, and could not be seen from opposite.

MARIA POMEROY recalled.

17,113. (*Mr. Bere.*) Is this the room the stranger sat in?—I do not recollect.

17,114. Is this the room you saw the bag in?—Yes.

17,115. Did Mr. Smith sleep in here during the election?—I do not think he did.

17,116. Did the gentleman lie on his bed half the day who was here?—I never found it so.

17,117. Mr. Smith says he locked his door when he went out of the room. Did you find the door locked?—I never found the door locked.

17,118. Mr. Smith says this was the room he slept in?—I do not remember.

17,119. (*Mr. Coleridge.*) And his clerks say they had No. 14 and 15?—I do not remember it.

17,120. (*Mr. Bere.*) Is there a No. 31 in the house?—No.

17,121. (*Mr. Coleridge.*) Have the numbers been changed since?—No.

17,122. Have you two Nos. 13?—No, we have two Nos. 20.

17,123. You have never seen a number pasted on a piece of paper?—I never saw such a thing in my life.

17,124. You must have known if it was so?—I think so.

17,125. (*Mr. Longe.*) Did you see the gentleman coming out of the room?—Yes.

17,126. Was it Mr. Smith?—As far as I can recollect it was not Mr. Smith.

17,127. (*Mr. Coleridge.*) Was it Mr. Smith's clerks?—Those clerks that have come today? I do not recollect them.

17,128. (*Mr. Longe.*) Did you recognize the gentleman when you saw him. Had you seen him in the hotel before?—I do not recollect. If I saw the gentleman I do not know that I should know him.

17,129. (*Mr. Coleridge.*) Where did Colonel Dawkins' valet sleep?—No. 11 at the end of the house.

17,130. You are sure you did not see Mr. Smith?—No.

17,131. What was the man like?—Like another man.

17,132. Was he dark or fair?—I could not say.

17,133. You are sure it was not Mr. Smith?—Sure.

17,134. And not one of his clerks?—I do not remember his clerks.

17,135. (*Mr. Bere.*) Mr. Smith says he had the room No. 15?—I do not remember it.

17,136. (*Mr. Coleridge.*) So do his clerks.

(*Witness.*) If I knew it I would say so. It is no benefit to me to tell a lie.

Mr. CHARLES JAMES DAW recalled.

17,137. (*Mr. Bere.*) Is this the room Mr. Smith slept in, No. 13?—Yes.

17,138. (*To Mr. Lind.*) Are you sure of it, Mr. Lind?—(*Mr. Lind.*) Yes.

MARIA POMEROY recalled.

17,139. (*Mr. Bere.*) Is either of these the gentleman you met coming in (*referring to Mr. Daw and Mr. Lind*)?—No.

17,140. Quite certain?—I do not know; I think I am.

17,141. (*Mr. Longe.*) Was it the gentleman who slept here?—It must have been the gentleman who slept here, or he would not be going into this room.

17,142. (*Mr. Coleridge.*) Do you ever recollect the meeting the chambermaid, Mr. Lind, as you were coming here one morning after breakfast?

(*Mr. Lind.*) I do not recollect it. I saw Mr. Smith frequently in bed; he was very unwell.

(*Mr. Daw.*) With reference to the room I speak positively from this, that I saw Mr. Smith and Mr. Heath sitting in here; we could see him from the hustings. The hustings was just out there on the plains. Mr. Smith was afraid someone from those windows would see the portmanteau, and he was very angry once or twice to find the blind pulled up one morning.

17,143. (*Mr. Bere.*) Is this the room, No. 14, which you slept in, Mr. Daw?

(*Mr. Daw.*) Yes.

17,144. And is this the room you slept in, Mr. Lind, Room 15?

(*Mr. Lind.*) Yes.

FOURTEENTH DAY.

Mr. F. Evens.

8 Sept. 1866.

FREDERICK EVENS recalled.

17,145. (*Mr. Bere.*) Which was the room you went to?—This is it, No. 13.

17,146. Are you quite certain?—Yes, this is the room.

17,147. How do you identify this room?—Only by the number and by the position of the room.

17,148. The blinds were always down?—Yes; always down like they are now.

17,149. Do you recollect any time Mr. Smith complaining of the blinds being up?—No.

17,150. Do you recollect at any time the blind being up, so that the portmanteau might be seen?—No.

17,151. Where was the portmanteau?—Here (*describing behind the bed*).

17,152. Do you recollect the chest of drawers?—I do not recollect it.

17,153. Was that washing-stand there?—There were not two; there was a Pembroke table stood there.

17,154. You do not recollect the chest of drawers at all?—No, I do not recollect it.

17,155. Had you been to the rooms before we came here?—Yes.

17,156. Why did you come here?—A friend of mine, Mr. Narramore, said he thought I had made a mistake in the way the numbers run.

17,157. You should not have come here when we wanted to test your evidence. Did you not go to the room further on?—I went on to show him.

17,158. (*Mr. Longe.*) You said you knew where the room was?—I knew where to go.

17,159. (*Mr. Coleridge.*) How did Narramore come to tell you?—He thought I had made a mistake.

17,160. What did you mean by saying it was to the left?—What I meant was that the room was on the left.

17,161. (*Mr. Bere.*) Having heard the description, does it answer in any particular?—I think it does.

17,162. Does it answer to size, 20 by 15?—Very nearly.

17,163. How do you describe the fireplace being on the right of the bed?—I think the fireplaee must have been closed up by some means. There was something in my mind that it must have been up there.

17,164. When you came with Narramore did not you turn to the left and go along the other passage?—Yes, seeing the figures run that way.

17,165. Thinking the room was in that passage?—No, I knew different.

17,166. Has anybody spoken to you about the situation of this room?—No; we came down to take a glass of ale together. We did not go to any particular room, we went to the landing.

17,167. (*Mr. Coleridge.*) This is more like the room you described, No. 19?—No, it is not.

17,168. You are certain this is not it?—Quite certain.

17,169. Nor No. 18?—No.

Mr. W. D. Narramore.

WILLIAM DANIEL NARRAMORE recalled.

17,170. (*Mr. Bere.*) Where did you go to when you came here?—Turned to the left.

17,171. You or Evens?—Evens led the way.

17,172. That was the room he was looking for, I suppose?—When we talked about No. 13 I was taken up those stairs to the left, and Evens took the lead.

17,173. He went to show you No. 13 in that direction?—I imagine so.

17,174. You wanted to go to No. 13, and he turned to the left first?—Yes.

Mr. J. S. Screach.

JOHN SANDFORD SCREACH recalled.

17,175. (*Mr. Bere.*) Was this the room you went to, No. 13?—Yes.

17,176. Was it like this when you were here?—This is exactly as I described it. The door opens on the left hand, as I stated, and I believe this to be the same dressing-table.

17,177. Were there two dressing tables?—I do not know; but this was the drawer the man opened and gave me the list from.

17,178. Is there any difference in the furniture now and then? Is there anything in the room that was not here then?—I do not know; I think not. I came here (*by the side of the bed*), and Mum walked round the bed and took the money. These curtains were drawn, and I believe it to be the same curtains.

17,179. (*Mr. Longe.*) Do you remember the time of day when the list was given to you?—I think 10 or 11 o'clock; I cannot say; 9 or 10 o'clock.

17,180. Were the slops emptied and the bed made?—I do not think I noticed; these blinds were drawn.

17,181. (*Mr. Coleridge.*) Do you recollect that he made a row about these blinds being up?—I have heard so.

17,182. You heard that Mum had made an objection to the blinds being up?—I do not know about Mr. Mum, but Mr. Smith.

17,183. You say it is not Smith?—I have heard since that Mr. Smith made an objection.

17,184. Were the slops emptied?—I do not know; I do not recollect seeing a utensil.

17,185. You are quite certain it was not No. 18?—The shorthand writer read the following passage from the witness's evidence given at the Town Hall:—

"Describe to me this room; do you enter it from the passage?—From the passage. As you go upstairs which way do you turn?—To the left. Where would the door be, to the right or the left?—After you got on the landing and turned the door would be on the right. When you get to the door how does it open?—Against the bed. What size room is it?—A room 20 by 15. * * * * Where is the washing table?—I think at the right, at the end of the bed; and as well as I can recollect since I think I recollect that the fireplace is in the inside of the bed, on the right of the bed."

17,186. (*Mr. Bere.*) Have you been here and seen the room since we left the Town Hall?—Yes.

17,187. Is it possible that Mr. Evens might have seen him in No. 18 and you in No. 13?—It is possible, but you might rely upon it that on the Monday Mum was disguised to all intents and purposes, or he would not have nice black hair and moustache and grey whiskers,

17,188. Do you recollect how many times you came into this room?—I believe I settled with those men on the Monday morning, and I could go to all their houses.

17,189. How many times did you come to this room?—I should think three or four times.

17,190. Were you here on the Saturday?—No, I never came till the Monday, and I came on the Tuesday to report.

17,191. (*Mr. Coleridge.*) Were you here on the election day?—No. I saw a man in the morning on the landing with Captain Pim who had the same description of moustache.

17,192. The same wig?—Precisely the same. I was sent for by Mr. James Heath, and sent to one of the sitting rooms, and this man, it was my impression, knowing that I had been sent for, mounted this disguise.

17,193. You think it was not Mr. Smith?—No, I think not. If you look at the evidence, Mr. Smith states he was at Torquay.

17,194. We can read the evidence. Mr. Smith has a peculiarity in his mode of speaking; did you observe anything in that?—No; I could not say that I did.

JOHN WILLIAM WILLIS recalled.

17,195. (*Mr. Bere.*) Which is the room you came to?—This is the room I went into first, No. 8, and the door was open as it may be now.

17,196. Where did you go afterwards?—Here, the large room, the committee room.

MR. SMITH recalled.

17,197. (*Mr. Coleridge.*) Did you ever see any of the money, the cash for any of the cheques you gave?—Never.

17,198. The only money was the 1,500*l.*?—Yes.

17,199. You never saw any money that was got from the cheques?—No.

MR. JOHN HEATH recalled.

17,200. (*Mr. Bere.*) Where did Col. Dawkins sleep?—I think he slept here. I know he had this sitting room, No. 20.

17,201. (*Mr. Coleridge.*) Where did Captain Pim sleep?—The chambermaid will tell you.

(*Mr. Smith.*) This is where Captain Fox slept, No. 4; it leads away into another staircase.

MARIA POMEROY recalled.

17,202. (*Mr. Coleridge.*) Who slept in No. 18?—I do not know.

17,203. Where did Captain Pim sleep?—No. 16.

17,204. You do not know who slept in No. 18?—No, I do not.

17,205. (*Mr. Bere.*) Can you remember whether the person came in for a night and went away?—No.

17,206. Do you recollect Mr. Murchison?—No.

17,207. (*Mr. Coleridge.*) Can you find out by your books who slept in No. 18?

(*Mr. Heath.*) I do not know.

(*Mr. Bere.*) We had better adjourn to the large room.

MR. JOHN HEATH recalled and further examined.

17,208. (*Mr. Bere.*) We have heard from Mr. Smith that you came to him on some day which he cannot identify, and told him that a person wanted to see him in a room behind the bar; do you remember doing that?—I do.

17,209. Did you see that person who was in the room behind the bar?—Yes, I did.

17,210. When had he arrived in your house?—I think it must have been on the Monday; I am not certain.

17,211. At what time?—I think in the after part of the day, but I am not certain.

17,212. Was that the person who afterwards acted Mr. Mum?—It was not.

17,213. Was the person who acted Mr. Mum in the house at the time?—He was, and I desired him to go to the other house. We had got a person to do our business, and I said he had better go to the other house and get a job.

17,214. (*Mr. Coleridge.*) Had he slept in the house the night before?—Oh, no; he did not sleep there at all.

17,215. Do you know when he went away?—No.

17,216. (*Mr. Bere.*) Did you not afterwards come to Mr. Smith and tell him the man had gone back, that the man whom you had seen had gone back?—Had gone away.

17,217. When did you do that?—I should think the same day that he left.

17,218. When did you see this man first of all in your house?—This man had come to apply for a job of work.

17,219. Mr. Smith saw him in the room behind the bar?—I saw him once there, merely for a short time.

17,220. Where did you see him?—In the little room on the left coming in, No. 1.

17,221. Who brought you the message that anybody was waiting?—He announced himself.

17,222. Where were you?—In the bar. I had made his acquaintance when he was here before on a similar errand.

17,223. Was he a man that came down in Dunn's time?—Dunn's time?

17,224. Was it Mr. Snell?—No, a man employed in Dunn's time.

17,225. (*Mr. Longe.*) You stated in your evidence there were not two persons down?—At what time?

17,226. 1865.—There were not two persons employed.

17,227. You had not two persons ever employed. You stated in your evidence there were not two persons down in 1865?—Employed on the business.

17,228. Did you tell Mr. Smith that that person would not be wanted because there was another person to do the work when this person came down?—Did I tell Mr. Smith?

17,229. Did you tell Mr. Smith that that person would not be wanted?—I did, that he would not be required at all.

17,230. Why?—Because another man was here going through the register.

17,231. You told Mr. Smith that?—I would not undertake to say word for word, but I told him I had got another customer.

17,232. You told Mr. Smith so?—I did so.

17,233. That was the reason why the man walked away?—It was.

17,234. (*Mr. Bere.*) This man came here on the Monday?—In the afternoon I believe he did.

17,235. And, as far as you know, went away the next day?—Yes.

17,236. How long had the real Mr. Mum been here then?—He had been here the whole day on Saturday, part of Sunday, and the Monday.

17,237. Was he a person who wore a wig?—I do not think he did.

17,238. Had he a moustache?—No.

17,239. At any time did you see the real Mr. Mum with a wig and a moustache?—No, he had not any moustache at all, more than I have.

17,240. (*Mr. Coleridge.*) What room do you believe the real Mr. Mum did occupy?—I handed him a bag in No. 13.

17,241. (*Mr. Bere.*) What time in the day was that?—In the morning, at 9 or 10 o'clock.

17,242. Was it while Mr. Smith was at breakfast?—I had not seen Mr. Smith at the time I went upstairs; I walked in to the end of the landing, past 14, 13, 12, and 11, and came back, and on coming back I went into No. 13 bedroom.

17,243. Did he come out of the watercloset?—Yes. I went into No. 13 with him; no one was sleeping there.

17,244. No one sleeping there?—Nobody was in the room at the time. I saw Mr. Pender cross the Plains to go into a voter's house, Mr. Wright's, close by; with that I handed him the bags.

17,245. Who was that man?—At the time I speak of I did not know when he came down, but I believed from the beginning we were to have a man down to dispense the *medicine*. Mr. Smith, when he went to London, had ordered such a man should come down.

FOURTEENTH DAY.

Mr. J. Heath.

8 Sept. 1866.

17,246. (*Mr. Coleridge.*) Did he call it *medicine?*—Who?

17,247. Your "Mum."—I do not know what he did; we called him "the doctor that dispenses the medicine."

17,248. Had he rather a colour in his face, rather a heat?—No.

17,249.—Did he tell you he had played the same game at Gloucester?—He said he had been at the same game for years.

17,250. Did he tell you about his having telegraphed home for "medicine" before your calling it "medicine"?—I do not know that; I believe he spoke of it the day before.

17,251. Did he talk of his position?—He did; we called it "sugar."

17,252. Do you know whether his name was Thompson?—No. I told one of the clerks what I thought of him, that his name was Jackson. I was in London a day or two ago and I went down to the House of Lords kitchen and asked if they knew a man named Jackson, I was told that if I went to the House of Lords I should find him lounging about, and I said, do you know such a person as that, I asked for Mr. Bladen, who lives at the House of Lords kitchen and I saw a serving man. I thought if I could by any chance catch a glimpse of the man I should know him again.

17,253. Do you know a man of the name of Patch?—No, I do not.

17,254. Do you know a man named Grant?—No.

17,255. Do you know of none?—I know a man of the name of Shaw. I took these memoranda from Mr. Bladen's waiter, he did not know him.

17,256. (*Mr. Bere.*) Did you think that Mum had any connexion with that person?—I had no reason to think so, but I was telegraphed to to meet a person at the station.

17,257. When did the telegram come?—The 1st of July.

17,258. Did you go to meet him?—Yes.

17,259. Did you meet him and did he tell you about Captain Pim?—No.

17,260. Was that all that passed between you and him?—That is all that passed. He agreed with me that two heads were better than one.

17,261. Did Captain Pim say anything to you about getting a man down to distribute the money?—No, he supposed we were in working order.

17,262. What did you say to that?—We were just at the beginning of it.

17,263. (*Mr. Longe.*) Do you say positively that when the man came down you told Mr. Smith there was another person?—I do.

17,264. That you told Mr. Smith there was?—I do.

17,265. You told him that?—I told him there was a man here to do that kind of business.

17,266. (*Mr. Bere.*) Do you know that name (*handing a card to witness*)?—No.

17,267. Were you at the opening of the Buckfastleigh Railway?—I was not sir. I have never seen a person of that name at an election time.

17,268. Now just tell us the conversation you had from time to time with Mr. Mum?—I went to my office and looked over a list of 30 names the other day.

17,269. Do you mean the auctioneer's office?—No, my son lives there; my office where I used to do the auction business is just at the corner of this lane, there is a door at the side.

17,270. You saw him there?—I saw him there.

17,271. Did you take the poll book and go through it with him?—He had the poll book.

17,272. Did you give him a list of names?—I had got certain names and he had got certain marks and dots against other names. He had two registers when he came to me.

17,273. Did you see whether he wrote out on a separate piece of paper the names of the persons against whose names there were dots?—I did not.

17,274. Had he writing materials up in his bedroom?—I did not see them.

17,275. What was your conversation? What in the first one?—This was on the Saturday morning before I went to the board.

17,276. What passed between you then?—If there was not much money spent on the other side we should certainly carry the election of one, and have a good chance of carrying the other too.

17,277. Did you at that time know how much money your side were proposing to spend?—I never knew exactly to what extent they would go, but 4,000*l.* to 5,000*l.*

17,278. Did you tell Mr. Mum that?—I think very likely. I told my son that he had gleaned the information from the various scouts; he would be a better judge of what was to be done.

17,279. How much money had you yourself ever received from Mr. Mum?—From Mr. Mum?

17,280. From Mr. Mum?—I received 100*l.*, which transaction had been negotiated in this way——

17,281. I only want the sums of money?—100*l.*

17,282. What else?—I think, with the exception of what he handed in in the bags, that is the lot.

17,283. How many times did he hand in the bags to you?—He handed in the bags to me in the presence of the voters.

17,284. How many times?—I gave out the names in my book of every one that was paid with my privity.

17,285. In the book?—Yes.

17,286. What book?—You have had it already in my evidence, in the poll book.

17,287. Do I understand that with the exception of the 500*l.* cheque which you cashed, and of which you returned 207*l.* 10*s.*, no other money passed through your hands at all?—I had one or two bags of money which was paid. I did not count it, but I am not clear who it was paid to. That is the only cash and votes that ever passed through my hands at the time.

17,288. (*Mr. Coleridge.*) How often did Mr. Smith see the real Mr. Mum?—He was in the public room and in the room where the meeting was, in the smoking room, and various parts.

17,289. Did you ever fetch Mr. Smith to the real Mr. Mum?—No.

17,290. Did you ever take the real Mr. Mum to Mr. Smith?—I pointed out Mr. Smith to him in this room (the ball room) on the evening of a meeting.

17,291. What did you point him out for? What did you tell him Mr. Smith was?—The solicitor to the election.

17,292. You regarded Mr. Smith as the solicitor to the election?—Yes.

17,293. Did you ever introduce the real Mr. Mum to either of Mr. Smith's clerks, Daw and Lind?—No.

17,294. Did you ever point them out to Mr. Mum?—Point them out to him?

17,295. Yes?—I do not know that I did, I said to Mr. Smith's clerks "This is the doctor."

17,296. Which of them?—One or both of them, I am not clear which.

17,297. Did you ever point out the clerks to the doctor?—No, not then; I had no object.

17,298. Did you hear any conversation take place between Mr. Smith and the doctor?—No sir; I think I have seen them talking together.

17,299. Where?—In the entry, at the public part of the house.

17,300. Mr. Mum was a good deal about the house as well as in No. 13?—And out in the town.

17,301. What was he supposed to be, one of the agents?—He was supposed to be the agent who negotiated the transactions with the voters.

17,302. You knew that, but the general public were not supposed to know that?—No.

17,303. What did the other party think he was, the other side?—For the three or four days they would not know but what he was a commercial man, and a man here in the ordinary way of business.

17,304. Did he go back with Mr. Smith again?—I never saw him.

17,305. Now try and tell us what made you trust

him as the person that was coming to do the business?

Only because such a man was coming; Mr. Edmonds said such a man would be here. I will give you an illustration of why I had a right to think he was the agent. Some few years ago I wanted to go to London, and I wanted to purchase some corn; I went to my banker's and said, "I want to go to Mark "Lane on Monday, and I want you to advise cash to "me at your London agents, Barclay's." I went to Barclay's next day and said "Have you any advice for "me?" "Yes, what amount?" "500*l.* or 1000*l.*" "(I forget which it was). "Yes, we have," and they gave me blank cheques and I drew for the amount. I believe the fact was that such a person was necessary, and Mr. Edmonds had reported to me that he had received some one of the sort at one time and that he came from the club.

17,306. What has the cashing of the cheque at Barclay's to do with that?—They had advice that I was coming to London, and I had advice that he was coming to Totnes. It was from Mr. Edmonds that I heard such a person was coming from London.

17,307. Did the advice come from the gentleman whose name I put to you, at Exeter?—No; from Mr. Edmonds to me.

17,308. You do not know where Mr. Edmonds got it?—I do not.

17,309. (*Mr. Longe.*) When you told Mr. Smith a person was down doing the work something more must have passed between you?—Between Mr. Smith and I?

17,310. Yes?—Mr. Smith may have seen the man about the premises.

17,311. When you told Mr. Smith there was a man down doing this work, do you mean to say no further conversation took place between you? Tell us what took place between you and Mr. Smith?—I do not profess to recollect every word, but in effect it was inasmuch as we had a man in the town before a second man was not wanted.

17,312. In the house; was it "in the town," or "in "the house"?—He was in my house at the time he lived here. I heard on the Sunday that this man was coming on the Monday. There was a man that did similar work in Dunn's time.

17,313. Did Mr. Smith know anything of it before you told him that? Did he know of that man being in the house?—Not that I am aware of.

17,314. You explained to Mr. Smith that because there was this man down?—That the other would not be required. I did so at the office. I rather think Mr. Edmonds was near.

17,315. (*Mr. Bere.*) Where did you give the explanation to Mr. Smith, was it in the committee room, Colonel Dawkins' room, Mr. Edmonds' room, or any room at all?—I think it was down in the entry. It was on the Monday when there was a great bustle about and many electors there. I will not undertake to say what particularly it was. A man came and wanted a job, and as we had got one before it was my duty to tell Mr. Smith.

17,316. Do you know whether the real Mr. Mum slept in your house?—I do not, sir.

17,317. (*Mr. Coleridge.*) Do you know Mr. Frail, of Shrewsbury?—No; he is not the man.

17,318. You know him; clerk of the course for half the races in England?—I do not know him.

17,319. Has he ever been down here?—I have not seen him.

17,320. (*Mr. Bere.*) Who would know where the real Mr. Mum slept?—If the chambermaid does not know I cannot say; gentlemen come every night, and unless they are numbered in any particular way neither of the servants would know.

17,321. (*Mr. Coleridge.*) How do you account for the stranger always using Mr. Smith's room, No. 13?—I do not know that he always used it.

17,322. Mr. Screach went to him there?—One night there was something put on the door to tell where he was. There is a little gaslight on the landing opposite No. 13 door, and he came down in my office and said he had seen the other side, and they were offering tremendous prices.

17,323. (*Mr. Longe.*) Did you have any conversation with Mr. Smith as to his using this room; you knew it was Mr. Smith's room?—I know now which it was.

17,324. What was it you were telling me about No. 12?—That he looked out of the window.

17,325. When was that?—I think about Monday.

17,326. Whose room was that at the time?—I do not know.

17,327. Do you not know who slept there?—No.

17,328. Did you not know it was Colonel Dawkins' private room?—I had not heard of it where it was.

CHARLES JAMES DAW recalled and further examined. *C. J. Daw.*

17,329. (*Mr. Bere.*) You have heard what Mr. Heath says, had you ever a man pointed out to you as the doctor?—No, sir.

17,330. Are you quite certain about that?—Quite certain.

CHARLES HENRY LIND recalled and further examined. *C. H. Lind.*

17,331. (*Mr. Bere.*) Are you equally certain, Mr. Lind?—Quite so.

17,332. Or about his dispensing the medicine.?—I never heard it; this is the first time.

FREDERICK SMITH recalled and further examined. *F. Smith.*

17,333. (*Mr. Bere.*) You have heard Mr. Heath state two or three times that this man would not be wanted, because there was one in the house?—I am satisfied that Mr. Heath never told me anything of the kind.

17,334. (*Mr. Coleridge.*) Did you ever give any person excepting your own clerks permission to go into your room for any purpose during the election?—Never.

Mr. JOHN HEATH recalled and further examined. *Mr. J. Heath.*

17,335. In your conversations with Mr. Mum you did not learn what he was, where he came from, where he lived, or anything about him?—Only that he had been engaged in similar business for years.

17,336. Did he mention the name of any single election at which he had been engaged before?—He did mention one about his going away because there was another one in disguise.

17,337. What was that election?—I do not remember; he had resorted to all sorts of malpractices.

17,338. (*Mr. Coleridge.*) Did he mention Gloucester?—I do not know.

17,339. Did he say whether he had been examined before a commission?—No.

17,340. Did he say anything about the chance of a commission?—I do not remember anything of the kind.

17,341. Did he mention Berwick-upon-Tweed?—I do not recollect. I had been up to a day or two before the election, been occupied in other ways; but it did not occupy much time in going through the list.

Adjourned to Monday next at half-past 11 o'clock.

FIFTEENTH DAY.

Totnes, Monday, 10th September 1866.

FIFTEENTH DAY.

Mr. T. C. Kellock.

10 Sept. 1866.

Mr. Thomas Creaser Kellock recalled and further examined.

17,342. (*Mr. Coleridge.*) I think the last question I asked you was, "What took place between you and the manager about cashing the cheque after banking hours? and the answer is, "I went to Mr. Charles Kitson, and he went down to the bank with me, and the managing clerk opened the bank and cashed the "cheque?"—Yes.

17,343. That was Monday?—Monday afternoon.

17,344. What time?—I do not think it was 3 o'clock. I do not think the bank had closed when I got to Torquay, I think between 3 and 4 o'clock.

17,345. Does the bank close at 3 o'clock?—I think it does.

17,346. What did you get the money in?—Partly in gold and partly in notes.

17,347. How much in gold?—The greater portion.

17,348. The notes in what sums; 5*l.* or 10*l.*?—I think small notes.

17,349. What time did you leave Torquay?—I returned to the hotel, where I met Mr. Fox, and we drove back immediately to Totnes.

17,350. What time was it when you got back here?—I should say between 5 and 6 o'clock.

17,351. Where did you go to?—To the "Seven Stars" first.

17,352. Whom did you see there?—Mr. Edmonds.

17,353. You went straight up to No. 8?—I do not recollect the house I went to. I went and inquired for him and gave him the parcel.

17,354. Did you give it to him in the room called the bribery room, No. 8; you did not give it to him in the open street?—I think I went to the room upstairs.

17,355. In the room you were in the habit of sitting? Was it the room which has gone by the name of "Edmonds' little room at the top of the stairs?"—I do not know; I gave it to him upstairs.

17,356. Was it No. 13?—No; No. 18 is the floor above. It was not No. 13.

17,357. You are quite sure about that?—Yes.

17,358. Did you give him anything else at the same time?—I changed the cheque I had received from Captain Pim.

17,359. Did you change that after banking hours at Torquay?—I changed it at the same time.

17,360. You gave him the 1,300*l.*?—The whole money.

17,361. In a bag?—It was in a parcel.

17,362. Did you see him open the parcel?—I am not certain; I think he did, and I think he counted the contents; I do not know.

17,363. That is what I want to know whether he did count the contents. Who else was present; anyone?—I do not think so.

17,364. Was Captain Fox present?—I think not.

17,365. Where did you go after he counted the contents?—If I recollect rightly I went to my residence with my own horse and gig.

17,366. Did you dine at the "Seven Stars?"—I cannot recollect; I do not think I dined at the "Seven Stars." I do not think I dined with Colonel Dawkins that day or the two subsequent days. I think I dined at home.

17,367. When did you next return to the "Seven Stars?"—In the course of the evening.

17,368. What time—between 8 or 9 o'clock?—Speaking I may say from one's usual habit during the election, I should think I returned to my house most probably, and went down in the evening about 8 or 9 o'clock.

17,369. Where did you go to then, did you go to Mr. Edmonds' little room?—But whom did you see first when you returned to the "Seven Stars" that evening?—You are speaking of the Monday evening.

17,370. The Monday evening—whom did you first see when you went to the house?—I should think there were 20 or 30 people in the entry; and in all the rooms above, where I went, there were a great number.

17,371. Whom did you first see to speak to?—I cannot possibly recollect.

17,372. Did you see Mr. Edmonds?—No doubt I saw him.

17,373. Did Mr. Edmonds tell you anything about the money being gone then?—No.

17,374. What did he tell you he had done with the money?—I do not believe he ever told me what he had done with the money. I simply went to Torquay to get the cheque cashed, and brought him the money.

17,375. You knew very well what had become of the money, and you did not ask him?—He gave me a cheque to get cashed, and I gave him the money.

17,376. You assumed that he dispensed it in the proper way; no doubt he used it for the purpose for which you went to get it?—I might assume it; we had no conversation.

17,377. If nobody told you, they did not tell you because you did not ask, and you did not ask because you knew; come, was not that it?—I know by guessing.

17,378. (*Mr. Coleridge.*) To all intents and purposes you knew.

17,378*a*. (*Mr. Bere.*) You knew very well?—I have said so before, in my evidence previously I think.

17,379. (*Mr. Coleridge.*) Answer it again; it does not matter answering twice over?—It is constantly answering questions on guess-work.

17,380. I ask you as a man of common sense and a man of the world, had you the slightest doubt?—I have previously answered it.

17,381. You have no doubt?—I have not.

17,382. Then it is not guess-work?—It is.

17,383. How long did you stay at the "Seven Stars" that night?—I cannot tell.

17,384. Till late?—No.

17,385. Did any stranger speak to you; any man you did not know at all?—The house was very full.

17,386. You know everybody in Totnes; did any stranger you did not know come and speak to you?—I do not recollect that evening that any person did.

17,387. Did you see Mr. Smith that night?—Yes.

17,388. Was he in an excited state?—I had seen him at Torquay, and in the evening after I returned he came back rather late from Torquay, and he was in an excited state.

17,389. Was Mr. Smith in such a state that he might very well not know what he was doing. Was he in such a state that things may have occurred in his presence and he not recollect anything about it?—I must admit that is my opinion. I do not wish to speak of the gentleman's habit when he was here, but I will tell you what occurred. After I had gone to the bank and met Captain Lane Fox we went to the coffee-room at the "Royal Hotel," and I think we had some little refreshment whilst the horse was fed, and there I saw Mr. Smith and one of his clerks dining, which surprised me very much; I thought he would be busy at Totnes.

17,390. You were surprised to find him at Torquay?—Yes. I will tell you what struck my mind, that it was an absurd thing for Mr. Edmonds or him to ask

me to go to Torquay and get the cheque cashed, when he was going with his clerk and sitting in the "Royal Hotel" dining. I was annoyed.

17,391. Did you say anything?—I expressed my surprise and we both left. I returned to Totnes and I believe I had gone away and come back to the "Seven Stars," and was in Colonel Dawkins' room when he returned.

17,392. Who left Totnes first to go to Torquay?—I do not know.

17,393. Did you pass him on the road?—No.

17,394. You did not see him when you first got to Torquay?—No.

17,395. The probabilities are he arrived shortly after you?—I cannot say.

17,396. Which of the clerks was it?—The darker one, Mr. Lind.

17,397. Did the manager of the bank tell you that Mr. Smith had been there that day?—No.

17,398. Did Mr. Smith tell you he had been to the bank?—No.

17,399. Nor his clerk?—No.

17,400. You saw him come back?—Yes.

17,401. What time did you see him in the "Seven Stars" that evening?—After I got back again—probably about 9 o'clock.

17,402. He arrived after you had come back to the "Seven Stars?"—Yes.

17,403. You recollect his coming in there in this excited state?—I did not see him arrive in his carriage, I saw him come into the room and I should say about 9 o'clock.

17,404. Was he in the state in which you speak?—Yes, he was.

17,405. Did you see him later that night?—No.

17,406. Had you any conversation with Mr. Heath, senior, before you left the house?—No I do not recollect speaking to him.

17,407. You do not recollect Mr. Heath telling you about a gentleman in No. 13?—No, I do not recollect.

17,408. You cannot tell us whether that evening you saw the mysterious stranger; did you ever see a mysterious stranger during the election?—The following day I should think there were 100 strangers.

17,409. Did you see one particular stranger?—I did not.

17,410. You went home in the evening. What time did you come to the "Seven Stars" the next day, the nomination day?—I came when the gentlemen were going to the hustings.

17,411. Did you ever go to Mr. Smith's bedroom while he was there, and ever see him lying in his bedroom?—No.

17,412. Not at any time during the election?—No. When Mr. Edmonds called to my recollection going to his bedroom the other day one feature which led my mind to it was the fact that I believe I was only in his bedroom once.

17,413. I just ask you that?—I told you in the previous evidence that was before he went to London.

17,414. Was that in No. 13?—I do not know.

17,415. Have you been to look at the house?—Yes.

17,416. Do you know that it is No. 13?—I went to look at it, but I cannot say.

17,417. Mr. Smith has no doubt it was, and so say his clerks?—No doubt it was, then.

17,418. If you saw him in a bedroom we may take it it was No. 13?—I cannot say. I went in casually without the least idea of its being inquired into, and it is impossible to say.

17,419. If you saw Mr. Smith in a bedroom it was his own bedroom?—He was packing up his things and no doubt it was his bedroom.

17,420. Where did you see Mr. Edmonds on the nomination day first?—I drove down to the Plains, and afterwards went on to the hustings.

17,421. Did you see him before you went to the hustings?—No.

17,422. Did you see him on the hustings?—I believe I did.

17,423. Did he tell you about wanting more money then?—No.

17,424. When did you know first that another cheque must be cashed?—After the nomination was over and we had returned to the "Seven Stars."

17,425. Then you and Mr. Edmonds went up to your own little room?—I believe he came to me. I do not think we went to the room; he came to me shortly after and asked me whether I could get another cheque cashed.

17,426. Did he give you the cheque?—I believe I got it afterwards.

17,427. From Mr. Smith?—He brought it to me.

17,428. It bore Mr. Smith's signature—Smith and Guscotte?—I cannot remember. He brought me a cheque which I understood came from Mr. Smith, and asked me to get it cashed.

17,429. When was that?—It was about 2 or 3 o'clock.

17,430. What did you do with that cheque?—I intended at first—whether it was my own mind or Mr. Edmonds asked me—to go by the 2.55 train to get it cashed.

17,431. Where to?—I suppose where he thought I could get the money. I do not think there was any place mentioned; but I did not go. There was something said about going by train, but I did not go.

17,432. Something was said to you, but you did not do it?—I met Captain King, who is a gentleman who took an interest in Totnes elections, and asked him to go and get it cashed.

17,433. Did he consent?—He did.

17,434. Did you tell him what it was for?—No.

17,435. Come now! Did you tell him that it was for the purposes of the election. One gentleman does not ask another to get a cheque cashed without giving some reason. What was the reason that you did not do it yourself?—If you ask me to give you direct evidence of the conversation I cannot do so.

17,436. You did not say to Captain King in the street, "There is a 1000*l.* cheque, will you get it cashed?" without telling what it was for?—I think very little passed.

17,437. Did you tell him that it was for the purpose of the election?—I do not think I did.

17,438. Did you tell him it was for your own private purposes?—I do not think I did.

17,439. What did you tell him it was for?—I told him that I had a cheque for 1000*l.* which I wished to get cashed, and I believe he had previously been a friend of Mr. Dent's, at Totnes, and I suppose he assumed it was for election purposes.

17,440. Did you tell him it was for election purposes?—I do not think I did.

17,441. Where did he get it cashed?—At the Devon and Cornwall Bank.

17,442. In this town?—In this town.

17,443. Why did not you do it yourself?—Because I did not wish. To tell you the truth I regretted then having got the one cashed on the previous day.

17,444. Are you quite certain about this being the nomination day?—I am certain in my own mind.

17,445. Not the election day?—Oh, no; I may say positively it was not the election day, because my own opinion of the election——

17,446. Was it after banking hours?—Although it might be after banking hours, after 3 o'clock, the bank had not closed I believe for the purposes of business.

17,447. Did some conversation take place with Captain King. Did he say it was past banking hours, or anything of that sort?—I walked with him to the Devon and Cornwall Bank.

17,448. Did you go in with him?—No.

17,449. How long was he in?—He went in and got the cheque cashed, and came out again and joined me in the street, and I walked back with him. I daresay he was in the bank ten minutes or a quarter of an hour.

17,450. How did he bring the money out?—I did not see it till I got back to the "Stars."

FIFTEENTH DAY.

Mr. T. C. Kellock.

10 Sept. 1866.

17,451. Did you tell him what to get it in?—I do not think I did.

17,452. Come?—I might have done so.

17,453. Suppose he had brought it out in a 1000*l.* note, that would not have suited you. Did you not say "Get this in gold or small notes," or something of that sort?—I do not recollect.

17,454. Try to recollect. Here is a transaction of a 1,000*l.* cheque, and all you have told us at present is that you met a gentleman in the street and asked him to get it cashed?—And he did so.

17,455. But do you mean to say that you gave him no reason for wishing him to get it cashed?—To tell you the truth, I do not recollect what passed at this distance of time.

17,456. You do not mean to say that you met a gentleman in the street and asked him to get a 1000*l.* cheque cashed without giving any reason. The natural thing would be that he would say "Why not do it yourself?"—I do not think he said so.

17,457. Not something to that effect?—I do not recollect, Captain King may be able to come and refresh my memory on it.

17,458. If you gave no reason for his doing it, he would have thought you might very easily have done it yourself?—I know what passed in my own mind on the subject.

17,459. I daresay you gave vent to it in words?—That I did not wish to do it myself.

17,460. Did you tell Captain King so?—Probably I may have done so.

17,461. Did you tell him that you had been to Torquay the previous day and cashed a 1000*l.* cheque, and that you did not like to do it the following day?—No.

17,462. Was Captain King on the Conservative committee?—No.

17,463. Then as far as we have it at present you did not tell Captain King why you did not want to do it yourself at all?—I do not think I did.

17,464. Are you sure?—No, I am not sure.

17,465. Did you give him any instructions as to the form in which you wished to have the money?—No, I do not recollect that I did so.

17,466. Will you swear it?—I cannot possibly swear that any conversation occurred, it may possibly be.

17,467. Do not you recollect a conversation to the effect that you wished to get this cheque cashed and did not like to get it done yourself, and would he get it done in gold and small notes. I mean supposing Captain King had gone and got it done in 100*l.* notes that would not have suited you. Did you ever in your life ask a gentleman to cash a 1,000*l.* cheque for you before?—I do not think I did.

17,468. Did you ever ask anybody to go to the bank to get a large cheque cashed for you when you might have done it yourself?—I do not think I did, certainly not for electioneering purposes.

17,469. I mean it is not usual if you meet a man in the street to ask him to get a cheque cashed for you?—Certainly not.

17,470. Did not Captain King perfectly well know that it was election purposes you wanted him to do it for?—I have no doubt in my mind that he did know, but to tell you distinctly what words passed I cannot.

17,471. Did not you tell him the form in which you wished this money?—I may have done so, but I do not recollect.

17,472. Did you tell him before he cashed the cheque where to bring the money to?—I waited for him and walked back to the "Stars" with him.

17,473. Did you tell him to "Go and get this cheque, and I shall wait for you and we will go to the 'Stars' together?"—I do not know that I did.

17,474. Did you tell him not to give you the money in the street but wait till you got to the "Stars?"—I do not recollect anything of the sort.

17,475. You do not recollect anything at all about it, about telling him where he was to give you the the money. Now, try to recollect?—No.

17,476. Without having told him anything by intuition did he walk down by your side to the "Seven Stars?"—He came out of the bank and walked to the "Stars" with me.

17,477. When he came out of the bank did you say "Have you got it done?"—No doubt I did, or something to that effect.

17,478. (*Mr. Bere.*) Was not the reason that you did not want to go to the Devon and Cornwall Bank because there was somebody on the other side of the street you thought would know you, or in the bank?—That was one reason. That gentleman has been in Court since, and I am told has given evidence that I did go in and cash the 1000*l.* cheque myself. That is not the case.

17,479. (*Mr. Coleridge.*) Who do you mean?—Mr. Cole.

17,480. (*Mr. Bere.*) Mr. Cole is an active supporter of Mr. Pender?—I believe so.

17,481. (*Mr. Coleridge.*) To the best of your belief this 1000*l.* cheque was cashed after banking hours?—I believe it was cashed between 3 and 4.

17,482. Because it appears in the book as being cashed the polling day and not the nomination day. Did you cash another 1000*l.* on the polling day?—Certainly not.

17,483. Then you went to the "Seven Stars," where did you go to at the "Seven Stars?"—I went upstairs I think to Colonel Dawkins' room.

17,484. And Captain King with you?—And Captain King with me.

17,485. What had Captain King got the money in? In a parcel.

17,486. Done up in a parcel?—I saw it when we got to the "Stars."

17,487. In Colonel Dawkins' room?—I cannot tell you the room; to the first floor, whether Colonel Dawkins or Captain Pim's room, I cannot say.

17,488. You did not go to the little room, No. 8.?—I believe we went to the room which is between two large rooms. There is a small room between a room called Colonel Dawkins' room and a room called Captain Pim's room.

17,489. You believe it was that room; you do not believe it was your own little room on the top of the stairs?—This room is at the top of the stairs between the two rooms I have described.

17,490. The little room, No. 8, is just at the top of the stairs facing the bedroom?—I do not think that room, but the room between the two large front rooms.

17,491. Who was there?—I believe I saw Mr. Edmonds.

17,492. Who was present. Now, be careful with this. Who was present there while Captain King delivered himself of his burthen?—I believe we saw Colonel Dawkins' servant.

17,493. Was anything said to Colonel Dawkins' servant at this time?—So far as I recollect Captain King went up, and to use your own words, delivered himself of his burthen by putting the parcel on the table, and Colonel Dawkins' servant was asked to keep guard over it until I went and called Mr. Edmonds, who came and took it.

17,494. Colonel Dawkins' servant watched the money before it was unpacked?—I believe so.

17,495. Was that before Mr. Edmonds came in?—I think so.

17,496. Did you see it unpacked?—I did.

17,497. What did it consist of?—It consisted chiefly of gold.

17,498. You had not asked Captain King to get it in gold when he went to the bank?—Your question has refreshed my memory as to the circumstances. I think part was in notes, and my reason for thinking so is, that out of that 1,000*l.*, Mr. Edmonds repaid me the 300*l.*, the value of Captain Pim's cheque which I had cashed for him the previous day. I believe that 300*l.* was given to me in small notes.

17,499. Have you any doubt of it?—I have none: when you asked me the question, at the moment I had forgotten it.

17,500. Having received the 300*l.* in notes, were there any more notes left, or was all the rest in gold?—That I cannot say.

17,501. What is your impression?—My impression is that the greater part was in gold.

17,502. Did you not expect that you were to be recouped the 300*l.*?—I do not think anything was said about it until the interview between Mr. Edmonds and myself.

17,503. Did you not ask Captain King to get 300*l.* in notes, and the rest in gold?—I daresay the bankers' book will tell you; I do not recollect.

17,504. Was there any gold at all, or was it all in bank-notes?—I cannot say positively. I believe it was partly in notes, partly in gold.

17,505. Are you perfectly certain that some portion was in gold?—As to being perfectly certain, I am not.

17,506. So far as you can be certain of anything, was part of the money you saw unpacked in gold?—I am not quite certain of that.

17,507. It appears on the face of the bank-book that the whole of this sum was paid in notes?—It may have been so, I told you I was not quite certain, I recollect Mr. Edmonds giving me the 300*l.* in notes.

17,508. Did you give him a receipt for the 300*l.*?—I am sure he did not; he gave me no receipt for it, and I gave him no receipt when it was repaid.

17,509. Was Colonel Dawkins' servant still present?—I do not think he was, both he and Captain King had retired.

17,510. Then you and Mr. Edmonds were alone?—I believe we were.

17,511. What did Mr. Edmonds do with the money?—He carried it away.

17,512. In a parcel, or did he put it in his pocket?—I do not recollect.

17,513. Do you know where he carried it?—I do not know.

17,514. Did you see him go into No. 8?—I do not recollect.

17,515. Did you go into No. 8 shortly after this, and see him there?—I do not recollect that I did, I was in and out of the room for hours during the remainder of the day.

17,516. Did you ever see any portion of that money again during the day?—No.

17,517. When you went out of the room did you and Mr. Edmonds go out together, or did you stay after he had gone?—I do not recollect which went out first.

17,518. Did you both go together?—No doubt we did.

17,519. Did you see whether Mr. Edmonds went upstairs to the floor above?—I cannot say.

17,520. Where do you last recollect seeing him?—At the doorway of the room.

17,521. Did you see which way he went?—No.

17,522. Did he go out of the house?—No; I believe he stayed in the house some time after, I do not recollect.

17,523. Can you recollect whether you went to No. 8?—I cannot.

17,524. Did you see Mr. Edmonds again within the next half hour?—I was in his company more or less for a couple of hours after.

17,525. Did you see anyone come to Mr. Edmonds after the money had been unpacked?—Yes.

17,526. Did you see Mr. John Heath come to Mr. Edmonds?—I do not recollect anyone coming to him for this money.

17,527. I did not ask you that. Did you see anyone come to Mr. Edmonds?—I think I might say that I saw as many as five-and-twenty people come to him in the course of the afternoon or evening, I think that is within bounds.

17,528. After Mr. Edmonds left the room with the residue of this money, did you see anyone come to him?—I think several persons.

17,529. Tell us who they were. Did you see Mr. Heath, senior?—I cannot recollect him more than any other.

17,530. Did you see him amongst others?—I believe he was there the whole afternoon, in and out.

17,531. Do you think that within an hour after the money was unpacked, Mr. Heath, senior, came in?—If you ask me to give evidence of probabilities, I think that is probable.

17,532. Do you recollect Mr. Heath coming to the room within an hour of the time when the money was unpacked?—I do not recollect.

17,533. You recollect several people being there; did you see Mr. Heath there?—I believe I did, I saw him in the course of the afternoon, Screach, Evens, Mr. Heath, and his sons.

17,534. Which of his sons, John, James, or George?—I think all of them.

17,535. You think that they were in and out of the room during the afternoon?—They were in and out of the rooms; which room do you particularly allude to?

17,536. I mean the room in which Mr. Edmonds was?—Mr. Edmonds was not in that room all the afternoon, he was about the house, as I was.

17,537. Where was this money?—When he carried it away from my presence I never saw it after.

17,538. You do not know what became of the money after you left the room?—I do not.

17,539. When did Mr. Edmonds tell you that more money was wanted?—Never.

17,540. Did he do so on the polling day?—No.

17,541. What occurred on that evening, as to the probabilities of the election, between you and Mr. Edmonds, did you not make up a poll-book with Mr. Edmonds that evening?—No; Mr. Edmonds told me that he had done so.

17,542. Did he show it to you?—No, he did not.

17,543. Did he tell you what was the effect of it?—I think he did.

17,544. What was it?—I believe, as near as I can recollect, he told me there was no chance whatever for Captain Pim, and that he considered the chance of Colonel Dawkins was much reduced, or something to that effect.

17,545. About what time was that?—I think that was before Colonel Dawkins' dinner time.

17,546. Did Mr. Edmonds tell you the reason why he thought the chances were gone by; did he say you were out-bid by the Pender people?—Something of the kind passed between us, or at a subsequent interview. If you will allow me, I will tell you something that draws my mind to the conclusion: In the afternoon there were one or two persons whom Colonel Dawkins had not seen.

17,547. What sort of persons?—One, particularly, Samuel Hill, senior, I remember going to his house with Colonel Dawkins to ask him for his vote, and on leaving his house we came to the gates in the orchard behind here, the Priory orchard, at that time occupied by a tenant who was a client of mine, and I had to some extent the care of the property, and I remember entering these large doors after the interview with Hill.

17,548. What was your interview with Hill?—To ask him for his vote.

17,549. What did you do?—Hill would make us no promise whatever.

17,550. Did you hold out any inducement to him?—I did not.

17,551. Did you tell him he had better come down to the "Seven Stars?"—I did not.

17,552. What did you say then?—I spoke to him and introduced Colonel Dawkins to him. We went upstairs with him, with a relation who came with him, a Mr. Ryder.

17,553. Is he of this town?—Mr. Robert Ryder.

17,554. (*Mr. Bere.*) Mr. Robert Ryder, senior or junior?—Mr. Ryder, junior; and on asking him for his vote in a short conversation upon general matters, I thought he had promised his vote to Colonel Dawkins; afterwards the colonel expressed to me some degree of disappointment, he thought that he had fairly promised him.

FIFTEENTH DAY.

Mr. T. C. Kellock.

10 Sept. 1866.

17,555. Did you ask whether Frederick Evens had been to him?—I did not.

17,556. Did you ask whether Screach had been to him?—I did not say a word about either of them.

17,557. At any time?—We went out. After I left him I told Colonel Dawkins my opinion that he was outvoted.

17,558. Did you tell him he must give him more money?—No, I never had any conversation with Colonel Dawkins from first to last upon the subject of money.

17,559. What was the last time on the nomination day that you and Mr. Edmonds had any conversation about the election?—I believe I walked through the Priory grounds to the "Seven Stars" with Colonel Dawkins: that is, from my recollection.

17,560. When did you see Mr. Edmonds after that?—In the afternoon or evening I saw Mr. Edmonds again.

17,561. Then he told you about the poll-book?—I believe it was at that interview.

17,562. Who else was present; was John Heath, senior, there?—I do not think any person was present. The only person, I think, was Mr. Powning, Mr. Edmonds' brother-in-law.

17,563. Had you a discussion as to the prospects of the election; that you thought they were looking bad at the time?—I had.

17,564. Did Mr. Edmonds say money was to be had?—No.

17,565. Do you recollect any more being got that night?—I do not recollect.

17,566. Did Mr. John Heath, senior, come in and ask for another cheque?—He did not in my presence.

17,567. You were, I suppose, home late at night?—Not very.

17,568. What time were you at the "Seven Stars" on the morning of the election?—Before the polling commenced, between 7 and 8.

17,569. (*Mr. Bere.*) There is an entry in the Devon and Cornwall Bank books, of the 11th of July, "200*l.*, notes, 200*l.*; gold, 200*l.*" Did you take 200*l.* notes to the Devon and Cornwall Bank on that day, and get gold for them?—Certainly not.

17,570. There is another entry?—I have my bank book here.

17,571. There is another entry, "300*l.*, bank notes, 300*l.*; gold, 300*l.*," by Mr. T. C. Kellock?—That I cannot say anything about. I had no transaction whatever on that day with the bank.

17,572. Did you not go to the bank, and did you not ask them to pay you a cheque in three 100*l.* Bank of England notes?—I do not recollect the circumstance. I do not think I did.

17,573. Did you cash Captain Pim's cheque?—Yes.

17,574. Where did you cash it?—At Torquay.

17,575. Then what notes did you get for that? Did you get three 100*l.* notes for it? You had better look at that to refresh your memory.—Here are my bank books.

17,576. It is a mutual credit. T. C. Kellock, "300*l.* bank notes, 300*l.* gold;" for that is all; and the other is "200*l.*, gold 200*l.*," on the 11th of July, the nomination day?—I have not the slightest recollection of the transaction. I may have got change.

17,577. Are you quite certain that Captain Pim did not get 500*l.* notes in exchange for the 1,000*l.*, and that you did not take those 500*l.* notes to the bank and get gold for them?—I have not the slightest recollection of having done anything of the kind.

17,578. Cannot you tell how many times you went to the Devon and Cornwall Bank that day?—My impression was strongly that I did not go to the bank or have any transactions there that day.

17,579. Did you send anybody?—I do not know.

17,580. Did you write the names in the book of any notes on that day?—I do not recollect that now.

17,581. This is a very odd transaction as far as the bank books go, because the cheque which you gave to Captain King is not entered in the bank books till Wednesday the 12th?—That was after the banking hours.

17,582. It was after the bank had shut, therefore it was paid in as on the next day; but here is the previous day; it must have been taken not very late in the morning. There is an entry of your changing two 100*l.* notes, and late in the day three 100*l.* notes?—(*No answer.*)

17,583. (*Mr. Coleridge.*) Where did you get those notes from?—I do not recollect that; I went away the previous day.

17,584. The nomination day?—The nomination day. I may have gone to change some of the notes for Mr. Edmonds which I brought from Torquay; I may have done that, but I should like my memory to be refreshed by Mr. Pearce or some one at the bank.

17,585. Should you know the person who gave the change for the notes?—I saw Mr. Pearce; I think it was the manager himself.

17,586. (*Mr. Bere.*) Is that the manager's own handwriting (*referring to the entry in the book*)?—I think it is.

17,587. Do you not believe that these notes mentioned here were part of the notes you got at Torquay?—If they were, Mr. Edmonds must have given them to me again the next day.

17,588. You must have gone and got gold for them?—I daresay; that is the only explanation I can give of the transaction.

17,589. (*Mr. Coleridge.*) Do you know what notes you brought from Torquay; how much of the 1,000*l.* was notes?—No, I cannot say.

17,590. Did you not see it made up?—No, I daresay I did not.

17,591. You cannot fix the amount?—No.

17,592. Was it a few large notes, or small ones?—I cannot recollect.

17,593. (*Mr. Bere.*) You must remember that, Mr. Kellock. You go after banking hours with Captain King to the bank to cash two cheques for the large sum of 1,300*l.*; cannot you remember whether you had not given you a number of small notes, or whether large notes were given to you which could be very easily counted?—Excepting half was in gold and half was in notes, I cannot recollect the circumstance of whether it was large or small.

17,594. Did you count the notes when you paid it over to Mr. Edmonds?—I believe he counted them in my presence.

17,595. Cannot you remember how many he counted? Is there such a constant counting of notes going on during the election that you cannot remember?—Those are the only two transactions I had with Mr. Edmonds; I recollect merely going; I considered myself a messenger to get the cheques cashed, and bringing the money back to him, which I did.

17,596. You have told us that before. On the nomination day, the day before, or on the election day, did you take an active part?—I went down to the "Stars" between 7 and 8 o'clock in the morning, to see that the clerks and all who had to go to work were there.

17,597. Did you see that the proper persons were at their places?—I did.

17,598. Did you see Mr. Edmonds there, and did he report to you what was likely to be the turn of the election?—I do not think he did till after 9 o'clock.

17,599. Did you see him and talk to him about the election?—Then I did.

17,600. Did he tell you the men about whom they were doubtful, were going pretty straight?—I think he told me the contrary; I think I heard long after; having seen two or three persons who I believed were going to vote for Colonel Dawkins, I went in to express my own opinion as to the result.

17,601. That was after 9?—It was.

17,602. I mean between 7 and 8 in the morning?—No, I do not think I saw him then.

17,603. Did you have some personal communication with some of the voters during the day of the election in 1865?—May I ask you what you mean by "personal communication?"

17,604. Did you not yourself offer money to some of the voters in 1865?—I offered a man a sum of 5*l.*, which he took.

17,605. Was that man a voter?—He was a voter, but it was not for himself.

17,606. Was it for another person who was a voter?—Another person whose name was on the register, and who was away out of the town; it was to pay the expenses of the man to come back in time to vote; I gave it to a man by that name.

17,607. Was the person to whom you gave it the father of the person who was away?—It was.

17,608. Where was the son?—Away.

17,609. In London?—No, in the country somewhere; I believe his address was not known at the time, from circumstances I could explain, but which I would rather not, because he came to me professionally.

17,610. How far off do you believe he was at the time?—I believe he was out of the country.

17,611. It was not Taunton or Saltash?—No, I believe further off than either of those places.

17,612. You do not know where he was?—No.

17,613. You gave him 5*l.* not knowing what his expenses would be?—It is perfectly true; I gave the father 5*l.* for him. He was very badly off.

17,614. I want to know about the transaction that took place, that has been mentioned here with respect to Mr. John Heath, regarding a cheque that he gave to Mr. Thomas Matcham for 235*l.* Mr. Heath could not remember it on the first day when I asked him about it. I refreshed his memory with the counterpart, and he gave the explanation that he gave the cheque to Matcham and by your direction it was destroyed. What is the explanation of that story?—I had heard, I believe, from Mr. Heath himself that he had given a cheque to one of the Matchams for 230*l.* or 235*l.*, and I found fault with him for having done so.

17,615. Did you hear from him why he had given it?—No, I do not think I had any explanation.

17,616. Did you not ask him?—I believe he told me he had made the cheque payable the day after the election, and therefore I assumed what it was for; I found great fault with him for having done such a thing, and I told him that such a transaction would invalidate Colonel Dawkins' election entirely; and I believe he succeeded in getting it back.

17,617. (*Mr. Coleridge.*) Why did you think it a more dangerous transaction than your cashing a large cheque during the election and handing the money over to a voter?—I handed the money over to Mr. Edmonds.

17,618. He was a voter?—Yes, he was.

17,619. Why was it a more dangerous transaction, that 235*l.* than the 100*l.*?—Because I looked to Mr. Matcham's position and Mr. Edmonds, which are very different.

17,620. What is Mr. Matcham?—A retired tradesman; I was not an agent interfering in the election at all; besides, the cheque had been given the day before.

17,621. (*Mr. Bere.*) On the day of the election, the same day if you recollect; just look at your bank book, do you find an entry there on the 4th July, Kelland?—I have no entry.

17,622. (*Mr. Coleridge.*) Who is Mr. Kelland?—Which bank are you referring to?

17,623. Do you keep an account at the National and Provincial Bank?—I keep an account at both banks.

17,624. It is the National and Provincial Bank; I have an entry of the 11th July, to Kelland?—There is no entry in either of my books of July 11th. I have Churchward, July 3rd, 25*l.*

(*Mr. Coleridge.*) It was a client of mine of the name of Churchward. "Churchward 25*l.*, one quar-"ter's annuity paid to Mrs. Churchward of this neigh-"bourhood due to her at Midsummer," which I had to pay.

17,625. (*Mr. Bere.*) There is an entry of July 7th, 10*l.* 8*s.* "July 7th. Kelland," with an erasure?—That has nothing to do with me.

17,626. You cannot explain that?—I never saw it before in my life.

17,627. (*Mr. Coleridge.*) Just let me look at that book?—On July 8th received of George Churchward 22*l.* 10*s.* 8*d.*

17,628. Who is Kelland?—I do not know him; Kelland is a schoolmaster in this town, a voter.

17,629. On which side does he vote?—Against the Conservatives.

17,630. Does he vote usually that way; does he rent a house under the duke?—He rents his house from Mr. Manning of this town; his dwelling-house, and the schoolroom from one of the Michelmore family, near this hall.

17,631. Do you remember having anything to do with Mr. Kelland about the time of the election?—I never had a transaction with him in my life.

17,632. Or seeing him?—No.

17,633. Nor talking to him?—No I never had a business transaction with him in my life.

17,634. It does not appear in the pass-book, but only in the principal ledger; we were struck with that this morning. I wanted some explanation of it?—That is the name of another Churchward.

17,635. During the election of 1865, was not Mr. Screach in the habit of coming to you if he could not see Mr. Edmonds, and making reports to you of what was going on in regard to the voters?—I do not believe he did so in the course of the election.

17,636. Are you quite certain he did not?—I am, sir. He may have come and spoken to me that A. and B. were going to vote for us, that caused conversation, but that is not what I call reporting.

17,637. Did he come to you and talk to you at any time in any way about the voters?—I daresay he did.

17,638. And did he not tell you from time to time that certain men would vote for or against you?—I do not recollect any specific conversation with Screach with regard to any individual voter, but he did speak to me from time to time in the course of the election, I have no doubt.

17,639. You cannot say whether you mentioned the name of any particular person or not?—I cannot. I gave him no instructions and he said nothing to me about them.

17,640. Are you quite certain you did not make up the poll-book with Mr. Edmonds on that night?—I am; he made up the poll-book. I had a conversation with him upon the subject.

17,641. That is much the same thing: in your presence had Mr. Edmonds made up the poll-book, his own poll-book?—Whether I came to him and saw him there when he made it up, and knew the result, or whether I was there part of the time when he was making it up I cannot recollect.

17,642. Did he not ask you from time to time for particular information with regard to particular voters?—Some of those country voters whom I canvassed.

17,643. Was it not through the information you gave him that he was in many instances able to make up the poll-book?—Partly so.

17,644. Did you give him information about a man called John Michelmore?—No.

17,645. I will read what Mr. Edmonds has said. "Can you give us information as to any one of those "persons about whom Mr. Kellock gave information? "I do not know the particulars, we went through "the lot together, and it would be from information "he supplied me. *Q.*—What sort of information had "you? *A.*—He had seen them himself, I think he said "he had seen Mr. John Michelmore, and he stated he 'should vote for both the Conservatives?'"—He there speaks of the list, not the poll-book; it was previously to this what he refers to.

17,646. You and Mr. Edmonds together made out the list of voters?—We had printed lists.

17,647. Did you and he compare your experiences

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with regard to the names mentioned in those lists, and your knowledge of the people whose names were mentioned?—In the course of the election?

17,648. Yes.—Yes.

17,649. Did you give him information in regard to some of the persons whose names were in those printed lists?—Of course I adopted them at the canvass and reported to him, as I mentioned in the early part of my examination. I have no doubt of that, what he has mentioned; he would go to his book and from information supplied by me and others he would make up the poll-book.

17,650. Did you take any part in the proceedings about the petition?—None excepting to give slight information to Mr. Edmonds from time to time. I was not employed; I was not engaged.

17,651. Mr. Edmonds managed alone?—I believe he did.

17,652. Was a requisition sent up to Mr. Macleay—have you got it?—Yes, I have; it was handed to me.

17,653. Was it sent back to you by Mr. Samuelson?—It was handed to me from your desk.

17,654. Do you know whether the requisition which was sent back by Mr. Samuelson came up first of all to Mr. Smith and then was sent back again, there is a letter of Mr. Samuelson's from the National Conservative Association. The requisition was sent to him. I never received a letter from Mr. Samuelson.

17,655. I will read you the answer of Mr. Edmonds "I think Mr. Kellock might have given it up; "whether he did or not I am not able to tell you"?—I think there must be some mistake between my brother and myself.

17,656. Had your brother anything to do with the requisition.

(*Mr. F. Kellock.*) I sent it up.

(*Witness.*) I do not think I ever saw the requisition or had anything to do with it before the day I was here, and it was handed to me from your seat.

17,657. I will just read another portion of Mr. Edmonds' evidence and that will finish your evidence with regard to 1865. "*Q.* Whatever you knew, Mr. "Kellock knew too. *A.*—Yes, I think so; he knew how "the money was spent. Undoubtedly he did, I do "not know that he knew to whom it was paid; he "knew it was being spent; we both kept ourselves "aloof." Is that a true account of the part you took in the election of 1865?—I did not know how the money was spent.

17,658. You did know it was spent?—I did not know till after the election that it was spent. I gave it to Mr. Edmonds; whether it was spent or not, or whether it was under reserve, I do not know.

17,659. (*Mr. Longe.*) You must have known it would be spent?—I do not know it was actually spent.

17,660. You knew the part Mr. Edmonds took in it?—I did not know till after I gave it to him.

17,661. You knew the object, the general object for which it was got, you knew the object of the money you got at Torquay, the object for which it was got?—I have already said so.

17,662. We want to see that you are right?—I thought you wanted some fresh information upon the point, I have answered the question.

17,663. Merely to know whether Mr. Edmonds, so to speak, was your agent in what he did?—No, I was his agent.

17,664. On that occasion; but there was a mutual understanding between you, and though Mr. Edmonds might have taken a more active part in it, there was a mutual understanding as to the line of business to be done, and he was your agent in the doing of it?—No, certainly not.

17,665. Do you mean to say that, mentally, there was no understanding between you and Mr. Edmonds, that you really did not know that Mr. Edmonds was at all taking part in adopting or conducting any system of bribery?—I feel satisfied in my own mind of the object for which the money was obtained that I went and got and gave to him.

17,666. Did you not know the part that he was taking in the election?—You must explain to me what you mean by the word "part."

17,667. You must know what we mean?—I do not know the specific point on which you are pressing me. He was generally acting on Colonel Dawkins' suggestion as agent for the election.

17,668. I ask whether there was not an understanding between you and Mr. Edmonds that the part Mr. Edmonds took now was the part you took some time before?—No, we did not take the same part.

17,669. You told us the other day, "when you went round with the Colonel." I understood Colonel Dawkins to say he either went with you or Mr. Edmonds?—I do not think that Colonel Dawkins, in giving his evidence, meant that; but I did go with him canvassing on two occasions, when Mr. Edmonds could not go.

17,670. On that occasion you said you did not mark them down; at all events when you were canvassing there were names, I understood you, that had to be further operated on. I believe they were mentioned?—I do not think you asked that question. You could not have asked me that question.

17,671. You expressly said it was done through Mr. Edmonds; you never did it directly?—It was done when Mr. Edmonds could not go canvassing. On two occasions, I said, I went with Colonel Dawkins, and I told Mr. Edmonds when I came back the results, and he entered it in his book. I think that is the answer to the question. I do not remember you saying anything to me about any elector being further operated on.

17,672. That is a general question?—I did not go with Colonel Dawkins to any elector who wanted to be further operated upon, except the case of Hill the last day of my canvass with the Colonel. Hill was originally canvassed on the great market day, when I originally canvassed some of the voters in Bridgetown.

17,673. To adopt an answer given by Mr. Edmonds, do you entirely agree in what he said, you did know the money was spent, but not how?—I admit that. I did not know what became of any of the money after I gave it to Mr. Edmonds.

17,674. (*Mr. Coleridge.*) When did you first know about Mr. Smith having gone to London for the money?—He did not tell me.

17,675. Who told you?—I do not think I knew it till some time after the election, when Mr. Edmonds was getting evidence for the petition.

17,676. Do you not recollect being present when the money was brought down into a room, some portion of it?—No, Mr. Evens gave evidence. In fact, I was in the room with Mr. Edmonds. I was not aware of it. There might be 6,000*l.* for aught I know.

17,677. (*Mr. Bere.*) Did you occupy yourself in getting any evidence for the petition?—No.

17,678. Did you take the examination of any of the witnesses?—No.

17,679. Did you go up to London?—I never left the town; I gave Mr. Edmonds notes of one specific case within my own knowledge.

17,680. You say a specific case that came to your knowledge; do you know what it was?—The case I mentioned principally was the case I told you about the 5*l.*

17,681. The petition was presented to you as the mayor of the town, but you took no part in it?—I took no part in the election after it was over previous to my being appointed mayor.

(*Mr. Bere.*) It is fair to tell you we have been considering the evidence you have given, and we must enter you on the list of persons who have constructively bribed at any rate, and in one instance, perhaps actually bribed; so that anything else you have to tell us about the election of 1865 will not remove your name from the list, and will not put you on.

(*Witness.*) You can form your own conclusion as to the part you think I have taken.

17,682. Is there anything more you can tell us about the election of 1865?—There is not.

17,683. Now, in 1863 ; I do not know that we have ever learned from you when you first began to take an interest in election matters ?—1852.

17,684. That was before Mr. Edmonds was appointed the regular Conservative legal adviser ?—I do not think he was practising in Totnes at that time.

17,685. Was that before Charles Edwards died ?—No, in 1850.

17,686. Did you succeed him as the authorized Conservative agent ?—No, I think Mr. Bryett did. I succeeded him in practice ; he only lived a few weeks, and I did not enter into it actively.

17,687. Was it intended that you should be a partner ?—I was a partner with him about seven weeks, but he was ill the whole time.

17,688. Did Mr. Bryett succeed ?—He did.

17,689. When did you go in ?—He gave it up and I went in at Mackenzie's election in 1857.

17,690. Did he attend to the register ?—He did.

17,691. Did you assist him in the registration part ?—For a little while I did.

17,692. Were you not here always at the revising ?—I never attended the Court. I think Mr. Beer, of Devonport, was generally employed by the party.

17,693. Were you not one of the persons constantly sitting in the revising barrister's court, and informing him as to what case he should take next ?—I do not think more than once.

17,694. In 1852 ?—I am referring to the last election. 1852 was the election between Lord Seymour, Mr. Mills, and Mr. Baldwin.

17,695. (*Mr. Coleridge.*) You took an interest in it when Mr. Baldwin was thrown out ?—Yes.

17,696. (*Mr. Bere.*) Were you actively employed in the election of 1859 ?—Yes.

17,697. 1857 first ?—Yes, 1857.

17,698. As whose agent were you acting ?—Mackenzie's.

17,699. Who was acting as Mr. Gregory's agent ; do you remember ?—I joined, I believe, in 1857; Mr. Bryett and Mr. Edmonds, and he and my brother and Mr. Jardine Presswell were the five.

17,700. You had retainers ?—I mention that because we were offered retainers, but Mr. Bryett, Mr. Edmonds, and I gave ours up, and we did not receive anything.

17,701. Were you offered a retainer by Mr. Gregory ?—I do not think he paid any expenses.

17,702. Who was he ?—A member of a banking firm in the Haymarket. I have been in the house, it is the right-hand side.

17,703. Is it Bouverie's ?—It failed shortly afterwards.

17,704. He was unknown to Totnes before he came down ?—I never heard of him till he came down.

17,705. Do you know how he was got down ?—No, I had nothing to do with that. It was considered there should be a second Conservative candidate because we should not split the votes with Mackenzie.

17,706. In 1857 did you have any communication with him ?—No, but I believe Mr. Mackenzie afterwards intended to have petitioned.

17,707. He did petition, did he not ?—I do not know.

17,708. Mr. Rose at that time was a Conservative ?—I went to meet Mr. Mackenzie on the subject of the petition, and saw him at the office ; he gave up the idea.

17,709. Did he get any other legal adviser ?—No ; he said he should on one occasion have one.

17,710. Did you see Mr. Henry Edward Brown ?—I did not see him, only Mr. Mackenzie.

17,711. There has been an assertion that there was a petition in 1857 ?—I do not believe there was ; I saw Mr. Mackenzie on the subject, and I remember my last interview with him, when he told me that he should not petition.

17,712. In 1852 there was a petition ?—Oh, yes.

17,713. Was not there a committee struck ?—I was not his agent ; Mr. Bryett was, on the election of 1852. I was offered a retainer, but never was paid the money, or my money out of pocket.

17,714. Who was retained regularly in Mr. Mackenzie's election ?—Mr. Mackenzie was here twice.

17,715. When first ?—The first he did not contest ; he had proposed to give in retainers, but we would not take them, and the second time we did. The subsequent election we returned them.

17,716. Why did you ?—Because he failed in the election.

17,717. (*Mr. Coleridge.*) If you take a retainer you take it once for all ?—No, the retainer is only till the election is over. Mr. Bryett, Mr. Edmonds, and I gave them up, the two juniors, my brother and Mr. Jardine Presswell, took them.

17,718. (*Mr. Bere.*) In 1859, can you tell me what sum of money was spent ; have you any idea ?—I have no idea.

17,719. Do you know whether any money was brought down ?—I do not know.

17,720. Who came down with Mr. Mackenzie from London ; is he alive still ?—I have not seen him or heard of him.

17,721. He is a great contractor ?—Mr. James Thomas Mackenzie, I believe he is a West India merchant.

17,722. Do you know a Mr. Thorneycroft ?—I have heard of him at the office behind the Bank of England, near Messrs. Freshfield's office.

17,723. Have you any doubt that there was a good deal of money spent before this ?—I never heard of much spent ; Mr. Mackenzie never communicated to me what he had spent.

17,724. Did the other side spend money ?—As they always did ; I think Mr. Mills spent money at each election.

17,725. Do you know that Mr. Mackenzie spent money ?—No ; I do not think he spent very much.

17,726. You have no doubt that he spent money ?—I have no doubt he did ; what amount I cannot tell.

17,727. You cannot remember the name of any other person that came down with him ?—I remember there was a man there whom I met ; the same person at his office afterwards in London ; I think he was a barrister.

17,728. Do you know what his name was ?—No ; I do not.

17,729. What sort of a looking man was he ?—Rather about your stature ; but much lighter in complexion, and much lighter hair.

17,730. What age was he ?—He could not be above 30, a young man.

17,731. What part did you take in 1859 ?—I aided Mr. Dunn.

17,732. At that election did you return your retaining fee ?—Yes.

17,733. Was it paid before the election ?—No.

17,734. Do you mean to say that you had the money sent down, and you refused to take it ?—I refused to take it when they came to pay it.

17,735. Had you a fee charged against Mr. Dunn ?—I never charged him a single farthing.

17,736. He spent a good deal of money ?—Yes.

17,737. He brought Mr. Cameron down here ?—I know Mr. Cameron.

17,738. Did you see the person who distributed the money at that election for Mr. Dunne ?—No.

17,739. Did you take the same sort of part at the election of 1859 ; were you the recognized Conservative legal adviser to whom the messengers and the people on your side came and made their reports ?—No ; I did not take nearly so active a part at that time.

17,740. When was it you began to take an active part ?—I do not think I interfered in any election so much ; and all the previous elections put together would not be so much as the last in 1865.

17,741. What did you do in 1862 ; had you anything to do with finding Mr. Dent ?—Mr. Michelmore did it that time.

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17,742. He is not the same gentleman we have heard of before?—From what I learned at the office.

17,743. He was Mr. Dent's agent?—Yes.

17,744. Were you paid for that election?—Yes, I was.

17,745. In 1862?—Yes, 1862, I was.

17,746. We have heard that Mr. Dent did not go to the poll on that occasion, because he found he would have to spend more money than he had calculated on; did he communicate that to you?—No.

17,747. Had you gone through the list and thought of what would be the result?—No; I remember going into the room the same night that Mr. Dent retired, and hearing that Mr. Mitchell had advised him to retire.

17,748. Did Mr. Edmonds agree to that advice?—I believe he did.

17,749. Did you agree to it?—Not at first. I did not express my own individual opinion on it.

17,750. You may have gone through the list?—I did not take that part.

17,751. (*Mr. Coleridge.*) But you were the agent?—Yes.

17,752. Were you not naturally consulted?—No; I was not.

17,753. When they told you their advice was that Mr. Dent should retire, did you not inquire upon what grounds they had come to that conclusion?—There was a good deal took place that night on the subject. They asked me to go to Mr. Pender's agent, and say that Mr. Dent would retire.

17,754. Did not they tell you the reason why Mr. Dent had found that he could not go on?—They considered the majority would be too narrow to risk an election.

17,755. Did you hear at that time anything said about the Slippery Company?—I never heard of any such name being given to that Company until the last election.

17,756. Did you ever hear of a number of men who had agreed to stand by each other, and not to vote unless they were paid a certain sum?—I believe it was publicly mentioned at the time.

17,757. And who those men were?—Searle was one of them, or their leader.

17,758. The information as to how they were going to deal with their votes had been brought down to the "Seven Stars?"—That information had been brought down there before I got there that night. I was not present when the consultation took place. I was told of that afterwards.

17,759. Did you afterwards go the "Seymour Arms" to see Mr. Cuming?—No; I sent some one to say I wanted to see him, and I saw him on the bridge.

17,760. Did you propose to Mr. Cuming that if Mr. Dent retired, and thereby did not put Mr. Pender to the expense of a contest, that Mr. Dent should be allowed to come in at the next vacancy?—I believe I did mention something of that to Mr. Cuming, and he said that he would go back to the "Seymour Arms" and communicate that; and he came back to me, and refused to accede to that.

17,761. Did Mr. Cuming tell you anything about Mr. Pender's being about to spend 1,000*l.* in the town?—Yes; it was spoken of. He offered to place Mr. Edmonds or myself on the committee who were to spend it; but I declined to act upon it, and said if Mr. Pender wished to expend the money he had better do it himself.

17,762. In your opinion, was that 1,000*l.* spent for the benefit of the general inhabitants of Totnes, or for that of the Liberal party only?—Mainly for the Liberal party.

17,763. Can you tell us how that money was spent?—I know that 200*l.* of it was contributed in aid of the Totnes Waterworks, which was a very excellent thing.

17,764. Who are the people who manage the Totnes Waterworks?—I have had a good deal to do with it. It is carried on by the Corporation, under an Act of Parliament. That was for the general good.

17,765. As to the other 800*l.*?—A small portion, about 100*l.*, was spent in mending or recasting one of the bells of the church which had got out of order; and 500*l.* was to be spent in building a school, which is not yet finished.

17,766. Was that a school for all denominations?—No, I think not; it was connected with the Church of England.

17,767. Would that benefit the Liberals or Conservatives most?—I should say the Liberals. I have been told that the rest was spent on the chapels.

17,768. Who distributed it?—I do not know.

17,769. Were you privy to the settlement of account with Mr. Mitchell after the election?—No.

17,770. Whom did you receive your retainer from?—From the election agent. All the expenses incurred at that election have not been repaid to this day.

17,771. Had you any retainer from Mr. Dent or Mr Mitchell?—No; I have never applied for the expenses. There was a strong feeling in my mind on the result of the election.

17,772. Do you recollect an arrangement as to more money being sent down after Mr. Dent's election?—I did apply to Mr. Edmonds, who told me that the money had run short, and that he had not money enough to pay everything.

17,773. Did Mr. Edmonds tell you that Mr. Dent was very much dissatisfied that everything had not been paid out of the money that he sent down, and that other money had to be sent down for that purpose?—He did not.

17,774. Was not Mr. Dent very angry at the way he had been treated on that occasion?—No.

17,775. Did you not know that money was sent down by Mr. Mitchell after the election?—No.

17,776. When were you paid for acting as agent?—I think Mr. Francis, of Newton, paid me 25*l.*; that was all.

17,777. You had no other charges?—I was never paid any professional charges. I was out of pocket as to certain expenses for going to Plymouth, which I mentioned to Mr. Edmonds; but he told me the money ran short, and I never applied for it to this day.

17,778. Were any of those expenses for which Colonel Dawkins paid you 100*l.*, expenses contracted before Mr. Dent's election in 1863?—They were not in connexion with matters of election.

17,779. You asked Colonel Dawkins to pay you certain expenses incurred for political matters before; did any of those matters occur before 1863?—I have been reminded that one portion of those expenses did so occur; I do not think that I paid the money.

17,780. Was that as to the two warrants?—Yes. I think the election had taken place previously. The expenses had not been paid. I never asked Mr. Dent to pay them.

17,781. You asked Colonel Dawkins; why did you not ask Mr. Dent?—I cannot give you any reason why I did not. Mr. Edmonds had the whole management of the money matters.

17,782. The truth is you found you had been so much money out of pocket by the Conservatives that before you acted for them in 1865 you required to be paid?—I made no such condition.

17,783. But you asked for it?—I did.

17,784. In 1863 did you take the same sort of part as in 1865, although to a less extent?—I did.

17,785. Do you know sums were spent in 1863?—No, I do not. I almost exclusively confined myself to country voters when I went round with Mr. Dent.

17,786. You did not go to Bridgetown?—Mr. Dent would not canvass the Duke's tenants in Bridgetown, and never did.

17,787. Were those persons whom you canvassed people who would come under the denomination of matter-of-course men?—I do not think they were, the country voters.

17,788. Did you not know perfectly well that there were many of those people whom you canvassed who would not vote unless they had money given to them?—I was not so practically acquainted with the man-

and dispositions of the parties then as I was at the last election.

17,789. But were you not really aware that there was a certain number who would not vote unless they had money given to them?—I had heard so, and I thought so, but I did not know the particular individuals.

17,790. (*Mr. Longe.*) With regard to the last election are we to understand that you did not canvass those parties whom you considered to be the worst cases?—I cannot say unless you were to give me the names.

16,791. You have heard the names many times which have come out during this inquiry?—I do not think I canvassed any of those.

17,792. With regard to that class of men, you passed over your responsibility to Mr. Edmonds; is that so?—I did not canvass them at all.

17,793. But was it not your duty to do so?—I never undertook to do it.

17,794. Was not that part of your business?—No.

17,795. You did not keep a poll-book?—I did not.

17,796. You either acted with Mr. Edmonds or you did not?—I canvassed a great many persons, and reported the result to Mr. Edmonds.

17,797. (*Mr. Bere.*) According to your account, Mr. Edmonds was the captain and you were the lieutenant?—I looked upon myself as in that position.

17,798. Did you ever hear after Mr. Seymour's election that certain people had been bribed by Mr. Dent at the election of 1863?—There was a general rumour, and the conversation of the town was full of it.

17,799. We have been told that a large number of people were turned off by the Duke. Were not a great many of those turned out in consequence of voting for Mr. Dent?—I believe that some were.

17,800. Do you know that the persons so turned out had been bribed to vote for Mr. Dent in every single instance?—No; I only know of one of my own knowledge—a man of the name of Lake.

17,801. What do you know about Lake?—I heard that he was about to leave his property, as his tenancy was expiring, and that he had been bribed by Mr. Dent, or by some of his party, to vote for him and did so.

17,802. Did you not hear the names of Byne, Blank, John Diggins, and Searle?—I heard the names of some of them; I do not think that Searle was turned out, or Diggins.

17,803. (*Mr. Coleridge.*) In the year 1863 how many names did you put the letter D to in your poll-book?—I do not think I put the letter D to any.

17,804. But in the list which you had how many were returned by you as doubtful?—In the first canvass it is impossible that I did so as regards many of them.

17,805. In your first canvass how many did you so put down—those whom you considered as doubtful; should you say there were one-half?—I should not think there were so many as one-half.

17,806. Does not the number increase in proportion to the money that is being spent?—I do not think so, because the amount is not generally known until towards the end of the election.

17,807. But are there not more doubtful if there is a prospect of money going about on both sides and less doubtful when there is an impression that very little money, if any, is likely to be spent?—I think you are able to form as good a conclusion upon that matter as I can.

17,808. The more money that is moving about the more doubtful voters there are; in proportion to the amount of money likely to be spent so do the doubtful voters increase?—The canvassing generally takes place in the early period of the election.

17,809. I suppose there is always a rumour of money going about at each election?—That is always the case.

17,810. And when you get hold of a rich man like Mr. Dent the people think that he is a gentleman who will be likely to spend a good deal of money; and does not the number of doubtful voters increase on such an occasion?—From my own experience I can say that in the early part of the canvass there are a good many who will not say what they will do; as the time approaches, the doubtful voters begin to be struck off, on either side, and each party begin to settle down into a more definite and positive state of things.

17,811. It is not political convictions that causes these changes, you think?—Certain changes do occur in their own minds.

17,812. You do not really mean to say that these changes occur from their political convictions?—In many cases I should say not, but there are a great many who really do consider whom they will vote for.

17,813. Do you really mean to say seriously that there are any people in this town who when an election is coming on for a fortnight or so before the polling day have not made up their minds what their political views are?—Probably they would do so within a week or ten days.

17,814. And it would only be by the influence of money that the views of these parties would be in any way altered?—That is so in many cases.

17,815. Those who have been offered anything by the one side in the first instance, and who as the time for the election approaches have been offered anything by the opposite party will, in your opinion, stand out for the larger sum?—Yes; I think the summary which you have arrived at is a just one.

17,816. (*Mr. Bere.*) Do you remember seeing the requisition which was sent to Mr. Macleay?—Yes; I signed it.

17,817. Did you ever interest yourself about it after having signed it?—I did not.

17,818. Do you know that there are twelve men who have signed that requisition, every one of whom is supposed to have received a bribe during the election of 1863?—I know that there are many on the list who signed that requisition to Mr. Macleay who voted at the last election against the Conservatives.

17,819. Have you looked through the list yourself?—I have.

17,820. And having looked through that list are you able to say how many men, in your opinion, would have acted honestly if there had been nothing in the shape of a money inducement held out to them?—I have looked through the list, and I think the answer I give you will be very different from that which has been given before. I do not consider that there are anything like the number of persons who are capable of being bribed according to the number which has been already given.

17,821. How many would you say they amount to?—I should not say more than 50.

17,822. Can you put a mark against the names of those who in your opinion would be open to an inducement of money?—I would not like to put a mark against them; it would be rather a disagreeable task.

17,823. But in your own opinion you think at the least there are as many as 50?—Yes.

Mr. Frederick Kellock sworn and examined.

Mr. F. Kellock.

17,824. (*Mr. Bere.*) Are you a solicitor practising at Totnes?—Yes.

17,825. Are you in partnership with your brother?—Not in reality in partnership. We use our names jointly, but in strictness we are not partners.

17,826. How long have you been in that relationship?—Since 1855.

17,827. Is that the first time you began to practise in Totnes?—Yes.

FIFTEENTH DAY.

Mr. F. Kellock.

10 Sept. 1866.

17,828. Had you taken an interest in election affairs before that?—No, I think not.

17,829. I suppose the election of 1857 was the first?—With the exception of sitting as poll clerk, or something of that sort, at the election between Mills and Baldwin I knew nothing about the matter.

17,830. We will come to the election of 1865. What part did you take then?—I was retained by Colonel Dawkins.

17,831. With Mr. Edmonds?—Yes.

17,832. When Colonel Dawkins came down here was that the first time that you had seen him?—Yes.

17,833. You had no communication with him by writing or by word of mouth in London?—I had not.

17,834. Had you heard of Colonel Dawkins before he came down?—No, I do not think I had.

17,835. Had you had any communication with Mr. Spofforth?—No.

17,836. Or Mr. Edmonds on the subject?—I do not believe I ever wrote a letter to or received one from Mr. Spofforth in my life, or had any communication with him.

17,837. Or any person writing in his name?—No.

17,838. Or writing directed from the same office?—No.

17,839. As soon as Colonel Dawkins came down were you retained; was it before he came down or afterwards?—Afterwards.

17,840. As soon as you were retained did you go and canvass?—I used to go occasionally canvassing.

17,841. Who was that with?—Sometimes Mr. Edmonds and Colonel Dawkins, and his friend Mr. Lane Fox.

17,842. Do I understand that Mr. Edmonds, Mr. Fox, Colonel Dawkins, and you were the four who went about canvassing?—Speaking generally, yes.

17,843. There were times when you were not there?—Yes.

17,844. Then did your brother go?—Sometimes, I think.

17,845. Did you take a list of the voters?—I did not.

17,846. You took a list round with you?—When I was with Mr. Edmonds he had a canvass book and entered in his book the result of any inquiries from an elector. When Mr. Edmonds was not with me I generally had a little list of voters whom we had to call upon. I used to go with Colonel Dawkins; we called upon those voters, and when I came home I reported to Mr. Edmonds. I never kept a canvass book myself.

17,847. Who gave you the list of voters you were to go and see on a particular day?— I think it was the result probably of two or three heads, but it used to pass through Mr. Edmonds' supervision.

17,848. Was there a consultation between you and your brother and Mr. Edmonds as to what person you should go to on a particular day?—Very often.

17,849. Where used that consultation to take place?—Generally at the "Seven Stars."

17,850. In the big committee room, No. 8?—In the large room with the portico over.

17,851. That was the committee-room?—Yes.

17,852. There was another room which your brother and Mr. Edmonds used to use more privately?—A little room at the back they used to be in more; it was termed the committee-room; but I am not aware for the purposes of Colonel Dawkins' election. There was no special number of people whom you could properly term a committee.

17,853. A great many gentlemen coming on the Conservative side to consult about what was going on, and giving advice?—Talk matters over.

17,854. By 'properly' called committee, you mean no list of names?—No sitting committee.

17,855. When you got those names, used they to be copied out on a piece of paper?—Yes.

17,856. Sometimes in your hand-writing?—Yes.

17,857. Sometimes your brother's?—I daresay, I daresay I have written some.

17,858. When you have been to those various voters, you used to find out what their feelings were?—We used to endeavour to do so.

17,859. And you put down your impression how they were going to vote?—Yes, we used to enter them, and bring home my impression whether "for," "against," or "doubtful."

17,860. Did your brother and you ever go to the same house?—I do not recollect.

17,861. When you came back you told him what was done?—I reported to Mr. Edmonds.

17,862. In conversation you told your brother how the people were going to vote, that you had been to see?—It is probable.

17,863. In the course of your canvass did not you find people who would not promise?—Yes, there were some.

17,864. You understood why they would not promise?—I might have my suspicions.

17,865. Did you ever put those suspicions into words?—No.

17,866. Did the voters put their hesitation and looks into words?—Only my own construction. I never canvassed a voter unless Colonel Dawkins was present.

17,867. In Colonel Dawkins' presence you would take care no words passed?—I could not; I never used any words of that kind myself in my life.

17,868. Did you ever canvass a voter without Colonel Dawkins being there?—I do not think I ever did.

17,869. None at all?—No, never.

17,870. Nor sent out to influence some particular voter?—Not to my recollection.

17,871. Not some persons they found a difficulty with, and that you had some influence with?—Not to my recollection.

17,872. Did you ever make a poll-book?—Never.

17,873. Were you ever present when Mr. Edmonds made one up?—I do not think I was present when Mr. Edmonds made up a poll-book from beginning to end.

17,874. (*Mr. Longe.*) When you were canvassing with Colonel Dawkins, do you remember any case where Colonel Dawkins having canvassed, there was some hesitation, and you said you would call again?—Not that I am aware of; I have no recollection of anything of the kind.

17,875. Colonel Dawkins says this. Generally when the voters hesitated the gentleman who accompanied me said he would call again?—I have no recollection of that. I do not know whether anything of the kind transpired with my brother; I have no recollection.

17,876. Supposing you went to a voter's house, if it was a small house you did not all go into the room where the voter was in all probability?—I think as a rule we were together. Very often the voter would be almost at the door, and sometimes at the door.

17,877. You might talk to him then?—Yes.

17,878. Might not such a conversation as Colonel Dawkins has suggested have taken place and you not have heard it?—Very possibly.

17,879. How long did you take in canvassing voters?—My memory would not serve me upon that.

17,880. I do not want to fix you to one day or two days?—It was more than that certainly; because on three or four occasions I recollect driving into the country with Colonel Dawkins canvassing.

17,881. Where did you drive with Colonel Dawkins canvassing?—To some voters at Deptford; we went to two or three men.

17,882. Where they voters of whom you had a peculiar knowledge?—No.

17,883 You went to canvass generally?—Yes.

17,884. Did you see Mr. Smith at all during the election?—Yes, I did.

17,885. And talked to him about it?—I never had any particular conversation with him that I remember. I saw him at the "Stars."

17,886. Did you speak to him about the election?—No doubt we had some conversation about the election.

17,887. Did you consider that Mr. Smith was down as Colonel Dawkins' friend or legal adviser?—I never heard it explained till in Court.

17,888. I want the impression on your mind at that time?—I understood that Mr. Smith was a solicitor, and I also understood that Mr. Dawkins was his client.

17,889. Did you find Mr. Smith interfering in the matters of the election as a solicitor would do?—Well, his interference seemed to be very small; I do not know what he did, I thought he did very little.

17,890. You thought he did little because he did it professionally?—I do not know that that ever suggested itself till you have now asked me the question as to whether he was Colonel Dawkins'solicitor.

17,891. When you talked to him about the election matters, did he not talk as if he had to do with the management of Colonel Dawkins' election?—I certainly thought so.

17,892. Did he talk to you as a private friend of Colonel Dawkins, oras a person who came as Colonel Dawkins' legal adviser?—I do not know that. I can recollect any conversation that would lead one to a conclusion, if you could call my attention to any conversation.

17,893. I am merely asking you the impression on your mind at that time, if you can recollect any specific conversation?—I cannot certainly tell. I think the leaning of my impression would be, that they were just like solicitor and client.

17,894. Did you see the clerks down here at all?—I think I saw one with him, but I do not know.

17,895. The dark one or the light one?—I fancy the dark one.

17,896. Did you have anything to do with him in the election?—I do not know that I spoke to him.

17,897. You were about the "Stars" a great deal; did you see a stranger there before the nomination day?—You are alluding to "the stranger" I assume.

17,898. Yes.—I have no recollection of seeing any such person.

17,899. Were you present when Colonel Dawkins canvassed the Rev. W. H. James?— Yes, I was.

17,900. Will you give us your impression of what passed at that interview?—I think I was. I know I was there once. I am satisfied of it.

17,901. Before you go on further, was that the time when Colonel Dawkins was there without Captain Pim, or was it the time that Captain Pim was there?—My impression is it was without Captain Pim. I think I and Colonel Dawkins were there.

17,902. Tell us; I do not want it accurately, if you can remember accurately so much the better.—My impression is that a conversation ensued upon church rates, and I do not recollect anything else being discussed; but I certainly was under the impression that we came away without receiving any promise.

17,903. Though you did not receive any promise, was the impression on your mind how he was to vote?—I can hardly tell. The impression left upon my mind was that he was unpledged.

17,904. Did you mean for both his votes or one?—I thought he was not pledged at all for anybody.

17,905. So that there was a chance of your being able to get him?—I should have fancied so, certainly a chance.

17,906. Was it merely a chance or a probability?—If you go to canvass a man, and he seems to receive you courteously, and leaves an impression that he is not pledged, you may think there is a great possibility of getting his vote.

17,907. Did you go with Colonel Dawkins to canvass the Rev. George Butland?—Gilbert Butland.

17,908. What passed?—Three things were mentioned I think by Mr. Butland: he first complained about something having taken place with respect to a pump-trough at the back of the house, and I think he blamed a Conservative gentleman for what had taken place, and I think in reply to that Colonel Dawkins said he would see what could be done for pump-troughs, or something of that sort. The next subject was a kind of attack by Mr. Butland on Mr. Edmonds, with reference to a certain present.

17,909. Of a bracelet?—Yes. Then the third subject Mr. Butland alluded to was a disappointment with regard to a son. He had received, it seemed to me, from what Mr. Butland said, hopes of a situation which had been held out to his son, either at or subsequent to Dent's election, and that he had been disappointed in those hopes.

17,910. Then did Mr. Butland come to intimate that he would be glad of a situation for his son?—I have no recollection.

17,911. Did he put it in such a way as to make you understand that he would like that disappointment recovered?—No, it struck me as matter of complaint for the past and not as hopes for the future.

17,912. When you came away from Mr. Butland's what was the impression on your mind of the way in which he was going to vote?—Well, I thought he was against us.

17,913. You thought he was against you?—Yes, Mr. Edmonds was with me.

17,914. Had you your little list?—I had my little list, and I heard Mr. Edmonds state that he was a Liberal.

17,915. Was it from conversation that that statement that he was a Liberal occurred; it was before you went canvassing I suppose?—I think I have heard him state that two or three times. I think I have heard him say he was a Liberal.

17,916. Was there any mention of his being a Liberal while you were there?—Not that I am aware of.

17,917. Did not his silence give you hopes that you might get him?—He was not silent, he talked.

17,918. He talked a good deal. Was he silent on that point? His complaining about bracelets not being forthcoming, and that a situation for his son could not be found, caused you to think he would be with you?—I could not say that that impression was on my mind—I think it was a subject-matter of complaint of the past.

17,919. I suppose you know from time to time that a good deal of money was being spent at this election?—I did not know it—certainly not.

17,920. You guessed it?—Certainly.

17,921. Did you see a number of people down about the "Seven Stars" who were voters?—No doubt I did.

17,922. And from what you have known of those persons at former elections did not you know they were persons who were accessible to bribes?—I know nothing about it. If you ask me generally whether my impression that bribery did or did not exist at that election and at previous ones, it certainly is my impression that it did.

17,923. I may take it that you never saw money pass?—Never.

17,924. At the 1865 election did you yourself offer any money during the election?—Never.

17,925. Did you ever go to canvass any elector who afterwards was bribed—yourself apart from Colonel Dawkins and Captain Pim?—Not that I am aware: I certainly believe not.

17,926. Did you from time to time while the election was going on talk to Mr. Edmonds as to how it was likely to go?—I think we looked to Mr. Edmonds more as our leader.

17,927. Did you talk to him?—I have heard him talk about it generally when others were present.

17,928. I think you have gone perfectly through the list?—No.

17,929. Had you anything to do with getting up the petition?—Which one do you allude to? Mr. Macleay's, 1865.

17,930. No, this last; not the requisition.—No, I had nothing to do with that excepting that I became surety. I entered into a bond for the costs. I had nothing to do with the petition.

FIFTEENTH DAY.

Mr. F. Kellock.

10 Sept. 1866.

17,931. You signed the recognisance?—I signed the recognisance, certainly.

17,932. But you had nothing to do with the petition?—No.

17,933. May I take it that that is all you can tell us about the election of 1865?—I do not think I can tell you anything further.

17,934. For instance, since that election have any people made any complaints to you either about the way they had been treated on the Conservative side, or the way they had been treated on the Liberal side?—No.

17,935. Have any person spoken to you about the influences used to obtain their votes by the Liberal side at the last election?—No one has spoken to me personally on the subject.

17,936. To you I mean?—No, certainly not—not to me.

17,937. And have any persons on the Conservative side complained to you of their not having been paid?—No.

17,938. None?—No.

17,939. Did you know that the day before the election that your brother went over to Torquay to cash a cheque?—Only from hearsay.

17,940. From him?—Yes.

17,941. You heard from him after he came back?—Yes, I think so.

17,942. He cannot remember what cash he got for that cheque. Can you remember whether he told you or not?—No.

17,943. Did you go next day to the Devon and Cornwall Bank to cash two 100*l.* notes?—No.

17,944. You yourself?—Certainly not.

17,945. There is another Mr. Kellock in the town, is not there?—Yes, my father.

17,946. He is a surgeon?—Yes.

17,947. Do you live with him?—No.

17,948. Did you hear your father say that he went to the Devon and Cornwall Bank that day with two 100*l.* notes?—No.

17,949. Are those the only three persons of your name in Totnes?—That is all.

17,950. And you did not go, and your father did not go; it must have been your brother went?—Well, I told you I did not go, that is all I can answer for.

17,951. You do not believe your father went?—I can only answer for myself. You ask me whether my father told me that he had been, and I answer no.

17,952. Do you believe he had been?—No.

17,953. Is he a likely person to have had the two 100*l.* notes without your knowledge?—I do not think it at all probable that he would have done it.

17,954. Did you know anything about this cheque being cashed by Captain King?—No, nothing at all.

17,955. You had nothing to do with the receipt of the money, or ever saw it?—No, I never saw a sixpence of it.

17,956. In 1863 what had you to do with that election?—Seymour and Dent's?

17,957. Yes.—I was retained by Mr. Dent.

17,958. And paid by Mr. Dent?—Through the election auditor.

17,959. 25*l.* I suppose?—Yes.

17,960. Having been paid that you acted as his agent. Did you go about canvassing with him?—Not very much—not a great deal.

17,961. Were you ever curious enough to look at the list of people who voted for Mr. Dent at that election?—I daresay I have.

17,962. Were you ever curious enough to look and and see how they had voted at former elections?—No.

17,963. You have not?—I never analysed them in that way.

17,964. You never did analyse them?—No.

17,965. Did you take any interest in the elections for the council?—Yes.

17,966. Are you a member of the council yourself? No.

17,967. Have you ever stood?—Never.

17,968. You never have yourself?—No.

17,969. Have you ever managed an election for anybody?—No, I have never been a manager, when these council elections have come on I have gone to the room and assisted others in the affairs of the election.

17,970. Have you ever had the payment of the expenses in the affairs of the election for the council?—No, never.

17,971. Have you ever canvassed for the members of the council, your brother?—I think I did, my brother.

17,972. When was that?—I cannot recollect the year.

17,973. Now there was a requisition to Mr. Macleay?—Yes.

17,974. Was that sent down to you?—It was brought to me and I sent it up.

17,975. Who brought it to you?—I think either Mr. Harris or Mr. Edmonds, I will not undertake to say which.

17,976. Did you go through the names of the persons who had signed that requisition?—I fancy that I had taken a copy of it. If so, I must first have examined it. I think it is very probable that I examined my copy with the original, but I cannot find any copy.

17,977. At the time you went through that list, did you know that there were a good many uncertain men who had signed it—men who had previously voted on the other side of the question?—I daresay I was aware of that.

17,978. Did you make any note against them?—That I do not remember. I wrote a letter. I signed the requisition to a Mr. Smith.

17,979. Mr. Henry Smith?—Yes, Mr. Henry.

17,980. And I believe Mr. Henry Smith returned it to you?—I think not; I have no recollection of seeing the requisition.

17,981. Just see if all the names are there now that were there when you sent up the requisition first (*handing it to the witness*)?—When I sent it there were 173 names on it. I do not know how many there are now.

17,982. Just see how many (*referring to the requisition*).—Here are some of my figures.

17,983. Now 173 will not carry an election at Totnes, would it? There are upwards of 400 voters?—I wrote a letter to Mr. Smith.

17,984. Have you a copy?—I have here.

17,985. (*Mr. Coleridge.*) Did it ever occur to you that Colonel Dawkins was coming rather a wild goose chase before he came?—I never made up a poll.

17,986. But did it occur to you that it was rather a desperate venture, more for the good of the town than Colonel Dawkins?—Well, I do not know that that crossed my mind.

17,987. Was not that the meaning of the requisition?—Perhaps my letter will explain that. Shall I read it?

17,988. (*Mr. Bere.*) Yes.—"Henry Smith, Esq., "solicitor, 33, Norfolk Street, Strand, London. Totnes, "20th February, 1865. Dear Sir, I am desired by the "Conservative committee here to forward you the "accompanying requisition to Mr. Macleay (signed by "173 electors). They request me at the same time to "send you the list of names of the voters mentioned on "the other side and who have not signed the requisition, "some on account of absence from home, some because "they have no personal knowledge of Mr. Macleay, "others because they intend to split their votes between "the Conservative and Seymour candidates, and some "decline to be parties to any requisition. For the man-"ner in which these gentlemen will probably vote, I beg "to refer you to the list already forwarded to you by "Mr. Edmonds.—Yours truly, FREDERICK KELLOCK." Then follows the list.

17,989. Out of those how many had a personal acquaintance with Mr. Macleay?—I am sure I cannot say.

17,990. Had any?—I did this at the request of the committee.

17,991. (*Mr. Bere.*) Mr. Macleay was never down ere in his life was he? Did you ever see Mr. Macay in your life?—Oh, I have seen him.

17,992. When was he ever down here?—He was ertainly here at Totnes once.

17,993. He was?—Yes, I think I am right in that. t was prior to this requisition I believe.

17,994. Was not that requisition returned to you? -I do not think it was. I have no recollection of its eing returned to me.

17,995. A letter has been read here that intimated iat the requisition was returned to somebody in Totnes?—I do not think it was to me. I have no ecollection of that. The impression on my mind is iat after I sent that requisition away to Mr. Macleay I never saw it again until it has been produced in this Court.

17,996. Did you from the names that you saw igned to that requisition really believe that all those 173 would vote for the Conservatives without any influences being used to get their votes?—I never did it with that idea. I never analysed it.

17,997. Did not you look through it for the purpose of telling Mr. Macleay, if you were asked, what sum of money the contest would cost him?—I beg your pardon.

17,998. Did not you look through it with a view of telling Mr. Macleay, if you were asked, how much the contest of the borough would cost him?—I always considered that an impossible question to answer, as to how much a contest for this borough would cost.

17,999. Is it so large?—It is impossible to tell, because if bribery is met by bribery how can you tell to what extent it will go.

18,000. Was there not such a thing as a requisition to a person of the name of Samuelson?—I never recollect seeing anything of the sort.

Mr. Thomas Creaser Kellock recalled.

Mr. T. C. Kellock.

18,001. (*Mr. Bere.*) You wish to explain some art of your evidence?—Yes. Since I was examined iis morning Mr. Edmonds has come into Court, and e says he does recollect asking me to change or get hanged some large paper for small. I have no recolection about the Devon and Cornwall Bank myself, ut he says I did it, and I think most probably that I ent a clerk or some one to get it for me. But Mr. Edmonds says it was part of the same money and not ny additional money obtained for the election; and have asked Mr. Bowen whether he would get in ome notes to see whether they were the same that vere returned for smaller paper. I said then it was he only possible information I could give, but Mr. Edmonds says he believes that that did occur. I shall e very glad indeed, to throw any light on it, to see he banker.

18,002. Is the best of your belief they were the ame notes?—It was all the money that passed through ny hands. If I had this money it must have been that ie gave me next morning large notes to get small ash for them.

18,003. Did you do that twice on one day?—Of my own knowledge I have no recollection of it. There was an immense deal to be done, numbers of persons were about, and the excitement of the election.

18,004. I have one or two questions to ask which I had forgotten. How long have you been in the Council?—I think about six years.

18,005. Were you first elected in 1859 or 1860?—I think 1860 to 1863. Yes, I think 1860.

18,006. Had you a contest?—I always had a contest.

18,007. What has it cost you?—What do you mean.

18,008. What has the contest cost you? We have had various sums given here as to what it has cost persons who have gone into the Council. What has it cost you?—Altogether the six years? Because I tell you at once whenever any money is wanted to be subscribed for any purpose of the Conservative party I have done so.

18,009. I do not mean charities, not your benevolence. I mean your benevolence in another sense of the word. You have paid for the good-will of the people; what is the amount of the bill which has been brought in at the end of one of your contests?—The first was very light, I think some 10*l.* or 15*l.* The last was the amount which Mr. Bastard gave you evidence of, which was divided between four persons, at all events, I paid according to my fourth.

18,010. (*Mr. Coleridge.*) What did you pay?—It is over 50*l.*

18,011. (*Mr. Bere.*) Were you unfortunate enough to be in that contest when Mr. Heath was concerned?—I was.

18,012. Well, he paid a good deal more than that according to this statement?—All I can say is that I was foolish enough before the election to say I would bear my fourth of the expenses, and after the election was over an account was shown to me, and I paid my fourth.

18,013. Was that all the money you ever paid?—It was.

18,014. (*Mr. Coleridge.*) You had only two contests then?—Yes, two contests. I am speaking of two occasions when four had to be returned.

18,015. How often do you retire from the Council?—Once in three years.

18,016. Is there any contest for the mayoralty?—No, only the Mayor is elected by the Council.

18,017. And that does not cost you anything?—Yes, it does; nothing above a dinner.

George Evens sworn and examined.

George Evens.

18,018. (*Mr. Bere.*) What are you?—I work for my father-in-law.

18,019. Who is your father-in-law?—Thomas Lombardini.

18,020. Is he a shoemaker?—Yes.

18,021. Are you any relation to Frederick Evens?—A brother.

18,022. How long have you been living at Totnes?—I was born here; 36 years or 37.

18,023. You are older than Frederick Evens?—Yes.

18,024. You were employed I believe by the Conservatives in the election of 1865?—Yes.

18,025. You were employed to go round and see voters?—One or two.

18,026. Did you have the names of the voters given to you?—I was told the names.

18,027. Who told you?—Mr. John Heath.

18,028. I will ask you this general question, did you have any communication with Mr. Edmonds or Mr. Kellock on the subject of the voters?—Not to my knowledge. I might have said a word to Mr. Edmonds.

18,029. Did you ever receive any money from either of them?—No.

18,030. You say you saw John Heath; what names did he give you?—I went to see Lorimer and Tozer, and my father-in-law.

18,031. Tozer and your father-in-law, Lombardini?—Yes.

18,032. When did he request you to do that?—Some four or five days previous to the election; it might be longer, it might be a week.

18,033. It was before the Sunday before the election, at all events?—Yes.

18,034. Were you down at the "Seven Stars," or were you sent for?—I happened to be down there one evening.

FIFTEENTH DAY.

George Evens.

10 Sept. 1866.

18,035. Where were you?—In the lobby.

18,036. The front door?—I was going into the smoking-room.

18,037. That is the room on the ground floor?—Yes, a room on the ground floor.

18,038. And you saw John Heath?—Yes.

18,039. Did he ask you to go with him into another room?—I do not know; some conversation took place outside at the time.

18,040. Who were about there at the time?—I think several had been in the smoking-room.

18,041. But not in the lobby?—No.

18,042. What did he tell you?—He asked me if I thought that my father-in-law would vote for Colonel Dawkins and Captain Pim.

18,043. What did you say then?—I told him I had no doubt but what he would. He asked me if I would see them on the subject, and I said yes, I would; and I went and saw them.

18,044. Before you went and saw them did you say anything about whether any little inducement of money would be necessary?—I said no doubt they would require something.

18,045. And what did Mr. Heath say to that?—He said "You had better see them and inquire."

18,046. What they wanted?—What they wanted.

18,047. And did you go and see them?—Yes.

18,048. What was their answer?—I fancy Lombardini did not name any sum, but said he would leave it entirely as to what I could manage for him.

18,049. You went to see Lombardini and Tozer?—Yes.

18,050. What did they say?—Tozer said he would leave his case in the hands of my father-in-law and would vote the same way as he did.

18,051. So that in fact Lombardini was to treat for both?—Lombardini must have bargained for both or Mrs. Lombardini.

18,052. Was it Mrs. Lombardini you saw on that occasion?—Both.

18,053. You bargained with her?—She went to the "Stars" with me.

18,054. Have you ever seen Lombardini himself about it?—Yes.

18,055. He trusted all to his wife?—Yes, I believe she holds the breeches pretty well.

18,056. How much did you bargain with Mrs. Lombardini for the two votes?—100*l.*

18,057. For the two?—Yes.

18,058. How had they voted before?—Always for the Conservatives.

18,059. And were each to have 50*l.* or how was it divided?—Yes, 50*l.* each. Tozer was to have 50*l.* after he voted.

18,060. Was Lombardini to have 50*l.* before he voted?—He had both monies in his pocket the night before the election.

18,061. Did you see Mr. Heath and get leave from him to go and give them the 100*l.*?—Yes, I went down to the "Seven Stars" with Mrs. Lombardini.

18,062. She went down with you?—Yes.

18,063. And did you leave her outside and go in yourself?—She remained outside some short time.

18,064. Did you go in and see Mr. Heath?—I inquired where he was, and he happened to be coming down the stairs at the time.

18,065. From No. 8, for instance?—Yes.

18,066. Did you tell him that you could get them for 100*l.*?—Yes, I told him that was the amount.

18,067. And did he say that was all right and go upstairs?—He said "I will go and see some gentleman upstairs—some man come down to transact some business for us. I will go and get you the money."

18,068. Did you then go upstairs?—No.

18,069. Did you see where he went?—No, it was dark and I was downstairs.

18,070. Do you know the room where Mr. Edmonds and Mr. Kellock used to sit?—I saw Mr. Edmonds on on one occasion, the nomination day I think

18,071. Was it the small sitting-room, No. 8?—On the first landing.

18,072. A little door on the right?—Yes.

18,073. Do you know that that room has a window looking out on to the lobby of the "Seven Stars?"—Not that I remember.

18,074. When Mr. Heath went upstairs, how long did he stay?—He was away I should think about ten minutes or a quarter of an hour.

18,075. Then did he bring down some money?—He beckoned me to come upstairs, and Mrs. Lombardini and we went into a large room facing the plains.

18,076. The room with the low window?—No, not that room, the room on the left.

18,077. No. 6?—No. 6, the room on the left hand facing the plains.

18,078. You went in there?—Yes.

18,079. Then you called Mrs. Lombardini in I suppose?—Yes.

18,080. Then what happened?—I told Mr. Heath that we had come for the money, and he paid the money.

18,081. How did he pay it?—In notes.

18,082. To whom did he pay it?—To Mrs. Lombardini. He paid it out on the table, and she took it up.

18,083. Are you quite sure it was in notes? Yes.

18,084. What were the notes put into?—They were not put into anything. He brought it from this gentleman in his hand I believe.

18,085. While Mr. John Heath was upstairs, you were standing in the lobby?—Yes.

18,086. Where was he when he called to you to come up?—At the top of the landing.

18,087. Could you see whether he had been higher up in the house?—No, I could not see whether he had been higher, or whether he went in from the landing. I rather think he did go in from the landing.

18,088. Are you quite certain that you did not see the room from which he brought that money?—Quite positive, because I was on the landing when he went in. I believe he went in from the landing.

18,089. He went in from the landing?—I should think so from where we stood at the bottom.

18,090. Should you have seen him if he had gone upstairs?—From where we stood to the bedroom?

18,091. Yes?—No, it was dark.

18,092. Where you all three in the room alone when he paid you the money?—Yes.

18,093. You knew there was no one there?—Yes, I did not see anyone; not a soul.

18,094. Then he counted out the notes, and Mrs. Lombardini counted them, and went off with them?—Yes.

18,095. What became of Tozer's money, do you know?—It was returned the night of the election.

18,096. Who brought that back?—I went to Mrs. Lombardini and told her that she was to take back the money which she had for Tozer to the "Stars."

18,097. What made you do that?—Because I considered that he had not acted fair.

18,098. He voted against you?—Yes.

18,099. Do you know what he got for voting against you?—Never heard.

18,100. Has he never told you?—He never mentioned the amount.

18,101. Has he told you more than 50*l.*?—He never told me nothing more than the morning of the election, after the election I asked her why he voted against us.

18,102. What did he say?—He asked me whether I should not have done the same if I could have done better. She said he had done better himself.

18,103. You understood that to mean that he had had more money on the other side?—I should take that to be so.

18,104. Did he tell you who had been at him on the other side?—I have never been able to find that out.

18,105. Where does he live?—Bridgetown; he rents one of the houses of the Duke of Somerset.

18,106. Did anybody come to you from the other de at the election of 1865?—Not one.

18,107. Not in 1865?—I do not think they thought roper to.

18,108. From the Liberal side?—They knew I as the other way.

18,109. What did you get for your own vote?—I as not a voter.

18,110. What did you get for the service you endered?—*20l.*

18,111. Who from?—I was paid that by Mr. Ieath for my services.

18,112. When?—At the same time.

18,113. At the same time that he paid Mrs. Lombardini?—Yes.

18,114. That was before the election?—Yes.

18,115. Was that paid in notes?—Yes.

18,116. Now Lombardini and Tozer were the two ersons you saw first. Did you afterwards see Ianning?—Yes.

18,117. What is his christian name?—David.

18,118. Where did you see him?—I saw him at is shop.

18,119. What day?—The morning of the election. might have seen him once or twice previous to the lection day.

18,120. Had you any talk with him about voting efore the morning of the election?—I think there as something that passed as regards which way he ntended to vote.

18,121. What did you say about it. Did you say e would get something if he voted on the Conseratives side?—I believe I did.

18,122. Did you mention the sum you would give im?—I told him that he could have *50l.*

18,123. How had you learned that *50l.* was the roper price?—I was at the "Stars," and I communicated with Mr. Heath, and he said "If you will ell him to come down to the "Stars"—

18,124. Did you then go up with Mr. Dawkins' alet?—I met him just about the arch, he was coming own and I was going up.

18,125. And you went with the valet to Mannings' ouse?—He went with me.

18,126. Did you find Manning in his house?—He as in his shop.

18,127. Do you know what Colonel Dawkins' valet's ame was?—No, I have never heard.

18,128. What time of the day was it?—Just before . The poll had opened some time. Mr. Manning ad not voted, and I was deputed to go up and see im, and he said he was not in a hurry.

18,129. Did you find him a little sum to quicken im?—No, I said he had better go down with me to he "Stars," and he could have *50l.* He said he was ot in a hurry, and he did not go with me, and I went ack with the message.

18,130. What was the message?—I went back with he message he was not in a hurry.

18,131. To the "Seven Stars?"—Yes.

18,132. Did you see John Heath?—Yes.

18,133. Did you see Mr. Edmonds too?—I do not hink I did at that time. I saw Mr. Heath, and his eply was, "Don't take any more trouble about it," r something of that sort.

18,134. How did Manning vote?—He voted for Colonel Dawkins and Mr. Pender.

18,135. As far as you know he did not get anything?—I have heard him say since that he held out ather too long; he was a fool.

18,136. You say you did not see Mr. Edmonds on hat occasion, did you see him on any occasion about Manning's vote, or any other vote?—I saw Mr. Edmonds, and he said, "Don't bother anymore about it."

18,137. He said so to?—I rather think I told him I had been sent.

18,138. (*Mr. Longe.*) You have stated the transaction between Mr. Lombardini and Mr. Heath?—Yes.

18,139. Were you present?—Yes.

18,140. Who else was present?—No one.

18,141. Now listen to this evidence of Mr. Heath with regard to that transaction:—"*Q.* Now Lom- "bardini?—*A.* His wife came to negotiate. *Q.* Do "you recollect when?—*A.* I do not know. *Q.* Satur- "day or Monday?—*A.* I do not know, but she nego- "tiated for her husband and son-in-law, and she told "Mum in my presence that unless they got *50l.* they "would not vote. *Q.* Who was the son-in-law?— "*A.* Tozer. *Q.* Did she get *50l.*?—*A.* She got two "bags, one for Tozer and one for her husband. "*Q.* Who gave them?—*A.* Mum. *Q.* (*Mr. Bere.*) "How much do you suppose they got?—*A.* I do not "know. *Q.* You say the sums varied from *25l.* to *50l.* "—*A.* Yes." Was there any person answering to Mr. Mum present when you were there, and Mrs. Lombardini took that *50l.*, and was it given in bags?—I did not see anybody there.

18,142. You saw Mr. Heath give them in notes?—Yes.

18,143. (*Mr. Bere.*) Now in 1863 what part did you take?—I was then a voter.

18,144. How had you ceased to be a voter?—Because I gave up my house, which was sold.

18,145. Are you a voter now?—No.

18,146. Then you were a more valuable person in 1863 than in 1865?—I suppose they thought so.

18,147. How much did you get in 1863?—*60l.*

18,148. Did Mr. Heath give you that?—Yes.

18,149. Where did he give it to you?—To the best of my knowledge it was the top of the landing-place at the time.

18,150. Did you see where Mr. Heath got it from?—No.

18,151. Where did he take it from; did he take it out of his pocket, or had he a bag out of which he took it?—I was rather unwell the night of the nomination. To the best of my knowledge he gave it to Lombardini on the landing-place.

18,152. He did not give it directly to you?—No; it was brought to me. I had forgotten at the moment, but remember it now.

18,153. You say Lombardini brought it to you?—Yes.

18,154. Was it in gold or notes?—It was in gold.

18,155. Had you been employed by the Conservatives also at that election?—Yes.

18,156. And did you influence some of the people; your father-in-law, Lombardini?—He voted with me.

18,157. And did he get the same consideration for his vote as you did?—Yes; Mrs. Lombardini went, I believe.

18,158. She got the *60l.*?—Yes.

18,159. William Sloggett?—I was desired at that time to look sharp after him, if I possibly could.

18,160. Did you do anything?—He went to Plymouth, and I went down at the same time.

18,161. Did you find that somebody was down before you?—I heard he was gone down there for change of air, and that he should remain away until the election day was over. However, I believe he came back on the day of the nomination.

18,162. How did he vote; for Mr. Dent?—No; he had *20l.* to vote for him.

18,163. Who gave it?—Frederick Evens.

18,164. Then there were some other voters who had gone to Plymouth?—Not at that time. I remember seeing Mr. Clark, the waiter at the hotel. I saw him.

18,165. What inducement did you offer Mr. Clark?—I asked him whether he was not going to Totnes to vote for Mr. Dent; he would no doubt vote for a good man, a man who would do good for the town. He had not altogether made up his mind then. He said Mr. Michelmore had been there.

18,166. Which Mr. Michelmore?—Charles Frederick,

18,167. Did he tell you that Charles Frederick had promised him anything?—No; his bell was rung, and that was the only conversation that took place at that time.

18,168. Had you no time to tell him how much you could give him to come up?—No; I never offered him any more than to go to the "Stars."

FIFTEENTH DAY.

George Evens.

10 Sept. 1866.

18,169. In 1862, when Dent retired, were you employed to go about, and not actually to give sums of money, but to intimate that money would be forthcoming if there was a contest?—No doubt I was.

18,170. And you did go to several voters?—Yes.

18,171. Did you go to your father-in-law?—Yes.

18,172. And Tozer?—He was not a voter then.

18,173. Lombardini was?—Yes.

18,174. Who else?—No one at that time.

18,175. But other people you knew, your friends?—I do not remember any particular person.

18,176. But you did go about and intimate that money would be forthcoming for a vote?—Yes; I may have done.

18,177. Did you get paid for your services at the election of 1862?—I believe I had 3*l.* or 4*l.*

18,178. Whom did you get that from?—I went with Mr. Heath during the election day to do anything that might be required. I think he paid me 4*l.* or 5*l.* I will not be positive whether it was 4*l.* or 5*l.*

18,179. Now in 1859 I think you had a good deal to do with it; Dunn's?—Yes.

18,180. Were you employed then by the Conservative party?—Yes.

18,181. And did you take some voters over to Dean?—Yes; it was Nicholas Norrish, Reuben Crocker, James Dean, and William Toope.

18,182. Was it William or John Toope?—William, I think, was his name; but I will not be positive.

18,183. Was it a long name—William Oldrey Towell Toope?—No; William Toope I think he was called.

18,184. You took them to Dean, did you?—Yes.

18,185. How long did you keep them there?—I gave them a good dinner and plenty of grog; but I heard they were brushing up the combers; there are a lot of combers employed.

18,186. The Liberals of Totnes were?—Yes.

18,187. Were some of the woolcombers voters then?—No; but I thought them a class of men to take away voters from me.

18,188. They were a class of ducks to decoy voters away from you?—Yes; I took them to the Kingsbridge Road station.

18,189. Was Mr. Coulton, of Buckfastleigh, there? How far is Dean from Buckfastleigh?—About a mile and a half or two miles.

18,190. You took them away to Dean?—To Kingsbridge Road Station.

18,191. You did not leave them there?—I waited for the first train that came, and booked them for Plymouth.

18,192. Where did you take them to at Plymouth?—I thought that was too close. I saw a person named Broadway, brother-in-law of William Pulling, cabinet-maker here, happened to see me pass with those men just as I was going from the station in Union Street, and I thought he was a person very likely to report of their being there; and I thought the best plan would be take them to Devonport.

18,193. Did you take them to Devonport?—Yes.

18,194. Where did you keep them at Devonport?—I kept them at the "Coach and Horses."

18,195. How long did you keep them there?—Not long, because I thought that was too close.

18,196. Where then?—Saltash. I kept them there several hours, till I returned back to Devonport, and found they had not smelt a rat, as it were; and I went back to Saltash, and they returned with me again to the hotel or public-house we stopped at.

18,197. (*Mr. Coleridge.*) Were these willing ducks who were glad to go about with you?—Yes; all in good humour.

18,198. (*Mr. Bere.*) How much did you give them to make them so pleasant?—I had nothing to do with them, but William Toope.

18,199. How much?—20*l.*

18,200. Who were the others stuffed by—the other three?—They were brought back to the "Stars," and made right there, I believe.

18,201. Did you bring them all back to the "Stars?"—No; Nicholas Norrish. I left them in charge of him, and I was then in search of a voter, James Mitchell.

18,202. You left them in charge of somebody else?—Yes.

18,203. And this man brought them back?—Yes.

18,204. And you went in search of a voter named Mitchell?—Yes.

18,205. Did you find him?—I had been two or three times previous to the election, and he promised me the night before the nomination.

18,206. Where did he live?—Granby Street, and kept a druggist's shop.

18,207. Plymouth?—Devonport; I believe the name of the street is Granby Street.

18,208. What did you offer him?—30*l.*

18,209. Did he tell you he could get a little more on the other side?—He first agreed to take it, notwithstanding he told me he had seen Mr. Brooking Cuming down there.

18,210. He told you that Mr. Brooking Cuming had been?—He told me in his own shop. We had a glass of grog there, and he told me he had seen him and Mr. Windeatt.

18,211. Did he tell you what they had offered him?—First he asked what I could manage to get him. I told him 30*l.* He said then the first time he would accept it. The second time I went down he did not consider he should vote for that, meaning at the time he could get more.

18,212. Do you know whether he had seen Mr. Windeatt and Mr. Brooking Cuming between the first and second time?—It must have been before the second.

18,213. And after the first?—Yes.

18,214. Was Mr. Pulling after him too?—I heard so; but Mr. Pulling came down with his brother-in-law, Broadway.

18,215. Do you know how Mitchell got the money?—No.

18,216. Is he a brother-in-law of Richard Matthews? Do you know whether Richard Matthews got money for him?—I heard he came to Totnes, the "Seymour Hotel," and got it.

18,217. Do you know who paid him?—It was by his brother-in-law, Richard Matthews.

18,218. Richard Matthews paid his brother-in-law at the "Seymour Arms Hotel?"—Yes.

18,219. Who is he?—A timber merchant at Plymouth, I think.

18,220. Is he a voter for Totnes?—No; but he lived here some years, and married Mitchell's sister.

18,221. Had you a vote for 1859?—No.

18,222. What did you get for your services then?—20*l.*, I believe, was the amount, I believe, I was to have had for my trouble.

18,223. What did you get?—I received a note from Mr. Edmonds after the election. (I had received 5*l.* at the time,) telling me that money ran short, and asking me whether I would accept two 5*l.* notes, and that made it 15*l.*

18,224. And that you accepted?—Yes.

18,225. Where did you get the money from you promised and paid to Toope?—I had that at the "Stars."

18,226. From John Heath?—Yes.

18,227. Where, in the lobby upstairs, or where?—There was a man here of the name of Higgins; I saw him at the "Stars." I was not paid by Mr. Heath. At that time Mr. Heath showed me up over the stairs.

18,228. Where did he show you to?—Over his office on the left hand side going into the hall—going into the house.

18,229. Those stairs opposite to the ones which lead up fo Nos. 13, 14, and 15 bedrooms?—Yes.

18,230. Where did you go when you got up those stairs?—A room just facing the stairs.

18,231. A sitting-room?—It faced the right of the left wing of the stairs.

18,232. Is it No. 9?—I am not positive as to the number.

18,233. Did you see a man there?—I did.

18,234. What sort of man?—A short man; rather ginger whiskers, sandy whiskers.

18,235. Had you seen him before?—I saw him about a day or two previous to the election.

18,236. He had brought his wife down with him?—She was supposed to be his wife.

18,237. Had you seen him about the town, and had he gone by the name of Higgins?—Yes.

18,238. Had you told him anything of this before?—I went into the room and told him.

18,239. Do you remember what was Tope's christian name?—I cannot tell you. You will see by the book or by the list. I think he lives in Bay Horse Street, in one of Mr. Master's houses.

18,240. About how many days were you engaged in the election of 1859?—It might have been a fortnight or three weeks.

18,241. You saw Mr. Higgins; did you tell him what you had come for?—I told him I wanted 20*l.* to take to a voter.

18,242. What did he say to you?—He let me have it.

18,243. Did Mr. Heath introduce you to him?—He left me there.

18,244. He went into the room with you?—Yes; he said, "Here's a man come for some money."

18,245. Did he give it to you in notes or in gold?—He gave it me in gold.

18,246. Where did he take it from?—He took it from a tin box.

18,247. Was it in the room, where he was, unlocked?—I think it was unlocked.

18,248. He took it from the box and gave it to you?—Yes.

18,249. Where was this man when you gave it to him?—I gave it to his wife; he was not at home.

18,250. Did you ever see the stranger in 1865?—No; not in my recollection.

18,251. You never saw him at all?—No; I had no business upstairs whatever.

18,252. You mean to say that you never did go up stairs?—No.

18,253. Were you ever in the room No. 13 at the "Seven Stars?"—Not to my knowledge.

18,254. Were you ever in any one of the bedrooms at the "Seven Stars?"—Never.

18,255. Have you ever had anything to do with the election for the Town Council?—Yes.

18,256. Have you canvassed people on those occasions and acted as a runner?—On a very few occasions I might have been mixed up with it, having a vote to record. I might have gone down and given a vote, and I might have asked one or two others for their votes.

18,257. Have you ever taken any money to any person for a vote?—Yes.

18,258. To whom?—To a man named Evens.

18,259. What is his christian name?—I think William.

18,260. What did you give to him?—I gave him a sovereign.

18,261. Do you know whether he was a voter for the borough as well?—No.

18,262. Did you ever receive any money for your vote as regards the municipal elections?—Never one farthing. On one occasion I was put down for 4*l.*; but I never got the money.

18,263. You are perfectly certain that in 1865 this money was given to you by Mr. Heath?—Yes.

18,264. And was given to you in the large room?—Yes.

18,265. It was paid to you by Mr. Heath in notes?—Yes.

18,266. Did he give you any directions as to how you should change those notes?—No; I never heard a word from him about that.

18,267. Then you would have changed them yourself how you liked?—Yes.

18,268. He gave you 20*l.* in notes?—Yes.

EDWARD BAKER sworn and examined.

Edward Baker

18,269. (*Mr. Longe.*) What are you?—A tailor.

18,270. How long have you had a vote for the borough?—I have only voted once.

18,271. Was that on the occasion of the last election?—Yes.

18,272. Who was it who first canvassed you?—Mr. Seymour.

18,273. Did Mr. Seymour come to canvass you himself?—Yes, he did.

18,274. Who was with him?—I think he and Mr. Michelmore came together.

18,275. Do you mean Mr. Charles Frederick Michelmore?—No; Mr. Jeffery Michelmore.

18,276. And I suppose they asked you for your vote?—Yes.

18,277. And did you promise them?—No.

18,278. What did you say?—I said I should not promise.

18,279. Did you tell them what your political principles were?—No.

18,280. Did those gentlemen say they would call again?—No, they did not; they never called again.

18,281. Who was it who next canvassed you?—Colonel Dawkins.

18,282. Who was with him?—I really do not know who was with him. There was some gentleman with him; I do not know who it was.

18,283. Was it Mr. Heath?—No; it was young Mr. Heath who came with the other gentleman, Captain Pim.

18,284. Who was the gentleman who was with Colonel. Dawkins?—I do not know.

18,285. Was it Mr. Kellock, do you think?—No; certainly not.

18,286. Was it Mr. Edmonds?—No.

18,287. How did Colonel Dawkins treat you?—He asked me to vote for him, and I told him "Yes."

18,288. Did nothing more than that take place?—Nothing more than that took place. He asked me if I would give him my vote, and I told him "Yes."

18,289. Was there no understanding at all about the matter as to whether one side would not pay better than the other?—No; not a word was said.

18,290. Did not young Screach call upon you after this?—No; he had been there before.

18,291. You did not call Mr. Screach's visits canvassing visits?—No.

18,292. How soon after Mr. Seymour left you did Screach call upon you?—He had been down at me some two or three times; he had forestalled the other side; he was the first in the field.

18,293. What was the result of your first conversation with Screach; what did he propose to you?—Screach came to my house, and asked me if a little money would do me any good. I said "Yes." He said, "How much do you want?" I said, "I will not name anything; name a sum yourself." Then he said, "Would 50*l.* be any good to you?" I said, "Yes, if you will bring it."

18,294. How long was that before the election?—I think that was nearly a week before the election. Then he said that he would bring it down to me. I thought that a bird in the hand was worth two in the bush.

18,295. Did he bring the money down to you?—No; I went to his house and received it, or to his father's house.

18,296. When did you go to his house?—On the Sunday night before the election.

18,297. Did he give you to understand that he would not be able to get the money before that night?—No; I met him in the street on that night.

18,298. You have said you thought a bird in the hand was worth two in the bush; your bird was a

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long time coming; you do not appear to have got it until some time afterwards?—It was on the Sunday night before the election.

18,299. Had nothing been thrown out at all with regard to the other side?—Nothing at all.

18,300. And that is the only time that you have voted?—That is the only time.

18,301. (*Mr. Bere.*) Where did Screach pay you?—In his father's house.

18,302. Did he pay you in gold?—Yes. He told me that Colonel Dawkins had got 1,400*l.*, which had been brought down in a large box, and that they were doing business with the Teignmouth Bank. I went to his father's house on the Sunday night before the election, and he paid me in his father's bedroom.

18,303. (*Mr. Coleridge.*) You did not ask him whether he could not do a little more for you?—Not a word of the kind. If I had said so I would have told you.

18,304. You thought you had got as much as your vote was worth?—I did; and I went to sleep very comfortably afterwards.

18,305. Were you open to take anything from the other side?—Not a penny.

18,306. Did not Mr. Pender's people come to you?—No.

18,307. Did they not offer you money to vote for them?—Not a farthing.

18,308. Did they not give you a chance?—No; they never came nigh me; only one of them called upon me.

18,309. Did not Parnell come to you?—No; there was only one person.

18,310. And who was that?—Punchard.

18,311. What did he come to you about?—We had been on friendly terms with each other for some years. He came to ask me if I would support his party; I told him "No;" that was all that passed.

18,312. Screach had been with you before?—I had made up my mind 12 months before that I would not vote for the Whig party.

18,313. What was your reason for not doing so?—It had nothing to do with politics. If you wish me to do so I can tell you the reason.

18,314. Let us have your reason?—I always had been on that side; but I was taken very ill, and was in bed for some six months, and never was able to earn a shilling. Mr. Parnell came to me, and demanded a pound for the head rent of the house which I live in. I was very ill in bed, and my wife told him if he must have the pound it was every penny we had in the house. He said he must have it; it was money which was to be paid to the Charity Trustees. My wife said to him, "If you take that, you will take every penny we have." He said, "If you will let me have the pound now I will send you down a pound in the evening." She let him have that, which was every farthing we had in the house; and I never saw anything more of Mr. Parnell for three months afterwards. And that was the reason, and the only one, for which I had made up my mind not to vote for their party.

18,315. Have you ever voted at the municipal elections at all?—Yes.

18,316. Did you ever get anything for doing so?—No; I never got anything.

18,317. Did a man of the name of Elliott come to you in 1865, who was sent by Mr. Windeatt?—No.

18,318. Do you know such a man?—Yes.

18,319. Did you ever have any talk with him about the election?—Not more than once.

18,320. Did he say there was any money to be had on the Liberal side?—I do not know that he did.

18,321. Are you quite sure that he did not?—I would not swear it; I think he did not.

18,322. You are sure that he got no money from Mr. Windeatt for you?—I am.

18,323. You are certain of that?—Yes.

18,324. And that he did not say there was money to be had?—He might have said so, but he held out no inducement to me. If he had offered me 300*l.* I would not have gone on that side because I had made a promise to myself when I was in bed that I would not do so. I had always been on the other side, but no one came to offer me a shilling on the Liberal side.

WILLIAM BYNE sworn and examined.

William Byne.

18,325. (*Mr. Bere.*) What are you?—A cowkeeper and contractor.

18,326. A contractor for what?—For different things; anything in the labouring way.

18,327. How long have you been a cowkeeper?—I have been in the borough for these five years.

18,328. Where did you come from?—Before that I lived on a farm some three miles off.

18,329. How long have you been a voter for the borough?—Seven or eight years; from the time when Mr. Pender came down here first.

18,330. That is not seven or eight years since?—I was on the list before that.

18,331. When did you first become a voter?—I first voted for Mr. Pender.

18,332. When did you first get a vote?—I cannot say to a year.

18,333. What did you get a vote for?—For buildings and land which I took first when the Duke bought it.

18,334. Was that a part of Gerston?—It is adjoining Gerston.

18,335. Did you occupy the fields yourself?—I did.

18,336. And did you keep your cows there?—Yes.

18,337. What was the value of that field?—Some 24*l.* a year.

18,338. How many others were associated with it?—None.

18,339. Were there no other votes in that field?—No.

18,340. You voted for Mr. Pender in 1862?—Yes.

18,341. You were one of the 171?—Yes.

18,342. Had any one been to you from Mr. Dent's side about your vote?—Mr. Dent called on me himself, and Mr. Edmonds with him.

18,343. Did Screach or Evens come and see you in 1862?—No, but a man called Woodley came to me and offered me 60*l.*; he was drunk at the time.

18,344. What did you say to him?—I said I would have nothing to do with him.

18,345. Had you told Mr. Dent that you would not vote for him?—Yes.

18,346. Did you see this man when he was sober?—No, I saw him no more.

18,347. Was that the only offer you had made you on the Conservative side?—Yes.

18,348. In 1863 you changed your mind as to voting for Mr. Dent?—Yes, I did.

18,349. What did you get for that change of opinion?—I got 80*l.* What Mr. George Heath said the other day was true, every word of it.

18,350. You have also had some meadows let to you belonging to Mr. Dent?—I give the full value for those. What Mr. Harris had stated in that respect is false. I deny the whole of the charge which Mr. Harris made against me.

18,351. Can you tell us how many acres there are?—I can give you the measurement, the rental, and everything connected with it. It was valued by Mr. Hamlyn, the surveyor to Lord Churston, the Duke of Cleveland, and other great men, and also by Mr. Page, a man of great experience in valuations, and a voter for the borough, and who has valued in all the parishes in this neighbourhood.

18,352. I see there are 15 acres 1 rood and 35 perches?—Yes.

18,353. And you pay 56*l.* a year for it?—Yes.

18,354. That is not quite 4*l.* 10*s.* an acre. How many fields are there?—Five; two of them are water

meadows; the other three are indifferent lots. I think I pay more for those than the former tenant paid.

18,355. Who was the former tenant, do you know? Mr. Robert Earle, a voter in Totnes.

18,356. Do you mean to say that land is not worth more than 4*l.* 10*s.* an acre?—Decidedly not.

18,357. But I suppose the water meadows are worth more than that?—Yes, but the others are very rough fields.

18,358. Is that the memorandum which you gave to Mr. George Heath for the 80*l.* (*handing a paper to the witness*)?—That is it.

18,359. And that is your handwriting?—Yes.

18,360. Where did Mr. George Heath pay it to you?—At the "Stars," in a room adjoining the bar.

18,361. Do you mean in the small room?—In the small room on the right.

18,362. Who were there besides you two?—No person.

18,363. When was this?—On the Saturday evening before the election.

18,364. Had they not been to you on the other side?—Yes; I had promised Mr. Seymour when he came first. No one else ever came.

18,365. Did not Mr. Parnell come?—No.

18,366. Or Mr. Holman?—No.

18,367. Or Mr. Chaster?—No; no one at all came but Mr. Seymour and Mr. Cuming, who was canvassing with him.

18,368. Did you receive any intimation of having any money to vote for the Liberals?—None whatever.

18,369. You were turned out after having given your vote?—No, I was not. I gave notice on my own account.

18,370. But you would have been turned out if you had not given notice?—I hardly know how that would have been; there were several who were turned out.

18,371. You have taken an active part on the Liberal side?—No.

18,372. Is not this document in your handwriting (*hands a paper to the witness*)?—Yes.

18,373. Is not that an objection by you to the Conservative votes?—Yes; but it has nothing to do with the Liberal party; that is a matter which requires explanation.

18,374. Who instructed you to do this?—No one; I did it all on my own account.

18,375. And who will have to pay the expense of it?—I must pay them myself.

18,376. Do you mean to tell us, upon your oath, that you have not seen any member of the Liberal party as to this document?—No one whatever.

18,377. When did you first begin to serve the notices of objection?—I first began myself on Friday, the 24th ult.

18,378. Who had done it before?—The postman, I suppose.

18,379. Had you not seen Mr. Parnell?—No; I have never spoken to him.

18,380. Who had served the notices of objection last year?—I do not know; I think the postman brought me mine.

18,381. Who signed them?—They were signed by Thomas Windeatt; I think also by Mr. Prout.

18,382. That is Mr. Michelmore's clerk?—Yes; I was objected to last year by the Tory party.

18,383. Who objected to you last year?—Mr. George Heath.

18,384. Upon your oath are you not the appointed objector for the Liberal party against the Conservatives?—I am not.

18,385. Have you delivered about sixty objections to the voters on the Conservative side?—There are about that number; I have not delivered them myself.

18,386. But who has paid you for doing it?—No one.

18,387. Then who do you look to for payment for it?—No one; I have done this on my own account.

18,388. What made you do it?—I found that no one else was doing it. Mr. Harris has been so busy, I suppose, and I thought I would keep the thing going. Now I understand he is annoyed that I have done it.

18,389. But who gave you this information about the voters?—I went to Mr. Thomas Windeatt.

18,390. And you got the information from him?—Yes.

18,391. So that he would know what you were going to use the information for?—Yes.

18,392. Had you not better take care? Do you mean to say that you have not been ordered to serve these notices by Mr. Windeatt or by Mr. Michelmore?—By neither one of them.

18,393. Do you mean to say that Mr. Jeffery Michelmore does not know of your having served those objections?—He might know it now but he did not know of it beforehand.

18,394. Who filled them up?—Mr. Windeatt.

18,395. And then you signed them?—Yes.

18,396. And then Mr. Windeatt gave you this bit of paper?—Yes; I have to pay for it.

18,397. Have you paid for it?—Not yet.

18,398. How much have you got to pay?—That I do not know.

18,399. And you mean to tell us seriously that you are going to pay that out of your own pocket?—Decidedly so; do not intend to say anything but the truth.

18,400. Have you not stated before you came into this hall that unless Mr. George Heath came forward to state what he knew about the 80*l.* you should not tell about it?—I may have said so, unless all parties did.

18,401. Do you remember what is the oath which you have taken?—Yes; that I would not take a false oath.

18,402. What have you been sworn to do?—To speak the truth, the whole truth, and nothing but the truth.

18,403. Then do you call concealing that which you know telling the whole truth?—I have not concealed anything.

18,404. You have said that you would not tell anything you knew about the 80*l.* unless Mr. George Heath did so?—I think so.

18,405. Have you not said, out of Court, that you would not tell the whole truth unless Mr. George Heath did so?—I believe I have said that.

18,406. Did you not put your name to a requisition that was got up and sent to Mr. Macleay (*hands a paper to the witness*)?—I did not; if my name is there it is a forgery.

18,407. Is that not in your handwriting; you had better take care what you say?—I will endeavour to explain that.

18,408. How do you explain it. Read it (*handing paper to witness*) You said just now it was a forgery?—I was not allowed to read that.

18,409. You read that (*the witness read the paper*).

18,410. Now what is your explanation?—Mr. Harris came to me one day with a paper, no doubt that is the same, and he said he had a requisition to Mr. Dent and asked me to sign it. I first objected to doing so because I said if I signed a requisition I should be expected to vote, and he said, "Oh no, you won't be expected to vote." Then he began to say that I was a tenant to Mr. Dent and ought to sign it, and on those conditions I did sign it.

18,411. Then what did you mean by saying you didn't sign it?—I took this paper and he was going away. He said I am in a great hurry and wanted to go to several places if you will put your name down there and that will do; and I put my name without reading any of the paper.

18,412. (*Mr. Coleridge.*) What do you mean by saying that if your name was there it was a forgery?—I never intended it for Macleay.

18,413. What is a forgery?—It is putting my name there.

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18,414. By some one else?—Yes. If a person comes and says so and so, and you do not read it, I call that a forgery.

18,415. You have put your name to this yourself?—Yes.

(*Mr. Bere.*) I shall ask you no more questions about the election of 1865, but you shall stay here from day to day, and your expenses shall not be allowed.

W. Allen.

WILLIAM ALLEN sworn and examined.

18,416. (*Mr. Coleridge.*) What are you?—A gardener and seedsman.

18,417. Where do you live?—At the top of the town, or nearly.

18,418. How long have you been a voter?—I don't recollect, 20 years I should suppose.

18,419. What do you vote upon?—A house.

18,420. Your own house?—I rent it.

18,421. A 10*l.* house?—20*l.*

18,422. For whom did you vote at the last election?—For Colonel Dawkins and Captain Pim.

18,423. Had you always voted for the Conservatives?—Always voted for one Conservative and the Duke of Somerset's interest.

18,424. How came you to neglect the Duke of Somerset's interest at the last election?—Mr. Michelmore withdrew his favours and I had a right to do as I like.

18,425. How did he withdraw his favours?—He took them from me.

18,426. Took what?—He used to deal with me and took his favours from me.

18,427. He gave up dealing with you?—Yes.

18,428. Which Mr. Michelmore?—The old gentleman.

18,429. That is the only reason you voted the other way?—Yes.

18,430. No other reason?—I had some reason for it; I got some money.

18,431. Who gave you the money?—Mr. Screach.

18,432. When did he give it to you?—Before the election.

18,433. Did you change your mind before Screach saw you or afterwards?—Before.

18,434. When did you first promise to vote for the two Conservatives?—I am sure I cannot say.

18,435. Who canvassed you?—Three of them.

18,436. Whom did you see?—I didn't see Colonel Dawkins.

18,437. Captain Pim and Colonel Dawkins?—I do not know anything about Mr. Dawkins.

18,438. Who came with Captain Pim to you?—I'm sure I do not recollect.

18,439. Was there anybody?—I do not know who was with him.

18,440. One of the Heaths?—I think one of them.

18,441. Which one?—I do not recollect, but I think Mr. George or Mr. James Heath.

18,442. Who else?—I do not recollect anyone.

18,443. What did you promise Captain Pim?—I did not promise him anything.

18,444. What was your feeling about your vote; what did you say?—I did not know what I should do.

18,445. You were one of the doubtfuls?—Yes.

18,446. At the time Captain Pim canvassed you, you had not made up your mind?—No.

18,447. It was not because Mr. Michelmore took his favours away that you voted the other side?—Not for Captain Pim alone.

18,448. You told us just now that the reason you voted for the Conservatives was that Mr. Michelmore took away his favours. When did he take them away?—After Mr. Dunn's election.

18,449. Why didn't you promise Captain Pim?—I do not know why I did not. At first I think I said I had not made up my mind.

18,450. You had made up your mind not to vote for the Liberals. Now be careful! What do you mean by saying that the reason you didn't vote for the Liberals was because Mr. Michelmore took away his favours?—I said so.

18,451. You didn't intend to vote for the Liberals?—Not for the Duke of Somerset's interest.

18,452. Why didn't you promise Captain Pim a vote?—I was not bound to do so.

18,453. When he asked you for your vote you meant to vote against the Duke of Somerset, then why didn't you promise Captain Pim?—I had not made up my mind whether I should vote at all.

18,454. How often have you voted?—I do not know.

18,455. How often have you not voted at a contested election?—Never, I think.

18,456. Then what do you mean by saying you had not made up your mind to vote?—I had not made up my mind.

18,457. You intended to vote against the Duke of Somerset?—Yes.

18,458. You had one vote to dispose of?—Yes.

18,459. Why not promise it to Captain Pim?—I do not know why I should promise it to him.

18,460. Did Colonel Dawkins canvass you?—Yes, he has been to our house.

18,461. He saw your wife?—Yes.

18,462. Did she promise your vote?—No.

18,463. She was one of the doubtful ones?—I do not know.

18,464. When Mr. Pender came and canvassed you who was with him?—I'm sure I do not know.

18,465. Mr. Parnell?—No.

18,466. Mr. Michelmore?—I think Mr. Jeffery Michelmore.

18,467. Mr. Windeatt?—I do not know whether Mr. Windeatt was there or not.

18,468. What did you tell him; did you tell him you should vote for him?—No.

18,469. Did you promise Mr. Seymour?—No.

18,470. Then you promised no one?—I promised no one.

18,471. How long did you remain one of the doubtful ones; up to what time, and removed your doubts?—I think Mr. Screach came.

18,472. What removed your doubts?—He gave me 80*l.*

18,473. When?—The day before the election.

18,474. Where?—At Mr. Hannaford's.

18,475. Where is that?—Near the bottom of the town.

18,476. What did he pay you in?—Gold.

18,477. Who else was present?—No one.

18,478. What were you to do?—To vote for the two Conservatives, he asked me to do that.

18,479. That is what you mean in saying you voted against the Duke of Somerset because Mr. Michelmore withdrew his favours?—I had a right to do as I liked.

18,480. You said it was because Mr. Michelmore took away his favours?—I did.

18,481. Supposing Mr. Pender had given you 80*l.*?—He had nothing to do with it.

18,482. Supposing Mr. Seymour had given you that?—I should not.

18,483. You were open to conviction by Mr. Pender?—I would rather vote for Mr. Pender than Mr. Seymour.

18,484. What were you offered on the other side?—Nothing.

18,485. You are sure?—Yes.

18,486. Did you ever tell Screach you did?—No; he says so, but I disprove it.

18,487. How are you going to disprove it?—I say it is a falsehood.

18,488. Did anybody offer you money at the election on the other side?—No.

18,489. Your wife?—I do not know what she did.

18,490. Did she tell you to be careful how you promised your vote, because there was more money going the other way?—She don't interfere with me in elections.

18,491. Have you ever talked about the value of your vote to your wife?—No.

18,492. You do not trust her with such matters?—No.

18,493. How did you vote in 1863?—I voted for Mr. Dent.

18,494. What did you get for your vote?—60*l.*

18,495. Who paid you?—Frederick Evans; and he asked for a sovereign out, and I threw it back.

18,496. Did Pender offer you anything?—No.

18,497. Had Michelmore withdrawn his custom at that time?—I believe he had.

18,498. When did he withdraw his custom?—I could tell you by the books, but I cannot by reccollection.

18,499. You can tell whether the withdrawal of his custom or the payment of the 60*l.* carried your vote on that occasion. Was it the 60*l.* or the withdrawal of the custom—come?—I made up my mind.

18,500. You do not know whether Mr. Michelmore had withdrawn his custom?—I believe he had.

18,501. Had he withdrawn it in 1862?—Not that I am aware of.

18,502. There were only six weeks difference between the two elections?—I do not recollect the dates of the year of the elections.

18,503. I mean Dent and Seymour's election; you got 60*l.* for voting for Dent?—Yes.

18,504. Were you offered anything on Seymour's side?—Iwas not.

18,505. In 1862, who canvassed you?—Who were the candidates?

18,506. Pender and Dent. When Dent withdrew were you promised anything?—No.

18,507. Not by Dent's side?—No, I was not.

18,508. Was your wife?—No, there was no promise at all made.

18,509. Were you told that if there was money you should have some?—No.

18,510. You got no promise in Pender and Dent's election?—No, that was when Dent withdrew.

18,511. In 1859, in Dunn's election, what did you get?—I forget; something about 20*l.* or 30*l.*

18,512. Who gave you that?—I cannot tell.

18,513. Do you mean a stranger?—Yes, I have not seen him before or since.

18,514. Where did you get it?—At Mr. Hannaford's.

18,515. Which one?—At the bottom of the town; the baker.

18,516. Joseph, is it?—Yes.

18,517. Was that when you voted for Mr. Dunn?—Yes, I should be obliged; I was in the employ of a lady on that side.

18,518. Were you not in the employ of Mr. Michelmore?—No.

18,519. Did not he deal with you?—Yes.

18,520. In Dunn's election he dealt with you?—Yes.

18,521. How was it you did not vote for him?—I do not know.

18,522. Did you vote in 1857?—Yes.

18,523. What did you get?—Nothing.

18,524. Who were the candidates?—I voted for Mackenzie and the Duke.

18,525. Did you ever vote before that?—Yes.

18,526. What was the first time you ever got anything paid for your vote?—In Dunn's election.

18,527. Have you voted at the municipal elections?—Yes.

18,528. What have you got?—I never asked and never thought of anything in a paltry thing like that.

18,529. You did not care about that only at the other elections?—Yes.

18,530. (*Mr. Bere.*) You cannot tell the date that Mr. Michelmore withdrew his custom?—No, but I can tell you somewhere about the time.

18,531. Have you ever borrowed money on your life?—Yes.

18,532. Did you borrow that on your furniture?—Yes.

18,533. From whom?—From Mr. Michelmore.

18,534. When did you borrow it?—I can hardly tell you, but previous to the 15th March 1863; I think 1863.

18,535. How much did you borrow?—15*l.*

18,536. Did you pay it back again?—Yes.

18,537. After Dent's election?—Yes.

18,538. Out of the money you got from Dent's election?—Yes.

18,539. Did you give a bill of sale on the furniture?—Yes.

18,540. (*Mr. Coleridge.*) Did you ever give an I O U for the sums of money you received?—Never but one, and that was in Dunn's election.

18,541. To whom did you give it?—The "Stranger."

18,542. (*Mr. Bere.*) Was the stranger a man with light whiskers?—I do not know anything about his whiskers, but he was a short man.

18,543. (*Mr. Coleridge.*) Was one of your reasons for voting in Dent's election that Mr. Oldreive and Mr. Edmonds had sent a message that you should lay out the grounds of their new buildings?—Yes.

18,544. Was that the reason you voted?—It was Dunn's election.

18,545. Was that the reason?—Yes, it would be a good job; I think it would be worth 100*l.*

18,546. Did you not get it?—I did not.

18,547. Who made you the promise?—Mr. Frederick Evans; he brought the message and said he had been to the "Stars," that this message was brought from the "Stars," and that he was to come to me with that message.

18,548. You were to have the laying out of the grounds?—Yes, the grounds of the new houses.

18,549. They were building houses?—The houses were built, and if I could have the business it would have been better than money.

18,550. You would make more than 60*l.*?—Yes.

William Stoyle sworn and examined.

W. Stoyle.

18,551. (*Mr. Longe.*) How long have you had a vote for the borough?—These 20 years.

18,552. When was the first election that you found your vote was worth any money?—I got no money at all; I never got a farthing.

18,553. When was the election when anyone talked to you about giving you some money for a vote?—Not at all; not a farthing.

18,554. When was the first election that you gave your vote, and who was the first gentleman you gave your vote to?—Lord Seymour.

18,555. At that election who was on the other side?—I'm sure I do not know.

18,556. You were canvassed by two gentlemen?—Not that I know of.

18,557. You remember the last election?—Yes.

18,558. Who did you vote for then?—Colonel Dawkins and Captain Pim.

18,559. Who asked you for your vote?—Colonel Dawkins.

18,560. Did anyone give you a sum of money then or afterwards as a present?—Yes, I had a little, not very much.

18,561. You thought you ought to have had a little more?—I could not get it.

18,562. How much; had anybody promised you something more?—No.

FIFTEENTH DAY.

W. Stoyle.

10 Sept. 1866.

18,563. Or promised your wife?—No, no one.

18,564. You say you had expected some; what did you expect?—What I could get.

18,565. What did you expect?—If I had had 10*l.* more I should have been better pleased.

18,566. Did you ever get 30*l.*?—No.

18,567. What is the most you ever got?—That is the most I got.

18,568. What made you think of getting more; did you ever hear of anyone getting more?—Not that I know of.

18,569. Do you remember some one coming and offering you 40*l.* the last time?—Yes.

18,570. Who was it offered you 40*l.*?—My brother.

18,571. George Stoyle?—Yes.

18,572. Who sent him; he was not going to pay you the money out of his own pocket?—That I do not know.

18,573. Did he come from Colonel Dawkins?—That I do not know.

18,574. Who sent him; did he come from Mr. Pender?—No.

18,575. Who were you to vote for if you got the 40*l.* from him?—The opposite side.

18,576. Who was the opposite side?—Pender and Seymour.

18,577. What did he say?—He offered me that sum.

18,578. You didn't believe that he had got the money to give you?—I do not know.

18,579. Didn't you ask him who sent him?—No, certainly not.

18,580. Did you believe that he could get the money?—I do not know.

18,581. Did you give him a reason for not voting his way, and not taking his 40*l.*?—Yes, because I signed a requisition, and I go by my word.

18,582. What do you mean by signing a requisition?—That I do not know.

18,583. Who asked you to sign the requisition?—I do not know who it was.

18,584. Do you see him here? Is that the gentleman (*referring to Mr. Harris*)?—Yes.

18,585. What did he tell you?—He didn't tell me anything more than he asked me to sign the paper.

18,586. He must have told you what it meant?—Yes.

18,587. Did he tell you it was a paper asking a gentleman to stand as a Conservative? Did he tell you what it meant putting your name down? Did he tell you that you would be paid for your services?—I do not know exactly.

18,588. You must know?—No, I do not know.

18,589. Did he give you to understand that you would be paid for the trouble of putting your hand down?—He did not.

18,590. Will you swear he didn't?—He didn't.

18,591. That is true?—Yes.

18,592. You didn't understand that you would get anything for it?—I did not.

18,593. Then why didn't you vote on the other side when the 40*l.* would have been given you?—I signed the requisition, and that is enough for me.

18,594. (*Mr. Bere.*) Are you the gentleman that was dressed up by Frederick Evens, and taken to the "Seven Stars?"—Yes.

18,595. Your brother was in the house at the time?—No.

18,596. Had he been in the house five minutes before?—In my house.

18,597. When Mr. Evens dressed you up?—Mr. Evens didn't dress me.

18,598. Did you dress yourself up?—Yes.

18,599. In Evens' clothes?—No.

18,600. Were you comfortable at the "Stars?"—Yes.

18,601. What room were you in?—I do not know.

18,602. Did you meet Mr. Foote?—Yes.

18,603. Who else?—I do not know.

18,604. Two or three more?—One more.

18,605. Who was it?—A man from Blackawton.

18,606. Did you get there first? Were you the first person in the room, or did you find Mr. Foote there?—I do not know whether I was there first or not.

18,607. You stayed there all night and went to vote next morning?—Yes.

18,608. (*Mr. Longe.*) You remember about 1865. Now tell us about 1863. You got something at Dent's election. Don't you remember Mr. Willis taking you somewhere? You were carried off then?—I went out for a bit of pleasure.

18,609. Who was your coachman?—That I do not know.

18,610. Willis, wasn't it?—I do not know I'm sure.

18,611. Where did you go that time?—I cannot tell you the name of the place.

18,612. Did you ever know where it was?—No.

18,613. How much did you get in 1863 when you voted for Dent?—15*l.*

18,614. Are you quite sure?—Yes.

18,615. (*Mr. Bere.*) Are you sure you did'nt get 30*l.*?—Yes, quite sure.

18,616. Did you get a sum of money in 1862?—No.

18,617. When Mr. Dent didn't go to the poll?—I did not.

18,618. (*Mr. Longe.*) When were you paid; what day when did you get the money? Was it before you went away or when you came back?—When I came back.

18,619. After you had given your vote?—Yes.

18,620. The election day?—Yes.

18,621. How much did you get?—13*l.*

18,622. Did your wife get any?—No.

18,623. Are you quite sure of that?—Yes.

18,624. Edmonds says that you got 20*l.*?—Yes.

18,625. It was 20*l.*?—Yes, at the last election.

18,626. In 1863?—No, no.

18,627. Only 15*l.*?—Yes.

18,628. In 1859, what did you get?—Nothing at all.

18,629. (*Mr. Bere.*) You got 20*l.* in Dunn's election?—No.

18,630. (*Mr. Longe.*) Frederick Evens, and you know him, and he says he gave you 20*l.* in 1863?—No.

18,631. You only admit the two last. Do you think your wife got it?—No, I think not.

18,632. (*Mr. Bere.*) Are you one of the persons called lame ducks?—I don't know what they call me.

18,633. (*Mr. Coleridge.*) Did you ever get anything at the municipal elections?—No.

18,634. Not a breakfast even?—No.

18,635. Did you vote there?—Yes.

18,636. They never gave you anything?—No.

W. Allery.

WILLIAM ALLERY sworn and examined.

18,637. (*Mr. Bere.*) How long have you had a vote for Totnes?—Only once.

18,638. You went to the "Seven Stars" at the last election?—Yes.

18,639. And got a little money there?—Yes.

18,640. How much did you get?—40*l.*

18,641. Where did you get it?—From Mr. James Heath.

18,642. Where did he pay you?—In the office.

18,643. Where is that?—Going in on the left-hand side.

18,644. Who else was there?—No one.

18,645. What did he pay it to you in?—In gold.

18,646. Did he count it out on the table?—He gave it to me and I counted it myself.

18,647. Anyone there?—No, I think not.

18,648. You had not voted before?—No.

18,649. What made you go down?—I was invited

there by Mr. John Heath, to have a glass of grog with him.

18,650. What day was that?—I think the nomination day in the morning.

18,651. Had there been a meeting here?—Yes, there had been a meeting.

18,652. You had seen Mr. John Heath here?—Yes.

18,653. He told you to come down?—He spoke it outside that any person who wished to have a glass of grog with him was to go down.

18,654. You accepted the invitation to have a glass of grog?—Yes.

18,655. Who mentioned the sum of 40*l.*?—Mr. John Heath.

18,656. You saw him first?—Yes, the night before.

18,657. Then did you ask him what he could afford to give you?—Yes.

18,658. And he said 40*l.*?—Yes.

18,659. And you went to the "Seven Stars" to get it?—He could not give it that night; the cash was to be given the next morning.

18,660. Then you saw Mr. James Heath?—I saw Mr. John Heath first, and he said it would be all right, and Mr. James Heath brought it to me.

18,661. Do you remember seeing Mr. Pender, and Mr. Harris talking together?—Yes.

18,662. Where was that, on the Plains?—Yes.

18,663. Did you hear what Mr. Pender, said to Mr. Harris?—No.

18,664. Did you hear anything pass about a situation?—No, no more than Mr. Harris was talking with me, and Mr. Pender, said "Speak a good word for me," and he said to Mr. Harris, "I want to speak to you."

18,665. Mr. Harris was talking to you, and Mr. Pender called him away and said that to him?—Yes.

18,666. You did not vote before 1865?—No.

18,667. Did you vote in the Council?—Yes, three or four times.

18,668. And get a little money?—Yes.

18,669. Always voted for the Conservatives?—Yes, excepting once for Mr. Bowden.

18,670. What did you get?—A breakfast.

18,671. Not a half-crown?—No.

18,672. But a pretty good breakfast?—Yes.

18,673. (*Mr. Coleridge.*) What did you get at any election?—30*s.*

18,674. Which election was that?—1863 I got 30*s.*

18,675. Who paid it to you?—Mr. George Heath.

18,676. Did any one else ever pay you money at municipal elections?—Yes.

18,677. Who?—Mr. Screach.

18,678. What did he pay you?—1*l.*

18,679. Anybody else?—No, nobody but Mr. George Heath and Mr. Screach.

18,680. How many times did Mr. Heath give you money?—I think twice, once a sovereign, and once 30*s.*

18,681. (*Mr. Bere.*) Are you sure that it was Mr. James Heath whom you spoke about before?—Yes.

18,682. Isn't he here?—He was here.

18,683. Mr. Heath said Mr. Mum paid you in the open entry in a little bag?—That is false.

18,684. He was the Mum who gave you the money in a bag?—I didn't see any.

18,685. If there was any Mum it was Mr. James Heath?—Yes.

18,686. Where did he get the money?—He went upstairs and got it.

18,687. Did you see Mr. James Heath go upstairs?—Yes; I saw Mr. John Heath first, and he said he would see about it, and Mr. James Heath brought it down.

18,688. You had to wait a little time, had you?—Yes.

18,689. Did you go out of the room and say you were in a hurry to go to work?—Yes.

18,690. And James Heath said that he would get you the money, and went upstairs and brought the money?—Yes.

18,691. Do you remember what o'clock it was when Mr. Pender and Mr. Harris had that conversation?—Between 11 and 12 o'clock of the day.

18,692. Before the election?—Yes, it was the first time I saw Mr. Pender, but Mr. Pender had been to me before that.

18,693. Was that the first time that you had seen him?—Yes.

18,694. You had been out?—Yes.

18,695. Did anybody come to you on the other side, on the Liberal side, besides Mr. Pender?—No.

18,696. What did Mr. Pender say?—He said theirs was the best side to vote for.

JOSEPH BARKER sworn and examined.

J. Barker.

18,697. (*Mr. Bere.*) What are you?—I work at a cider seller's.

18,698. In making cider?—Yes.

18,699. What do you do the rest of the year, do you remain at home?—My rent is 18*l.* a year and I take in lodgers.

18,700. Who did you vote for at the last election?—Colonel Dawkins and Captain Pim.

18,701. Did they both canvass you?—No.

18,702. Who canvassed you?—Captain Pim.

18,703. Who came with him?—James Heath.

18,704. Did you promise him when he came?—Yes.

18,705. Did he tell you to go down to the "Seven Stars?"—I told James Heath if there was anything going about a little would be acceptable.

18,706. What did he say?—He says, "All right, I am very glad you mentioned it."

18,707. Did he tell you where you could get it?—No.

18,708. Did he promise you anything?—No.

18,709. What were you promised at that election for your vote; or what did you get?—15*l.*

18,710. Who paid it to you?—Mr. George Heath.

18,711. How came you to go to Mr. George Heath for it?—Mr. George Heath came to me.

18,712. What day?—On the evening of the nomination Mr. George Heath was at the "Telegraph" office door, and he called me in and gave it to me.

18,713. What did he give it you in?—Gold.

18,714. Any bag with it; where did he take it from?—Out of his pocket.

18,715. Was that all you were promised?—He did not promise me anything; that is all he gave me.

18,716. Did you give an I O U for it—is that your writing?—Yes.

18,717. Did Mr. Pender canvass you?—He never spoke to me.

18,718. Mr. Seymour?—No, I believe Captain Pim and Mr. Heath.

18,719. You had no offer of anything on the other side?—No.

18,720. How did you vote at the election before?—I never had a vote before.

18,721. Had you not a vote in 1859 at Dunn's election?—I have not been long in Totnes.

18,722. That is the only time you ever voted?—That is all.

18,723. And you only got 15*l.*?—Yes.

18,724. Did you vote at the municipal election?—No.

18,725. The only benefit you got out of the borough has been this 15*l.*?—Yes.

FIFTEENTH DAY.

W. J. Willis, jun.

10 Sept. 1866.

WILLIAM JOHN WILLIS, junior, sworn and examined.

18,726. (*Mr. Bere.*) What are you?—A butcher.

18,727. Where do you live?—In Totnes.

18,728. Totnes or Bridgetown?—Totnes.

18,729. How long have you been living in Totnes?—All my lifetime.

18,730. You used to rent some fields at Bridgetown and a house?—Yes.

18,731. How long ago was that?—Four or five years.

18,732. That was before Mr. Dent's election?—

18,733. How did you vote at Dent and Seymour's election?—For Dent.

18,734. Whose fields were they that you took at Bridgetown?—I took them of Mr. Farwell first.

18,735. George Farwell?—Yes.

18,736. That is a gentleman who is a solicitor here?—Yes.

18,737. Did you vote upon those fields?—We did.

18,738. What did you give for them?—20*l.*

18,739. Were they worth 20*l.*?—Yes.

18,740. Really?—Yes.

18,741. Did you occupy them in your own person?—Both.

18,742. Did you put your cattle there?—No.

18,743. Did you buy cattle in the market and keep them there for a time as graziers?—We took cattle in.

18,744. Whose cattle did you take in?—My father's.

18,745. Did he get a vote too?—Yes, we have got a horse of our own.

18,746. The horse, the building, and the land give you a vote?—Two votes.

18,747. Mr. George Farwell was a Conservative?—Yes.

18,748. When George Farwell died these two fields were sold, were they not?—Yes.

18,749. Did the Duke buy them?—Yes.

18,750. After Dent's election you were turned out?—Yes; whether I had got a notice or no before I do not know.

18,751. Have you voted Conservative all your life?—Yes.

18,752. Always voted with them?—That was my first.

18,753. Had you voted for the Council before?—No.

18,754. When you got your notice do you remember what time of year it was you were turned out?—The 29th of September I left, then I went and paid the rent.

18,755. Your notice must have been given on the Lady-day?—Yes.

18,756. Were you turned out before Mr. Dent's election or after?—I do not expect before; I have got the receipt.

18,757. Would that be two years ago next Michaelmas, or three years ago?—Three years.

18,758. That is after Dent's election?—Yes.

18,759. They gave you notice on Lady-day, and Mr. Dent's election was in January?—I think so.

18,760. You did get a notice after you voted?—I think so, I would not be positive upon the point.

18,761. Did you go to Mr. Michelmore's?—I went up and paid the rent.

18,762. Did he tell you why you were turned out?—He said, "I cannot expect you to hold on the fields."

18,763. Was that the reason?—He said, "You might have had the fields if you had voted the other way." Me and him were in the office together.

18,764. Had your father been turned out of the ground besides?—Oh, yes.

18,765. Did you go down and pay the rent of both?—No, only my own fields.

18,766. Did your father go with you?—I went to the Truestreet office.

18,767. The house by the turnpike?—The one on the left-hand side.

18,768. That is where Mr. Michelmore used to live?—He used to live there on the right-hand side.

18,769. It was there you paid the rent?—Yes.

18,770. You were told you would not have been turned out if you voted the other side?—Yes.

18,771. Was that all he told you?—That was all.

18,772. You voted for Dent in 1863?—Yes.

18,773. How else did you actively help the party then?—I went away for a little holiday.

18,774. Did you take as companions for a little holiday William Stoyle, Robert Mogridge, and Nicolas Norrish?—Yes.

18,775. Where did you take them to, to Stokinteignhead?—Yes.

18,776. What were they to have?—I know Stoyle was to have 30*l.*; Norris, 30*l.*; and Mogridge, 50*l.*

18,777. Who had arranged it?—Mr. Evans.

18,778. Did either tell you he had been paid?—Mogridge did.

18,779. Did Stoyle?—I think his wife had some before he started. I could not swear to it.

18,780. Nicholas Norrish, did his wife have any?—I cannot say.

18,781. How long did you keep them there?—I went away the Thursday night.

18,782. The election was on the Wednesday?—I think it was.

18,783. You kept them nearly a week there?—Yes.

18,784. Did they have any friends on the other side come to look after them?—One night.

18,785. Who came?—I was out when they came.

18,786. Did you come back before they were gone?—I left them at home playing cards, I went out for a walk, that was the night before I walked out; I had not been gone far; a man came after me to say three men had come to take away the men, so I went back again, and when I came back there were three gentlemen there.

18,787. Who?—James Smith, Mr. Bourne, and a gentleman from Newton.

18,788. What is his name?—I think he is called Beale.

18,789. Were they playing cards when they interrupted the game?—There was a row in the house when I got home.

18,790. What did you do?—I saw they were all right.

18,791. The ducks were there?—Mogridge wanted to fight.

18,792. You would not let him?—No, sir.

18,793. They did not take the ducks away?—No, they wanted to.

18,794. Had they promised them some money if they would come away?—Mogridge said so afterwards; he said he might have had 60*l.* the next morning; he would not vote till he got 10*l.* more.

18,795. Did you pay it?—No, I saw it paid.

18,796. Who paid it?—I think Evens paid it.

18,797. Frederick Evens?—Yes.

18,798. Did you see where Evens got it from?—He took it out of his pocket then.

18,799. Where was this?—In the little room beside the bar of the "Seven Stars."

18,800. You took all these men to the "Seven Stars?"—Yes.

18,801. Where were they put, in the cellar or the bedroom?—I did not take them from there.

18,802. Where from?—The top of the town.

18,803. Did you take them back to the "Seven Stars?"—Yes, at 9 in the morning.

18,804. When they were at the "Seven Stars," where did they go?—Stood there in the lobby.

18,805. When was that?—The day of the election.

18,806. You must have had some money to pay expenses?—Yes.

18,807. Where do you get the money from?—Mr. Evens let me have some before I started.

18,808. How much did he let you have?—6*l.*

18,809. Did you spend all that?—Yes.

18,810. The same day?—I had spent 4*l.* besides?

18,811. Were you not a little out of pocket?—I had 10*l.* left.

18,812. Have you got a vote?—Yes.

18,813. What did you get for the vote?—Nothing.

18,814. What did you get for your services?—Not a fraction.

18,815. Did you not ask for anything?—No.

18,816. Did you hear John P. Searle talk anything about the election of 1863?—No; when we got out in company we chaffed.

18,817. What was the amount of the chaff?—He said we did not have any money like that. He boasted of how much money he had. He got drawn out.

18,818. How much did he boast of?—I heard he had more than 100*l*.

18,819. That was in 1863?—Yes.

18,820. In 1865 what did you do?—I did not do very much in 1865. I went to Exeter.

18,821. Who with?—To see a man of the name of Page.

18,822. Who told you to go?—It was after the nomination I went up to the house; the wife was living here, and she told me. We had a telegraph message, I carried it to Mr. Edmonds, and asked him what we should do, he said, "You had better leave by the next train to Exeter and see him."

18,823. Did he give you 5*l*.?—No.

18,824. Did he give you any money?—No, I paid it out of my own pocket.

18,825. Did you go to Exeter and bring Page back?—No, he did not come back with me.

18,826. Did he come back?—He came in the morning.

18,827. Which way did he vote?—I don't believe he voted at all.

18,828. Did you see the others that you took away in the election before? Did you talk to them at all in 1865?—Yes, I went with old Stoyle.

18,829. Did you see where he was put that night?—He was in the big room.

18,830. Did you see Mogridge also?—I daresay I did.

18,831. Did he tell you it was all made right?—I do not know.

18,832. You had not got to take any of them away in the election of 1865?—No.

18,833. Did you get anything for your vote then?—No.

18,834. Not from the Conservatives?—No.

18,835. Not paid at all?—No, not a farthing.

18,836. I ought to have asked you before. Do you remember the election of 1862, when Mr. Dent did not stand, or only polled five votes?—Yes.

18,837. Did you go with young John Heath to William Cole?—Yes.

18,838. Where does he live?—At Staple.

18,839. Did you stay outside whilst Mr. John Heath went in?—I think I did.

18,840. What did he tell you?—He said 'twas no good.

18,841. Did he tell you how much he had tried?—I think 50*l*.

18,842. Did you go on to William Earle?—Yes.

18,843. Where does he live?—At a farmhouse near Brent.

18,844. What had you to say? Did you stay there?—Yes.

18,845. Was there a talk about the election?—Yes.

18,846. Before tea?—In the cellar.

18,847. What were you doing in the cellar; taking a little cider?—Yes.

18,848. Did the cider produce an offer from Mr. John Heath?—I think he offered him 50*l*.

18,849. Would Earle take it?—Yes.

18,850. As there was no contest I suppose he didn't get it?—No; he came in, and was rather angry over the job.

18,851. At the election of the Council you have had a vote?—I never voted.

18,852. Were you employed as a runner?—Yes.

18,853. Have you got men to vote?—I have helped.

18,854. And paid men for voting?—Not very much.

18,855. What is the biggest sum you have ever paid?—About 30*s*. or 40*s*.

18,856. Have you heard that other men have had as much as 5*l*.?—I have heard of two men.

18,857. Who are they?—Screach paid them.

18,858. Who were they?—The Sims.

18,859. The two Sims?—Yes.

18,860. What are they, shoemakers?—No; butchers, one of them.

18,861. Did you hear from any of the voters at the last election that voters on the Conservative side, that they had been offered money by the Liberals?—I heard so.

18,862. From them?—No.

18,863. From the voters themselves?—I cannot recollect.

18,864. Have you heard complaints that they were promised money at the last election, and didn't get it?—No; I cannot remember any.

18,865. We will put a name or two to you, and see if you can recollect. Do you know a man called Barker?—Yes.

18,866. Robert Tilley?—No.

18,867. Or Pengilley, the baker?—No.

18,868. Are you a baker?—No.

18,869. When you went down, before you went to bring Page, did you go to where the committee were sitting?—Yes.

18,870. Who were there?—Before I went to Exeter?

18,871. Before you went to Exeter; when you went to the "Seven Stars?"—Only Mr. Edmonds.

18,872. Have you ever been to that room at any time?—I came back, and there were several gentlemen there.

18,873. Who were there?—Captain Pim, Mr. Edmonds, Mr. Kellock, Mr. Distin, and, I think, my father were there.

18,874. Was Mr. Bastard there?—I think he was.

18,875. And Mr. Bentall?—Yes.

18,876. Mr. Gill?—I cannot say.

18,877. Did you hear what they were talking about?—About the election.

18,878. What were they saying?—They were waiting the result of Exeter.

18,879. Were they not saying "Here is So-and-so; whom can we get to put upon him?—They might have said so.

18,880. Will you say they did or did not?—Very likely.

18,881. Did you hear that sort of thing going on amongst them?—Yes.

18,882. You told the committee what had happened at Exeter?—Yes.

18,883. And you couldn't get Page to come?—I couldn't; he was in difficulties, and couldn't come home.

18,884. Without being relieved from his difficulties?—Yes.

18,885. Had Page told you the amount of his difficulties?—No; he did not.

18,886. Did Mrs. Page tell you the amount of his difficulties?—No.

18,887. Did you tell the committee that Page could not come home until his difficulties were relieved?—Yes; and I was to telegraph to him in the morning, and tell him they would be relieved.

18,888. To any amount?—I do not know the amount; but Mr. Edmonds knew that.

18,889. Was Mr. Edmonds the person who put him into difficulties?—No.

18,890. What was Page?—A clerk in Mr. Bryett's office.

18,891. Did he become a bankrupt?—I do not think he became a bankrupt.

18,892. He went away from Totnes in difficulties?—Yes.

18,893. You do not know the amount?—No.

18,894. Who gave you the orders to telegraph?—I didn't telegraph.

18,895. Who gave you the orders when you got to the committee room, they said you might telegraph in the morning?—I think Captain Pim.

18,896. How long did you stay in the committee room?—I think all night.

FIFTEENTH DAY.

W. J. Willis. jun.

10 Sept. 1866.

18,897. Were you sent out from time to time to different people?—Yes; when I came back they almost all left; and I think Mr. Edmonds sat in an easy chair and got asleep.

18,898. Did you go to sleep to keep him company?—No; I, Captain Pim, and Narramore made up the poll-book.

18,899. What was the state of Captain Pim's poll-book?—About 147, I think.

18,900. Did he calculate on winning the election with that?—No.

18,901. Did he send you out in the night to do a little business?—Yes; we went early in the morning.

18,902. To whom?—To Cole.

18,903. The same as in 1863?—Yes.

18,904. Did Captain Pim tell you to go?—Yes; we suggested it to Captain Pim; Narramore said so, I think.

18,905. You went, did you?—Yes.

18,906. Did you see Cole?—The sheepdog wouldn't let us go in.

18,907. You could not get at Cole?—No.

18,908. Did you see anybody else that night?—We went to Mr. Shinner.

18,909. Did he go back with you?—He went alone I think.

18,910. Did you see anybody else that night before you went back to the "Seven Stars?"—Yes.

18,911. Whom did you see?—When we came back to the railway station the 4 o'clock train came in, or just before we came back, and Mr. Hole was coming by that train, and we drove right on; and Narramore and I went and told Captain Pim that a certain gentleman was come, and suggested that Mr. Heath ought to be communicated with.

18,912. What is his christian name?—William, I think.

18,913. What is he?—A draper.

18,914. What did Captain Pim suggest?—Whilst we were drinking coffee he was passing across the Plains, and Captain Pim ran out.

18,915. Did you see them talking?—Yes.

18,916. How long did he stay?—A quarter of an hour.

18,917. Did he come back and say it was too late?—Yes.

18,918. Did Hole then go to the "Seymour?"—Yes.

18,919. And he was there safe?—Yes.

18,920. (*Mr. Coleridge.*) Was he put in the cellar?—I cannot say.

18,921. *Mr. Bere.*) Did you do anything afterwards with anybody?—No; John Heath and Niner took our trap, and went out.

18,922. Didn't you find out Sloggett and Cole?—Narramore went, I think.

18,923. He went inside and you stayed outside?—Yes.

18,924. Did Narramore do anything with them?—No, I think not.

18,925. He was too late?—I think so.

Adjourned until 10 o'clock to-morrow morning.

SIXTEENTH DAY.

Tuesday, 11th September 1866.

SIXTEENTH DAY.

T. Lombardini.

11 Sept. 1866.

THOMAS LOMBARDINI sworn and examined.

18,926. (*Mr. Bere.*) Where do you live?—Fore Street, Totnes.

18,927. What are you?—Boot and shoe maker.

18,928. Is a man called John Tozer your son-in-law?—Yes.

18,929. And also George Evens?—Yes.

18,930. Are they both shoe makers?—No.

18,931. How long have you had a vote?—I cannot say exactly the time.

18,932. Twenty years?—

18,933. How long?—Perhaps 12 or 13 years.

18,934. I suppose the first election was Mackenzie's election. Mills, Gifford, Mackenzie, and Gregory; was that the first election?—Dunn's election.

18,935. You had a vote in Dunn's first of all; that is 1859?—Yes.

18,936. What did you get for voting for Dunn?—40*l.*

18,937. Who gave it to you?—My wife obtained it from Mr. Heath.

18,938. Had you seen any person before you got 40*l.* to say how much you wanted?—I had not.

18,939. Do you know whether your wife had?—I cannot say.

18,940. Had George Evens spoken to you about your vote at that election?—He did; he was interested in it all throughout.

18,941. Did the 40*l.* cover John Tozer's vote too?—He had not a vote then.

18,942. You got 40*l.* for your vote alone?—Yes.

18,943. In 1863 what did you get whet you voted for Mr. Dent?—60*l.*

18,944. Who brought you that?—My wife obtained it at the "Stars."

18,945. From Mr. Heath?—Yes.

18,946. Had George Evens been up to you. He had been up to you in the election?—Yes.

18,947. And promised you 60*l.*?—My wife. She knows more about it. I did not go about it myself.

18,948. In 1865 what did you get?—50*l.*

18,949. Your wife went after that?—Yes.

18,950. Did you have the 50*l.*?—Yes.

18,951. You saw the 50*l.* after your wife brought it home?—Yes.

18,952. Was it in money or notes?—Notes.

18,953. Notes in a large amount, or small?—Small.

18,954. 5*l.*?—Yes.

18,955. Had anybody ever been to you on the other side?—Not particular. The candidates that were here called in.

18,956. Did you ever see any of the runners, Parnell or Holman?—No.

18,957. George Stoyle?—No.

18,958. Do not you know Robert Lorimer?—I know the man.

18,959. Did he offer you money?—Not that I know of.

18,960. Or Mrs. Lombardini?—Not that I know of.

18,961. (*Mr. Coleridge.*) Do you usually expect something more at each election?—I do not trouble myself much about it.

18,962. You got 40*l.* in 1859?—Yes.

18,963. And in 1863, 60*l.*?—Yes.

18,964. (*Mr. Bere.*) Would you have voted at all if you had not been paid?—Yes.

18,965. (*Mr. Coleridge.*) Did you ever vote without getting paid?—(*Mrs. Lombardini.*) No; and very sorry we did not get more.

JANE LOMBARDINI sworn and examined.

18,966. (*Mr. Bere.*) Your husband first had a vote in 1859, in Dunn's election ?—Yes.

18,967. Did you make a bargain as to how much he should be paid ?—Yes.

18,968. Who with ?—Mr. George Evens first.

18,969. The bargain was that your husband was to have 40*l.* ?—Yes.

18,970. Did you agree that he should vote for Mr. Dunn ?—Yes.

18,971. Did you go to the "Seven Stars" after you made the agreement to receive the money ?—I think not. I think the money was brought to us.

18,972. Was it brought by a man named Higgins ?—No ; I think Mr. Heath's son. I cannot be sure.

18,973. Was it brought to you in gold or notes ?—Gold at that time.

18,974. Had you seen anybody else to ask you about your vote ? That was the first time your husband had a vote ?—Yes.

18,975. Had anybody else been to you ?—Mr. Michelmore sent several times to say we must give him our vote that way ; but I said no.

18,976. Mr. Charles Frederick ?—Yes; the lawyer.

18,977. What did he say ?—I think he said it was no use, my husband had made up his mind if he did vote which side to vote, not to keep changing.

18,978. (*Mr. Coleridge.*) Did Mr. Michelmore tell you what you were to be paid on his side ?—No.

18,979. (*Mr. Bere.*) Did Mr. Lombardini work for him ?—He had some shoes from the shop.

18,980. Does he come to your shop ?—No ; sent the servant.

18,981. Did he tell you ?—When I met him in the street he said, "We must have your husband's vote "this time." I think that is the second time.

18,982. Did he say anything about the first ?—I cannot recollect.

18,983. The second time what did you get ?—60*l.*

18,984. What was that ?—Gold.

18,985. How was that paid you ?—In gold.

18,986. Did you make a bargain with Evens then ?—Yes; Evens got it for himself and us too ; but I fetched it at the "Stars," and got both Evens' and my own.

18,987. How much did you get for Evens ?—He had 50*l.*, and made a bargain for 50*l.* for me; and I says, "That is too little, I shall not take it." He says, "Well, then you do your best." And I made a bargain for 60*l.*, and also made a bargain that George Evens should have 60*l.* himself.

18,988. Then you brought it away ?—I had 50*l.* for him, and the next morning he went to Mr. Heath and obtained the other 10*l.*

18,989. Whom did you get it from then ?—Mr. John Heath.

18,990. Where did he pay you ? What room ?—I cannot tell how that 60*l.* were paid. I think that was brought up.

18,991. You say you went down to the "Seven Stars" and got paid there. Did he pay you in a room at the "Seven Stars" ?—The last.

18,992. But the 1863 ?—I can hardly tell. I think so.

18,993. You went down to the "Stars," and brought it back from the "Stars;" you must have got it there ?—I cannot tell the room. It was in the "Stars."

18,994. Was John Heath the only person with you when it was counted out ?—Yes.

18,995. That was for your husband voting for Dent ?—Yes.

18,996. In 1865 what did you get ; 50*l.*, was not it ?—Yes.

18,997. Where was that paid ?—Evens and I went down and saw Mr. Heath at the bottom of the stairs ; he took us into the front room and it was paid.

18,998. In the front sitting-room up stairs ?—Yes.

18,999. And how did he pay it you ?—In notes.

19,000. Were you and George Evens and Mr. Heath the only persons in the room at that time ?—Yes.

19,001. Are you quite certain it was not paid to you in gold in bags by another person ?—I am quite sure. I took it home in that very hand.

19,002. In notes ?—In notes.

19,003. (*Mr. Coleridge.*) What did you get for Evens ?—Nothing ; he has not a vote.

19,004. (*Mr. Bere.*) I think you got 50*l.* for John Tozer ?—Yes.

19,005. He is your son-in-law ?—Yes.

19,006. Had you negotiated his vote in 1865 as well as your husband's ? Had you said he must have 50*l.* ?—This last election, but he decided to give his vote up, his father working for Mr. Michelmore, in Bridgetown, and wanting to keep on the business, his father-in-law persuaded him not to do so.

19,007. You returned the money ?—The next night or the night after ; I cannot be certain.

19,008. You yourself ?—Yes, gave it up to Mr. Heath.

19,009. Did Mr. Michelmore or anybody on the Liberal side talk to you about your vote in 1865 ?—That I do not know.

19,010. Nobody at all ?—I cannot be sure now.

19,011. Did Mr. Michelmore ever come over to you and talk to you about it ?—No.

19,012. Did not you hear that a good deal of money was going on that side ?—Yes.

19,013. Who told you that ?—I cannot tell really. I have a regular business, and always attending to business I cannot remember as well as those people who have nothing but their domestic duties to mind.

19,014. Cannot you tell us the name of anybody who told you that a good deal of money was going on the Liberal side ?—I cannot, really.

19,015. Did you ever see Thomas Holman ?—No.

19,016. Did he never call on you ?—No.

19,017. Or Mr. Parnell ?—No.

19,018. (*Mr. Coleridge.*) Or Mr. Windeatt ?—No. Mr. Windeatt came in when the canvass was going about, and I told him then that the candidate was of no use, so they never bothered us much.

19,019. Did you ever know any of your neighbours who got money from Mr. Heath besides yourself ?—No.

19,020. Did you know of any people who got money besides from Mr. Heath ?—No.

19,021. Nobody ever told you they had got it ?—Not at all. I told them I got it. There was Mrs. Please ——

19,022. Did she tell you about her getting anything ?—No, she had obtained none

19,023. Had her husband a vote ?—Yes.

19,024. Which way did he vote ?—The same side as we did.

19,025. And she got no money ?—As far as I ever knew.

19,026. When you went to get your money from Mr. Heath in 1865 did you see any stranger there with him ?—Never.

19,027. You never saw any stranger to Totnes with him when you went there ?—No, not to my recollection.

JOHN DIGGINS sworn and examined.

J. Diggins.

19,028. (*Mr. Coleridge.*) How long have you been a voter ?—I voted for Mr. Baldwin.

19,029. In 1852 ?—I do not know the date.

19,030. Did you get anything for voting for Mr. Baldwin in 1852 ?—30*l.*

SIXTEENTH DAY.

J. Diggins.

11 Sept. 1866.

19,031. That was in 1852?—I do not know that that was the date.

19,032. Were you offered anything on the other side?—I was.

19,033. Who offered it to you?—I was not, but my wife was.

19,034. What was she offered?—She was offered 50*l.*

19,035. Who by?—Irish; I do not know his christian name, he is called Irish; he is a land surveyor.

19,036. At that time you voted one for Baldwin and one for Lord Seymour?—No; I think it was Mills and Baldwin at that time. I think it was, I will not be certain. I think it was for Mills and Baldwin.

19,037. In 1852 was the last time Mr. Baldwin stood?—I believe so.

19,038. Was it when Mr. Baldwin stood that you got the 50*l.* for your vote?—No, it was 30*l.*

19,039. That was given to you by a man called what?—Mr. Harris; he is dead.

19,040. He was the person who gave you the 30*l.*?—No; he had asked me whether I was going to vote for Mr. Baldwin. He said, "I will give you 30*l.*" I was glad to have the offer, being a poor man.

19,041. Did you get the 30*l.*?—Not from him.

19,042. Who from?—The messenger, I think, was sent the next day, a young man then, called George Mitchell, now in business at Bridgetown.

19,043. Did you see the person who gave you the 30*l.*?—Yes.

19,044. Did he give it to you yourself?—Yes.

19,045. You voted for Baldwin and Seymour; did you get 50*l.* for voting for Seymour?—I got nothing.

19,046. It was offered to your wife by Irish?—Yes.

19,047. At the election of 1857 you voted for Mackenzie and Gifford?—I voted for Lord Gifford if I voted at all.

19,048. Did you get any money at the election?—No.

19,049. Was there no money going about?—I do not know.

19,050. Were you offered any?—I intended to vote for my lord.

19,051. Did anybody offer you anything?—Not that I am aware of. I would not tell you wrong if I knew it.

19,052. In 1859 you voted for Gifford and Dunn?—I voted for Dunn.

19,053. What did you get for that?—I got 40*l.*

19,054. Who gave you that?—I do not know. He was a stranger to me. I had never seen him before, or seen him since. He was in a private room at the "Stars."

19,055. Did you go to see him at the "Stars?"—Yes.

19,056. Was this 40*l.* in gold?—Yes, it was in a basin.

19,057. Was the basin on the bed in a bedroom?—It was on a table.

19,058. Was it in a bedroom?—No; there was some gentlemen there; it was just after breakfast.

19,059. You got that in gold?—In gold.

19,060. Were you offered anything by the Liberal party to vote for Mills?—I do not know whether I was or not; I quite forget; my recollection is bad.

19,061. Do you recollect in 1862, when Mr. Dent withdrew at the last moment?—Yes.

19,062. Did you get anything in 1862?—No.

19,063. Was not 5*l.* sent you after the election by Mr. Pender?—No.

19,064. Are you quite sure about that?—Yes.

19,065. Did you ever get 5*l.* from Mr. Pender?—Never.

19,066. There were two elections very nearly together, in 1862 and 1863; between those two elections do you recollect getting a 5*l.* note from someone?—I had a 5*l.* note; I do not know whether it came from Mr. Pender or not.

19,067. Who gave it to you?—John Elliott of Bridgetown brought me two 5*l.* notes.

19,068. The election in 1862 took place about the end of the year, the election of 1863 took place within six weeks afterwards; was it before or after the election of 1863 that you had these two 5*l.* notes?—I do not recollect.

19,069. Was it about Christmas time?—I daresay there or thereabouts.

19,070. You think it was about Christmas time; what did Elliott say when he brought them to you?—I think it was on New Year's day; I am not quite certain.

19,071. Did he say, "Here is a New Year's gift "for you"?—He said, "I have brought these two "5*l.* notes for you." I said, "Thank you."

19,072. Did you ask him where they came from?—Yes.

19,073. What did he say?—He did not know.

19,074. You did not ask him where he had got them?—No, I did not. I was very glad to have them. I thought it was a very handsome present.

19,075. Do you recollect, some weeks after, another election, in which Seymour and Dent stood?—Yes.

19,076. How did you vote then?—I voted for Seymour.

19,077. What were you offered to vote for Dent?—There were 50 sovereigns brought to me at my house.

19,078. Who brought them to you?—John Screach.

19,079. Did you then say you would vote for Dent?—Yes.

19,080. How came you to vote for Seymour afterwards?—Mr. Michelmore, the duke's steward, called on me, I think on the nomination day. I was not at home at the time, and he talked to my wife. He said, "Diggins must vote for my lord tomorrow or Mr. "Seymour." She says, "He has promised Mr. Dent, "and I have got 50 sovereigns in the house for him." He said to her, "You would not like to be turned out "of your house?" My wife says, "No, certainly "not." He said, "My advice to you is to return the "50 sovereigns to the party who brought it to you, "and support Mr. Seymour." When I came home, my wife told me what had taken place, and I said I would do so. My wife said, "What use is 50 sove-"reigns to us if we are turned out of our house?"

19,081. You returned those 50 sovereigns?—My wife returned them.

19,082. Who did you take them to?—Young Screach came to my house for them.

19,083. And your wife gave them to him?—Yes.

19,084. Did anyone give you money for voting for Seymour?—No.

19,085. But did they not do so after the election?—Yes.

19,086. What did they give you?—40*l.*

19,087. Who gave you that?—Mr. George Mitchell gave me 20*l.*

19,088. Who gave you the other 20*l.*?—Mr. John Elliott gave me 20*l.*

19,089. Was it given to you in gold or in notes?—I think in notes.

19,090. Was that given to you at your own house?—Yes.

19,091. Did they tell you where they got it from, how it happened to be given to you? They said it was ordered to be paid to me by Mr. Michelmore, the old gentleman, who is since dead.

19,092. Was anyone present at your house on this occasion?—I think my wife must have been there.

19,093. Did Frederick Evens ever offer you anything after you had determined to vote for Mr. Seymour?—I cannot say.

19,094. Did not Evens offer you as much as 150*l.* if you would vote for Mr. Dent?—That I cannot say.

19,095. Do you recollect anyone offering you 150*l.* to vote for Mr. Dent after you returned the money?—They might; I cannot say.

19,096. Do you not know Frederick Evens?—Yes, very well.

19,097. Do not you recollect Evens talking to you

after you had returned the money?—I cannot say; that was not returned until after the election.

19,098. You say that you did not return the money until after the election. Did not Screach tell you that as you had voted the wrong way you must give him back the money which he had paid you? — He came to me and said, I understand you have voted against us; I am come for the money. I said to him, I shall not give it up until the polling is over; when that is over, if you come to our house you shall have it. He came there after the election was over and my wife then handed him the money.

19,099. How long was it after that that Mr. Elliott and Mr. Mitchell came and gave you the 40*l.*?—They were there once; I will not be certain.

19,100. The last time you voted for Seymour and Pender?—No.

19,101. Did you sign a requisition?—I did.

19,102. Do you recollect signing the paper?—I do.

19,103. Who asked you to sign it?—Mr. Harris.

19,104. What did he tell you the paper was about?—To the best of my recollection he said it was brought for to make the people sign. He told me it was for getting a candidate down on the Tory side, and he pressed me to sign it. I said, meantime, I would not sign it; he pressed me so hard that I signed it merely to get rid of him.

19,105. Is that your handwriting (*handing the requisition to the witness*)?—Yes.

19,106. Did you say anything to him before you signed that paper, about whether you would have to vote for the candidate? — I do not know that there was anything said about it.

19,107. Did he not tell you you would not be obliged to vote for the candidate? — I think he said before he went out of the house, "You are not bound "to vote for him." I think he said that; I am not certain.

19,108. You did not vote for him after all; you voted for Seymour and Pender?—I did.

19,109. What money were you offered to vote for Colonel Dawkins that time?—At the last election, between 6 and 7 o'clock in the morning, John Sandford Screach came to me and asked me.

19,110. Was that the election day?—Yes; would 200*l.* be of any good to me.

19,111. That was to vote for Dawkins and Pim?—He said Dawkins. I said I would consider of it; so an hour or two afterwards I went down the street, and I believe I was then going to the poll, and I see the person who offered me the 200*l.*, and asked if it was of any good to me.

19,112. Who was that?—John Sandford Screach; I saw him at the door or in the passage.

19,113. At the "Seven Stars"?—No, in his own house at Bridgetown. He said, "You are not wanted "now," "Thank you," I said; he said, "It is all up," so I went off.

19,114. Did you mean to vote for Colonel Dawkins if you had got the 200*l.*?—I do not think I should.

19,115. What did you get for voting for Seymour and Pender?—Not a farthing.

19,116. Not after the election?—No.

19,117. Have you never had a present since?—Never.

19,118. You threw away two votes at the election for nothing?—I had it not in my hand.

19,119. Did you ever go to the "Seven Stars" at the last election?—I do not think I did.

19,120. Do you know if your wife got anything at the last election?—No.

19,121. You got nothing at all?—Nothing.

19,122. (*Mr. Longe.*) Screach says before he offered you the 200*l.* you told him you had been offered 200*l.* on the other side?—I believe I never had anything; no such thing happened; I never heard of it.

19,123. What did you give up the money for when you had got it? — I had not got the 200*l.* I never had the colour of the money at all at the last election.

19,124. (*Mr. Bere.*) Did you not see Mr. Elliott before the election of 1865? Had not Mr. Mitchell and Mr. Elliott been to see you when Mr. Pender was down here?—I think Mr. Mitchell came to see me.

19,125. What did Mr. Mitchell tell you?—He asked me if I had made up my mind.

19,126. Did you say you had not? — I said, I had not quite made up my mind.

19,127. Did he not say he would help you to making it up?—He asked me how I was going to vote; I said I believed I should vote for Colonel Dawkins.

19,128. Was that before you had seen Screach? — Yes.

19,129. What did Mr. Mitchell say when you told him you were going to vote for Colonel Dawkins?—I believe I told him I had made up my mind.

19,130. You had not made up your mind? — I can hardly tell you, upon my word, whether I said I had or I had not.

19,131. Did not Mr. Mitchell tell you you could have some money from Mr. Pender?—No.

19,132. (*Mr. Coleridge.*) You had been a good deal with Screach at this time, had you not promised him you would vote for Colonel Dawkins?—I think I may have promised.

19,133. You had a good deal of talk with Screach about it several times? — Yes, I went to have a glass of ale after he went.

19,134. What did he offer you to vote for Colonel Dawkins?—I cannot tell you; at the last time he says, would 200*l.* do for me.

19,135. What did he begin with?—I do not know.

19,136. Did he offer 50*l.*?—I do not know.

19,137. Did you not say, that is not enough, I must have more for my vote?—I cannot tell.

19,138. Try and recollect?—I cannot.

19,139. What did he begin with? What was the first figure he started with, was it as little as 50*l.*? — I do not know.

19,140. Was it 100*l.*? — Oh, no; I do not think funds were so high.

19,141. He offered you 200*l.* at last?—Yes.

19,142. What did he offer you at first, 40*l.* or 50*l.*, or what?—I cannot say.

19,143. It was old Mr. Screach who first of all talked to you about your vote?—Yes.

19,144. Was it old Mr. Screach who offered you the 200*l.* at last?—Yes, up in my house.

19,145. What did Mr. Mitchell or Mr. Elliott talk about giving you?—100*l.*

19,146. Did he not say you would be thought of after the election?—No.

19,147. He forgot all about it; he never gave you anything?—I never got anything.

19,148. Since we have been down here has not Mr. Mitchell or Mr. Elliott been talking to you about the Commission?—I dare say he has; yes, he has.

19,149. Let us hear what he told you? — I do not know; but whatever he told me I answered him, I said, "What questions I was asked by the gentlemen "I would speak the truth."

19,150. Did he suggest that you had better not speak the truth?—I said the better way was to speak the truth.

19,151. Where did you see him?—I saw the butcher as I came down the street now.

19,152. Did he refresh your memory about telling the truth? — I do not know that he did. He was talking to me.

19,153. Are you quite sure he did not tell you not to say anything about the last election?—No.

19,154. You might say a good deal about any other election, but not about 1865?—No.

19,155. You were not to mention their names?—Not a word said of that kind. I said I would answer the questions as far as my recollection goes.

19,156. Upon your oath, neither you nor your wife ever received any money for the election of 1865?—No.

19,157. (*Mr. Coleridge.*) Did you ever find any money in your house that you knew nothing about in 1865?—I wish I had.

SIXTEENTH DAY.

Mr. J. Diggins.

11 Sept. 1866.

19,158. You are sure of that?—I feel quite sure of that. If I have told you wrong I am likely to be cotched for it.

19,159. Who is your landlord?—The Duke of Somerset.

19,160. (*Mr. Longe.*) You wanted a good deal of money to vote against the duke?—I know nothing about my lord.

19,161. How much do you rent under him?—13*l.* a year.

19,162. What is that for?—House and garden.

19,163. How large is the garden?—18 or 20 yards.

19,164. How many rooms are there in your house?—Four bed-rooms.

19,165. How much does Mr. Michelmore throw you back every year?—Not a farthing.

19,166. Did he not speak to you about signing the requisition, or did he not hear anything about it?—I signed it.

19,167. Did anyone scold you for signing the requisition for bringing down a Conservative against the Liberals?—Not that I am aware of.

19,168. No one spoke to you at all?—I do not know.

19,169. When you signed it did you know what the consequence would be to you; you knew the duke would not like to see your name to the requisition?—No; he was quite ignorant of my signing it.

19,170. (*Mr. Bere.*) You saw Mr. Screach at the door of the "Seven Stars," and he shook his head at you, and said it was too late; where did you go to; did you not go over to the "Seymour Arms?"—No.

19,171. Where did you go then?—I went over the bridge and passed up the street. I never went into the "Seymour Arms."

19,172. How long after you had been to the "Stars" did you go to vote?—Before I went I had not been to the "Stars" at all.

19,173. Did you not go to the "Stars?"—I did not go at all.

19,174. Did you not see him at all at the "Stars?"—No.

19,174*. Where then?—At his own house.

19,175. Did you not go from Mr. Screach's house in Bridgetown to the "Seymour Arms," and see Mr. Chaster there?—No.

19,176. Are you sure of that?—Not that I am aware of.

19,177. (*Mr. Longe.*) Was not this it, when you signed the requisition you had made up your mind to lose your house and get as much as 100*l.*?—No; I did not think anything of it.

19,178. When you put your name to that piece of paper?—Knowing the character of the gentleman that brought it I might have signed it to get rid of him.

19,179. Is your wife here?—She cannot come away from the house. I am in business.

19,180. (*Mr. Yabbicom.*) With the permission of the Court I wish to set one of our customers right, Mr. Kelland, with reference to an erasure.

(*Mr. Bere.*) We saw it in the banking book, and it struck us as very singular. We asked Mr. Kellock, and he said he had never seen it except upon the face of the ledger.

(*Mr. Yabbicom.*) It is perfectly true. It happened in this way, in posting the account, in turning to Kellock, the 106*l.* was debited to Kellock, whereas the 106*l.* should have gone to the debit of Kelland. It was a cheque drawn for that amount, dated the 7th of July, in favour of Miss Kelland, which cheque should have been posted to the debit of Mr. Kelland, whereas my accountant, having the "K" open, inadvertently set down the debit to Mr. Kellock's account, and finding out the mistake the erasure was immediately made in the ledger, and it was carried to the right account.

(*Mr. Bere.*) It is strange that he did not alter the others.

(*Mr. Yabbicom.*) We do not like erasures in our ledger. Mr. Kelland is a man of some thousands a year fortunately, and it was quite a regular transaction.

(*Mr. Bere.*) That is quite a sufficient explanation.

(*Mr. Harris.*) Will you allow me to correct a statement in my evidence about Mr. David Derry. There was a Mr. Derry here at those elections I referred to, but not Mr. David Derry. A Mr. Derry, Mr. John Derry, his brother, is here, and he will give you an account of the whole transaction.

(*Mr. Bere.*) You do not know his name?

(*Mr. Harris.*) No, I do not.

(*Mr. Bere.*) Is it the Mr. Derry connected with the bank?

(*Mr. Harris.*) I think he is, with the Launceston bank.

Mr. J. Tozer.

JOHN TOZER sworn and examined.

19,181. (*Mr. Longe.*) You are the son-in-law of Lombardinii?—Yes.

19,182. What is your trade?—A boot and shoe maker.

19,183. How long have you had a vote?—Only since the last election.

19,184. Mrs. Lombardini managed to get you something for your vote?—Yes.

19,185. Did you give her any authority to do that?—I gave her no authority at all.

19,186. Who was the first who applied to you?—I think it was Captain Pim.

19,187. Who did he come with?—Young Heath.

19,188. Which of them?—I think James.

19,189. How long was that before the election?—The Saturday before.

19,190. Had you had no application before from the other side?—No.

19,191. You had not seen Evens, your brother-in-law?—Not before that.

19,192. You heard that money was going about?—Yes.

19,193. On both sides?—Yes.

19,194. Surely you must have arranged with your mother-in-law?—I might have said something; I do not recollect what it was.

19,195. Did you mention any figure?—No, I did not mention any figure.

19,196. What was the sum she arranged for?—She had 50*l.*

19,197. For you?—Yes.

19,198. Who did she get it from?—That I do not know.

19,199. She brought it home to you?—Yes.

19,200. Was it in gold or notes?—In 5*l.* notes.

19,201. On what day was this?—The night before the election.

19,202. Did you understand for whom you were to vote?—For Dawkins and Pim.

19,203. Had you seen no one up to that time on the other side?—Yes, Pender and Seymour.

19,204. When did they come?—I do not know whether it was the day before the election or not.

19,205. Who was it that came?—Mr. Michelmore and Mr. Seymour came.

19,206. Which of them, Charles Frederick?—No Mr. Jeffery Michelmore.

19,207. Mr. Pender did not come?—I did not see him; he left a card. I was not at home.

19,208. What passed between you and Mr. Michelmore?—He wished me to vote for Seymour and Pender.

19,209. Where do you live?—At Bridgetown.

19,210. Who is your landlord?—Mr. Michelmore.

19,211. Under the duke?—Yes.

19,212. What did he say when he asked you for your vote?—He asked if I would give them my vote, and I said I would see by the morning.

19,213. Was there anything more?—No; they then went away.

19,214. It was only a few words?—That is all; they were not in the shop for two minutes.

19,215. Did you hear any more of them?—No.

19,216. Was there no message sent to you?—My father came.

19,217. What is his name?—Philip Tozer.

19,218. Does he live at Bridgetown?—No, at Windmill Down.

19,219. Does he hold under the duke?—Yes.

19,220. Did he ask you to vote for them?—Yes; he said he heard that I was going to vote for Pim and Dawkins, and he was very sorry for it. He asked me to vote for Seymour and Pender.

19,221. Did he say you would be better rewarded on that side than on the other?—No; I do not know that he did.

19,222. Did he not hold out a prospect of your getting something for changing your side?—Yes; he got me 40*l.*

19,223. Where did he get that?—I do not know; he got it at the "Seymour."

19,224. On what day was that?—On the morning of the election.

19,225. When was it that he came and asked you for your vote?—It was the night before, he slept at my house that night.

19,226. He talked to you and said that he could get you 40*l.*?—He did not mention any sum at all; he said he would get what he could; he would get something.

19,227. Surely he told you from whom he would get it?—No, he did not.

19,228. Did he not say that he knew some one at the "Seymour" who would help him?—I should think it was from Mr. Michelmore, he was always with him and worked for him.

19,229. When did you tell him you had got 50*l.* from the other side?—The same night.

19,230. How was it that you took 40*l.* and gave up 50*l.*?—I thought I was living over there.

19,231. You would rather have 40*l.* and a house instead of 50*l.* and a house?—Yes.

19,232. Then you gave back the 50*l.*?—Yes, I did, or Mrs. Lombardini did.

19,233. Did you not afterwards arrange as to your uncle, or some one else?—No, I have no relations at all in Totnes.

19,234. Did you not hear about some one else having sold their vote?—No.

19,235. What reason did he give you to believe that you would get anything?—He gave no reason; he said he should go and see what he could do.

19,236. Did he tell you that he had arranged matters for himself?—No; he never got a farthing in his life; I think he has always been above that.

19,237. What reason had you for thinking he could get money if he had not done it before?—I do not know anything about that.

19,238. (*Mr. Bere.*) How was the 40*l.* paid; in gold or in notes?—In notes.

19,239. In what notes?—In 5*l.* notes.

19,240. Of what bank?—The Bank of England.

19,241. Have you got any of them now?—No.

19,242. Have you paid any of them away?—I think I paid some of them away to Charles Tanner of Plymouth.

19,243. Where does he live?—In Southgate Street.

19,244. What is he?—A tanner.

19,245. When did you do that?—I could tell if I was at home.

19,246. Will you let us know when you did pay them?—I can see by the bills.

19,247. You have not got the numbers of the notes?—No.

19,248. You will let us know to whom you paid them away, and when?—Yes, I will.

WILLIAM FOOTE sworn and examined.

Mr. W. Foote.

19,249. You live in Totnes?—Yes.

19,250. What are you?—A labourer.

19,251. Who do you work for?—Henry Willis.

19,252. What is he?—He is the surveyor of the highways.

19,253. You work on the roads?—Yes.

19,254. How long have you had a vote?—I first voted at the last election.

19,255. Do you vote for your house?—Yes.

19,256. Is it worth 10*l.* a year?—I give 13*l.* for it.

19,257. Who is your landlord?—Thomas Gillham.

19,258. At the last election, do you remember Frederick Evens coming to you?—Yes.

19,259. He came and saw you at your own house?—Yes.

19,260. What did he say?—He came and asked me which way I intended to vote; I had always voted for the Liberals before.

19,261. You mean for the Liberals in the town council?—Yes, always.

19,262. Had you had any money from them?—Not a farthing.

19,263. Not even a breakfast?—I have had a breakfast.

19,264. What did you tell him?—I told him that I should take the same side I always had taken.

19,265. What did he say to that?—He said that I had better come over to their side that time, that I should get no money on the other side; I said I should chance it.

19,266. What did he say to that?—He offered me 40*l.*

19,267. Had he got it to give you?—He did not show it to me.

19,268. And that would not do?—No.

19,269. Did he offer you 50*l.*?—Yes; that would not do.

19,270. How high did you get?—I left him there; Mrs. Foote stayed behind me.

19,271. Did they have a little talk together?—Yes; she came out a few minutes after that and said that he had been as far as 70*l.*

19,272. What did you say to him?—I said I would have nothing to say to him.

19,273. Did she then say to you she thought you had better vote on that side?—That was some two or three days after.

19,274. Did he again see you or the mistress?—He saw Mrs. Foote.

19,275. About how high had they got then?—I believe they had offered 100*l.* on that night.

19,276. It got up between him and Mrs. Foote to 150*l.*?—Yes.

19,277. Where did you get the 150*l.* paid you?—At the "Seven Stars."

19,278. Was Stoyle there?—He was in one of the upstairs bed-rooms.

19,279. Do you remember what part of the house this was in where you were paid?—It was on the other side of the doorway.

19,280. You know the large room there?—Yes.

19,281. Which way did you turn, to the left or to the right of the large room?—I did not go into the big room.

19,282. Whom did you find in the bed-room?—There I found Stoyle and Smaridge.

19,283. And there you stayed all night?—No; we came down after the nomination was over.

19,284. Where did you go to after the nomination was over?—We spent the afternoon there and the evening.

19,285. And the night?—Yes.

19,286. And then you voted the next morning?—Yes.

19,287. When did you get the 150*l.*?—My wife received the money, I did not.

19,288. Was that down at the "Seven Stars"?—Yes.

19,289. Did she hand it over to you, or did she

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Mr. W. Foote.

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keep it herself?—She handed it over to me when we got home.

19,290. When did she hand it over to you?—It was in a handkerchief.

19,291. What was it in?—Some notes and some gold.

19,292. Have you got any of the notes left?—No.

19,293. Is it all gone?—I do not know what may be gone; none of the notes are left.

19,294. How much did you let Mrs. Foote have?—We did not divide it.

19,295. Did you put any of it in the Savings Bank?—We have got some of it in the Savings Bank.

19,296. And is it there still?—Yes.

19,297. (*Mr. Coleridge.*) How much have you got in the bank?—We have got 100*l.*

19,298. What bank is it in?—In the National Bank.

19,299. Mr. Yabbicom's bank?—Yes.

19,300. Have you got a deposit note for it?—Yes.

19,301. Have you seen Mr. Elliott, Mr. Farley, or Mr. Mitchell of Bridgetown, at all?—No.

19,302. Did Mr. Pender call upon you and ask you for your vote on this occasion?—Yes, he did.

19,303. Was that before you had seen Frederick Evens or afterwards?—Before.

19,304. You promised Mr. Pender?—No.

19,305. You said you had not made up your mind?—Yes.

19,306. Do you know Samuel Cuming the younger?—Yes.

19,307. Did he call on you?—I think on the nomination night.

19,308. He called on your wife?—Yes.

19,309. Did your wife tell you what he said?—No; she told me he had been there.

19,310. Did not she tell you that he had offered a little sum of money if you voted for Pender and Seymour?—No.

19,311. Did any body else offer you anything to vote for Pender and Seymour?—No.

Mrs. A. Foote.

ANN FOOTE sworn and examined.

19,312. (*Mr. Bere.*) Are you wife of William Foote?—Yes.

19,313. You live at the upper part of the town?—Yes.

19,314. Do you remember at the election of 1865 Frederick Evens coming and having a little talk with you?—He came to inquire for my husband.

19,315. Was your husband in?—Yes.

19,316. He had some talk with him and went as high as 50*l.* for his vote, and then your husband left him in conversation with you?—Yes.

19,317. How high did he go in his offer?—About 70*l.*, from that to 100*l.*

19,318. That would not do?—No.

19,319. Then he got to 150*l.*?—Yes.

19,320. Was that the second conversation?—Yes.

19,321. Then you allowed your husband to be taken to the "Seven Stars"?—Yes.

19,322. Did you see him in his captivity?—I went to the "Seven Stars" to receive the money.

19,323. Where did you get it?—In a back room.

19,324. Upstairs?—Yes.

19,325. A bed room?—No, a sitting room.

19,326. Which way is it when you go in, the staircase is on the right hand?—I went to the left.

19,327. A sitting room on the left?—Yes.

19,328. Who was there?—Mr. Evens.

19,329. Frederick Evens?—Yes.

19,330. Did you see anybody else?—No.

19,331. Did you see any of the Heaths about?—No.

19,332. Who showed you the room?—Mr. Evens took me down.

19,333. Did he pay you the money?—Yes.

19,334. Where did he take the money from?—I do not know.

19,335. Did he take it out of his pocket?—No.

19,336. Did he leave you and go out somewhere and get the money?—Yes.

19,337. He showed you into the room and left you there?—Yes.

19,338. And he went out and brought back the money?—Yes.

19,339. Could you see where he went?—No.

19,340. You do not know from whom you got the money?—No.

19,341. How long was he away?—I should think five or 10 minutes.

19,342. Were you by yourself at that time?—My husband was there.

19,343. Had he voted then?—No, it was the day before.

19,344. You had your husband down from the upstairs prison?—He was not put in prison till after that.

19,345. You had 150*l.* and took it home?—Yes.

19,346. Was it in notes or gold?—100*l.* gold and 50*l.* bank notes.

19,347. 5*l.* notes?—I do not know.

19,348. We have heard that you paid some money into the National Provincial Bank, was it notes or gold?—I think I put the gold and a few of the notes.

19,349. Whilst Evens was talking to you did not you tell him that Mr. Cuming had been to offer you something?—No.

19,350. Did not you see him?—The night before the election.

19,351. Samuel Cuming the younger?—Yes.

19,352. What did he say?—He asked for my husband, and I said he was at the "Seven Stars."

19,353. What did he say?—He laughed, and I said, "I am all right."

19,354. Did he say anything?—He seemed to dispute my word, and I put my hand in my pocket and shook it.

19,355. (*Mr. Coleridge.*) Did he offer to cap it?—Oh, no.

19,356. (*Mr. Bere.*) Did not Evens come up in his price by your telling him that Mr. Cuming would give you some?—No.

19,357. (*Mr. Coleridge.*) Is that the only time your husband voted?—Yes.

19,358. Was he ever employed at the elections?—No, only the council he voted.

19,359. What did he get for that?—Nothing.

19,360. (*Mr. Longe.*) Did you sign the requisition or your husband?—I did not.

19,361. How was that managed?—I do not know.

19,362. Do not you remember?—Mr. Harris never came to my house.

19,363. You knew that your husband did sign it?—Not till after the election.

19,364. Can he write?—I cannot.

19,365. Can he?—I do not think he can write well enough to write his name. I do not know whether he did.

19,366. Did you hear about it?—No.

19,367. (*Mr. Bere.*) Mr. Evens' account of the transaction is, "'Oh, never mind us, I do not care for Mr. "'Kinsman and nobody else, us has got ourselves to "'look after'; I says, 'Very well, what is to be the "'figure then?' She says, 'You know you must "'name the figure.' I says, 'I suppose 50*l.* will be "'enough.' 'Oh, bless you no, you know he must "'have more than that, you must try to get us more "'than that.' I asked whether 60*l.* would be sufficient. 'No, that is not sufficient at all.' I says, "'Well, what do you require.' 'Oh, bless you, we "'have been offered more than that; so we shall not "'vote; my master will not vote without he can get "'something handsome.'" Had you been offered anything?—No.

19,368. Did you tell him?—When I found he was

the highest price, I thought I had a right to take the best man.

19,369. (*Mr. Longe.*) Yours is a large house?—Yes.

19,370. How many people live in it besides your husband?—My husband's mother lives in it, and I have lodgers.

19,371. How many lodgers?—Three.

19,372. What are their names?—Mr. Kinsman the baker's brother, Mrs. Williams, and Mrs. Tucker.

19,373. Who is your landlady?—Mrs. Kinsman.

19,374. What relation is your landlady to your lodger?—Her husband is his brother.

19,375. Those lodgers pay some rent?—Yes.

19,376. Whom do they pay it to?—Sometimes to me and sometimes to my husband.

19,377. Do not they pay it to Mrs. Kinsman?—No, I receive the money most times.

19,378. Sometimes they pay it to Mrs. Kinsman?—No, never.

THOMAS GILLHAM sworn and examined.

Mr. T. Gillham.

19,379. (*Mr. Coleridge.*) How long have you been a voter?—23 years.

19,380. What is the first election you voted at?—1847 or 1849 I think.

19,381. Whom did you vote for then?—Mr. Baldwin, when Mr. Baldwin put up with Lord Seymour.

19,382. Baldwin and Ricardo?—No.

19,383. Did you plump for Mr. Baldwin?—Yes.

19,384. What did you get?—Nothing.

19,385. Were you offered anything on either side?—No.

19,386. In 1852 did you vote again?—Yes.

19,387. You voted for Baldwin?—Yes.

19,388. Did you get anything for your vote then?—No.

19,389. Then there was an unopposed election in 1855; then in 1857 did you vote?—I think it was against Mills; Seymour and Baldwin.

19,390. You did not get anything in 1852?—No.

19,391. 1857?—No, but I was offered.

19,392. How much?—200*l.* in sovereigns by Mr. John Newton.

19,393. Where?—At his house.

19,394. Where does he live now?—I do not know.

19,395. He offered 200*l.* in sovereigns?—Yes.

19,396. To vote for whom?—For Mills.

19,397. Who was present?—No one; my aunt. I said if ever I voted true I would vote for Baldwin.

19,398. Did you vote for him?—Yes.

19,399. In 1857 was that the first time you had ever been offered any money to vote?—Yes.

19,400. In 1859 how did you vote?—Always Conservative; for Dunn.

19,401. Were you offered any money to vote for Dunn?—No.

19,402. Any money on the other side?—No.

19,403. Was any money going in 1859?—I do not know.

19,404. In 1862 which way were you going to vote?—Mr. Dent.

19,405. Were you offered anything to vote for him?—No, not for Dent.

19,406. Anything for Pender?—I had an interview with some parties at the "Seymour" hotel.

19,407. Who were they?—Mr. John Mitchell and Mr. Jefferey Michelmore.

19,408. Who else?—I do not know; there were many there but I knew those.

19,409. What was the conversation?—"What is "your figure?" I says, "150*l.*," and I left. The next morning Mr. John Mitchell called at my house, saying my offer was rejected on account of Mr. Dent resigning.

19,410. Did you mean to vote for Mr. Pender if you got 150*l.*?—No, I should not.

19,411. How did you vote?—I voted for Mr. Dent.

19,412. He never offered you anything?—No.

19,413. Or anybody for Mr. Dent?—No.

19,414. In fact they knew you were too good a Conservative. Did the Seymour party try you?—Yes, at different times.

19,415. In 1863?—Yes, when Mr. Seymour came in first. They came and called on me and said if they could do anything they would for me.

19,416. Who called on you?—Mr. Seymour himself, twice.

19,417. Did Mr. Mitchell call?—No.

19,418. Did anybody say they would give money to you?—They did not say money; anything they could do for me.

19,419. Which Mr. Mitchell?—John Mitchell.

19,420. Of Bridgetown?—Yes.

19,421. What did they offer to do for you?—I did not ask them for anything. I said, "It is of no use "to try me, I shall not vote for you."

19,422. Did you tell them anything about the offer they had made you of the 150*l.* before?—No.

19,423. You did not say, "Now come, you offered "me so and so before"?—Nothing at all.

19,424. You are certain of that?—Yes.

19,425. And the same gentlemen offered you the 150*l.* before, did not get you to the "Seymour Arms" this time?—No, I never went there.

19,426. How came you to go to the "Seymour Arms," being so good a Conservative, on that occasion?—Perhaps I had had a glass too much. I have been in there hundreds of times.

19,427. You are such a good Conservative that you cannot go into the house?—I have been in.

19,428. You go into the "Seven Stars" often?—No, I do not know that I have been into the "Seven Stars," not five times these 10 years.

19,429. Was one of those times the last election time?—Certainly, I was there at the last election.

19,430. How did you vote at the last election?—For Dawkins and Pim.

19,431. Were you offered anything to vote for them?—Yes.

19,432. Who offered it to you?—I do not know who the gentleman was. I was sent for to my house, and I went to No. 1 in the "Stars," the first door on the left hand as you go into the passage.

19,433. On the ground floor?—Yes.

19,434. What is called the office?—No, the office is in the lane.

19,435. Whom did you see when you got there?—A stranger; a man with a light complexion, somewhere about my own stature. I have never seen him before or since.

19,436. What coloured hair?—Ginger whiskers.

19,437. Moustache?—Yes, a little moustache.

19,438. A very slight good-looking man?—About such a person, I believe, as myself.

19,439. What did he look like, a gentleman?—Yes, quite so. I had some conversation, and that.

19,440. Did you see Captain Fox down here?—No, I had never seen either of the candidates personally; they left their cards.

19,441. Who brought you to No. 1?—Some boy came to me.

19,442. Did you know who he was?—No.

19,443. What message did he bring?—That a gentleman wanted to see me at No. 1 at the "Stars." I was not in at the time.

19,444. When you got there, what took place?—He said, "Is your name Gillham"? I said, "Yes." He says, "Which way are you going to vote"? I said, "The same side as I always do."

19,445. What did he say then?—I said, I heard there was some money flying, I have always voted that side, and I want a little now, I want to pay some bills; and he gave me a paper parcel.

19,446. What did it contain?—I did not know then. I found when I got home what it contained.

19,447. What did it contain?—Notes and gold.

SIXTEENTH DAY.

Mr. T. Gillham.

11 Sept. 1866.

19,448. How much?—50*l.* 45*l.* in notes, and 5*l.* in gold.

19,449. Did anything else take place?—Nothing; I left.

19,450. Did you give a receipt for it?—No.

19,451. Was that all done up in a parcel?—Yes. He says, "Here is a present for you." It was in paper.

19,452. Not in a bag?—No. I read that about the bag. I never saw no bag.

19,453. Mr. Heath did not give it to you?—No.

19,454. None of the Heaths?—No.

19,455. Did you see them?—I saw him in the lobby as I went in.

19,456. Did he say anything to you?—No.

19,457. Did not he tell you not to look forward to?—No, not a word.

19,458. Frederick Evens?—No, I never had a conversation in my life with Evens about election matters.

19,459. Screach?—No.

19,460. Had he tried you at this election?—No.

19,461. Who told you that money was going about?—Seeing Mr. Pender and Mr. Seymour on the Sunday evening on the bridge.

19,462. What did they say to you?—I walked with Mr. Pender to the first pier from the "Seymour" hotel, and he said he wished I could give him a lift this time. I went back again to the steps, goes up, and Mr. Seymour was there. He says, "Will you "have a cigar"? I said, "I am not a proud chap, "but I shall not vote for you."

19,463. Did they say anything about what you would get for your vote?—No.

19,464. Did anybody on Pender and Seymour's side say what money they would give you at that election?—No.

19,465. They did not get you to the "Seymour Arms"?—No, they asked me to have a glass of grog.

19,466. You did not go?—No.

19,467. You thought from what happened before, it was a dangerous temptation, and you did not go in again?—No.

19,468. Was that 50*l.* all that you got?—Yes, every fraction.

19,469. You did not get anything more after the election?—No.

19,470. Were you a requisitionist?—I believe I signed it.

19,471. Did you sign it for the purpose of getting Colonel Dawkins down?—Mr. Harris brought me a paper, and I know I signed it. I think it was Harris.

19,472. (*Mr. Longe.*) You have told us about this transaction, when you got this money at this last election. You quite remember the circumstance of going down to the "Stars"?—Yes.

19,473. You were sent for there?—Yes, I was.

19,474. Are you quite sure that you did not talk to Mr. Heath then?—I may have said, "How d'ye do," as I was passing by him in the lobby.

19,475. Because Mr. Heath says he met you?—He met me in the lobby, I say.

19,476. This is Mr. Heath's evidence:—"Thomas "Gillham is your name?—He said he had offered "50*l.* on the other side; he came to me at the door "by some appointment about the same time on the "Saturday, and said, 'I don't see why I should vote "'for nothing on our side.'" Did you say so?—That might have passed at that time.

19,477. You said, "You did not see why you should "vote for nothing on your side, and I am not going "to vote unless they give the same amount as they "give on the other side, I shall vote against you."—I might have said a few words to that effect; there was no long conversation.

19,478. Where did you go when you said that?—To No. 1.

19,479. Then it goes on: "Did you send him to "Mr. Mum?—He was there in the entry, and I said "to Mr. Mum, 'This is Mr. Gillham, you hear what "'he says.' And Gillham had a bag also." Do you remember saying that to Mr. Heath, and his saying that?—I may have said so.

19,480. "And Mr. Gillham had a bag also." Is that true?—No.

19,481. "Who gave Gillham the bag?—Either "Mr. Mum or myself. I identified several of them." Mr. Heath answers, either Mr. Mum or himself?—Not Mr. Heath, sir.

19,482. He was not present at the time?—No, he was not present in the room at the time I saw this gentleman.

19,483. (*Mr. Coleridge.*) Was the door shut?—No.

19,484. (*Mr. Bere.*) Did not you say to Mr. Heath, that if they did not give you as much on the other side you would not vote on the other side?—I might have said so.

19,485. Had they offered you anything?—No. I heard money was floating about.

19,486. Did you hear how much a vote was worth on the other side?—200*l.*

19,487. On the Liberal side?—On the Liberal side.

19,488. Who told you that?—In conversation.

19,489. Can you tell us any one person who told you that?—No, because I did not think that there was anything that would be wanted now.

Mrs. Diggins.

Mrs. DIGGINS sworn and examined.

19,490. (*Mr. Coleridge.*) What did your husband get for his vote at the last election?—Nothing.

19,491. Nothing at all?—Nothing at all.

19,492. How did he vote?—He voted for the "Seymour" hotel.

19,493. Whom did he vote for, Seymour or Pender was it?—I think both.

19,494. The Liberal candidates?—Yes.

19,495. What was he offered for his vote the last time?—Nothing.

19,496. What were you offered?—Nothing.

19,497. Was it John Elliott or George Mitchell, or John Mitchell who asked for your husband's vote?—No.

19,498. He has told us so?—I cannot recollect what they came to ask, and I do not busy my head about voting.

19,499. You busied yourself at other elections?—I never had any of the money.

19,500. When they came did not they tell you there would be any money going at the last election. How came you to be left out at the last election?—What have I to do with electioneering.

19,501. Did your husband get anything?—No.

19,502. Do you know whether he was promised anything?—Not, that I am aware of.

19,503. Were you promised anything?—No, certainly not.

19,504. Were not you rather surprised that they did not offer him anything the last time?—No.

19,505. Did you think money was running short?—I did not know. I did not ask any questions about it.

19,506. Did you arrange about his vote?—No, I told you I know nothing about voting.

19,507. You would know the way your husband was going to vote?—No, I did not ask the question.

19,508. He would not vote without telling you?—I do not know whether he would or not.

19,509. You are quite sure that nothing was offered to you the last time?—Yes, quite sure.

19,510. Upon either side?—I cannot say by either side, but I know the side he voted.

19,511. The side he did vote, what did they offer him?—I cannot tell you.

19,512. Who came to you?—I cannot tell you.

19,513. Did anybody?—I cannot tell.

19,514. Your memory is a great deal worse than your husband's?—Yes, I am nervous. I cannot recollect. I have plenty to recollect without electioneering.

19,515. How long has your memory been bad?—Since I have been an old woman.

19,516. You are not so old as your husband?—Yes, many years older; you should have had me up here when I had a good memory.

19,517. Try to recollect something about 1857?—I cannot recollect anything about it.

19,518. Do you recollect ever receiving money at any election at all?—No.

19,519. (*Mr. Bere.*) You did when you began just now?—Well, the whole I can recollect about any money, that is many years gone, Mr.——, I do not know what the man was called gave me 5*l.*

19,520. Was that for Baldwin?—No.

19,521. Mr. Mills?—No, one of the town, Mr. Irish. That is many many years gone.

19,522. (*Mr. Coleridge.*) Do you know that with your husband he was more liberal then, that he gave him two 5*l.* notes?—He gave it to me.

19,523. Two?—No, one 5*l.* note, and I gave that to Mr. Irish and Mr. Samuel Rendell, it might be a week or 10 days after. That is all I had in my life, and that I returned again.

19,524. You know your husband has had very often?—I do not think he has.

19,525. Has not he told you?—No. That gentleman knows more about it than I do.

19,526. Which gentleman?—Mr. Harris; he wears two hats, I wear one bonnet.

19,527. Has Harris been to you for your vote?—No, I think not.

19,528. Has Mr. Harris ever been after your husband for his vote?—I cannot answer.

19,529. Has your husband ever told you?—I cannot answer. I cannot tell you anything about it. I tell you I cannot answer that question. I have not come here to tell lies, but the truth.

19,530. I ask you whether your husband has ever told you that Harris has been after his vote?—I cannot recollect anything about it.

19,531. Are you sure he has not?—I am sure, because I cannot recollect. Ask Harris himself, there he is, and he will tell you.

MR. RICHARD BOWDEN sworn and examined. *Mr. R. Bowden.*

19,532. (*Mr. Bere.*) How long have you been a voter of Totnes?—Since Mr. Dent's time. The first time.

19,533. 1863?—Yes.

19,534. Had you been living in Totnes before?—I had been living in the neighbourhood, Weston.

19,535. Had you voted before in the council elections?—20 years.

19,536. How had you voted?—Always on the Conservative side.

19,537. In 1863 did you vote for Mr. Dent?—Yes.

19,538. What did you get for your vote?—20*l.*

19,539. Who gave you that?—Mr. George Heath.

19,540. Where did he pay it to you?—In my kitchen.

19,541. You keep an inn do you not, near the "Seven Stars"?—Near the arch.

19,542. Do you rent it of John Heath?—It is my own.

19,543. Did you see Mr. George Heath before he paid you the money?—He came there, a few words passed, and I told him I expected to be paid the same as other people, and he said he would go and see what he could do.

19,544. And did he go away and get the money?—He did. I do not know whether that day, but a day or two before the election took place.

19,545. Was it in notes or gold?—Gold.

19,546. Had you anything of him during 1862?—No.

19,547. None at all?—None at all.

19,548. Now in 1865 what did you get?—For Dawkins and Pim?

19,549. Yes?—Nothing at all.

19,550. How was that?—I believe somehow or other they got behind so.

19,551. Who canvassed you?—Colonel Dawkins and Captain Pim. He came several times.

19,552. And did Screach or Evens speak to you?—No.

19,553. That was the only one that ever came down, John Heath?—No, only Colonel Dawkins and Pim came several times.

19,554. Had you been down to the "Seven Stars" at all?—No, I do not think I had then, not to know how money was going. I did not feel myself interested about it.

19,555. Who told you the money was gone?—I do not think I ask. I was told to go to the "Stars" at such a time, and found it was a mistake.

19,556. Who gave you orders?—The committee.

19,557. What member of the committee told you?—Possibly Mr. Heath.

19,558. Mr. John Heath was not it?—Yes.

19,559. You imagined that if you went down to the "Seven Stars" you would get what you had before?—Yes. The party came up and said, "get up "the plumpers as far as you can," and I went down.

19,560. Did you go to Dartmouth in 1865 during the election?—Not that I am aware of.

19,561. Not to see a man of the name of Mr. Rees?—No, it is my son; he is not a voter.

19,562. Is your son at home?—He is up by the arch.

19,563. Is that all you know about the election?—Yes.

19,564. Was your house an open house for the Conservatives?—There was a few came in, not a great many.

19,565. Did you send in a bill?—Yes.

19,566. For what amount?—I did for the election for the council.

19,567. Did you send in a bill for the borough election?—No.

19,568. I suppose you were paid for what they had in your house?—No, not a farthing, in fact they did not have anything; it was too far up.

JOHN CHAPPLE sworn and examined. *Mr. J. Chapple.*

19,569. (*Mr. Bere.*) How long have you been a voter for the borough of Totnes?—13 years.

19,570. Who did you vote for first, Baldwin?—No. It was not until after Baldwin's time.

19,571. Did you vote in 1857 when Mackenzie and Gregory stood?—Mackenzie. I do not think Gregory did.

19,572. You live at Peter's Quay?—Yes.

19,573. You voted in 1857 for Mackenzie and Gregory the two Conservatives?—Yes.

19,574. What did you get for it?—Nothing at all.

19,575. Did you see anyone on Mr. Mills' side?—Yes.

19,576. Whom did you see?—I saw Mr. Mills and Mr. Cuming, and Lord Gifford, and Mr. Windeatt I think was along with Mr. Mills at that time.

19,577. Did you see Mr. Windeatt and Mr. Mills?—Yes.

19,578. They asked you to vote for Mr. Mills?—Yes.

19,579. Did you see anyone else on that side besides Mr. Windeatt?—No.

19,580. Did Mr. Windeatt tell you that you would get something for voting for them?—He asked me if a few pounds would do me any good.

19,581. Did you say that it would?—I did not say I should vote on that side at all.

19,582. They did not ask you how many pounds would do you good?—No. 70*l.*, 80*l.*, 90*l.*, or something like that.

19,583. You would not take that?—No.

19,584. You did not get anything at Mackenzie's election?—No.

19,585. What are you?—A labourer.

19,586. Did you vote in 1859, when Lord Gifford, Dunn, and Mills stood?—I believe so.

19,587. You did not vote in 1859; were you in Totnes at that time?—I have been here 13 years last Christmas; I was in Dartmouth for several years.

19,588. You voted for Mackenzie and Gregory in 1857?—Yes.

19,589. Your name is not down as voting in 1859; how is that, do you remember?—No.

19,590. Did you get anything in 1859 though you had no vote?—No.

19,591. No one came to ask you as you were not on the register?—No.

19,592. Did you get any employment by the Conservatives?—No.

19,593. Do you remember when Dent and Pender stood against each other?—Yes.

19,594. Did you vote on that occasion?—At the first election I think Mr. Dent withdrew.

19,595. You did not vote on that occasion?—No.

19,596. Did nobody come to see you on Mr. Dent's part then?—No.

19,597. Not even to ask you how you were going to vote?—Not at all.

19,598. Had not Screach been to see you?—No.

19,599. Nor Evens?—No.

19,600. In 1863 you voted for Mr. Dent when he stood against Mr. Seymour?—Yes.

19,601. Did you not have 40*l.* for voting for him?—No.

19,602. What did you have?—Nothing at all.

19,603. Not for voting for Dent then?—No, not a copper.

19,604. Do you know a man named Edward Woodley?—Yes.

19,605. Does he live near you?—No, up the town.

19,606. Is he alive?—I believe so.

19,607. Are you quite sure about that?—Yes, I saw him one day last week.

19,608. Did not Woodley give you or your wife 40*l.* in 1863?—Not to me, he may have given it to my wife.

19,609. He gave it to your wife?—I think that was about it.

19,610. How did he give it to her?—I think it was in gold.

19,611. You know it was in gold?—Well, it was in gold.

19,612. And she gave it to you?—No.

19,613. What did she do with it?—She put it away in the drawer for a little while.

19,614. What became of it afterwards?—We paid it away.

19,615. You had that for voting for Mr. Dent?—Yes.

19,616. What did you get at the last election in 1865?—50*l.*

19,617. Who gave you that?—Some gentleman, I do not know his name.

19,618. Where did he give it you?—At the "Seven Stars."

19,619. Was it not Mr. John Heath?—No, it was not.

19,620. Who was it?—Some gentleman, I do not know him.

19,621. Where did he give it you?—In the right hand little parlour as you go into the "Seven Stars."

19,622. Who sent for you to go to the "Seven Stars"?—This gentleman.

19,623. Who came down, this gentleman?—I was out in the front street and he called me down.

19,624. What was the gentleman like?—I do not know; he was a light complexioned man such as myself. He was not so stout, I think.

19,625. Had he a wig on?—Not that I know of.

19,626. A moustache?—I believe he had a moustauche.

19,627. What room did you see him in?—No. 1, I think.

19,628. The left hand side?—The right hand side as you go in; no doubt it was No. 1.

19,629. Was it on the ground floor?—Yes.

19,630. Was not it on the left hand as you go into the lobby?—On the left hand side.

19,631. Did not Mr. John Heath tell you where the room was?—He was in the passage as I went in.

19,632. Did you speak to John Heath?—He wished me good evening.

19,633. What did you say?—I said good evening, and away I went.

19,634. Where did you go?—Into the room along with this gentleman.

19,635. Where did you see the gentleman first?—At the door.

19,636. Was he standing outside the door?—Yes.

19,637. And he beckoned you to come in?—He spoke to me.

19,638. How many people were there then?—There were a lot of people around there.

19,639. Did he call you by your name?—No.

19,640. How did he know you were a voter; had you seen him before?—Certainly.

19,641. Where?—In the street.

19,642. When?—The Saturday before the election.

19,643. What time in the day?—I should think about 11 or 12.

19,644. What were you doing?—Walking down the street.

19,645. Had you ever seen him before?—I had seen him standing at the door.

19,646. Did you know who he was?—No.

19,647. Did he ask you to stop?—I stopped there I suppose and looked.

19,648. And he looked at you?—Yes, and asked me whether my name was John Chapple, and I said, Yes.

19,649. You had never seen him before?—Not before then.

19,650. He knew your name?—No, he asked me my name; some one at the "Stars" might have told him my name, no doubt.

19,651. How far from the "Stars" was this?—Not very far; just the other side of the railing to the bridge, as you go down to Peter's Quay.

19,652. He could see you from the door?—Yes.

19,653. He asked you whether your name was Chapple?—Yes.

19,654. And you said, yes?—Yes.

19,655. What else?—Who I was going to vote for.

19,656. What did you say?—Pim and Dawkins. I said then, I should like to have something for my vote, and he said yes.

19,657. What did he say you were to have?—I told him my figure was 40*l.* or 50*l.*, and he told me to come on the Monday evening.

19,658. And you went on the Monday evening and found your friend in the lobby of the "Seven Stars" and went with him into No. 1?—Yes.

19,659. Did you see Thomas Gillham at that time?—No.

19,660. What other voters were there besides yourself on the Monday evening?—There was many there; I do not know who he was.

19,661. Come?—I cannot recollect.

19,662. Yes you can. You know you would not recollect who Woodley was till we were obliged to twist it out of you. Who else was there?—I do not know of any one; I cannot recollect anyone.

19,663. Is there anybody you see in this Court was

there ?—Not that I know of. I do not know that any one of them was there.

19,664. You had better answer the question. Consider thoroughly or you will be condemned to the same punishment as some of the others have had. Tell us what voter besides yourself was outside the door that night ?—I cannot.

19,665. Think a moment ?—I cannot tell from my knowledge.

19,666. Just think ?—I cannot tell to my knowledge that there were any there as is here now.

19,667. Did you see any other of the Mr. Heaths there ? Did you see that Mr. Heath there (*Mr. Geo. Heath*) ?—No.

19,668. Or the one just behind you (*Mr. Jno. Heath, jun.*) ?—No.

19,669. Then you went into this room, and did the gentleman shut the door ?—Yes.

19,670. Were you there by yourself ?—I went in with him.

19,671. And you were the only persons in the room ?—Yes.

19,672. What did he give you ?—He gave me a bag with 50*l.* in it.

19,673. When were you last at the "Seven Stars" before you came up here to-day ?—When was I last ?

19,674. Yes ?—I was in there last night, I think.

19,675. In consequence of a message from Mr. John Heath ?—No.

19,676. How came you to go there last night ?—For a glass of ale.

19,677. Did you go there when you found your name was on the list of witnesses for to-day ?—Did I go there ?

19,678. Did you know you were to be examined as a witness to-day ?—I knew I was summoned to come to-day.

19,679. Was it after you knew that you were summoned that you were down at the "Seven Stars"?—Yes, it was.

19,680. Did you see any of the Mr. Heaths there ?—No.

19,681. Whom did you see ?—I saw the old gentleman pass out at the door.

19,682. Did you talk to the old gentleman ?—I did not.

19,683. Who were drinking with you ?—No person.

19,684. You were all by yourself ?—I did not stop about five minutes.

19,685. Who was there drinking with you ?—There was nobody there drinking.

19,686. Did you talk to any human being about coming up here to-day ?—No.

19,687. You talked to your wife ?—Yes, she knowed I was coming.

19,688. Had she been up to the "Seven Stars" ?—No.

19,689. Had Mr. Heath been down to see her ?—Certainly not.

19,690. (*Mr. Coleridge.*) Whom did you tell at the "Seven Stars" that you were going to give evidence here to-day ?—Nobody.

19,691. Not the waiter even ?—No.

19,692. Did you tell Miss Prout, the barmaid ?—No.

19,693. (*Mr. Bere.*) Mr. Heath says he gave you the money ?—He did not.

19,694. Are you sure about its being in a bag ?—Yes.

19,695. What sort of bag ?—A white bag.

19,696. Have you the bag ?—No.

19,697. What have you done with it ?—I do not know, it is sometime gone.

19,698. (*Mr. Coleridge.*) Do you think your wife has that little bag at home ?—I do not know I am sure.

19,699. (*Mr. Longe.*) Was it a leather bag ?—No, a small bag.

19,700. (*Mr. Bere.*) Have you ever said before when you were speaking about being bribed that you had the money in a canvas bag ?—I do not know whether a canvas bag or no ; it was a little bag.

19,701. Have you always said when talking about this affair of the 50*l.* that you had the money in a bag ?—I never talked about it to my knowledge.

19,702. (*Mr. Coleridge.*) Was it all gold ?—All gold.

19,703. (*Mr. Bere.*) Have you had a letter from Mr. Heath ?—No.

19,704. Either of the Mr. Heaths ?—No, I have not.

19,705. Have you had any letter at all about the evidence to be given here to-day ?—No.

19,706. (*Mr. Coleridge.*) Has Frederick Evens talked to you about it ?—No.

19,707. Or Screach ?—No.

19,708. (*Mr. Bere.*) Had you a talk with anybody about what was going on here to-day except your wife ?—No.

19,709. (*Mr. Longe.*) Whom do you say you saw when you went to the "Seven Stars" ?—Some gentleman.

19,710. Whom was the first person that you saw ?—That I saw ?

19,711. Yes ?—I cannot say who was the first person I saw now, it is so long ago gone.

19,712. Did you see Mr. Heath ?—I did not. I saw him in the passage as I went in.

19,713. Did you speak to him ?—I wished him good evening, and he wished me the same.

19,714. And you say now positively it was not Mr. Heath who spoke to you about this money that had been arranged ?—It was not.

19,715. Because Mr. Heath says it was ?—He did not.

19,716. Mr. Heath says "He came on the Saturday " or Monday and he told me he had been arranged " with, but to receive what sum I do not know. There " was the man, Mr. Mum, waiting at the door to see " several of them. Did you see Mr. Mum pay " Chapple ?—I think that I had the bag containing " what they had arranged for Mr. Chapple to receive, " and I gave it to him" ?—The gentleman gave it to me you may depend at the door.

19,717. Mr. Heath was not the person ?—Mr. Heath was not the person.

Captain JOHN KING sworn and examined.

Capt. J. King.

19,718. (*Mr. Bere.*) How long have you been acquainted with Totnes ?—I have lived in the neighbourhood for six or seven years.

19,719. Are you a personal friend of Mr. Dent's and Mr. Mitchell's ?—I am.

19,720. Did either of them communicate with you before they came down here in 1862 ?—Neither of them ; I was not aware of Mr. Dent or Mr. Mitchell's coming until I saw it in the newspaper.

19,721. Had you ever interested yourself in election matters before 1862 ?—Never in my life.

19,722. How long have you been a voter ?—I have a vote for the county, but not for the borough.

19,723. When they first came down here in 1862 did you go and see them ?—I did.

19,724. Did you go round with Mr. Dent in his canvass ?—I accompanied Mr. Dent in all his canvassing.

19,725. Had you been acquainted with the constituency of Totnes before you went round with him ?—Not in any way particular.

19,726. Were you struck with their being a good deal of hesitation as to the promising of votes ?—There was a good deal of that in some parties.

19,727. Did you understand what was the reason of that hesitation ?—I guessed it.

19,728. Did Mr. Dent or Mr. Mitchell tell you what sum of money they had brought down with them ?—Never ; I was merely a personal friend and as such accompanied him in his canvass.

SIXTEENTH DAY.

Capt. J. King.

11 Sept. 1866.

19,729. You know that there was a sum of money brought down?—I was not aware of it; I could not swear that; I was never told of it.

19,730. Did you not believe that was so?—I had a suspicion of it.

19,731. Are you acquainted with the reason why Mr. Dent did not then go to the poll?—The story which was told me, the truth of which I will not vouch for, was that if Mr. Dent spent 20,000*l.* Mr. Pender would spend 40,000*l.*, that he was connected with the Whitworth Gun Company, and they would back him up with as much money as he wanted so as to be able to get the Duke of Somerset, who was then at the Admiralty, to supply the Whitworth guns for the navy.

19,732. In 1863 Mr. Dent came down again?—Yes.

19,733. Did you assist him in his canvass then?—I accompanied him in his canvass.

19,734. Do you remember a man of the name of Manning?—Mr. Mitchell told me that a person of the name of Manning, a churchwarden, wanted 500*l.* for his vote; it was a mere matter of conversation.

19,735. Do you know the man's christian name, whether it was David or Nicholas?—I do not know, he called him, if I remember, Churchwarden Manning.

19,736. Did Mr. Dent express his opinion as to how he had been treated in Totnes?—He was very much disgusted with it and thought he had been treated very badly.

19,737. From your canvass did you form any conclusion as to whether he had a chance?—No, I did not keep any list.

19,738. Do you know that Mr. Dent wrote to the Duke of Somerset after the election of 1863?—I did not know it; this is the first I have heard of it. I took no active part then; I was merely accompanying Mr. Dent in his canvass.

19,739. In 1865 were you concerned in cashing a cheque at the Devon and Cornwall Bank?—As I was coming out of the "Seven Stars" I met Mr. Kellock, who said, "I want a cheque cashed, if you will do it "for me I shall be much obliged to you." I went and presented it, and gave him the money in notes and gold.

19,740. Were they notes of a large or of a small amount?—That I cannot tell.

19,741. Do you remember counting them?—I did not count the money, I put it all in my pocket.

19,742. Was it about half and half?—I think there was more in notes than in gold.

19,743. Where did you take it to?—Mr. Kellock told me to take it to the "Seven Stars," and I should find a man there to receive it in a small sitting room.

19,744. Whereabouts was that?—At the top of the stairs, straight in front of you; there are three or four rooms just there, and it was the smallest of the three sitting rooms.

19,745. Did you go there?—I took it there.

19,746. Whom did you find there?—There was a man there who I believe to be one of Colonel Dawkins' servants.

19,747. Did you see Mr. Smith's clerks who were here the other day?—I did.

19,748. Were either of these the men?—I should not say so; I was there but a very short time, I merely took it out of my pocket, put it on a newspaper which was lying on the table, I said, "There is the money," and walked out again.

19,749. Did Mr. Kellock go in with you?—Mr. Kellock went into the bank with me; he did not go with me to the manager; I think he waited in the passage.

19,750. You went into the manager's room?—Yes, a private place.

19,751. How was the money done up?—I think the notes were in a roll; I think the sovereigns were in a bag. I put them in my trousers pocket.

19,752. What, loose?—Yes, I took it all out loose, and put it down on the newspaper at the "Seven Stars."

19,753. Are you quite certain that Mr. Kellock came inside the bank door with you?—I am certain he did.

19,754. Did he stay in the public portion of the bank while you went into the manager's private room?—I cannot swear that, I think he was in the office.

19,755. Your cheque was not cashed over the counter?—No, it was done in a private room.

19,756. Was this after banking hours?—Yes, between three and four in the afternoon.

19,757. What did you say to Mr. Pearce when you went in about the cheque?—I think I presented the cheque and asked them to cash it, they seemed well prepared to do so; it was no trouble at all.

19,758. What did you say to Mr. Kellock when you come out with the cash?—I said, "What am I to do with it," and he told me.

19,759. Did he not tell you that when you went for the money in the first instance?—No.

19,760. Did you not say to him why cannot you do it yourself?—No; he said, "I do not want to go in and do it myself, will you oblige me."

19,761. You knew pretty well what it was about?—I guessed, of course.

19,762. You put the notes on a piece of newspaper?—Notes and gold.

19,763. Do you mean that they were all out open on the table?—Yes.

19,764. Was Mr. Kellock in the room?—He was not.

19,765. Did he come into the room?—No; there was no one left in the room but Colonel Dawkins' servant.

19,766. How long did you stay in the room?—Not three minutes.

19,767. Did you say anything to the men?—I said, "I do not know you, you do not know me."

19,768. When you had said that, did you meet Mr. Kellock outside the room?—I do not think I did.

19,769. Did you meet Mr. Edmonds?—I do not think I did, I went straight down stairs and went home.

19,770. When did you see Mr. Kellock after you had thus put the money in this room?—Not until the next day.

19,771. Did you ask him whether he had got the money all right?—I do not think I made any remark to him.

19,772. Or he to you?—No.

19,773. You are quite certain that neither Mr. Kellock nor Mr. Edmonds were in the room when you unburthened yourself?—There was no one else but the servant.

19,774. What sort of a looking person was the servant?—As far as my recollection serves me he was a short, spare man.

19,775. Did he look like a soldier?—Yes; a soldier's servant.

19,776. And he was the only person whom you delivered this money to?—Precisely.

19,777. What had brought you down to the "Seven Stars" on the morning when you got this money?—I came into the town, it was the nomination morning.

19,778. Had you been canvassing with Colonel Dawkins or Captain Pim?—I had taken no part in it at all.

19,779. Would you have cashed such a cheque as this for the other side?—No.

19,780. Would you if you had been asked?—No, I would not.

19,781. You would not have cashed Mr. Pender's cheque for him?—No, I would not.

19,782. (*Mr. Coleridge.*) Have you seen the evidence of Mr. Kellock given yesterday?—No.

19,783. Mr. Kellock there says, "I met Captain "King, a gentleman who took an interest in the elec- "tion, and asked him if he would go and cash the "cheque for me, I did not tell him what it was for; "I walked with him to the Devon and Cornwall Bank "I did not go in with him; he went and got the "cheque cashed, and came out and joined me in the "street. I dare say he was in the bank 10 minutes

" or a quarter of an hour. I think I told him in what " way I wanted it cashed." Did he tell you that?—I think he did not.

19,784. " Did you not say to him ' Get this in small " ' notes or gold '?—I do not recollect," did he tell you that?—I do not think he did.

19,785. Did you ask the manager to give it you in any particular way?—No.

19,786. Did the manager seem all ready prepared to do so?—Yes, he seemed quite prepared.

19,787. And gave it to you in small notes and in gold?—Yes, notes and gold.

19,788. Mr. Kellock's evidence goes on " Do you " mean to say you gave him no reason for wishing him " to get it cashed? without having told him anything " by intuition did he walk down by your side to the " ' Seven Stars '? He came out of the bank and walked " to the ' Stars ' with me." Do you recollect anything like that occurring?—I may have walked down with Mr. Kellock, but I do not remember it.

19,789. Do you recollect his asking you " If you had " got it done "?—No.

19,790. Did you see some one watching him?—No, I did not.

19,791. Then his evidence goes on " Where did " you go to at the ' Seven Stars '?—I went upstairs, I " think to Colonel Dawkins' sitting room." Was the room you went into Colonel Dawkins' sitting room?—I do not think so.

19,792. This was a front room you say?—Yes.

19,793. Then Mr. Kellock goes on " Captain King " had got the money in a parcel," that is not correct?—No, it was not in a parcel then, I had it loose in my trousers pocket. The man whom I gave it to rolled it up, as I was leaving the room he was rolling it up then.

19,794. Mr. Kellock was not there?—No, the man rolled it up when I gave it to him.

19,795. " You say this was a small room between " the two large ones, you do not believe that it was " your own little room at the top of the stairs"? That you both seem to be pretty well agreed upon, that it was one of those front rooms?—Yes, that is so.

19,796. " Who was present when Captain King " delivered himself of his burthen? I believe we saw " Colonel Dawkins' servant. Was anything said to the " servant at that time?—So far as I recollect Captain " King went up and delivered himself of his burthen by " putting the parcel on the table, and Colonel Dawkins' " servant was called upon to keep guard over it until " I went and called Mr. Edmonds, who came and took " it." Now do you recollect anything of that sort taking place?—Nothing at all, as I left the room the man was rolling it up.

19,797. You do not recollect anything of that kind which Mr. Kellock has mentioned?—No.

19,798. And do you not recollect either Mr. Kellock or Mr. Edmonds being present?—Certainly not, there was no one present but the servant when I was there.

19,799. " Did you see it unpacked?—I did. What " did it consist of?—Chiefly of gold." Should you say that it consisted chiefly of gold?—I should say it was more in notes than in gold.

19,800. So far as your recollection goes you do not agree with Mr. Kellock's account of the transaction as to himself and Mr. Edmonds being present?—No, I do not.

JOHN GODFREY sworn and examined. *Mr. J. Godfrey.*

19,801. (*Mr. Bere.*) What are you?—A tailor.

19,802. How long have you had the valuable possession of a vote for Totnes?—Since 1859.

19,803. You first voted then?—Yes.

19,804. What did you get for voting then?—Nothing at all.

19,805. Whom did you vote for in 1859?—For Mills and Gifford.

19,806. Who canvassed you for them?—I think Lord John Hay canvassed on behalf of his brother and Mr. Mills for himself.

19,807. Did any person on the other side come to you?—On the nomination night.

19,808. Who came to you on that night?—Mr. Donnall.

19,809. Who is he?—He is dead and gone now; he was a chemist here.

19,810. Was he a neighbour of yours?—No.

19,811. Was he a friend of yours?—No.

19,812. What did he say to you?—He offered me 60*l.* if I would vote for Dunn.

19,813. And you said, "No"?—I had promised before.

19,814. You did not get your 60*l.*?—No.

19,815. Did you go to the other side?—I told them of it the same night.

19,816. Did not they consider your case favourably. They did; I was watching one of their doubtful voters; they took him to the " Stars," and took him in there.

19,817. What did they give you?—They promised after the election to make me a present, but they never did so, and that is the reason I left them; they said they would make me a handsome present after the election was over.

19,818. Where was that?—That was at the " Bull " inn.

19,819. Who was there?—There was a meeting there

19,820. Where is the " Bull " inn?—At the head of the town.

19,821. What night was this?—On the Thursday or Friday night before the election.

19,822. Was it the day of the nomination?—I think in the evening.

19,823. Who kept the " Bull " inn?—Edward Willis.

19,824. Was he there?—I do not know whether he was or not.

19,825. Was it a private room?—No; it was in the large room where there was a meeting of the Liberal party.

19,826. Who was in the chair?—I cannot say; I did not stay there any time; I had the bird all right over at the " Seymour;" I was looking after him to keep him all right; I said, " Never mind the money; you can make me a present after the election is over."

19,827. Were the Mr. Michelmores there?—Yes; Charles Frederick, Jeffery, and Thomas.

19,828. Do not you think it was one of them who told you this?—I will not be positive who it was said so.

19,829. They were the principal persons engaged in the election?—They were; I have told Mr. Cuming of it repeatedly since.

19,830. Was Mr. Cuming there?—I think so.

19,831. And Mr. Chaster?—I will not be positive.

19,832. Was Mr. Windeatt there?—I will not be positive; the room was full.

19,833. Was Mr. Elliott there?—Yes; no doubt.

19,834. And George and John Mitchell?—I think not.

19,835. Was Mr. Farley there?—I think not.

19,836. Mr. Parnell?—I think he was at the " Seymour " that night.

19,837. Mr. Holman?—I will not be positive.

19,838. Were any of the Pengilleys there?—I think not.

19,839. You did not get your present; when 1862 came did you promise to vote for Dent?—I did.

19,840. Who had canvassed you in 1862?—Mr. Dent himself, I think.

19,841. Did you see Evens, or Harris, or Screach on that occasion?—No.

19,842. Did anyone tell you that you would have money if you went to the poll?—I was given to understand that, if I voted for Dent; I said I should never vote for the Whig party again; they broke faith with me, and I should break faith with them.

19,843. That was in 1862?—Yes.

SIXTEENTH DAY.

Mr. J. Godfrey.

1 Sept. 1866.

19,844. Did you get anything after the election from anybody?—After the election I received an envelope with a 5*l.* note in it "for services rendered."

19,845. Have you any idea where it came from?—No.

19,846. Was there any writing in it?—"For "services rendered."

19,847. No signature?—No.

19,848. Did you ask anyone who could have sent it?—I was not particular to inquire.

19,849. Which side did you think it had come from?—No doubt it was from Mr. Dent's side; they sent for me to come to the "Seymour," and said if I would vote for Pender they would pay me what they owed me. I said I would not come to vote at the eleventh hour when there was no opposition.

19,850. Who sent for you?—Mr. Condy; he sent my father.

19,851. What is his name?—William Godfrey.

19,852. Where does he live?—On the opposite side of the street.

19,853. Mr. Condy sent him to you?—Yes; at three o'clock in the afternoon.

19,854. To get you to vote for Mr. Pender?—Yes.

19,855. And they promised to pay you what they owed you?—Yes; that was the promise they had made before.

19,856. You mean to fulfil their promise?—Yes.

19,857. Is your father a tailor?—Yes.

19,858. Has he the honour to supply Mr. Pender with coats?—No; that is his brother.

19,859. You would not go to the "Seymour Arms"?—No; I had promised to vote for Mr. Dent, and I was not going to vote for Mr. Pender when there was no occasion; the election was safe before.

19,860. In 1863, what did you do then?—I voted for Dent.

19,861. What did you get for that?—30*l.*

19,862. Who did you get it from?—Frederick Evens.

19,863. Where did he pay you?—In the "Plymouth" inn.

19,864. That is in the upper part of the town?—Yes.

19,865. Had you any instructions to meet him there?—No; I was there accidentally.

19,866. He had agreed with you before?—No; he asked me how I was going to vote, and I told him that I should support Mr. Dent. He said, "If you "do there is a present for you." I put it in my pocket and voted for Mr. Dent.

19,867. Was it in gold or in notes?—In gold.

19,868. At the last election, in 1865, what did you get?—40*l.*

19,869. You voted for Dawkins and Pim?—I did.

19,870. Who gave you that money?—Mr. John Heath.

19,871. Where did he give it you?—At the "Seven Stars."

19,872. On what day?—On the day before the nomination.

19,873. At what time?—Some time in the evening.

19,874. Had you seen anyone to tell you that you were to go there?—No; I had been at work for that party; I had been canvassing for them, and they said they would give me 40*l.* if I voted all right.

19,875. Where was it given to you?—At the foot of the stairs.

19,876. Openly, out in the lobby?—Yes.

19,877. Was there anyone else there?—No; I think they were all in the large room.

19,878. Did you see any persons hanging about whose faces you did not know?—No; he went upstairs, and came down, and said, "There is a present for you."

19,879. Did you say what you had come for?—No.

19,880. Did he know that?—I went with Heard to see Smaridge, and report progress.

19,881. Smaridge was Shillabeer's brother-in-law?—Yes.

19,882. Had you managed him?—He had promised to come at 7 o'clock on the nomination day, and he did come.

19,883. And he was arranged with?—I know nothing of any arrangement; his vote was secured.

19,884. You came back and reported to Mr. Heath what you had done; what did he say to you?—He said, if the man was coming down it would be all right.

19,885. When was the first mention of the 40*l.*?—There was no mention of that whatever.

19,886. Did he go and bring you down the money?—Yes; provided that I voted all right.

19,887. He gave you the money before you voted?—Yes.

19,888. Did he bring it down in gold or in notes?—In gold.

19,889. Where were you standing when he went up stairs?—I was standing close to the bar.

19,890. Did you see how far he went upstairs?—I think he went on to the first landing.

19,891. Could you see or hear whether he went to a room to the left or to the right?—I was not looking in that direction; I saw the waiters going up there into the big room with a lot of grogs.

19,892. Did you afterwards go into the big room and have a grog?—I went up there, and was much amused at seeing a volunteer there.

19,893. Who was the volunteer?—It was Stoyle, and being a volunteer myself I looked upon him as a fresh recruit, and thought it looked healthy to see a new man enter the service.

19,894. But he was not the only person whom you saw there?—No.

19,895. Was the room pretty full?—Yes.

19,896. And a good deal of drinking going on?—Yes.

19,897. Did you operate on anyone except Smaridge in 1865?—No.

19,898. Did you canvass anyone?—No.

19,899. Who ordered you to go to Smaridge?—I had no direct orders from anyone. Heard said he was going, and asked me to go with him.

19,900. Did you see anyone else there at the time you reported to Mr. John Heath?—I think Evens was there.

19,901. Where was it you reported to Mr. Heath, in the lobby, or upstairs?—Upstairs in the front room.

19,902. Was Mr. Edmunds there with Mr. Heath?—I think not; I think Colonel Dawkins was there.

19,903. Was Captain Pim there?—I think not then.

19,904. Did you see Mr. Smith, who was here the other day?—I cannot say; the first time that I saw him was on Tuesday last.

19,905. You had never seen him before?—No.

19,906. Nor his clerks?—No.

19,907. Is that all you know about the election?—Yes.

19,908. Have you had anything to do with elections for the town council?—Yes.

19,909. Did you vote first of all for the Liberals, and then for the Conservatives?—Yes.

19,910. Which was the best paymaster?—I had nothing to do with paying there.

19,911. Not even a breakfast?—No.

19,912. Did you ever canvass for those elections?—No.

19,913. And you have had nothing to do with paying money for them?—No.

Mr. J. Hannaford.

JOSEPH HANNAFORD sworn and examined.

19,914. (*Mr. Bere.*) What are you by trade?—A baker.

19,915. Where do you live?—The lower part of the town.

19,916. Near the "Seven Stars"?—Yes.

19,917. When did you first vote for Totnes?—For Mr. Mackenzie.

19,918. In 1857?—I don't recollect the date.

19,919. Lord Gifford, Mackenzie, and Gregory stood?—I forget.

19,920. Did you vote only for Mackenzie, or Mackenzie and Gregory?—Gifford and Mackenzie, I think.

19,921. Were you living in a house of the duke's then?—No, never.

19,922. Did you vote again when Dunn stood?—No.

19,923. Had you not got a vote then?—No.

19,924. Had you changed your house?—Yes; I had changed my residence.

19,925. You had not a vote till 1862?—No.

19,926. When Mr. Dent stood, and retired?—Yes.

19,927. Who came to you in 1862 on Dent's part?—I was solicited by Mr. Dent himself.

19,928. Anybody else?—The other side came as well.

19,929. Had Mr. Pender called upon you?—Yes.

19,930. Of course Mr. Dent and Mr. Pender did not say anything to you about money?—No.

19,931. Did anybody on Mr. Dent's behalf say anything to you about it?—No.

19,932. No intimation given to you that if there was a contest money would be about?—I forget now.

19,933. It is a probable thing that such a thing would happen?—I dare say it did happen.

19,934. Did you see anybody on Mr. Pender's side?—No.

19,935. In the election of 1863 you voted for Mr. Dent?—Yes.

19,936. What did you get for voting for him?—50*l.*

19,937. Given you by young Screach, was it not?—Yes.

19,938. Had he been to you before you arranged the price for your vote?—I do not know.

19,939. To your wife?—He never paid it to me.

19,940. Did he pay it to your wife?—Yes.

19,941. Did your wife pay it over, or keep it?—I do not know about that.

19,942. The money was paid to her?—Yes.

19,943. And you voted for Dent?—Yes.

19,944. Did she go to the "Seven Stars" to get it?—No.

19,945. Did Screach bring it?—No; I think it was paid at Bridgetown.

19,946. Where, at Screach's?—No; at my father's-in-law.

19,947. What's his name?—Thomas Mitchell.

19,948. Any relation to George or John Mitchell?—He is uncle to them.

19,949. What is he at Bridgetown?—He is residing with me at present.

19,950. What was he in 1863, when the money was paid at his house?—A shoemaker.

19,951. Was Screach working for him then?—No.

19,952. Then Screach paid Thomas Mitchell?—He paid my wife in Thomas Mitchell's house.

19,953. Did you see anybody on the other side at that election?—No.

19,954. Didn't they come and canvass you?—They came and canvassed me.

19,955. And asked you for your vote?—Yes; and I told them I had promised, and could not support them.

19,956. Had Screach been before they canvassed you on the Liberal side?—I do not think he had; but I do not recollect it.

19,957. What did you get in 1865?—60*l.*

19,958. You voted for Colonel Dawkins and Captain Pim?—Yes.

19,959. You got it then?—Yes, it was offered to me; there was no bargain or anything made.

19,960. Had not young Screach seen your wife about it?—No.

19,961. How was it you got 10*l.* more?—I do not know.

19,962. You had risen in value?—I suppose so; I had promised.

19,963. That was brought to your house?—Yes.

19,964. Had Mr. Charles Frederick Michelmore been to see you?—No, never.

19,965. Had anybody on the other side been to see you?—No.

19,966. Not Mr. Parnell?—No, not at all.

19,967. Had you been to see them?—No, neither one of them.

19,968. Didn't somebody on that side come and say, "Which way are you going to vote," and didn't you say, "I have got 60*l.* on the other side; but if you will "give me 100*l.* I will vote for you"?—No; nothing of the sort. I had promised my vote for Colonel Dawkins and Captain Pim. I never went from my word.

19,969. You got 60*l.* for keeping your word?—Yes.

19,970. (*Mr. Longe.*) You signed a requisition?—Yes.

19,971. At the time did you understand you would get something?—No, nothing at all; nothing said.

19,972. Your father-in-law is Thomas Mitchell?—Yes.

19,973. Was he turned out of his house?—Yes.

19,974. When was that?—About two years and a half, it must be; I forget. He could not go whilst his wife was lying dead. They came and ordered him out of the house.

19,975. He had notice given to him before?—They wanted to turn him out while she was lying dead.

19,976. He had notice given him to leave?—Yes; I cannot answer that exactly.

19,977. What are the circumstances? What was he turned out for?—On account of not voting for the duke.

19,978. At which election?—I do not know when it was.

(*Mr. Harris.*) He voted for Dent in 1863, and was then turned out.

(*The Witness.*) He was turned out; and the message came from some one that he must get out, or his things would be removed, and he said, "I cannot till "my wife is buried."

19,979. He voted for Dent in 1863?—I do not know.

19,980. He is of Seymour Place, Bridgetown?—Yes.

19,981. Did he vote for the other?—On the Conservative side, I believe.

19,982. Was that the reason given him?—I'm sure I cannot tell. Old Mr. Michelmore came.

19,983. Thomas Michelmore?—Yes. And he was speaking to Mrs. Mitchell, and she says, "I did not "know anything about it;" but he says, "You'll "have to know." Mrs. Mitchell made answer, "I "do not know anything about, my husband is not at "home." That is when he came to solicit Mr. Mitchell for his vote.

19,984. That is before the election?—Yes; and Mr. Michelmore said, "You'll have to know."

19,985. Afterwards he was turned out?—Yes.

19,986. Do you know any other case of any other man being turned out?—I have heard of Mr. Turpin being turned out.

19,987. He had a little money?—I heard so.

19,988. You have heard it said that he had something?—Yes; but I cannot say any more than that.

WILLIAM HENRY JOHNS sworn and examined.

Mr. W. H. Johns.

19,989. (*Mr. Coleridge.*) How long have you had a vote?—Two or three years, I think.

19,990. Which way did you vote?—Conservative.

19,991. Always?—I have only voted once.

19,992. You voted at the last election for Colonel Dawkins and Captain Pim?—Yes.

19,993. Did you ever go to a man called Gillham?—Oh, yes; many times.

SIXTEENTH DAY.

Mr. W. H. Johns.

11 Sept. 1866.

19,994. About the election time?—I was frequently going there.

19,995. I believe you are brother cockfighters?—Yes.

19,996. And supposed to be a good man to send to Gillham on account of your influence in that sport?—I don't know about that.

19,997. Tell us what you did about Gillham?—I do not know but very little.

19,998. Did you offer him any money?—No.

19,999. Who sent you to Gillham?—Mr. Harris asked me if it was any good to name anything, and I said I would try him on.

20,000. What did you try on?—Talking of other business, cockfighting, and so on, we brought up electioneering, and I said, which way was he going to vote? And he said, he did not know. He said he would go for Mr. Most, and I thought that was a very good way.

20,001. You knew about money going?—Yes.

20,002. Did you tell him to go to the "Seven Stars"?—No.

20,003. Did you know that he did go to the "Seven Stars"?—Not that I am aware of.

20,004. Did you tell him where to get anything from Mr. Most?—I wanted to know what he would vote for. I asked him what he wanted, and he said, he must have a heavy sum, because if he did vote the other way, he must take up his awls and be off.

20,005. Was he the duke's tenant?—Yes.

20,006. Did he say what sum?—He did not; I wanted him to say.

20,007. He didn't tell you at all what he expected?—No.

20,008. Did he say to whom he should go to talk about it?—No.

20,009. What is Gillham?—A blacksmith.

20,010. Did you tell him where to go to?—No. He pretty well knew as well as I did.

20,011. Did he tell you where he should go to?—No, he didn't go so far as that.

20,012. Was Gillham the only voter that you talked to at the last election about his vote?—He was.

20,013. Did you get anything for your vote yourself?—30*l.*

20,014. Who gave it to you?—Frederick Evens.

20,015. How did that come about; did you ask him for anything?—He said he thought he could get a little for me.

20,016. Where was that?—At Mr. Goodridge's.

20,017. Where did you get the money?—Mr. Evens gave it to me down at the "Stars," in the back yard.

20,018. How did he give to you?—In gold.

20,019. When was that?—The nomination day morning.

20,020. Didn't you know that many voters got more?—I didn't trouble my head.

20,021. You were satisfied with 30*l.*?—Yes; I didn't expect so much.

20,022. Had you ever any money at any other elections as runner or fighting man?—No.

20,023. Were you mixed up with municipal elections?—No.

20,024. Never voted?—No.

20,025. Have you anything else to tell us about the last election?—No.

20,026. You were not a voter in 1863?—No.

20,027. What is your qualification?—House and workshop.

20,028. What rent do you pay?—10*l.*

20,029. Is it worth 10*l.*, or do you think you are too highly rated?—I am forced to pay it to get the house.

20,030. Who is your landlord?—Mr. Paige.

20,031. Who is he?—A land surveyor.

20,032. Is your rental exactly 10*l.*?—Yes.

20,033. Do you ever get anything thrown back?—No; he is not a man of that sort.

20,034. You pay 10*l.* actually, and vote upon your house and premises?—I do.

20,035. Had you been offered money on the other side the last time?—No.

20,036. Had anybody besides Mr. Evens said anything about money?—No.

20,037. Not Screach, or Mr. Edmunds?—No.

20,038. Did you ever see the mysterious stranger?—No.

Mr. J. Nickells.

JOHN NICKELLS sworn and examined.

20,039. (*Mr. Longe.*) How long have you had a vote for Totnes?—Six years come Michaelmas.

20,040. You voted in 1863 and 1865?—Yes; I voted for Mr. Dent.

20,041. And you voted for Colonel Dawkins and Captain Pim?—Yes.

20,042. At the election of 1863, when you voted for Mr. Dent, who canvassed you then?—Mr. Dent himself.

20,043. Did you give him to understand that you would vote; did you promise him?—Yes; I promised to vote for him at once.

20,044. Did you have a little present afterwards for it?—Yes.

20,045. What did you get that time?—In Dent and Pender I got nothing.

20,046. You say you promised Dent, and voted for him?—Yes.

20,047. And got a present afterwards?—Yes.

20,048. What did you get?—32*l.*

20,049. Who gave you that?—Mr. Woodley.

20,050. How did you know Mr. Woodley?—I have done a great deal of work for him.

20,051. What is he?—A mason.

20,052. You worked under him?—No; I do smith's work.

20,053. What are you?—A smith.

20,054. Did Mr. Woodley talk to you before you voted?—No.

20,055. Had you not arranged with him for whom you were going to vote?—No.

20,056. Woodley had not told you?—Mr. Woodley had not been to me, to my knowledge, about any such thing.

20,057. Did nothing take place between you when he gave you the 32*l.*?—He came to me, and said he could get me a little money, and I said I would be glad of it; I do not go from one side to the other. I vote for the Tories.

20,058. Was that before you saw Dent that he said he could give you money?—I saw Mr. Dent before that, a good bit.

20,059. You had promised your vote before Woodley told you that?—Before I knew I was going to get anything.

20,060. He told you he could get you a little money?—Yes.

20,061. Were not you asked to vote on the other side at that time?—Yes.

20,062. Who asked you?—Mr. Pender himself.

20,063. Did Mr. Pender come alone?—No.

20,064. Who was with him?—I can hardly tell you. I did not know many people in Totnes then, but I think it was Mr. Windeatt, but I would not say exactly.

20,065. Which Mr. Windeatt?—The old gentleman, who is dead, I think.

20,066. Who spoke to you?—Mr. Pender asked me to vote for him. I told him no, I had promised Mr. Dent; he had been there before. But if I had not promised my vote I could not vote for Mr. Pender. I voted for the Tories.

20,067. Upon that, I suppose, Mr. Pender left?—Yes; he said he would see me again, and I told him it was no service, I intended to vote for Mr. Dent

20,068. Wasn't there a hint given you that something might be done for you if you voted for the

Liberals?—I cannot recollect much about it; it is a long time ago.

20,069. Was not there any money offered on the other side as well as for Mr. Dent?—I do not know; when I promised Mr. Dent I didn't know I was going to have anything.

20,070. There was some hint thrown out that something could be done?—I forget.

20,071. You must remember that?—I always voted for one side.

20,072. Do not you remember some hint being thrown out that some gentleman would come and see you again, and that something might be done for you?—It is so long ago that I forget.

20,073. You do not seem to forget all about it. What was it, let us have it?—I do not know.

20,074. When you were asked to vote for Mr. Pender did you think something might be done for you if you voted that way?—There was that what I say.

20,075. There was some hint thrown out?—Yes. They came to me, two of them; Baker, the tailor, was one, and Mr. Dennis.

20,076. When did they come to you?—Before the election.

20,077. What did they tell you?—They said I could have almost any money I wanted if I would go over.

20,078. Mr. Dennis and Mr. Baker, the tailor?—Yes. They did not come both together. I do work for Mr. Dennis. Baker did not come in.

20,079. Dennis came to you?—He came to me.

20,080. What did Baker say?—In reason I could have almost anything if I would go and vote.

20,081. Vote for whom?—Vote for Pender.

20,082. Didn't he name any figure at all?—I asked Baker whether they would give me 200*l.*, and he said, "I dare say they would in a minute."

20,083. What did Dennis say?—He told me I could get anything in reason. He wanted to get me over; because I worked for him he thought he was going to get me over.

20,084. But he was going to get you something too?—Yes.

20,085. Why didn't you take it?—Because my mind did not lead me that way; but I did not know I was going to have anything then.

20,086. You were asked by Woodley then?—Yes.

20,087. It was Mr. Baker who suggested the 200*l.*?—I asked whether he thought they would give me 200*l.*, and he said he thought they would in a minute.

20,088. (*Mr. Bere.*) What is his christian name?—I do not know; it was Baker the tailor.

20,089. Where does he live?—New Walk,

20,090. Was it you that suggested 200*l.*?—I said, do you think they would give me 200*l.*, and he said, "I think they will in a minute."

20,091. What led you to think you would get so much as that?—I just said so; I was not going to vote if I had it.

20,092. If you had got 200*l.* you would not have voted that way?—I would not.

20,093. You suggested 200*l.*?—I said so.

20,094. You meant then to see whether you could get it?—He said he expected I could have it in a minute if I went over, but I would not go.

20,095. Then Mr. Baker came to you and asked you to vote for the Liberals?—Yes.

20,096. And then you asked what money you could get if you voted?—Yes.

20,097. Did he tell you who had sent him—No, he did not.

20,098. Didn't you ask him whom he represented?—I was to go to Mr. Michelmore.

20,099. He asked you to go to Mr. Michelmore?—Yes.

20,100. Which Mr. Michelmore?—I do not know.

20,101. Then you voted for Mr. Dent, and got 30*l.*?—I got 32*l.*

20,102. In 1865 were you still working for Mr. Woodley?—I do work in and out.

20,103. Who canvassed you then for your vote?—Colonel Dawkins.

20,104. Who did he come with?—Mr. James Heath came with him.

20,105. What did you tell them?—I told Colonel Dawkins that I would vote for him.

20,106. You didn't say anything to Colonel Dawkins about money?—No.

20,107. You knew better than that?—I did not know anything about it; I never asked anyone for any money.

20,108. You expected the same little present that was made you before?—I was thinking I might have such a thing.

20,109. You got it?—Yes.

20,110. Who gave it to you?—John Screach.

20,111. Young Screach?—Yes.

20,112. Did he give it to you himself?—Yes; he gave me 34*l.*

20,113. On the other side, didn't they ask you this time too?—I do not know.

20,114. Didn't Mr. Dennis and Mr. Baker try you?—It is not many of them that terrify me now.

20,115. Did Mr. Dennis ask you?—Mr. Punchard came.

20,116. When did he come?—He wanted me to vote for Mr. Pender this last time.

20,117. Who came first, Screach or Punchard?—Punchard. I didn't see Mr. Screach before he brought me the money; not to my knowledge in the election time.

20,118. What did Punchard propose?—He wanted me to vote for Mr. Pender.

20,119. How much did you think you could get from Punchard?—I do not know.

20,120. He gave you to understand you could get something?—He took away his work, that is all I know about it.

20,121. What is Punchard?—He has got a quarry, and keeps a pony.

20,122. How long before the election did Mr. Punchard begin to work you for your vote?—A week before that.

20,123. When did he take away his work?—I have not done anything for him since the election.

20,124. You were working for him before?—Yes.

20,125. What did he say?—Simply asked me to vote for Mr. Pender.

20,126. And Mr. Seymour?—Only Mr. Pender.

20,127. He didn't ask you to vote for Mr. Seymour?—No.

20,128. What did you tell him?—I told him I should not.

20,129. What did he say then?—I said I was going to vote for Pim and Dawkins.

20,130. And what did he say?—I do not know; he came and wanted me to vote.

20,131. You were talking some time?—Yes, and at last I got in a bad temper, and that started him. That is the way when they get on too much; they get rather out of the way, and I have done nothing for him since.

20,132. Is he the only person who asked you for your vote for Mr. Pender? Didn't Mr. Pender call upon you?—Yes, he came himself first.

20,133. Who came with Mr. Pender this time?—I do not know.

20,134. There was someone; Mr. Pender did not come alone?—There was some person with him, but I would not say who. Mr. Pender did not come into the shop, he came to the window.

20,135. Who came in and spoke to you?—Mr. Pender called me forward to the window. I went forward, and he asked me for my vote.

20,136. He didn't come into your shop?—No.

20,137. What did you say?—I told him I could not.

20,138. There was somebody with Mr. Pender?—Yes.

20,139. Who?—I cannot tell you; I think young Mr. Windeatt.

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Mr. J. Nickells.

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20,140. A young gentleman it was?—Yes.

20,141. You thought it was young Mr. Windeatt?—Yes, but I would not say exactly.

20,142. What took place when you said you could not vote?—He said he would see me again, but I said it was no use.

20,143. Who said that? Mr. Pender; and I said I would not give him the trouble, that I would not vote for him, and I dare say Mr. Pender would tell you the same.

20,144. Did anybody else call afterwards? Did Mr. Pender come again?—I cannot tell you; I did not take so much notice.

20,145. Mr. Pender left and said he would come again. Did he come again? No, because I told him he was not to. He knew it was no use.

20,146. Didn't anybody come from Mr. Pender and ask you again?—Yes; Mr. Punchard.

20,147. The second time?—Yes.

20,148. Did Punchard come a second time?—Four or five times.

20,149. Did he threaten you the next time, or tempt you in another way?—I can hardly tell you.

20,150. Did he hold out hopes of your getting anything, or prospects of your losing something?—If I would vote for him I would get something. I do not know that he named any sum, not that I know of.

20,151. Did you suggest 200*l.* this time?—No.

20,152. Anything reasonable, was that the offer?—It is a long way back.

20,153. What did he offer?—I do not think he had much money then.

20,154. Mr. Punchard told you you would get something if you voted for Mr. Pender?—Yes.

20,155. He never asked you to vote for Seymour?—No.

20,156. Did he say to you anything more of that something?—Not that I know of.

20,157. When was it that Mr. Punchard said this?—It was two days before the voting.

20,158. Did anyone else come with Mr. Punchard?—Not that I know of.

20,159. Mr. Punchard never named it before?—No.

20,160. Did he ask you to go to the "Seymour Arms," or Mr. Michelmore's, or anywhere?—No.

20,161. Where were you to get the something?—I supposed he was going to give it to me. I did not have much to say to him. I told him I was going to vote for the other man. I did not have much to say.

20,162. (*Mr. Coleridge.*) When did Mr. Screach pay you the 34*l.*?—In my bedroom.

20,163. In your own house?—Not my own house; I rent it.

20,164. How long before the election?—On the nomination day.

20,165. Did you ever vote at any election without being paid?—Yes.

20,166. Which?—The council election.

20,167. Did you vote at any Parliamentary election without being paid for it?—I think I voted for Mr. Dent.

20,168. What had you then?—I do not know.

20,169. You never did vote at any election without being paid?—No.

20,170. Have you ever voted at any municipal election without being paid? How often have you been paid at a municipal election for voting?—I had some twice.

20,171. Who gave it to you?—At one time Mr. George Heath, and Mr. Watson.

20,172. What you get from Mr. George Heath?—30*s.*

20,173. Who were you to vote for?—I forget; the Tories it was.

20,174. What Mr. Watson gave you was to vote for the Tories?—Yes.

20,175. Those are the only two times you have been paid at municipal elections?—Yes.

20,176. And the only two times you voted at parliamentary elections you received, at one time 32*l.*, and at the other 34*l.*?—Yes.

20,177. (*Mr. Bere.*) Did anybody else besides Mr. Punchard come and see you at the 1865 election? Did Mr. Elliott come and talk to you?—No.

20,178. Mr. Mitchell?—No.

20,179. Mr. Parnell?—I do not know.

20,180. I think Mr. Parnell came; when did he come?—I can hardly tell you.

20,181. Was it not just before the election?—I forget.

20,182. He came and had a long talk with you?—I believe he did.

20,183. Just about one or two days before the election, was it not?—I think it was.

20,184. Did he not say there was a little money to be had on the Liberal side?—Yes.

20,185. Did he put the figure; I think he did; come tell us; a little figure, I think?—No.

20,186. Did you not say the figure?—No.

20,187. Did any money pass, about 50*l.*?—I would not say; I forget.

20,188. You cannot say?—No, I cannot say, I forget.

W. Mitchell.

WILLIAM MITCHELL sworn and examined.

20,189. (*Mr. Bere.*) How long have you voted at Totnes?—1863.

20,190. What did you get the first time?—A sum was sent me.

20,191. How much was it?—I think about 25*l.*

20,192. How was it sent you?—I cannot tell who; I was very ill at the time; I had been ill six months.

20,193. You were not ill enough to be unable to vote?—I had been ill about three months, I had not been out of my bed; and I might say in 1862, when Mr. Dent was here last, I was ill then. It was not possible I could have voted at all. In 1863 I was still ill; I could not leave the house. I belonged to a sick society, therefore I was on the funds of the society, and the parties called on me. I did not see either of the parties that called on me at my house. They were given to understand that I could not vote even if I was well enough, on account of being on the funds of the society, because the society would not allow me to go out of doors.

20,194. Not even for such a purpose as that?—Unless I took myself off the funds of the society. I was taken off the funds of the society, and I voted.

20,195. Did your brother bring the money afterwards?—He brought 25*l.*

20,196. What is his christian name?—George.

20,197. Is he a voter?—No. He brought it home to me.

20,198. Did he get it from Mr. George Heath?—Yes, I think he did.

20,199. What did you get in 1865?—I had 80*l.*

20,200. Did you get that from Mr. George Heath too?—Mr. John Heath.

20,201. Where did he pay you?—At the "Seven Stars."

20,202. Did you go and sit down at the "Seven Stars"?—I went down on the Monday evening.

20,203. The day before the nomination?—Yes.

20,204. Had you been told to go down there by anybody?—No. I had been canvassed by the parties, and at that time I was living in a house that belonged to Mr. Michelmore.

20,205. Mr. Jeffery Michelmore?—Mr. Jeffery was the agent. It belonged to Mr. Philip Michelmore, and after the 1863 election I received a notice to quit. It was very well known what it was for. It was also rumoured about when the general election was likely to come that if I did not vote at all it would be withdrawn. Houses at that time were very scarce, in consequence of politics running so high, and I made up my mind that I would not vote at all. I think all the candidates but Mr. Pender came, and I gave them

all the same answer, that I should not vote at all. On the night of the Monday I went to the "Stars" (I very often go to the "Stars"), and I had a glass of ale. I saw Mr. Heath. He said, "I understand you "are not going to vote at all?" I said, "No; I have "had notice to quit the house I live in, and it will "not do for me to get out in the streets. I will not "vote." He said, "We must have your vote; we are "run very close;" he said, "Will you step in here?"

20,206. Was that the room on the left-hand side?—The left-hand side as you go in.

20,207. Did you go in there with him?—I did. He said, "If you do vote I will recompense you for the "sacrifice you make." He was buying a house in the town that he said would suit me; it was a very large house and it would not put me to inconvenience; but after a time I consented to vote.

20,208. What did he do then; did he go out of the room?—No

20,209. Did he take some money out?—He gave me 50*l.*

20,210. Where did he take it from?—Out of his pocket.

20,211. In notes or gold?—I think he took it out of his pocket.

20,212. Was anybody else in the room?—I rather think there was.

20,213. Was it a person you knew?—I think he was a stranger; I would not be positive, I rather think he was.

20,214. Can you describe the stranger at all?—No, I cannot; it was late in the evening; the gas was on, it is true; but I cannot describe him.

20,215. Did the stranger speak during the conversation between you and Mr. Heath?—No.

20,216. Did you see him hand any money to Mr. Heath or anything to him?—No.

20,217. What did he give you the money in?—It was wrapped up in paper.

20,218. All in gold wrapped in paper?—Yes.

20,219. That was to vote for Dent and Pender?—Yes.

20,220. Mr. Heath found you a house?—No, he did not find the house.

20,221. He has not procured you a house?—I was obliged to go out of a small house that suited me very well into a house three times as large.

20,222. Did you know about the house before?—The house was empty for a long time.

20,223. Has your rent increased in consequence?—Yes; for that one I was giving 10*l.*, and now I am giving 28*l.* I dare say the rates and taxes and rent would come to 36*l.* or 37*l.* a year.

20,224. Did you see anybody on the other side when you came away from the "Seven Stars" that night?—Nobody.

20,225. They did not know how you were going to vote?—No.

20,226. None of them?—No.

20,227. They never crossed the bridge at all?—I was not tampered with at all. Mr. Seymour called on me the day before the election. I told him the circumstances, and that I wished the place disfranchised, for they had put me to great inconvenience. While I was talking to him Mr. Michelmore was looking on; I could see him peeping out round the corner. He knew about it. I told Mr. Seymour all about it.

20,228. When was it you had notice to quit?—It was in this way; I first took the house of the late Mr. Harrison; it got after that into Mr. Michelmore's hands through a mortgage. He did not know exactly when my year expired, and he sent me a running notice. I told Mr. Seymour about it.

20,229. When you told Mr. Seymour about this what did he say?—He said he knew these things did take place; "the best thing you can do is to promise to "vote for me and then it will be all set right," I says, "No, I will not do that, I have always voted for the "Conservatives, if I do not vote at all I will not "vote against them." He said, "Promise me you will "not vote against me," I said "No I shall not do "that."

20,230. (*Mr. Longe.*) Did you go into the smoking room at the "Seven Stars" that night?—Yes, I very frequently go down there.

20,231. At the time Mr. Heath gave you the money?—Yes.

20,232. You saw Mr. Heath?—I met him at the entrance as I was going in.

20,233. Are you quite positive that it was Mr. Heath who settled with you for the sum you were to have?—Yes.

20,234. No one else talked to you about it?—I would not be positive, I rather think it was the other side.

20,235. Who settled with you?—Mr. Heath.

20,236. Who gave you the money. He says, "I "think Mr. Mum was in the smoking room at the "time; did he have any money?—Yes; who gave it "to him?—I do not know but he had some"?—Mr. Heath gave it to me; I think there was a strange gentleman, but he did not say anything to me.

William Bovey sworn and examined.

Mr W. Bovey.

20,237. What are you?—A pastrycook and confectioner.

20,238. You are a voter?—Yes.

20,239. How long have you voted?—I voted at the last election.

20,240. How did you vote?—For Colonel Dawkins and Captain Pim.

20,241. Who first canvassed you?—I cannot say exactly; I think that Colonel Dawkins came first and left his card, I was in the bakehouse and I did not see him.

20,242. When were you first offered any money for your vote?—On the Monday evening prior to the election on the Wednesday.

20,243 Who offered it to you?—Charles Pengilley.

20,244. What did he offer you?—He came to me and asked me if I had made up my mind to vote, and would 40*l.* be any consideration to me.

20,245. For whom were you to vote?—I was to vote for Pender and Seymour.

20,246. That Charles Pengilley was a relation of yours, was not he?—Yes.

20,247. What did you say to him about that?—I said "No, I have made up my mind to vote on the "other side, and I signed the requisition."

20,248. Then you did vote on the other side?—Yes.

20,249. What did you get for that?—Nothing.

20,250. Were you ever offered anything?—No, not by one single soul.

20,251. Neither Mr. Heath nor Mr. Screach?—Never any person came to me to mention about my voting but the four candidates. I may mention a circumstance, I am not certain whether it was the morning of the election or not, that is the only thing; Mrs. Heath came up as she is accustomed to have things from my shop, and I was in the shop and persons were there; she said, "You will come down "by-and-bye." "Oh yes," I said, "I will come down by-and-by, about 8 o'clock." That is the answer I made to all the candidates, for I never promised how I would vote for a particular reason.

20,252. You did not promise the Conservatives?—No.

20,253. What is the particular reason?—If you ask my reasons, I did not care to tell these people who I meant to vote for, I had heard so much about electioneering that I thought I would keep quiet as long as I could before voting.

20,254. I suppose doubtful appeared in the poll books to your name?—Oh, no; they pretty well knew

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Mr. W. Borey.

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which side I was going to vote. I knew a circumstance that made a great impression on my mind 16 or 17 years back, I was at Dartmouth at the time, at Mr. Lindsay's election, and Mr. Herbert; they would take and carry voters away.

20,255. You never had been a lame duck had you?—No.

20,256. You mean to say this, that when the other party knew where the votes were they would go after them, and you have known them to capsize the carriages?—That is it.

20,257. You thought the safest plan was not to let them know how you were going to vote, so that both the parties might think you were open to conviction?—No.

20,258. It was not the possibility of the one outbidding the other?—Decidedly not.

20,259. You never thought you would be offered any money by giving such trouble?—Decidedly not.

20,260. Your only fear was you might be carried away and capsized and peril your neck?—No.

20,261. Your object in keeping your vote till the last was that you might be offered a large sum of money?—Yes.

20,262. After Pengilley had offered you this money did he come back again and offer you more?—Yes.

20,263. He raised the figure?—Yes.

20,264. Still thinking you were then doubtful?—I told him every time he came that I had made up my mind. He was the only person who knew who I was going to vote for, and the only person I told I was going to vote.

20,265. He knew your first impressions had more influence than your convictions; what was the second time?—I think he came the same evening and offered 60*l.*

20,266. Did he tell you where he came from?—From the "Seymour."

20,267. Did he tell you why the "Seymour Arms" had procured him to make this offer?—It was on the Tuesday evening.

20,268. Answer my question?—Did he tell you at all why they had procured him to make his offer?—On the Tuesday when he came to me again he said, "Why do you not like to take the money from me, Mr. "Michelmore cannot come himself; because—

20,269. Because he might be watched?—Yes, those were the exact words.

20,270. He gave that as the reason why he came from Mr. Michelmore?—Yes.

20,271. You were still incapable of being tempted by the 60*l.*; what was the next offer?—He came to me again and said would 80*l.* do.

20,272. Which Mr. Michelmore did he say?—He did not say which.

20,273. When you would not take the 80*l.* how far did he go?—I said, "I have told you before, Charley, "I signed the requisition for them to come down on "the side I vote for."

20,274. He tempted you with 60*l.*?—He came in to borrow a pen to use at the poll, he says, "What "answer am I to take back?" I says, "I am not "offended with them, but I have made up my mind "to vote the other side."

20,275. When did they set to work to know that you were not offended with them but you should vote for the Conservatives. You were going to stand out to the last moment, to 3 o'clock, the public were to be kept in ignorance of it, but still you sent a message to somebody that you were not offended with them?—Not offended with the other side.

20,276. Not offended with Pender and Seymour?—No, my business would not allow me to leave the bakehouse till after two o'clock.

20,277. You wished to be on good terms with all parties?—Yes, as I was in business.

20,278. Eventually you determined to vote for the Conservatives?—Almost all my customers were Conservatives. I thought if I go against my party that support me I cannot look to them.

20,279. You cast up your books and put so many Conservative customers on one side, and on the other so many Liberals, and decided accordingly?—I have always had the opinion for voting for the Conservatives; the very first night I came to Totnes my landlady said, "I do not know what your politics are, this "has always been a Tory house."

20,280. She said so?—She said so to me; "This "has always been a Tory house, and you will get "most Tory customers." That is the foundation of it.

20,281. And if you had voted for Pender and Seymour the odds are you would have lost the custom of the Heaths at the "Seven Stars"?—I do not know.

20,282. Are the "Seymour Arms" people customers of yours?—They may have a cake now and then.

20,283. I suppose Mrs. Thomas supplies the "Seymour Arms"?—I do not know.

20,284. After the time you have told us of, did Pengilley again try you; what was the last time?—I believe the time was about seven in the morning, He says, "What answer shall I take back?" I forget exactly the words and the circumstances, but I said, "If it is anything above 200*l.* I will consider of "it."

20,285. Did he make any offer?—I merely said that to get rid of him.

20,286. Suppose he had come back with an offer of 200*l.*, should you have considered it?—I should have been in a fix.

20,287. You thought the change of politics would not be equal to it?—I hardly knew what to think.

20,288. Your real idea was it was not worth while selling yourself?—Not for 200*l.*

20,289. If he had offered 200*l.* it might have become a question?—I do not know why I said that; merely to get rid of him.

20,290. You heard no more about it?—No.

20,291. The reason you gave before was that you feared if you did not keep your vote dark you might be carried off and upset in a fly. You told Pengilley to tell Mr. Pender at 7 o'clock in the morning you should be down at three?—That was the answer I gave to the candidates.

20,292. Did it not occur to you, if you made it known at 7 o'clock on the polling day, you might possibly fall into some of the pitfalls?—I used to go into the country with bread, and coming home in the evening somebody might get hold of me unawares.

20,293. Your safety lay in staying in your bakehouse till the polling?—I do not think I went out all the week except at night.

20,294. You thought you might be waylaid in the country?—Yes.

20,295. Do you know anything more about the election of 1865?—No.

20,296. After the election was over did you offer your brother-in-law, Charles Pengilley, money, if he would split?—Mr. Edmunds came into the shop, and he said there was going to be a petition to Parliament, and he heard Charles Pengilley was going to be brought up as one of the most conspicuous persons; he asked whether I thought he would be inclined to give evidence of what he knew of it; I forget the exact words. He said he was sure of being convicted; I said he might be trusted.

20,297. Did you tell him that?—I did.

20,298. You signed the requisition?—Yes.

20,299. (*Mr. Longe.*) You had made up your mind from the first?—Yes, just so.

Adjourned to to-morrow at 10 o'clock.

SEVENTEENTH DAY.

Wednesday, 12th September 1866.

WILLIAM H. P. BOVEY recalled.

(*Witness.*) I wish to make an explanation.

20,300 (*Mr. Bere.*) What is the explanation?—In the former part of this inquiry Mitchell, the currier, in his evidence makes mention of my name. He says I was offered money on the Conservative side. I beg to deny that; and also that I was in communication daily with Mr. Edmonds; and I may say positively on oath I have never spoken to the man till months after the election was over.

20,301. (*Mr. Coleridge.*) Who did he say offered you the money?—He did not mention the name. I saw it in the "Mercury."

20,302. There was no name mentioned?—Not who offered the money.

20,303. Were you never offered money for the Conservatives?—No one ever insinuated such a thing.

20,304 The only money offered was by Pengilley?—That is all. No one ever insinuated such a thing.

WILLIAM KELLOW sworn and examined.

W. Kellow.

20,305. (*Mr. Bere.*) Where do you live?—Fore Street.

20,306. What are you, an eating house keeper?—Yes.

20,307. You work for Mr. Condy?—Yes.

20,308. What is the name of the place you keep?—No name to the house.

20,309. Is Condy your landlord?—No.

20,310. Who is your landlord?—The charity trustees.

20,311. Do you know the name of the charity trustees? Mr. Bryett is their clerk?—Mr. Cuming is their clerk.

20,312. You pay your rent to him?—Yes.

20,313. Is Mr. Condy one of the trustees?—I believe he is now. He was not at the time I took the house.

20,314. How long have you lived in Totnes?—I was born here.

20,315. Have you lived here all your life?—Yes.

20,316. When did you first have a vote?—1865.

20,317. Was that a vote on your house which we have heard about?—Yes.

20,318. How did you vote in 1865?—For Pender and Seymour.

20,319. Do you know a man called George Robins Stone?—Yes.

20,320. Do you remember him coming to you?—Yes.

20,321. How long before the election?—I cannot tell.

20,322. Before the Sunday before the election?—I think on a Monday.

20,323. On the Monday before the election?—I think the Monday, the day before the nomination day.

20,324. What time of the day did he come to you?—I do not know. I met him in the street casually.

20,325. Had you known him well before?—Yes.

20,326. What did he say to you?—I can hardly be certain. He whispered in my ear that he could get me some money if I wanted it.

20,327. What were you to do for the money, vote for Colonel Dawkins and Captain Pim?—I understood it as such.

20,328. You knew Stone was a runner for the Conservatives?—Yes.

20,329. You were to vote for Colonel Dawkins and Captain Pim?—Yes.

20,330. How much money did he say he could get?—He told me first 100*l.*, then he said afterwards, "I "do not tell everybody, but I could get you 100*l.*"

20,331. You said you would think about it?—I am not certain; I may have told him something of the kind.

20,332. Who had been to canvass you on the other side?—No one. I beg your pardon; Mr. Seymour came the same day.

20,333. After you had seen Stone or before?—Before.

20,334. Had you promised Mr. Seymour your vote?—Yes.

20,335. Who was with Mr. Seymour?—No one. Mr. Jeffery Michelmore stood outside.

20,336. Had you anything to do with Mr. Jeffery Michelmore?—Never.

20,337. Quite sure about that?—Yes.

20,338. You promised Mr. Seymour your vote, but you had one to spare; you did not promise Mr. Pender?—No.

20,339. When George Robins Stone offered you 150*l.* you began to think about it?—No.

20,340. Did you see George Pengilley that day?—No.

20,341. Did you see George Pengilley afterwards?—I may say at once that the whole of the affair about George Pengilley is untrue. I do not know anything about it. I do not know anything about the 50*l.*

20,342. You had no 50*l.* note?—No.

20,343. George Pengilley never carried a 50*l.* note to the bank?—I had never a syllable of conversation with him about election matters.

20,344. Did you have a piece of paper?—No, never saw a 50*l.* note.

20,345. Did you have any money at all from George Pengilley?—No.

20,346. From any Pengilley?—No.

20,347. From any person on that side?—Yes, on the morning of the election.

20,348. From whom?—I picked it up.

20,349. Where?—At Mr. Parnell's house.

20,350. How much did you pick up?—50*l.*

20,351. Was that a note?—No, gold.

20,352. Having picked it up you put it in your pocket?—Yes.

20,353. Did you pick it up in Mr. Parnell's drawing room or parlour?—Yes.

20,354. On the morning of the election?—Yes.

20,355. What time?—I would not be certain, I think about 7 o'clock.

20,356. How did you come to go?—I had some conversation before the election and he asked me how things were looking up, and I said I heard the Conservatives were looking up." He said "It is a great "temptation but you need not be afraid." And we never had any further conversation, but the night before the election he asked me to come up. He shewed me into the room and I saw it in a parcel and picked it up.

20,357. Was it on the table or the floor?—On the table.

20,358. Was it directed to you?—No.

20,359. Were there any other parcels there besides?—I did not see any.

SEVENTEENTH DAY.

W. Kellow.

12 Sept. 1866.

20,360. Did you see any other persons picking up anything ?—No.

20,361. Did you see anybody waiting ?—No.

20,362. (*Mr. Coleridge.*) Did you meet anybody going away ?—No.

20,363. Did you know there would be a parcel you were to take away ?—No ; I expected such.

20,364. Was there anything else in the room ?—Nothing that I know of.

20,365. Any ornaments ?—I do not know.

20,366. You expected it ?—I did.

20,367. When did you vote before that ?—I never had a vote.

20,368. At the municipal elections ?—No.

20,369. Never voted for the council ?—No.

20,370. (*Mr. Bere.*) Did you ever say to any person that you were fortunate enough to pick up this parcel in Parnell's ?—No.

20,371. (*Mr. Coleridge.*) Did you tell anybody how lucky you were to pick that up ?—No.

20,372. Kept it all to yourself ?—Yes.

Mr. H. D. Pearce.

Mr. Howard Drake Pearce sworn and examined.

20,373. (*Mr. Bere.*) You are the manager of the Devon and Cornwall bank here ?—I am.

20,374. Were you in that office at the time of the election of 1865 ?—I was.

20,375. Will you tell us when Mr. Pender first opened an account with you ?—The beginning of July 1865.

20,376. Did he open the account by a cheque for 500*l.* on Barclay's ?—He opened the account by a cheque, at least he did not open it ; Mr. Jenkins brought the cheque, I believe, for him.

20,377. That is Mr. John Sloggett Jenkins ?—Yes.

25,378. On the 1st July ?—The 1st July 1860.

20,379. 500*l.* on Barclay's ?—500*l.* ; I cannot say it was on Barclay's. If you will allow me to look at the books.

20,380. Is that your handwriting ?—It is.

20,381. Can you tell from that entry whether it was payable to order or bearer ?—No.

20,382. Can you from memory tell whether it was paid to order or bearer ?—I think to bearer.

20,383. Was it on a cheque of Barclay's or a piece of paper ?—I could not say that.

20,384. 500*l.* was paid in on that day ; did he ever pay in any more money to your bank ?—No more.

20,385. How much did he take out ?—He has drawn the whole of it now.

20,386. By cheques at different times ?—By cheques at different times.

20,387. When was the first cheque after the election ?—The first cheque was September 9th.

20,388. Perhaps you will send a copy of that account ?—I have a rough copy here if you would like to see it. (*It was handed in.*)

20,389. (*Mr. Coleridge.*) Is that a statement of the cheques that were drawn ?—It is.

20,390. (*Mr. Bere.*) There are two entries in your book of the 11th July, 1865, both in your handwriting one is Kellock, two 100*l.* notes, 200*l.*, gold, 200*l.* ; " and the other T. C. Kellock, three 100*l.* notes 300*l.*, gold 300*l.*" Can you give us any explanation of those two transactions ?—The only explanation is that I cashed those notes.

20,391. Do you remember cashing 500*l.* notes on the nomination day 1865 ?—I remember cashing several notes, and I believe 500*l.* is the correct amount ; anything in that book I can swear to, it being in my own handwriting.

20,392. This is your handwriting ?—Yes.

20,393. Therefore, from that, it is a memorandum that you yourself gave the change for those notes ?—It is.

20,394. And so that on that day you must have given Mr. Kellock 500*l.* for 500*l.* notes ?—Certainly.

20,395. You see the transactions do not take place at the same time ?—I see.

20,396. Can you tell at all what time in the morning that one is likely to have taken place ?—From the place it is put in I should think about 11 or 12 in the morning.

20,397. And that one ?—I should say just at the close of the day, because there are very few entries after it.

25,398. (*Mr. Coleridge.*) If those were brought by Mr. Kellock they would be entered as there ?—Certainly.

20,399. Suppose they were sent with Mr. Kellock's name on the back of them, would they have been entered in Kellock's name or in the name of the person who brought them ?—If sent by Mr. Kellock, in his name.

20,400. Not of any third person ?—Certainly not.

20,401. (*Mr. Bere.*) How should you have entered them ?—To that gentleman's name.

20,402. You would have made the messenger put his name ?—Yes.

20,403. You know Mr. Kellock's clerk ?—Yes.

20,404. Can you say from your own memory whether Mr. Kellock or his clerk brought the notes down ?—Mr. Kellock himself.

20,405. In both cases ?—In both cases.

20,406. Can you remember at all what you gave the money in ?—In gold.

20,407. I mean whether in bags or loose ?—I may have lent him a bag ; it is just possible ; I gave it in gold.

26,408. And you may have lent him a bag to take it away in ?—Yes.

20,409. After banking hours that day I believe that Captain King came in with a cheque, did not he ?—Yes.

20,410. He went into your private room with that cheque which you cashed ?—He did.

20,411. Tell me was that in notes and gold, or all notes ?—Bank and moneys.

20,412. You cannot tell from that how much notes and how much gold ?—Pretty well ; from recollection I should say 800*l.* bank notes, and I should say about 200*l.* gold.

20,413. Do you remember what Captain King did with the gold ?—He took it away.

20,414. Did you see where he put it. There is a serious discrepancy in the evidence in that matter ?—My impression is that he put it in a newspaper.

20,415. Did you give it to him loose, or put it up in anything, or count it over the table in your private office ?—Did you weigh it ?—Very likely I did, and gave it to him in a bag.

20,416. (*Mr. Coleridge.*) He said he took it loose in his pocket ?—I think the chances are that I should have given it to him in a bag, because we keep it in 200*l.* bags.

20,417. (*Mr. Bere.*) I will tell you the difference between the two statements. Mr. Kellock says he gave the cheque to Captain King. Captain King took it to your office and brought out a parcel. Captain King's statement is, that he went to your office, and you gave him the notes and that you gave him the gold loose, and that he put the gold and notes in his trousers pocket and took that money straight back, and that he gave it to the person he was told to give it to. I am in hopes that you may be able to tell which is the correct one ?—My impression is that the bank note were wrapped up in a paper and the gold was in a bag, and he put it in his pocket. We keep our gold in 200*l.* bags, so that I should have gone to the strong room and got it.

20,418. (*Mr. Coleridge.*) Did he tell you what sort of money he wanted the cheque cashed in ?—He said gold.

20,419. All gold ?—All gold.

20,420. You could only give him 200*l.* ?—Yes ; I could have given him more, but there was a cheque for another 1,000*l.* they wanted to get cashed.

20,421. (*Mr. Bere.*) What did Captain King say to you when he came in ?—Well, he wanted to cash a cheque for 1,000*l.*

20,422. Did he show you the cheque ?—He did.

20,423. And it was a cheque drawn by Smith and Guscotte upon Ransom's ?—Yes, it was.

20,424. Payable to bearer ?—Yes.

20,425. Had you any communication from any person that they thought money would be wanted ?—Mr. Kellock called on me and said he should be glad if I would cash a cheque for Captain King for 1,000*l.*

20,426. When did he call on you and ask you that ?—I think it was about 12 o'clock in the day.

20,427. Before the bank was shut then ?—Yes.

20,428. (*Mr. Coleridge.*) Did he say that it would be brought after banking hours ?—No.

20,429. (*Mr Bere.*) About 12 you say ?—Yes.

20,430. On the Tuesday ?—I think it is Tuesday it is entered there ; it was the day it is entered.

20,431. The cheque is entered Wednesday. That is I suppose because it was paid after banking hours on Tuesday ?—Yes.

20,432. That would not appear in your account as Tuesday's business ?—No.

20,433. Did Mr. Kellock say anything to you as to what the proceeds of that cheque were wanted for ?—No, nothing.

20,434. I do not know whether you take much interest in politics yourself ?—I do not.

20,435. Do you vote ?—I have no vote.

20,436. You pretty well suspected what it was for ?—Yes ; I had my impression what it was wanted for.

20,437. And you were prepared to cash the cheque when Captain King came ?—I was prepared otherwise.

20438. Should you have been prepared, I mean in the sense that a cheque was coming. You would not have known that unless you had been told ?—No, certainly not.

20,439. (*Mr. Coleridge.*) Did Mr. Kellock when he called tell you the way he wanted the cheque paid ?—Certainly not.

20,440. Nothing about it ?—No.

20,441. It was Captain King said gold ?—I cannot say for certain whether Mr. Kellock said he should like to have all gold or not.

20,442. Did he say anything about how he should like to have it ?—I will not be certain.

20,443. Captain King said gold, and you gave him 200*l.* ?—I think either 200*l.* or 400*l.* in gold.

20,444. You were going to say there was another cheque ; at the time you cashed this one were you told there would be another for 1,000*l.* ?— We were.

20445. Did he ever come for another 1,000*l.* ?—No.

20,446. Either on that day or the next ?—No.

20,447. Did you take the numbers of the notes you gave for this 1,000*l.* cheque ?—No ; we never take the numbers of those which we give out, we always mark those that come in.

20,448. Was there anything peculiar on any one of these notes that you remember, any indorsement ?—Do you mean on the notes I gave out ?

20,449. Yes ?—Nothing, that I know of.

20,450. Have you got the numbers of these 100*l.* notes ?—No.

20,451. Those that were paid into your bank ?—By whom were they paid in ?

20,452. By Mr. Kellock.—I should not take the numbers of those. If you can produce the notes I can tell by a mark on the back where we got them from.

20,453. I thought you said you did not take the numbers of those which were paid out, but that you did of all those you which you received ?—Yes ; all the notes we receive we take the numbers of.

20,454. Then you must have received these 100*l.* notes ?—On the back of those notes we have a particular number ; if I could see that I could tell where we got them from.

20,455. On the 11th of July have you got the Bank of England numbers entered of those particular notes ?—No, I have not.

20,456. Here is your writing on the 12th of July in which you have put the number ?—The reason was that I did not know the man, and I cashed it for him.

20,457. You cannot help us to trace these 100*l.* notes unless we could find them ?—If you could produce the notes, and I dare say you might get them from the Bank of England, we could tell by the mark on the back who we had received any of them from.

20,458. But we cannot do that unless we knew the numbers. What did you do with these five 100*l.* notes ? My impression is that on the day of the election we exchanged 1,000*l.*, 500*l.* in bank notes, and 500*l.* in gold with the National Provincial Bank, the balance of the days' exchange was about 800*l.* more ; we had to pay them 300*l.* I believe. They went to the bank.

20,459. Was that the usual difference between you and them ?—It was generally 200*l.* or 300*l.* ; it varies.

20,460. Had there been any particular drafts on you that day ?—This 1,000*l.* I allude to, and these notes and cash.

20,461. That was not between you and the National Provincial ?—No. We have three waste books we use regularly every day. If you turn to another book on the same day you will find the exchange.

20,462. Remittances ?—Yes.

20,463. How would it be headed, "Banking Company ?"—I will show you.

20,464. Do you believe from this you paid in 500*l.* in notes to the bank and received 500*l.* in gold ?—Yes.

20,465. On that day did you send down to Plymouth for 1,750*l.* ?—I did.

20,466. Will you tell us why you sent down to Plymouth for the money ?—I had cashed this 1,000*l.* cheque, and I had reason to believe from Captain King that there would be another 1,000*l.* required in cash. I thought all that would have to be provided.

20,467. You had cashed that cheque on the evening of the day before ; there was time to write by post to Plymouth and get the money ?—Yes, there was.

20,468. What time did you send down Mr. Cole on the Wednesday ?—I think about 11 o'clock.

20,469. Who had been speaking to you before you sent him there ?—No one.

20,470. Had not Mr. Chaster been there ?—No.

20,471. Or Mr. Pender ?—I have never spoken to Mr. Pender in my life.

20,472. Or young Mr. Pender ?—I have never spoken to either of them.

20,473. Had you had any conversation with anyone on the Liberal side before you sent Mr. Cole over to Plymouth ?—No, I had not ; I thought of in this way, that Mr. Pender had a balance at our bank, and I considered it might be as well to be prepared. I was rather a novice in election matters at Totnes.

20,474, Mr. Pender had paid in a sum of 500*l.* in the early part of July and had not drawn any of it out ?—He had not drawn any of it out, but I was not to know that he would not ; I thought he might have required a portion of it.

20,475. Mr. Pender's account, as we understand, only amounted to 500*l.* ; why did you send over to Plymouth for 1,750*l.* ?—We had cashed 1,000*l.* cheque, and I had heard there would be an additional 1000*l.* required.

20,476. (*Mr. Coleridge.*) Can you tell us how much gold you had in the bank at this time ?—I can by looking at our books.

20,477. I mean at the time when you sent over to Plymouth for the sum of 1,750*l.* ?—I suppose that is a question which you would hardly require me to

SEVENTEENTH DAY.

Mr. H. D. Pearce.

12 Sept. 1866.

answer; what is the amount of gold which we keep at our bank?

20,478. It is rather material for us to know what amount of gold you had in the bank at this time. If you do not like to do so publicly you can write it down on a bit of paper?—I shall be very happy to show it you privately.

20,479. (*Mr. Bere.*) I see that on the 10th, 11th, 12th, 13th of July your reserves are very much smaller than they are on the 14th and 15th of July, how did that happen do you know?—We are always taking large quantities of gold and silver in this town, and our custom has been when we get an accumulation of it, more than we think we shall require here, to send it to some of our branch banks, particularly to the bank at Torquay.

20,480. Can you tell us this, whether on the 14th or 15th of July any of your customers paid in to their account at your bank any large sums of money?—No, not that I am aware of.

20,481. Had you several small sums varying from 30*l.* to 100*l.* paid into your bank by any of your customers within a short period after the election?—No, not that I am aware of.

20,482. You have stated there was a cheque drawn by John Heath to the credit of Mr. Matcham?—There was.

20,483. For 235*l.*?—We never saw the cheque, it was stopped.

20,484. Was notice sent to you?—It was.

20,485. Have you got the notice?—I have not got the notice, when that notice was given to us we put it on the file and when the stop was withdrawn we took it off.

20,486. The stop never was withdrawn with regard to that?—Yes.

20,487. When was it withdrawn?—One or two days afterwards.

20,488. My impression is it was given just before the election, a day before, and withdrawn afterwards?—Yes.

20,489. Was it given by delivery by Mr. John Heath on your bank?—I believe he sent up a ticket requesting us not to pay the cheque which had been given to Mr. Matcham.

20,490. As I understand you you have never seen that cheque at all?—Not that I am aware of.

20,491. What happened? Was the cheque, which had been drawn by Mr. John Heath, in favour of Mr. Matcham for 235*l.*, and a notice was sent up to you not to pay it when presented?—Yes.

20,492. And as far as you know it never was presented?—It never was.

20,493. Afterwards you received notice, some time after, that is was withdrawn?—I think verbally; I asked the question if the cheque had been arranged and he said yes.

20,494. Can you by any possible means fix the day when the notice to stop was given?—I could only do it from memory.

20,495. From memory?—Then my memory will tell me it was the day before the election.

20,496. On the 11th?—On the 11th.

20,497. Do you remember whether the ticket specified when the cheque was drawn and payable?—I cannot say, but it is usual to do so.

20,498. Would your attention have been called to the book particularly, supposing in the notice the day of the cheque becoming payable had been after the day in which the notice had been sent?—We should not pay in that case, it is illegal.

20,499. We know it is illegal.—We are very careful about that.

20,500. On the counterfoil in Mr. Heath's book the cheque is the 13th of July, would that make it likely that the notice had been given before the 13th?—I cannot say.

26,501. Your impression is that the notice was given upon the 11th of July?—It was.

20,502. Do you not charge something for stopping the cheque?—Oh, no.

20,503. Can you understand any reason why the stop was withdrawn and the notice given?—We of course do not know the circumstances of the case; if a cheque is stopped we attach a notice to that effect, and if the stop is withdrawn we remove it.

20,504. Do you know who told you to withdraw it?—My impression is there was a memorandum sent up by Mr. Heath.

20,505. That was to place the stop on?—Yes.

20,506. You told me the withdrawal was by word of mouth, who was it, do you remember, who spoke about it?—I think I spoke to Mr. George Heath.

20,507. Do you remember when?—I cannot be positive.

26,508. Or where?—I think several days afterwards.

20,509. Where, in your bank?—My impression is that——

20,510. Mr. George Heath came into your bank probably?—Yes.

20,511. Did he keep an account there?—He did.

20,512. Was he in the habit of paying money in?—He has opened on account I believe; he has had an account with us for about 12 months.

20,513. Will you let the Secretary see your credit deposit book?—Certainly; you mean the deposit of the ledger I suppose?

20,514. Yes. Messrs. Barclay & Co. are your agents in London?—Yes.

20,515. (*Mr. Coleridge.*) Is Captain King a customer of your bank?—He is not a customer, I cash cheques for him.

20,516. Did you have any conversation with him about his not having wanted the second 1,000*l.*?—No, I have not seen him since.

20,517. Did you have any conversation with Mr. Kellock about not wanting it?—I understood he had got it elsewhere.

20,518. When did you understand that from Mr. Kellock?—I think the day after.

20,519. The day after the election?—I am speaking from memory, I think the day after the election.

20,520. You do not think it was the day after you cashed the 1,000*l.* cheque, but two days afterwards?—I think so.

20,521. The cheque is cashed on the Tuesday, the election is on the Wednesday, and this was on the Thurday?—Yes.

20,522. Did Mr. Kellock came into the bank and tell you that?—I think so.

20,523. Do you remember the form of his communication?—I have no idea of it.

20,524. Your impression is he said he had got the money elsewhere?—Yes.

20,525. (*Mr. Longe.*) Do you remember a conversation with Mr. Kellock in which he told you that Captain King was likely to come and cash a cheque?—I do.

20,526. It occurred the day before?—No, the same day the cheque was cashed.

20,527. What did he tell you then?—He said "I "shall be glad if you will cash a cheque for Captain "King."

20,528. In the private room?—No, in the bank.

20,529. He told you the amount?—No, he did not.

20,530. What more conversation took place?—That was all the conversation that took place on that particular day.

20,531. Had you any conversation previous to that in regard to cashing cheques?—No, I think not.

20,532. (*Mr. Coleridge.*) Did Mr. Kellock ever say where he got it elsewhere, did he tell you it was from the Torquay bank, he has told us he got it in the afternoon, that was the day before the cheque was cashed by Captain King?—I think it could not be that.

20,533. That must have reference to something else?—That must have been the same evening, I should imagine; I cashed this cheque, I suppose in the afternoon.

20,534. There is no doubt about the day?—No.

20,535. He has told us he got the 1,000*l.* from he Torquay bank on the Monday, so that this 1,000*l.* e referred to must be something else?—I think he nust have been under a mistake; there was a conersation about another 1,000*l.* at the time this was ashed.

20,536. He came up to the bank at 3 o'clock, and t that time he was gone to Torquay if that had been he same day?—I cannot explain that at all.

20,537. He told you he should not come for the econd 1,000*l.* because he had got it from the Torquay ank?—Yes.

20,538. Did Mr. Kellock tell you anything else esides that he had got it from the Torquay bank?—Ie told me the particulars.

20,539. What were the particulars?—That he had riven down there and seen Mr. Kitson, and that he ad the bank opened. Mr. Kitson got the bank open, nd the money was given him after banking hours.

20,540. Do you know upon what day he did that?—He did not tell me the day; I think the same day hat he called on me.

20,541. You imagine it was the same day that Captain King changed the cheque?—Yes.

20,542. What time he did come you do not emember?—Four o'clock.

20,543. Mr. Kellock has told us he walked up to he bank with him?—He did.

20,544. (*Mr. Bere.*) Did he come into the bank?—No, into the private parlour.

20,545. (*Mr. Coleridge.*) Was he present when ou gave the money to Captain King?—No.

20,546. Did he go out again?—Yes.

20,547. Before you gave the money?—Yes, he ntroduced Captain King to me.

20,548. What did he say?—"I have brought Captain King down; I want you to cash a cheque for him for 1,000*l.*"

20,549. He said that himself?—He did.

20,550. At 4 o'clock in the afternoon?—Yes, he lid.

20,551. He walked out, and you gave the money to Captain King?—Yes.

20,552. Had you any conversation with the other ide about any money being brought in at all by the Liberal party?—No, I had not.

20,553. Not Mr. Parnell, or Mr. Michelmore, or any of them?—No, I had not.

20,554. Had Mr. Cole any communication from hem?—No, I think not.

20,555. Would you have known it if you had?—Yes.

20,556. It would have been his duty to report it to ou?—Yes.

20,557. You only anticipated a run of money, not rom bringing in cheques of Mr. Pender or the other people?—Certainly not.

20,558. You had no communication with Mr. Chaster?—No.

20,559. Are you sure it was in the private bank parlour that Mr. Kellock introduced Captain King?—Quite sure.

20,560. The front part of the bank was shut up at that time?—It was; the clerks had not left the bank.

20,561. Did they come in at a back way?—Not through the bank; through a passage that leads into it.

20,562. Are there any of your clerks who can recollect being present that day, aad who can state that they saw Mr. Kellock go into the room?—I cannot say; the clerks had not left the bank.

20,563. Could they have seen him from the way where he entered into the bank parlour; would he have been seen by the clerks sitting in the bank?—I think so.

20,564. You have no doubt whatever that Mr. Kellock introduced Captain King; you had not known him before?—I had not seen him. I have been in the habit of cashing cheques for him brought by a servant, but all his own cheques, of course.

20,565. Did you take any guarantee from Mr. Kellock that this cheque would be honoured?—I did.

20,566. From Mr. Kellock?—Yes.

20,567. Was the guarantee in writing?—In writing.

20,568. Have you got it?—No, I have destroyed it now.

20,569. (*Mr. Bere.*) When did you destroy it?—I should think a few months ago.

20,570. What was the nature of the guarantee?—I said, "If you want me to cash a cheque for Captain "King, I have cashed his cheques and I know he is "a man of property and all that sort of thing, but "you must give me a guarantee."

20,571. Did he then and there write a guarantee?—He sent it down.

20,572. Was it stamped?—On a plain piece of paper. It was, I believe, something in this form, "I undertake to make good the 1,000*l.* cheque cashed "by Captain King, drawn by the different parties."

20,573. It was sent down in his writing?—Yes.

20,574. How long since have you destroyed the guarantee?—I cannot say; I think about three months.

20,575. Since the commission was issued?—I was turning over my papers that were of no use.

20,576. The commission was issued in June?—It may have been longer; I cannot say when I destroyed it.

20,577. Was it before the petition was tried in London?—I think so.

20,578. Did Mr. Kellock ask you to destroy it or give it up?—No, not at all.

20,579. Have you ever mentioned to Mr. Kellock it being destroyed?—No, never.

20,580. In the ordinary way of business, when you take a guarantee, and the instrument of which it is the guarantee is honoured, do you destroy the guarantee at once?—Not till I found the cheque was paid.

20,581. Why did you not destroy it when it was paid?—I dare say I did; I cannot say I did.

20,582. This cheque was drawn more than a year ago?—I cannot say to the time; it is possible six or nine months ago.

20,583. In the regular course of business you would destroy it when the cheque was paid?—Certainly.

20,584. This would be paid in July, 14 months ago?—Yes.

20,585. Will you say whether you did destroy it at once, or whether it was mislaid?—As I mentioned before, I was turning over my papers and I came across the document. I fancied it was of no use keeping it, and I destroyed it, but when I cannot tell you.

20,586. I see a cheque drawn by Mr. Pender for 200*l.*, Christie, do you know anything about that?—That has been drawn out very lately.

20,587. Was it payable to order or bearer?—It was. I had a letter from Mr. Christie saying that Mr. Pender would draw for this amount.

20,588. Who is he?—I have no idea.

20,589. Where did he write from?—I think from London; the cheque came from London.

20,590. Did he draw upon the balance of the account for the sum of 200*l.*?—He drew 200*l.* more than he had. Yes; Mr. Christie wrote me down to know whether to give interest or not. I wrote back to say it is not our custom.

20,591. Do you remember Mr. Christie's directions?—I think I may be able to produce the letter.

20,592. (*Mr. Coleridge.*) When Mr. Kellock called in the morning to say there was another 1,000*l.* cheque here, did you tell him you should require a guarantee? How early in the afternoon did Captain King come?—At the time he called in the morning I said, "I shall be happy to cash the cheque, but you "must give us your guarantee."

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Mr. H. D. Pearce.

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20,593. When he called in the morning he told you it would be Captain King who would bring the cheque?—He did.

20,594. It was on that occasion you told him about the guarantee; did he send it before or after you cashed the cheque?—After.

20,595. Do you recollect when you received it?—I think the next morning.

20,596. Did you say anything to him? Was he present when Captain King said that another 1,000*l.* might be wanted?—Yes, he was.

20,597. Did he say anything about it?—He was the person that said it.

20,598. It was Mr. Kellock who said that another 1,000*l.* might be wanted?—Yes.

20,599. Did you tell him you should require a guarantee in the same way?—He did not say that; he would have done it.

G. Beer.

GEORGE BEER sworn and examined.

20,600. (*Mr. Longe.*) What are you?—I drive at the "Stars."

20,601. Are you always employed by Mr. Heath at the "Stars"?—Yes.

20,602. How long have you had a vote?—About 18 or 19 years.

20,603. When was the first election at which you voted?—Baldwin's last election.

20,604. You voted for Baldwin?—Yes.

20,605. Have you always voted for the Conservatives?—Always.

20,606. When you voted for Mr. Baldwin were you in the employment of Mr. Heath?—No, of Mr. Webb; it was the same house.

20,607. You have always been at the "Stars"?—I have been there nearly 27 years.

20,608. Did you have any present for voting at that election?—I got a week's hard work, and never got a penny for it.

20,609. You mean by driving Mr. Webb's horses?—Yes, I never got paid a penny for it; not for my work.

20,610. Were you promised anything?—I expected to be paid for my work.

20,611. How are you paid generally?—By the people who are there; we get no wages.

20,612. What class of people were those who you drove about?—I drove Mr. Baldwin about canvassing, and other gentlemen; I cannot tell who they were. There was one party that I was out with for two nights.

20,613. Where did you go with them?—I took them away near to Ashburton, and then fetched them again in four or five days after.

20,614. How many of them were there?—I think there were four.

20,615. Were they what you call lame ducks?—Yes.

20,616. Who went to take care of them with you?—Henry Forster. His brother William was one of them; he is now dead.

20,617. Is Henry Forster in Totnes now?—Yes.

20,618. You got something for that?—No.

20,619. Was there no understanding that you were to have something for your vote?—I never asked for anything and never expected anything.

20,620. But sometimes they give it without asking?—Some have had it.

20,621. At that election there was a good deal of money going about?—I heard so.

20,622. You got none of it?—Not a halfpenny.

20,623. Did not your wife at that election get anything?—I am certain neither my wife nor myself had anything.

20,624. The next election was in 1857 when Mr. Mackenzie and Mr. Gregory were here; do you remember that?—Yes.

20,625. Those gentlemen were at the "Stars"?—Yes.

20,626. Mr. Heath was the landlord then?—I think he was.

20,627. Were you employed again in the same work?—Yes.

20,628. Were there any lame ducks at that time?—No; I do not think I drove any at that time.

20,629. Did you drive Mr. Mackenzie and Mr. Gregory about then?—Yes; canvassing.

20,630. What did you get then?—I gave in a bill then.

20,631. A bill for your services?—Yes; the other drivers, I believe, gave a bill to Mr. Edmonds, who was the agent.

20,632. And you got that bill paid?—It was sent down when the master's bill was paid.

20,633. You asked for Mackenzie and Gregory?—Yes.

20,634. Did you get nothing that time?—No; I never asked for anything and never expected anything.

20,635. It seems the servants came off the worst; the more they do the less they get?—That is so, I think.

20,636. Neither you nor your wife got anything for your vote that time?—Not a penny.

20,637. Did you ask for anything?—No; I never thought of asking.

20,638. In 1859 it was Mills and Dunn; was Mr. Dunn at the "Seven Stars"?—Yes.

20,639. And were you employed in the same kind of work?—In the same sort of work.

20,640. Did you drive Mr. Dunn about?—Yes.

20,641. And Mr. Mitchell also?—Yes.

23,642. How did you manage then, do you remember? Did you send in a bill?—Yes, I think we did.

20,643. And did Mr. Edmonds settle your bill again as before?—Yes.

20,644. Do you remember what it was?—I do not.

20,645. Was there not a good deal of money going about at that time?—I heard so.

20,646. But you did not manage to get any that time?—Not a penny.

20,647. And you voted on that occasion?—I did.

20,648. For Mr. Dunn?—I did.

20,649. In 1862 do you remember the election, when Mr. Dent withdrew?—I do.

20,650. Did you again work hard on that occasion?—Yes.

20,651. You did not vote?—No; that was the first time; I think it was stopped on the night before.

20,652. Were you promised anything at that time?—No.

20,653. Did you not ask for anything?—No.

20,654. I suppose the other servants at the "Seven Stars" must have looked after themselves; there was plenty of money going about there at that time?—I do not think there was any voter in the yard at that time except me. I do not know that our ostler had a vote at that time, he has now.

20,655. The waiter, had he a vote?—The waiter who was there then, Clarke, who lives at Newton, he had a vote. The present waiter was not there then.

20,656. Did the waiter get some money for his vote on that occasion?—That I do not know.

20,657. Did you not tell Mr. Heath about it?—No.

20,658. And did he never offer you anything?—No.

20,659. Then how did you get paid in 1862?—We were paid by the master; he charged for the servants in his bill, I think.

20,660. In 1863, when the election followed very close on the preceding one, were you very busy then?—Yes, very.

20,661. Had you any lame ducks at that time?—Yes.

20,662. Who were they?—I think Stoyle, Norrish, Muggeridge; William Willis went as a guard.

20,663. Where did you go to?—I do not know the

name of the place; we went away on a very dark night.

20,664. Is that the only trip which you had with the lame ducks on that occasion?—Yes.

20,665. And you voted for Dent?—I did.

20,666. Did you get anything on that occasion?—No, I did not.

20,667. You did get anything after the election?—No.

20,668. No one made you any present?—No.

20,669. Did you not get a little extra pay?—We generally get pretty good pay at election times; something different from what we do generally.

20,670. You do not charge three pence a mile then, but something more?—Sometimes we get a job of half a mile only, or a mile, and we should be badly paid for that if we got only three pence.

20,671. Then how do you charge for such jobs?—We are obliged to take the short and the long jobs together.

20,672. Did you send in your bill on that occasion?—I think master paid me; the servants were charged in the hotel bill.

20,673. In 1865 at the last election Colonel Dawkins and Captain Pim were at the "Seven Stars"?—Yes.

20,674. Did you have any lame ducks at that election?—No.

20,675. Did you bring Mr. Mum to the hotel on this last occasion?—That I do not know, I am sure; I might have done so.

20,676. Were there any lame ducks taken away in the carriages belonging to the "Stars"?—I do not think our carriages took any away.

20,677. What was your business?—Driving the gentlemen about canvassing, Colonel Dawkins and Captain Pim.

20,678. And Mr. Murchison, did you drive him about?—I do not know him by name; there were some strange gentlemen who went about with Colonel Dawkins; I do not know their names.

20,679. How long were you working on that occasion?—Several days.

20,680. And you voted for Colonel Dawkins and Captain Pim?—Yes.

20,681. And you got something that time?—No; not a penny.

20,682. Did you ask for anything?—No.

20,683. Did Mr. Heath offer you anything?—No.

20,684. Were you ever offered anything by the other side?—No.

20,685. Or were you asked for your vote at all?—No; they knew it would be no good to ask me.

20,686. Do you remember one night your bringing down young Mr. Pender?—No; I took his luggage from the station one morning when he came down by the mail train; I was ordered to meet a gentleman, a friend of Captain Pim's.

20,687. On what morning was this?—I think it was a morning or two before the polling day; either the nomination day or the day before.

20,688. How many gentlemen came by that train, do you remember?—I do not remember; I took one, and Mr. Pender walked; I told him I would take his luggage to the "Seymour."

20,689. Did you know young Mr. Pender?—I had seen him with his father; I asked the servants at the "Seymour" when I went to be paid who it was, and they told me it was young Mr. Pender.

20,690. What was his luggage?—It was a square box and a portmanteau.

20,691. Did you ever hear what was in the box?—It was a very heavy box, it might be that square (*describing it*).

20,692. Was it very heavy?—Yes; 50, 60, or it might be 70 pounds weight.

20,693. What kind of box was it?—As far as I recollect it was polished wood.

20,694. With a handle to it?—No, I think a leather strap was buckled round it.

20,695. Was it covered with leather?—I think not.

20,696. What did you think it was when you got hold of it?—I thought there was gold in it. I came back to the yard and said I had taken a good whack of gold to the "Seymour" hotel.

20,697. Are you sure it was not a bag?—It was a box.

20,698. What made you think it was gold?—It was so heavy, I knew it could not be wearing apparel. I knew it was some metal or other by the weight.

20,699. (*Mr. Coleridge.*) It might have been cartridges?—It might.

20,700. Was it that sort of box which gentlemen carry about with them when they go out shooting?—I do not know that I ever saw one of them before.

20,701. Have you ever seen a gentleman with a gun-case who had a large box of that sort very heavy?—I have seen boxes like that with commercial gentlemen.

20,702. (*Mr. Longe.*) Was it Henry Forster whom you spoke of?—Yes, that was in Baldwin's election, he went as the guard.

20,703. Have you not seen him at this last election at the "Stars"?—I have always seen him about.

20,704. Do you know has he done anything of that sort lately?—Not that I am aware of.

20,705. Has he not been out getting voters with you?—Not since the time I spoke of.

Mr. Thomas Creaser Kellock recalled.

Mr. T. C. Kellock.

20,706. (*Mr. Bere.*) I understand, Mr. Kellock, you have been annoyed at something which passed relative to the banking account, and I wish to clear up a misapprehension which exists on your part as to an entry in the ledger of your account with the National Provincial Bank, where there is the name of Kellock opposite to an erasure. We were necessarily anxious to inquire how that came there, I am sorry you were not satisfied, as we were perfectly satisfied with your own explanation of it. We are further strengthened as to its being a mistake by the evidence of Mr. Yabbicom yesterday, and we are perfectly satisfied with that part of the account?—You will allow me to say that I was very much annoyed at it myself.

20,707. You can well understand that an erasure being found in your ledger account we should wish you to explain it?—I have never seen that ledger account in my life, I produced my own books which were clear, and there were certain questions put to me which thoroughly misled me at the time.

20,708. And your pass-book explains it completely?—I am content with that explanation.

20,709. Have you told us all that passed between you and Mr. Pearce, either by word of mouth or in writing, as to the cashing of the 1,000*l.* cheque by Captain King?—I may say generally that at this distance of time, with the mind thoroughly occupied on matters of business, since it is impossible for me without explanation to enter into such minute details as were inquired about, but I answered the questions which were put to me to the best of my recollection. Since this inquiry has been going on, the subject has been recalled to my mind prominently, and many minor points have been brought to my recollection by the questions and the answers I have given, and I have endeavoured to rake up in my mind every incident connected with that cheque; and subsequent to Captain King's examination, I intended to tender myself as a witness to endeavour to give every explanation in my power of the matter. In reply, I believe I may say that I had an interview previous to the cashing of the cheque with Mr. Pearce.

20,710. Did you tell Mr. Pearce at that interview anything as to how the cheque was to be cashed, or through whom?—I believe I went to the bank for the purpose of cashing the cheque myself.

20,711. Was that after the cheque had been cashed

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as Torquay?—I cashed the cheque at Torquay on the day before.

20,712. The cheque was cashed at Torquay on the Monday, and this is the transaction on the Tuesday?—I wish, so far as my recollection goes, to be guided by anything in writing at the time, or by Mr. Pearce's evidence, as to any circumstances which Mr. Pearce has represented by way of explanation, and I shall be happy to give any further explanation that I can. I think I first went to the bank to get the cheque cashed myself; I then changed my mind on account of Mr. Cole being there, and went back and did not go in at all. I think I had an interview with Mr. Pearce a second time with the intention of cashing the cheque, and had some conversation with him about it.

20,713. Did you tell him how the cheque had been cashed, and when, or by whom?—Whether I had seen Captain King previously, and had asked him to do it, or whether I saw him afterwards and asked him to do it I am not clear; it is possible that I may have seen him previously and have gone to Mr. Pearce afterwards, and then arranged for him, Captain King, to call there and cash the cheque; it was either one or the other, I am in some doubt about it.

20,714. Mr. Pearce has stated here this morning that you came to him and told him that you would send Captain King?—Whether I saw Captain King previously or afterwards I am not clear.

20,715. When did you receive the cheque, in the morning or on the night before?—I do not know when, it was, I think, either in the middle of the day or afterwards.

20,716. Both the 1,000*l.* cheques are drawn on the same day and in the same manner?—I think Mr. Edmonds gave them both to me; on referring to his evidence you might find the time when the second was given to me.

20,717. Did Mr. Edmonds tell you he might want some more money before he gave you the second cheque?—That I do not recollect.

20,718. Do you remember where he gave it to you?—I believe at the "Stars."

20,719. Was it in your room?—I cannot acknowledge it as my room.

20,720. In No. 8, we will not call it your room?—I have no recollection where it was.

20,721. You are not certain whether you had spoken to Captain King before or not, but the impression which you have given us from your evidence has been that you met Captain King accidentally, and that you then on the spur of the moment instructed him to cash the cheque?—I believe that that was so, whether I went to the bank afterwards and told Mr. Pearce about it I cannot say.

20,722. That could hardly be the case, the 1,000*l.* cheque was not cashed until after banking hours?—I believe as I said before I had it previously at the "Stars" and went to the bank and did not cash it, it was not cashed until after banking hours.

20,723. The evidence is, "*Q.* In 1865 were you concerned in cashing a cheque at the Devon and Cornwall Bank?—*A.* As I was coming out of the 'Seven Stars' I met Mr. Kellock, who said, 'I want a cheque cashed, if you will do it for me I shall be much obliged to you,' I went and presented it and gave him the money in notes and gold." Considering that that must apply to the very time that you gave him the cheque to be cashed, does not it seem to convey the impression that you had a prior conversation about being prepared to cash the cheque?—I do not think I had, and my explanation would be this; that I must have gone to the Devon and Cornwall Bank after that conversation with Captain King, and arranged with Mr. Pearce for Captain King to call for the amount.

20,724. The mistake may be that Captain King in putting the conversation at 4 o'clock, when it took place earlier?—I am satisfied it was earlier than 4 and when one does recollect a fact it relieves one's mind and if you will allow me I will explain. I believe in my former evidence I say I was in some doubt whether I would not go somewhere else by the 2.55 train to get the cheque cashed. Without being able to remember the hour, that little feature leads my mind to the conclusion that I must have had the cheque at all events at 2.55 or previously.

20,725. Perhaps I had better read you the evidence to refresh your memory. I will read you the account you yourself gave. It is: "*Q.* When did you know "first that another cheque must be cashed?—*A.* After "the nomination was over, and we had returned to the "'Seven Stars.' *Q.* Then you and Mr. Edmonds "went up to your own little room?—*A.* I believe he "came to me. I do not think we went to the room; "he came to me shortly after and asked me whether "I could get another cheque cashed. *Q.* Did he give "you the cheque?—*A.* I believe I got it afterwards. "*Q.* From Mr. Smith?—*A.* He brought it to me. *Q* "It bore Mr. Smith's signature, Smith and Guscotte? "—*A.* I cannot remember. He brought me a cheque, "which I understood came from Mr. Smith, and asked "me to get it cashed. *Q.* When was that?—*A.* It was "about 2 or 3 o'clock. *Q.* What did you do with that "cheque?—*A.* I intended at first, whether it was my "own mind or Mr. Edmonds asked me, to go by the "2.55 train to get it cashed. *Q.* Where to?—*A.* I "suppose, where he thought I could get the money. "I do not think there was any place mentioned; but "I did not go, there was something said about going "by train, but I did not go. *Q.* Something was said "to you but you did not do it?—*A.* I met Captain "King, who is a gentleman who took an interest in "Totnes elections, and asked him to go and get it "cashed. *Q.* Did he consent?—*A.* He did. *Q.* "Did you tell him what it was for?—*A.* No. *Q.* "Come, now, did you tell him that it was for "the purposes of the election; one gentleman "does not ask another to get a cheque cashed "without giving some reason. What was the reason "that you did not do it yourself?—*A.* If you ask "me to give you direct evidence of the conversation "I cannot do so. *Q.* You did not say to Captain "King in the street, 'Here is a thousand pound "'cheque, will you get it cashed?' without telling "what it was for?—*A.* I think very little "passed. *Q.* Did you tell him that it was for the "purpose of the election?—*A.* I do not think I did. "*Q.* Did you tell him it was for your own private "purposes?—*A.* I do not think I did. *Q.* What "did you tell him it was for?—*A.* I told him "that I had a cheque for 1,000*l.* which I wished "to get cashed, and I believe he had previously been "a friend of Mr. Dent's at Totnes, and I suppose he "assumed it was for election purposes. *Q.* Did you "tell him it was for election purposes?—*A.* I do not "think I did. *Q.* Where did he get it cashed?—"*A.* At the Devon and Cornwall bank. *Q.* In this "town?—*A.* In this town. *Q.* Why did not you do "it yourself?—*A.* Because I did not wish. To tell "you the truth I regretted their having got the one "cashed on the previous day. *Q.* Are you quite "certain about this being the nomination day?—*A.* "I am certain in my own mind. *Q.* Not the election "day?—*A.* Oh, no; I may say positively it "was not the election day, because my own opinion of "the election——. *Q.* Was it after banking hours? "—*A.* Although it might be after banking hours, "after 3 o'clock, the bank had not closed, I believe, for the purposes of business. *Q.* Did some "conversation take place with Captain King? Did "he say it was past banking hours, or anything of "that sort?—*A.* I walked with him to the Devon "and Cornwall bank. *Q.* Did you go in with him? "—*A.* No. *Q.* How long was he in?—*A.* He went "in and got the cheque cashed, and came out again "and joined me in the street, and I walked back "with him. I dare say he was in the bank ten "minutes or a quarter of an hour. *Q.* How did he "bring the money out?—*A.* I did not see it till I "got back to the 'Stars.' *Q.* Did you tell him what "to get it in?—*A.* I do not think I did. *Q.* Come? "—*A.* I might have done so. *Q.* Suppose he had

" brought it out in a 1,000*l.* note, that would not " have suited you. Did not you say 'Get this in " 'gold or small notes,' or something of that sort?— " *A.* I do not recollect. *Q.* Try to recollect. Here " is a transaction of a thousand pound cheque, and all " you have told us at present is, that you met a gentleman in the street and asked him to get it cashed? " —*A.* And he did so. *Q.* But do you mean to say " that you gave him no reason for wishing him to get " it cashed?—*A.* To tell you the truth, I do not recollect what passed at this distance of time. *Q.* " You do not mean to say that you met a gentleman " in the street and asked him to get a thousand pound " cheque cashed without giving any reason. The " natural thing would be that he would say 'Why " 'not do it yourself?'—*A.* I do not think he said " so. *Q.* Not something to that effect?—*A.* I do " not recollect. Captain King may be able to come " and refresh my memory on it. *Q.* If you gave no " reason for doing it, he would have thought you " might very easily have done it yourself?—*A.* I " know what passed in my own mind on the subject. " *Q.* I dare say you gave vent to it in words?—*A.* " That I did not wish to do it myself. *Q.* Did " you tell Captain King so?—*A.* Probably I may " have done so. *Q.* Did you tell him that you had " been to Torquay the previous day and cashed a " 1,000*l.* cheque, and that you did not like to do it " the following day?—*A.* No. *Q.* Was Captain " King on the Conservative committee?—*A.* No. " *Q.* Then as far as we have it at present, you did " not tell Captain King why you did not want to do " it yourself at all?—*A.* I do not think I did. *Q.* " Are you sure?—*A.* No, I am not sure. *Q.* Did " you give him any instructions as to the form in " which you wished to have the money?—*A.* No; " I do not recollect that I did so. *Q.* Will you swear " it?—*A.* I cannot possibly say that any conversation " occurred, it may possibly be. *Q.* Do not you recollect a conversation to the effect that you wished " to get this cheque cashed, and did not like to get " it done yourself, and would he get it done in gold " and small notes. I mean, supposing Captain King " had gone and got it done in 100*l.* notes, that would " not have suited you. Did you ever in your life ask " a gentleman to cash a 1,000*l.* cheque for you " before?—*A.* I do not think I did. *Q.* Did you " ever ask anybody to go to the bank to get a large " cheque cashed for you when you might have done " it yourself?—*A.* I do not think I did; certainly " not for electioneering purposes. *Q.* I mean, it is " not usual if you meet a man in the street, to ask " him to get a cheque cashed for you?—*A.* Certainly " not. *Q.* Did not Captain King perfectly well " know that it was election purposes you wanted him " to do it for?—*A.* I have no doubt in my mind that " he did know, but to tell you distinctly what words " passed I cannot. *Q.* Did not you tell him the " form in which you wished this money?—*A.* I may " have done so, but I do not recollect. *Q.* Did you tell " him before he cashed the cheque where to bring " the money to?—*A.* I waited for him, and walked " back to the 'Stars' with him. *Q.* Did you tell " him to go and get this cheque, and I shall wait for " you, and we will go to the 'Stars' together?—*A.* " I do not know that I did. *Q.* Did you tell him " not to give you the money in the street, but wait " till you got to the 'Stars'?—*A.* I do not recollect " anything of the sort. *Q.* You do not recollect " anything at all about it; about telling him where he " was to give you the money, now try to recollect? " —*A.* No. *Q.* Without having told him anything, " by intuition did he walk down by your side to the " 'Seven Stars'?—*A.* He came out of the bank and " walked to the 'Stars' with me. *Q.* When he " came out of the bank did you say 'Have you got it " done?'—*A.* No doubt I did, or something to that " effect. *Q.* (*Mr. Bere.*) Was not the reason that you " did not want to go to the Devon and Cornwall bank " because there was somebody on the other side of " the street you thought would know you, or in at the " bank?—*A.* That was no reason. That gentleman " has been in Court since, and I am told has given " evidence that I did go in and cash a 1,000*l.* cheque " myself. That is not the case. *Q.* (*Mr. Coleridge.*) " Who do you mean?—*A.* Mr. Cole. *Q.* (*Mr. Bere.*) " Mr. Cole is an active supporter of Mr. Pender?— " *A.* I believe so. *Q.* (*Mr. Coleridge.*) To the best " of your belief this 1,000*l.* cheque was cashed after " banking hours?—*A.* I believe it was cashed between " 3 and 4. *Q.* Because it appears in the book " as being cashed the polling day and not the nomination day. Did you cash another 1,000*l.* on the " polling day?—*A.* Certainly not. *Q.* Then you " went to the 'Seven Stars.' Where did you go to at " the 'Seven Stars?'—*A.* I went upstairs, I think to " Colonel Dawkins' room. *Q.* And Captain King " with you?—*A.* And Captain King with me. *Q.* " What had Captain King got the money in?—*A.* In " a parcel. *Q.* Done up in a parcel?—*A.* I saw it " when we got to the 'Stars.' *Q.* In Colonel Dawkins' room?—*A.* I cannot tell you the room; to the " first floor, whether Colonel Dawkins' or Captain " Pim's room I cannot say. *Q.* You did not go to the " little room, No. 8?—*A.* I believe we went to the " room which is between two large rooms. There is " a small room between a room called Colonel Dawkins' room and a room called Captain Pim's room. " *Q.* You believe it was that room; you do not believe " it was your own little room on the top of the stairs? "—*A.* This room is not at the top of the stairs between " the two rooms I have described. *Q.* The little room " No. 8 is just at the top of the stairs, facing the bedroom?—*A.* I do not think that room, but the room " between the two large front rooms. *Q.* Who was " there?—*A.* I believe I saw Mr. Edmonds. *Q.* " Who was present, now be careful with this; who " was present there while Captain King delivered " himself of his burden?—*A.* I believe we saw Colonel " Dawkins' servant. *Q.* Was anything said to Colonel " Dawkins' servant at this time?—*A.* So far as I recollect Captain King sent up, and to use your own " words, delivered himself of his burden by putting " the parcel on the table, and Colonel Dawkins' servant was asked to keep guard over it until I went " and called Mr. Edmonds, who came and took it. " *Q.* Colonel Dawkins' servant watched the money " before it was unpacked?—*A.* I believe so. *Q.* " Was that before Mr. Edmonds came in?—*A.* I think " so. *Q.* Did you see it unpacked?—*A.* I did. *Q.* " What did it consist of?—*A.* It consisted chiefly of " gold. *Q.* You had not asked Captain King to get " it in gold when he went to the bank?—*A.* Your " question has refreshed my memory as to the circumstances. I think part was in notes, and my reason " for thinking so is, that out of that 1,000*l.* Mr. " Edmunds repaid me the 300*l.*, the value of Captain " Pim's cheque which I had cashed for him the previous day. I believe that 300*l.* was given to me in " small notes. *Q.* Have you any doubt of it?—*A.* I " have none; when you asked me the question, at the " moment, I had forgotten it. *Q.* Having received " the 300*l.* in notes, were there any more notes left, or " was all the rest in gold?—*A.* That I cannot say. " *Q.* What is your impression?—*A.* My impression is " that the greater part was in gold. *Q.* Did you not " expect that you were to be recouped the 300*l.*?" I will put to you shortly the effect of that statement, with regard to your actually going to the bank; that you met Captain King without arrangement?— *A.* I did not say that.

20,726. That is the impression on my mind.—You have asked me a positive question on that this morning——

20,727. I am going to put to you the effect of that evidence. You then went to the Devon and Cornwall bank, you stayed outside and the money was brought out by Captain King into the street, that you and Captain King walked down the street to the "Seven Stars," that you and Captain King went up stairs into the room at the "Seven Stars" and there Captain King took out the money wrapped in a parcel and

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placed it on the table ?—There are two points I wish to explain : may I ?

20,728. Yes.—I do not think I said outside in the street, I said not in the room.

20,729. Did you go in with him ?—I went into the banking house.

20,730. Are you quite sure you did not go into the manager's room ?—I am almost positive in my own mind that Captain King went to the manager's room, and I waited in the ante-room or passage. I should like to hear Captain King's evidence on that point, it is a very minor one.

20,731. It is not a minor point, because there is a remarkable fact takes place there according to Mr. Pearce's statement. The shorthand writer will read the evidence to you but I will state the effect of it to you first. Mr. Pearce states that you came to him and intimated that Captain King would come and cash a cheque for 1,000*l.* about 11 or 12 o'clock in the morning, and that you and Captain King came to his room and that you introduced Captain King to him as the person who was to receive the money, that he asked you a question to which you answered, that you then left the room and Captain King received the money and you afterwards sent Mr. Pearce something in consequence of the conversation. Now first of all has that evidence of Mr. Pearce refreshed your memory sufficiently for you to be able to correct your evidence by saying that you went to the manager's room with Captain King ?—I believe I went into the room with Captain King, that I retired and stood outside the room while the money was paid to him.

20,732, That agrees so far, but until to-day we were not aware that you went to the manager's room yourself ?—Mr. Pearce will tell you that I am frequently in the habit of going to the bank and seeing him, so that it would not be an exceptional circumstance if I did so then.

20,733. It may make a difference with regard to Captain King as to whether you were present and introduced him and he was simply an instrument to receive the money for you whether he was an active agent in obtaining that money, therefore on his part I should wish you to correct your evidence, if my reminding you of what Mr. Pearce has said will enable you to do so ?—Let me say at once publicly that I am as desirous as possible of giving you all the information I can.

20,734. I am afraid your recollection is rather deficient ?—It may be so.

20,735. I had hoped that I should have refreshed your recollection with regard to another transaction that took place, after the conversation with the manager, did you send up anything to the manager afterwards?—It has this moment flashed across my mind that at one of my interviews, Mr. Pearce not knowing Mr. Smith or Smith and Guscotte, I gave Mr. Pearce a memorandum making myself responsible I believe,

20,736. You gave him a guarantee that the cheque for 1,000*l.* by Smith and Guscotte would be honoured ? —I believe I did do so, but if you ask me when it was, before or after I do not know, if you say I sent him something afterwards probably he may have trusted to my word.

20,737. Mr. Pearce's account is this that he asked you for a guarantee, that you intimated your willingness to give him a guarantee, that you went away and you subsequently sent up the guarantee in writing ?—Yes, and let me add to my evidence that at Torquay I did the same with Mr. Kitson.

23,738. I think it is a pity you did not tell us both those things before, the fact of your giving a guarantee with regard to changing the 1,000*l.* cheque?—I had asked my private friends as it were to do this, and I did not wish them to incur any responsibility.

20,739. You ought to have told us you had given a guarantee because it makes it a much more formal transaction than cashing a cheque. Having recalled to your attention the fact that you promised to give a guarantee at that interview with Mr. Pearce, did you also mention that cash might be required for another 1,000*l.* cheque in the course of that day, I will tell you that Mr. Pearce has said so ?—If Mr. Pearce has said so I may say I do not recollect doing so.

20,740. You know that there was a cheque for 500*l.* cashed on that day ?—I did not know till a long time afterwards.

20,741. Have you heard from Mr. Edmonds or read in his evidence, that Mr. Edmonds came to Mr. Smith for a 500*l.* cheque and Mr. Smith said, Shall I give you one for 1,000*l.*, and he said he did not think that was worth doing ?—I was not aware of it, on the nomination night.

20,742. Between the nomination night and the election morning. It was really all nomination and election, the people were up all night ?—I was not.

20,743. Can you remember having told Mr. Pearce that you might require in the course of that day or the next day another cheque cashed for 1,000*l.* ?—As I said before I could not wish if Mr. Pearce has given evidence to deny it. But I do not recollect having said so.

20,744. Are you quite sure that Mr. Edmonds had never told you that another 1,000*l.* would be wanted, and if it was wanted it would be forthcoming ?—I cannot remember it.

20,745. Did you go twice to Torquay ?—No, only once. (*The shorthand writer read a portion of Mr. Pearce's evidence.*)

20,746. (*Mr. Coleridge.*) I will explain the effect of it, which is this : Mr. Pearce said that at the time you introduced Captain King to his room, you said there might be another 1,000*l.* wanted. He said that in explanation of why he provided for that, you having had 1,000*l.* and saying you might want another 1,000*l.* that day and thinking it might straighten the resources of the bank he provided for it; therefore on seeing you afterwards he asked you why you did not come for the money, and you said you had provided it from elsewhere, and he asked you whether you got it from the Torquay bank and you said yes. What is to clear that up ?—If you will allow me to make an explanation I think Mr. Pearce is a little in error ; and I am reminded of it by this : when I was asked if I had changed three 100*l.* notes I said I believed I did, and that I did go to the bank the following morning. In the 1,300*l.* there were three 100*l.* notes, and Mr. Edmonds gave me the three 100*l.* notes the following morning to get cashed ; and then I think I told Mr. Pearce that I obtained the three 100*l.* notes from the Torquay bank. I think Mr. Pearce is in error in saying that the conversation took place about the Torquay bank at my second interview.

20,747. (*Mr. Bere.*) Mr. Pearce says that you had told him that you might want another 1,000*l.* and on his asking you why you did not come for it, he having got the money ready, you said you did not want it, that you got it from the Torquay bank. Do you recollect any such conversation as that ?—I do not recollect any conversation, nor do I think I had any; except telling him that those three 100*l.* notes had been obtained from the Torquay bank.

20,748. Was it possible that a third cheque might have been cashed ?—I distinctly swear that only two 1,000*l.* cheques I got cashed. There was not another 1,000*l.* obtained to my knowledge or through me.

20,749. Had you obtained information from Mr. Edmonds that if another 1,000*l.* was required it would be forthcoming so that you might have said that to Mr. Pearce at the time he mentions. That might account for your telling Mr. Pearce that there was a possibility of your requiring it ?—I would rather say "No," judging of my own feeling.

20,750. Did Mr. Edmonds tell you "You have got those two done, and if there is another wanted it would be forthcoming ?—No.

20,751. You cannot account for it, except by a mistake of Mr. Pearce's, his saying that he would be ready to cash another 1,000*l.* cheque ?—I do not recollect it.

20,752. I am to understand, Mr. Kellock, about Captain King, that you were in error, and that you admit now that there was a pre-concerted arrangement that you should go and get the cheque cashed?—In the evidence I gave first I believe I gave one answer. "Did you see Captain King and arrange with "him to go to the bank?—I did." There was no question put; nor was my memory refreshed by any circumstance. On my coming in the morning without knowing the evidence I admitted that probably I had gone and made an arrangement.

20,753. You have admitted that you might have told Mr. Pearce that Captain King might want the cheque cashed. Had you made arrangement with Captain King about the time you went and told Pearce?—I believe I must have done so. I believe, having come out of the "Seven Stars," with this cheque, I met Captain King and asked him whether he would do it, and I must have gone to the bank and asked whether they would cash it.

20,754. You have get two meetings. You met Captain King at 11 o'clock in the morning?—No.

20,755. Mr. Pearce said, "you then came to give "notice about Captain King cashing the cheque"?—I think Mr. Pearce must be in error.

20,756. Mr. Pearce says he was prepared to cash the cheque and Captain King says he was prepared to do it, that he had no occasion to tell him what he wanted. It was all put ready. Now have you any doubt that you did give notice?—I have already admitted it.

20,756*a*. What time?—Mr. Pearce says 11 or 12 o'clock?—I think Mr. Pearce is in error.

20,756*b*. (*Mr. Coleridge.*) What time do you put it at?—I should put it between 2 and 3, and I should put my interview after 3 and before 4.

20,756*c*. Do you put the first interview with Captain King after you told Mr. Pearce?—No.

20,756*d*. Be careful; you say you put it between 2 and 3 and now you are going to put the interview with Captain King between 3 and 4?—I put my first dealing with the cheque between 2 and 3 because I intended to go off by the 2.55 train. I believe after that I returned to the "Stars" and did not do it. I then saw Captain King and first spoke to him about it.

20,756*e*. There is such a contradiction here. Are you quite certain that was the first time that you saw Captain King that day?—No; I think I had seen Captain King a dozen times.

20,756*f*. Was that the first time that you spoke to Captain King about getting the cheque asked?—Yes, after I determined not to do it through my name.

20,756*g*. Was it before you saw Captain King that you went to the bank?—I believe after I had spoken to Captain King and got his consent.

20,756*h*. That is about 3 o'clock?—From 3 to 4.

20,756*i*. How long was it between your obtaining Captain King's consent, going to the bank to give notice, and your going up again to get the cheque cashed?—I should say not more time than to walk that short distance.

20,757. As far as you correct your evidence, you say you saw Captain King somewhere about 3 o'clock, went to the bank and gave notice that he had consented and went with him to get the cheque cashed?—Yes, I think that is the effect of my evidence.

20,758. It is distinctly contrary to what Mr. Pearce said as to the time?—I think Mr. Pearce must have confused the interviews the one about the three 100*l*. notes and the interview when Captain King came.

20,759. How often where you in the bank that day?—I recollect twice.

20,760. You have told me three times?—I have stated the second matter as one transaction.

20,761. You were there three separate times?—I think I went afterwards with the guarantee.

20,762. (*Mr. Bere.*) You may have been three times in the bank that day?—I might; I mean two transactions.

20,763. (*Mr. Coleridge.*) Do you think it was after you had been there and got the money that you sent up the guarantee? Mr. Pearce thinks it was sent up the next morning by one of your clerks?—I do not know.

20,764. Did you see Mr. Pearce after the money was got for the 1,000*l*. cheque?—I do not think I did.

20,765. It is a mistake about going up with the guarantee that evening? Mr. Pearce says he thinks it was sent?—I do not know.

20,766. Do you recollect whether you sent or took it?—I do not know.

20,767. Do you know where you drew up the guarantee?—I do not know. I think at the "Seven Stars"; I was there very often. I was not at the office for two days. I went to my office the next day after the election.

20,768. With regard to what passed, I should like to read Captain King's evidence?—Let me say plainly that I have seen Captain King's evidence, and have had a conversation with him, and I believe, if he were here with me and heard my explanation, and I heard his, we could clear up all these differences; because, as a man of honour and a gentleman, I do not believe that Captain King would come here and mislead you, and I am sure it is not my intention to do so.

20,769. You see there is a difference between you and him with regard, first, to the way in which the money was done up at the bank; and, secondly, with regard to the persons who were in the room when he paid it over; and he says there was no person there except Colonel Dawkins' valet, and that you were not there nor Colonel Dawkins?—If you will look at my previous evidence you will find I did not go in till afterwards, and I reminded Captain King of the circumstances yesterday. I said, "Do you "recollect my calling Colonel Dawkins' valet, who "was in his shirt sleeves, and I told him 'You need "'not stop to get your coat on, I want you here a "'minute;'" and my mentioning that about the man being in his shirt sleeves. Captain King said yesterday, "Really I think you must be right."

20,770. Do you remember whether the money you saw before Colonel Dawkins' valet, the gold was in a bag and the notes done up in a newspaper, or whether they were wrapped up?—I do not know whose answer it was, only a minute ago you read to me the evidence which stated that when Captain King went to the bank, Mr. Pearce states it was all done up in a parcel.

20,771. No, he says he put the notes in a roll or packet, and handed the gold in a bag.—Mr. Pearce's evidence?

20,772. Yes, Mr. Pearce's evidence. We were aware of the differences between your evidence and that of Captain King's, and we thought perhaps that he might be able to clear up the difference, and I think he did. I think his evidence and Captain King's agree. This is Captain King's:—"*Q.* You "went into the manager's room?—*A.* Yes, a private "place. *Q.* How was the money done up?—*A.* I "think the notes were in a roll." And that is what Mr. Pearce said. "I think the sovereigns were in a "bag." And that is what Mr. Pearce said. "I put "them into my trowsers pocket"; and that is what Mr. Pearce also said. "I think the sovereigns were "in a bag, I put them in my trowsers pocket. *Q.* What! "loose?—*A.* Yes; I took it all out loose, and put it "down on the newspaper at the 'Seven Stars.'"—You said gold in a bag.

20,773. So it was; that is what Captain King means by that, he took it loose in his pocket; the notes and gold were not wrapped up in the same parcel, in fact there was no parcel. Then it goes

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on :—" *Q.* You put the notes on a piece of news- " paper ?—*A.* Notes and gold. *Q.* Do you mean that " they were all out open on the table ?—*A.* Yes. " *Q.* Was Mr. Kellock in the room ?—*A.* He was " not. *Q.* Did he come into the room ?—*A.* No ; " there was no one left in the room but Colonel " Dawkins' servant."—I gave evidence to say that I called Colonel Dawkins' servant to come and guard, and I went into the room immediately afterwards with Mr. Edmonds when he took the money.

20,774. Where was Captain King then ?—He had left.

20,775. Was it open on the table or wrapped up, as far as your memory goes ?—My memory was that it was a kind of screwed up parcel in a newspaper.

20,776. Not done up as carefully at the money at Torquay ?—Certainly not.

20,777. Not that sort of parcel ?—No. With regard to that interview, I should like to be specific upon it, as far as Captain King's evidence goes.

20,778. (*Mr. Coleridge.*) Captain King says that he did not see you again till the next morning. Do you recollect whether you saw him ?—No. I may tell you there were a number of other persons there, and I will explain why I want to be specific on that point. I called Colonel Dawkins' valet to go to Captain King and keep guard of the money whilst I went to call Mr. Edmonds ; and having called him, when we came back I believe to the doorway of the room Captain King left. I went in and told the servant to leave, and Mr. Edmonds then took the whole money that Captain King had brought from the bank, and, whether the gold really was open or in a bag, my impression was it was wrapped up, and I never saw the open gold, and the question first put to me seemed to imply that the gold was loose on the table, and I did not recollect seeing the actual coin.

20,779. Now, one word about that cheque which John Heath paid or drew in favour of Mr. Matcham ? —May I ask if there is any farther little discrepancy, because I am desirous of clearing it. Might I ask you to make an appointment for Captain King ? He said he would come in again with me here and we could clear up anything. The public prints give the impression that that there was another 1,000*l.* cashed besides, as if two.

20,780. I will ask you as to that, do you know, or did you hear of any third 1,000*l.* cheque being cashed on the part of Colonel Dawkins at the time of that election ?—I never heard of it, and I am prepared distinctly to swear, as I said this morning, that those two, the one I cashed at Torquay and the other Captain King cashed at the Devon and Cornwall bank, were the only two I ever heard of.

20,781. Was any other 1,000*l.* cheque cashed, either through you or anybody else ?—Not to my knowledge ; decidedly not through me, and not to my knowledge through any other person.

20,782. Now that 235*l.* cheque which Mr. Heath gave Mr. Matcham ; when did Mr. John Heath speak to you about his having given that cheque ?—I have an impression that it was rather early in the election ; decidedly before the nomination day.

20,783. Before the nomination ?—Oh, yes, I think so.

20,784. Did Mr. Heath tell you, that in order to prevent any difficulties he had made that cheque payable on the 13th July, the day after the election ? —I mentioned in my previous evidence that I had been informed that the cheque was made payable the day after the election.

20,785. That would be the 13th July then. Can you at all fix the time when Mr. Heath told you he had drawn that cheque ?—I have an impression on my mind that it was the first money transaction I heard of in the course of that election, and it must have occurred at all events on the Friday or Saturday before the election ; somewhat early in the course of the election.

20,786. What was it that Mr. Heath told you with regard to that cheque ?—Beyond the fact that he told me he had drawn a cheque, payable the day after the election, for the Matchams or for Mr. Matcham ?

20,787. Did not he tell you it in was James Matcham, the son's, name ?—No, the father's.

20,788. If the son, Thomas Matcham, should be able to come back to vote for the Conservatives ?— I may say, that I do not know whether he told me that or not. The decided impression on my mind was that he had given that cheque payable the day after the election for the purpose of procuring the vote or votes of Mr. Matcham and the son, or one of them, and that I at that time thought that Colonel Dawkins would have been returned. I have no hesitation in saying at the moment we had not much conversation about it, but the moment he told me of it I at once said to him, or words to that effect, " It " is useless going on with the election after such a " daring act as that, which, if Colonel Dawkins is " returned, will have the effect of unseating him."

20,789. Did you give notice to stop that cheque at the bank, or did you suggest it ?—I believe he told me that he had done so.

20,790. Was it your suggestion that he had done so ?—I cannot say.

20,791. Can you say at all when he told you that he had sent notice to the bank and stopped it ?—I saw him every day, and frequently many times in the course of the day, several days prior to the election, and I do not recollect when that occurred.

20,792. Have Thomas Matcham's affairs been settled since ?—They have.

20,793. How was that done ?—By composition.

20,794. Was any money subscribed for him ?—No, not to my knowledge.

20,795. Or any money advanced by any of the persons concerned in the election as far as you know ? —The composition was after the election. I acted for him professionally ; held a meeting of his creditors. I think it was adjourned, probably once or twice ; some of the creditors would not accept the composition, and ultimately a composition was accepted by them, and guaranteed by his father-in-law Thomas Jacob Searle.

20,796. Did any of the Conservative party, Mr. John Heath, have anything to do with the money that was paid as a composition to those creditors ?—I have not the least idea that one of them had. I think it exceedingly improbable, because Matcham came back and voted for Mr. Pender and Seymour.

20,797. Do you think there was anything done on the other side ?—I have no knowledge.

20,798. Have you ever heard there was ?—Twenty times I have heard it, mere public rumour, but Mr. Matcham and his son, and Mr. Searle, being all three my private clients, I did not say a word to them on the subject.

20,799. You have heard that that composition with his creditors was assisted by aid from the Liberal party ?—I have heard so.

20,800. You have told us that a stop was put on the cheque, and that Mr. Heath told you so. Do you know when the stop was taken off. Did he ever tell you it had been taken off ?—I think he told me he had sent or should send one of his sons to Torquay ; that the cheque was lodged in another Mr. Matcham's hands at Torquay, and he should send and get it back again.

20,801. Did you ever see the cheque ?—I do not believe I ever saw it ; no, I have not the smallest idea that I ever saw the cheque.

20,802. (*Mr. Coleridge.*) Do you recollect whether before you saw Colonel Dawkins' servant in his shirt sleeves, Captain King was present there when you called ?—I believe we were at the top of the stairs, and I asked Captain King to step in.

20,803. Did you hear Captain King say to the man, " I do not know you, and you do not know me." Do you recollect him saying that ?—I was not in the room with Captain King, and I do not know what conversation passed between them. I hope I have made that clear. I am most desirous of doing so on

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any little point. Before having any conversation with Mr. Pearce, before saying a word to him or Mr. King, I wish to correct two answers I made in my previous examination.

20,804. Which are those?—They are very simple, but if the reporters have taken it correctly in the newspapers, I must have made a very foolish answer. I was asked by you whether I ever cashed another cheque for 1,000*l.*

20,805. No; it was whether you ever asked another person to cash a cheque for 1,000*l.* for you?—Whether I had done so myself, I think, the question is put in the newspaper, because I have no hesitation in saying, and Mr. Pearce will bear me out, that I have cashed cheques many thousands of times.

20,806. (*Mr. Bere.*) When you went to Torquay you drove out some way with Colonel Dawkins and Captain Fox?—Yes.

20,807. And left your carriage at a certain place you told us of?—Yes, Collaton.

20,808. At the time you went to Torquay, did you give anything to Colonel Dawkins?—At the time I went?

20,809. As you were leaving Colonel Dawkins to go and get the cheque cashed, and he returned to Totnes, did you put anything into his hand; because we have a letter from Colonel Dawkins, and I had better read you the statement, and ask you with respect to it. I cannot give you the exact words, but we received a communication from Colonel Dawkins yesterday, and he in that communication says to this effect, "As Mr. Kellock left me, he put a piece of "crumpled paper into my hand, which I believe to "have been a cheque?"—Did he say what he did with it?

20,810. I do not know what he did say he did with it?—A crumpled paper?

20,811. Yes, a piece of crumpled paper; have you any recollection?—Yes, I gave him the turnpike ticket to go back with, as I had paid all the expenses, and immediately after you pass Collaton there is a turnpike road.

20,812. I thought it ought to be explained?—I cannot recollect anything else. Those who know the road would enter, I think, into the probability of it.

(*Mr. Bere.*) Perhaps you will wait till I find the letter.

Mr. Howard Drake Pearce recalled.

Mr. H. D. Pearce.

20,813. Tell us with regard to the conversation which took place about cashing the cheque. Do you still put the conversation at as early an hour as at first?—I do certainly; my recollection is, that what I have stated is correct.

20,814. Can you tell this; did the conversation take place when Mr. Kellock came in to cash the first 200*l.* notes?—I think not; my impression was that the conversation took place about 11 or 12 in the day.

20,815. Before the nomination was over or after?—I really cannot tell. I thought the nomination took place about 12. I never attended a nomination.

20,816. (*Mr. Coleridge.*) Had you that day got the money ready for Captain King, so that when he came there should be no question how he was to have it?—No, I think not. I had an intimation that he was to come.

20,817. He wished to have it in gold you told us?—Yes; I had only to go to the strong room for it.

20,818. And the conversation took place which you have deposed to, because you thought that Mr. Kellock would want another 1,000*l.* cheque cashed?—Yes; I think there were several demands for money.

20,819. Have you any doubt that Mr. Kellock told you there might be a second 1,000*l.* cheque to be cashed?—Not the slightest.

20,820. And about where he got this 1,000*l.* cheque; why he did not want yours two days afterwards; have you any doubt that he told you he had got it at Torquay?—Not the slightest.

20,821. That such a conversation did take place?—Yes.

Mr. Kellock recalled.

Mr. T. C. Kellock.

20,822. Do you know of anybody having advanced any money for the purposes of the last election, on behalf of Colonel Dawkins, except Messrs. Smith and Guscotte?—Excepting Smith and Guscotte, no.

20,823. I mean the money that came through Messrs. Smith and Guscotte and Captain Pim's 300*l.*?—Certainly not.

20,824. Did you know of any money being sent down from London?—I never heard of a farthing; in fact, I am satisfied in my own mind that there was not.

20,825. From what you know of the money spent at the last election, do the sums of money paid by Smith and Guscotte and Captain Pim amount to enough to cover the whole that was spent?—I do; I am satisfied of it.

20,826. And if a 1,000*l.* was sent down from London you know nothing about it?—I do not, and I do not believe it.

20,827. I will read what Colonel Dawkins says, and you will, perhaps, explain it. It is a letter from Colonel Dawkins to me, as Chairman of the Commission, and he says, "Sir, I beg leave to forward to the Commissioners part of a letter from "the Honourable Charles Lane Fox. If I said in "my evidence that I then knew they had gone to "Torquay to cash a cheque, I should have said, that "I then (on giving evidence) knew, or had every "reason to believe, that Mr. Kellock had gone there "to cash a cheque. Mr. Kellock strongly pressed "Mr. Fox to accompany him, with which we were "surprised, and Mr. Fox did not much like going. "Mr. Kellock did not tell us the object of his going "to Torquay, but we considered it must have to do "with election matters. Mr. Kellock has no right "to say (if he does so), that he and Mr. Fox went "to Torquay to cash a cheque, what his object was "in so strongly wishing to take Mr. Fox with him, "I cannot state. I accompanied Mr. Kellock and "Mr. Fox part of the way in the carriage, only I "believe to enjoy the drive. I do not remember "canvassing on this occasion, and as foreseen, we "met another vehicle at a house, in which either I "returned or they proceeded." Now this is the part: "Before starting from Totnes, while I was "in the carriage waiting for Mr. Kellock, he came "and put unobservedly a piece of crumpled paper "into my hand, asking me to take care of it; I am "unable to state why he did so, I thought it best "to ask no questions. Soon after driving out of "Totnes, I took the paper and returned it to him, "without looking at it. I think it felt like the paper "of a cheque; I doubt if I had a glimpse of its "color." I put the facts wrongly to you. I had only casually read them. What is your explanation?—I have not the slightest recollection of having placed the paper in his hands when leaving Totnes; but I believe I must have put a paper in his hands when he left me at Collaton, and that he must have feared what it must be and thrown it away.

20,827*. "Before starting from Totnes, while I was "in the carriage waiting for Mr. Kellock, he came "and put unobservedly a piece of crumpled paper

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" into my hand, asking me to take care of it; I am " unable to state why he did so. I thought it best " to ask no questions. Soon after driving out of " Totnes, I took the paper and returned it to him, " without looking at it. I think it felt like the paper " of a cheque. I doubt if I had a glimpse of its " color ?"—I think in the course of the drive from Totnes to Sandridge, I offered to show, that may be, Colonel Dawkins, Lord Cranstoun's letter, which he had written to his tenants, which I believe he declined to read. That is the only explanation I have of that. On that or some other occasion I offered to do so, and he declined. The very object of our drive that day was to go to Sandridge and see Lord Cranstoun's tenants.

20,828. Had you told Captain Fox you were going to Torquay to cash a cheque ?—I do not believe that I ever told him, and I should like to add to my evidence that when we reached Torquay he never accompanied me to the bank or to Mr. Kitson's. I told him I should be absent for a short time and he took a walk and afterwards joined me in the coffee room hotel. May I ask whether there is anything in Mr. Fox's letter inconsistent with it ?

20,829. No; that is exactly the explanation he himself gives.—With regard to my pressing Captain Fox to go to Torquay, is that in Colonel Dawkin's letter ?

20,830. Well, he says you offered to take him to show him the place.—That was the fact.

20,831. (*Mr. Bere.*) You might very well strongly impress Mr. Fox to go for the sake of company instead of going by yourself ?—My servant got on the box of the carriage and Mr. Fox went on with me.

20,832. If Captain Fox had not gone your servant would ?—Yes.

20,833. We should not have asked you anything on that letter except it had been for the crumpled paper ?—I wish it to be distinctly known that Mr. Charles Lane Fox went to be my companion and I found him a most agreeable one.

Mr. G. Presswell.

Mr. GEORGE PRESSWELL recalled.

20,834. I think you told us when you were examined here some weeks ago that you had not any personal knowledge of any of the election affairs, except one instance in which you acted, I think, for Mr. Blount ?—I have not acted professionally for any man.

20,835. We rather took your answer to mean that you had not acted professionally or personally in any election. Did not you vote at the elections of 1863 and 1865, and interfered with regard to voters ?—I think not in 1865.

20,836. In 1863 ?—In 1863 I did call on two or three parties.

20,837. Who were those ?—A man called Tucker, Rossitey Bridge, farmer. I said I had called there to ask him if he would vote for Mr. Dent.

20,838. Are you quite certain that was in 1863 ?—I am. I thought he would have obliged me, and I said I had never asked a man. I had never said so much to any man else in my life, and if you will do it I shall be obliged to you, and he got a little excited and he said he thought he could not vote at all. He said parties had been offering him large sums of money to vote. I said I knew nothing about that.

20,839. Did he mention the names of any persons who had been offering him money ?—I think he said one of the Mr. Heaths had been out to him.

20,840. That was in 1863 ?—That was in 1863 when Mr. Dent was here. I went to try to get his vote for Mr. Dent. I said so. I did go purposely, and I found he had very strong feelings for some cause or other, and I found him in the field at work, and after talking I left him.

20,841. Was that all that passed between you and him on that occasion or any other ?—Afterwards I went to him on the day of the election. I drove out, and I think I saw him when his wife was present, and the man then was very excited, and I think his house had been besieged in some way or other, because, whilst I was there it was said there was a fly at the other end of the bridge in which Mr. Charles Webber was.

20,842. Is Mr. Webber alive?—Yes. I do not know myself that he was there, but I was told that he was in the chaise.

20,843. Was that all you knew about it ?—Yes; that is all in 1863.

20,844. Did you see him at all in 1865 ?—No. I may say I did not ask any man for a vote.

20,845. If Mrs. Tucker has ever said it was " nearly driving her mad; Mr. Presswell was here " yesterday and put down 100 sovereigns," that is not correct ?—It is quite false.

20,846. Had not you to do with Samuel Hill, junior in 1863 about his vote ?—No.

20,847. Did not you send Mr. Robert Michelmore to him ?—No, I never spoke to Mr. Michelmore in my life about election matters.

20,848. Did you know that Samuel Hill was about to be turned out of his house in 1863 ?—I recollect that I sent a distress there. I am almost in doubt about it without referring to my books. I was concerned for the parties entitled to the rent of his house.

20,849. Whom did you send to take the distress ?—I am not clear that I did, without referring to my books.

20,850. Did you have any communication with Samuel Hill about his house either by your own self or some agent ?—Except to get him out of the house. The house belonged to some young women in London and they wanted to sell the property and get the money. They were in want of money, but it would be of no use I found to offer the house for sale while we had such a tenant in it.

20,851. Did you ever send any person to Hill to tell him you would buy Hill's house if he would vote for Dent ?—Never.

20,852. That you swear ?—I do.

20,853. Do you know Messrs. Stranger and Bennett ?—I do.

20,854. Did you canvass them for Mr. Dent in 1863 ?—I must state exactly what passed with Stranger and Bennett. In a conversation with Mr. Mitchell and some others in a room at the " Stars " where there were a number of persons, I was asked by some one or two to go and see Stranger and Bennett. It was very well known that I did not like canvassing or asking persons for votes, and I refused at first so to do. Mr. Mitchell said to me I believe aside, " Do you think these respectable men you saw " there would be no inducement to." I said, " I " know nothing at all about them, and I should not " insult them by asking them if I knew how they " were going to vote." I did not know how they were going to vote. Mr. Mitchell said, " We will " give 500*l.* for any charitable or public purpose " they will name if they will vote for Mr. Dent; have " you any objection to say as much to them ?" I said, " No, I will go to them." I went to them, and in the counting house were two gentlemen, Mr. John Bowden and some other gentleman, I think Mr. Jenkins, but I am not positive. Upon entering they left the room and I said, " Well, here we are in " the election you see;" they said, " Yes." I said, " I " want to say something to you, and you will not take " offence at anything I am going to say. I do not " know how you are going to vote." " Well," they said, " we have not said how." " Well," I said, " I am " authorized to say that Mr. Dent or Mr. Mitchell, I " do not know which, will pay 500*l.* to any charitable " or public purpose you may name if you vote for

"Mr. Dent." They made no reply. We had a laugh and I moved round and went off again in a minute or two.

20,855. Did not Mr. Stranger say it would require more gold than Mr. Dent had to buy his vote?—I cannot say; he is just likely to say so.

20,856. Did not Mr. Bennett say, "That is an "answer which is sufficient for both of us"?—I cannot say, he might; it was a very short time that I was present.

20,857. You told us on the former occasion that you would be able to send us a copy of the charter?—Do you allude to the governing charter of the borough?

20,858. Yes; you said you would look for it and furnish us with a copy?—I will do so.

JOHN PACK sworn and examined.

J. Pack.

20,859. (*Mr. Longe.*) What is your occupation?—I am now living at the "Globe" hotel, Newton.

20,860. When were you last in Totnes?—I left there last Christmas.

20,861. Had you ever been a voter there?—No.

20,862. Are you any relation to James or Thomas Pack?—To Thomas Pack.

20,863. What relation is he of yours?—An uncle of mine.

20,864. You are no relation to James Pack?—None whatever.

20,865. When you were in Totnes before what was your employment?—I was boots and conductor of the 'bus at the "Seven Stars."

20,866. How long had you been there?—I was taken on in April 1859; I had lived there previous to that.

20,867. You had been there during several of the elections?—Yes; the first election when I was there was Mackenzie's.

20,868. At Mackenzie's election were you in the secrets of the hotel with regard to what was going on at election times?—No, in none whatever.

20,869. But the boots is an important man at the hotel?—I was only under boots then.

20,870. At that election you knew the gentlemen who were staying at the hotel?—No, I did not.

20,871. You knew the gentlemen who were staying in the different rooms?—At Mackenzie's time, I recollect Mr. Mackenzie very well.

20,872. Do you remember a strange gentleman being down there then?—I remember there were two or three there, but I cannot remember who they were.

20,873. Was it your impression that any of these strange gentlemen were engaged in managing the money matters of the election?—That I cannot say.

20,874. The next election was in 1859, when Mr. Dunn came down here, do you remember that period?—Yes.

20,875. Do you remember at that time any strange persons being down here who were supposed to be engaged in money matters?—Yes; I remember a gentleman and his wife being down here then.

20,876. He had brought his wife with him on that occasion?—Yes.

20,877. Was this person whom you have spoken of engaged in paying the money?—I cannot say whether he was engaged in paying money or not.

20,878. But was that your notion? He came there and kept himself rather retired; his name was not known, I suppose?—His name was not known.

20,879. His name was kept from you?—Yes.

20,880. Do you know what was the number of his room?—No. 9.

20,881. Was that a sitting room?—Yes, and there was a bed room adjoining to it, No. 5.

20,882. How did you speak of him; how was he called at the hotel?—We used to call him "No. 9 gent.;" I did not know his name.

20,883. Where you ever asked to show anybody to No. 9?—No.

20,884. Then how was No. 9 found out. Supposing that people wanted to see "No. 9 gent.," how did they find him out?—I do not recollect showing anyone there myself; I used to be engaged pretty well about the 'bus.

20,885. In 1862, when Mr. Dent was there, towards the close of the year, during that time had you one of those gentlemen there then?—No; I do not recollect any one in particular; I recollect Mr. Mitchell being there.

20,886. You mean with Mr. Dent?—Yes.

20,887. In 1863 was there anyone down there then; there was a good deal of money going about at that time?—Well it is a long time ago.

20,888. We will go back to 1862. Mr. Dent did not then go to the poll?—No.

20,889. Do not you remember Screach having something to do with electioneering matters then?—I recollect seeing him there.

20,890. Were you not sent to Screach?—No.

20,891. Were you not sent to tell him that there was some gentleman wanted to see him at the "Stars"?—I used to go over there occasionally.

20,892. Had you not used to be sent with messages from the "Stars" to young Screach?—Yes.

20,893. Were they put on a bit of paper, or how were they communicated?—I recollect going over there one day and telling Screach that he was wanted at the "Stars."

20,894. When was that?—That was in 1862.

20,895. Who was it that sent you?—Sometimes one would come and sometimes another would come with a message. I was acting only as boots.

20,896. Do you remember the money man being down in 1859?—I recollect him very well.

20,897. Do not you remember there being a man of that kind down there in 1862?—No, I cannot recollect.

20,898. Who sent you to Screach, do you recollect?—Either Mr. Mitchell, or Mr. Edmonds, or some of them. I was sent to various people with messages.

20,899. At the election of 1863, do not you remember a man being there?—Yes, I recollect a gentleman sleeping there then. According to the best of my remembrance the gentleman who was sleeping there then was thought to be Mr. Dent's brother; I considered him to be so.

20,900. You do not mean Mr. Mitchell?—No, it was someone in addition to Mr. Mitchell; we called him Captain Dent, I think that he slept in No. 8.

20,901. Had not you some tolerably good notion of what he was about?—No, none whatever.

20,902. You did not know that he had anything to do with money matters?—No, that is what I cannot say; I recollect his staying there, and I could swear to the gentleman if I were to see him again.

20,903. In former elections do you remember a man who was engaged in passing over the money?—Yes, that was in 1859; and I have reason to recollect him.

20,904. Why have you reason to recollect him?—Because he paid me very well for my services.

20,905. How much did he give you, can you tell us?—I do not recollect.

20,906. How much was it, as much as 5*l.*?—No; it was only for my services.

20,907. Was it half-a-sovereign?—I think that is what he gave me.

20,908. Did he employ you to go and see people?—No.

20,909. Then what did he pay you for?—I attended to him as boots.

20,910. And you were in his secrets?—No.

20,911. Then how do you know that he was engaged in paying money?—I heard so at the time; I was taken into the service just at the time of the election.

20,912. Did this man go by the name of Higgins?

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—I cannot swear what name he went by; if I could recollect I would tell you.

20,913. In 1865 were you the boots or under boots?—I was boots then.

20,914. The head man?—Yes.

20,915. How long have you left the "Stars"?—I left last Christmas.

20,916. You were employed to see persons by different people who were at the "Stars"?—I was employed once, and only once.

20,917. Were you only sent once by the committee, or by Mr. Heath, or by anyone else?—I was sent once by Mr. Edmonds.

20,918. About what time was that?—On the night of the nomination.

20,919. Who was present then?—Mr. Edmonds.

20,920. Did you see any other gentleman?—I suppose Mr. Smith as well as Mr. Edmonds sent me.

20,921. What time was this?—About 8 or 9 o'clock in the evening.

20,922. Was that the first time you were employed in anything connected with the election?—That was the first time.

20,923. You were sent to someone, to have a conversation with him, whose vote it was thought you could get?—Yes.

20,924. Who was that?—My uncle, Thomas Pack.

20,925. Whom did you tell this to, as to your getting his vote?—Mr. Edmonds.

20,926. You said if there was any money to be had, what then?—The words that I used were, "What "shall I open my mouth to him about;" he said 100*l.*

20,927. And that was at 8 o'clock on the night of the nomination?—It might have been later than that.

20,928. Where was Mr. Edmonds when you had this conversation with him?—In the "Seven Stars," on the landing of the first floor by No. 5 or No. 6; he had a conversation with Mr. Smith about it.

20,929. Did you hear that conversation, or did you see them talking?—I saw them talking, of course I did not hear what they said.

20,930. Where was Mr. Smith then?—On the landing just behind.

20,931. Was Captain Pim there then?—I do not recollect seeing Captain Pim at that time.

20,932. Was Mr. Heath there then?—No.

20,933. Any one else there?—No.

20,934. They told you to try and get your uncle's vote for 100*l.*?—Or more if I could bring him down to the "Stars."

20,935. Did you go to your uncle?—Yes.

20,936. How did you get on with him?—He would not consent.

20,937. He thought he could get more?—Yes.

20,938. Did you go back to the "Stars" and tell them?—Yes, and they told me to go and see him early in the morning.

20,939. What time did you bring back the news that you could not get him?—After 12 it was.

20,940. Did you go again in the morning?—Yes, I did.

20,941. About what time?—I went home and someone came and called me.

20,942. Who was it who called you?—I do not recollect who it was; they came to me and rattled me up, and told me Mr. Edmonds wanted to see me. I said he must wait till I came down, and I went back to bed again; I was not going to get up at that time in the morning.

20,943. Were you called up again?—Yes.

20,944. About what time was that?—Half-an-hour or an hour after.

20,945. You were again sent for by Mr. Edmonds?—Yes, by Mr. Edmonds, they told me Mr. Edmonds wanted to see me.

20,946. And did you go?—I went down about six or half-past six.

20,947. Will you tell us your own story?—I saw Mr. Edmonds.

20,948. What did he say?—He told me to go and see Pack; I went and saw him; I went into his bed room while he was in bed, and waited until he got up.

20,949. That was to get his vote?—To get him to go down to the "Stars."

20,950. When you went and saw him what did you say to him?—I told him there was money to be had. He said it was of no use.

20,951. That he had had so much offered him on the other side; was that what he meant?—No, he did not say he had had anything offered him on the other side. I think he would rather have voted on the other side for nothing.

20,952. Than have voted with you for a great deal?—Yes.

20,953. You could not persuade him, and he would not come?—No.

20,954. When Mr. Edmonds sent you on the last occasion who was present then?—Mr. Smith.

20,955. Who else was present, can you say?—I cannot recollect. It was at the bottom of the stairs leading to No. 9 that I saw Mr. Edmonds, and he told me, "Pack is of no use now;" that was about half-past 8 o'clock; I suppose after some of these gentlemen who had got money had been voting; he said, "You had better go up and tell him to accept any-"thing he can get from the other side."

20,956. And did you go up?—No, I told him to go himself.

20,957. Had you any conversation with Mr. Smith?—He told me that he meant to carry on a scrutiny, and that if he could get anyone to say that they had accepted money from the other side he would pay them.

20,958. On this last occasion do you remember any person in the hotel who could have been Mr. Mum?—No, I cannot recollect anyone; I do not believe there was anyone.

20,959. Then if anyone has taken the part of Mr. Mum it must have been either Mr. Smith or Mr. Heath?—Mr. Smith, Mr. Heath, or Mr. Edmonds, one of them. I do not believe that there was any Mr. Mum; in fact I am sure there was not.

20,960. Which Mr. Heath do you think it was? Was it either of the young Mr. Heaths who are sitting near you?—No, I should think it was the old gentleman if it was anyone. I see that Mr. Smith swears that he slept in No. 15; I have do doubt that Mr. Smith did sleep in No. 13.

20,961. I suppose no one slept there with him?—No.

20,962. Who slept in No. 18; is that not one of the servants' rooms?—No.

20,963. Is that not a good sized room?—No, it is a small room.

20,964. Is it not as large as No. 13?—No, it is not.

20,965. Does not No. 18 look out on the side of the house or into the yard?—It is not so big as No. 13.

20,966. There is a tester bed in No. 18, is there not?—I know the room very well.

20,967. There is not so much room there as in No. 13?—No.

20,968. Is it not the second door when you get to the top of the stairs and turn to the right?—No, the door right opposite you at the top of the stairs is No. 16, and then you turn to the left.

20,969. Then No. 18 is the one on the right-hand side?—No, it is not; it looks towards the stable, towards the river.

20,970. Is it not down a passage to the left?—When you get to the top of the stairs you turn to the left.

20,971. You know these rooms very well, I suppose?—Yes.

20,972. Whose room was this on the occasion of 1863 which you have been speaking of?—I do not recollect anyone in particular sleeping there.

20,973. You know the rooms down this passage?—Yes.

20,974. Are they good rooms to the left? Are the rooms given to your best customers?—No.

20,975. Second-rate?—Yes.

20,976. Do the servants sleep in those rooms?—Some of them.

20,977. (*Mr. Coleridge.*) Are there two eighteens? No.

20,978. (*Mr. Longe.*) How many rooms are there in that passage?—Colonel Dawkins' servant slept in No. 11, that is, opposite.

20,979. Not that passage; the passage where No. 17 is; the passage as you go up the stairs?—Yes, I mean that.

20,980. There are several rooms there?—Yes.

20,981. What numbers?—They are in rotation, 18, 19, and 20, and as high as 24, beginning with 17.

20,982. 16 is on the opposite staircase?—Yes.

20,983. Are all these rooms second-class rooms?—Yes.

20,984. Do you remember at that time who were in any of these rooms at that time?—I cannot recollect.

20,985. Any of the servants of the house?—The servants were in 21 and 22.

20,986. Those are rooms where any of the members of the household would have access?—No, none whatever.

20,987. They would have access without interfering with the customers?—They must go over the staircase.

20,988. Any of the Heaths or any of them might have gone into those rooms without interfering with the customers; they were not customers' rooms?—No.

20,989. (*Mr. Bere.*) Do you remember the lame ducks Stoyle and Foote being put up there for the night?—Yes.

20,990. What room were they put in?—I think two or three slept in No. 17.

20,991. Were you there when they were put in the cellar?—I do not recollect any being put in the cellar.

20,992. (*Mr. Longe.*) Do you know Mr. Frederick Evens?—Yes.

20,993. Was he much about the "Stars" at the last election?—Yes.

20,994. You saw him a great deal?—Yes.

20,995. Did you see him upstairs at Nos. 20 and 22?—No, I do not recollect seeing him there. I recollect fetching him one Sunday evening, going to inquire for him.

20,996. What Sunday evening was that?—The Sunday evening before the election.

20,997. What were you sent to him for?—I do not know; Mr. Heath wanted to see him.

20,998. Mr. Heath sent you to him?—Yes.

20,999. Where was he to come to?—To come to the "Seven Stars" to see him.

21,000. What room was he to go to?—He did not say what room he was to go to.

(*Mr. Bere.*) You had better stay at present; we may want you again.

EDWARD WOODLEY called and sworn.

E. Woodley.

21,001. (*Mr. Bere.*) What are you?—A mason.

21,002. How long have you lived in this town of Totnes?—I was born here.

21,003. When did you first exercise the franchise and vote for members of Parliament?—I don't know whether before Mr. Dunn's time or not.

21,004. Now with regard to Mr. Dunn's election in 1859; what did you do then?—I canvassed William Willis, and I gave him 30*l.*

21,005. That is Dunn's election?—Yes. Then I canvassed Thomas Willis, and agreed with him for 60*l.* Then on the day of the election I met Elford coming down the street, and he said he would vote for 20*l.*

21,006. From whom did you get the money?—From Mr. Edmonds.

21,007. Where did you get it?—In the little room at the "Seven Stars."

21,008. Was that paid in gold?—Yes, and I paid Elford the night after.

21,009. Were these the only persons with whom you dealt in 1859?—I think so.

21,010. You had nothing for your vote then?—No, never in my life.

21,011. Had you anything for your work?—Not a farthing.

21,012. Nor any present?—No, at the election I never got a farthing.

21,013. In 1863, that is, Dent's election, Dent and Seymour, what did you do then?—I canvassed John Chapple and gave him 40*l.*, and John Nickels, and I think his was 30*l.* Then I come to Warren, and I canvassed him, and I had a great deal of trouble with him; a great many on the other side had been electioneering, and he asked me to give him 50*l.*, and I consented to give it to him.

21,014. How did you manage to circumvent those gentlemen on the other side?—I had some buildings in Bridgetown, and when the hare is not there men crop elsewhere.

21,015. Who were the parties you used to go and see?—They used to tell me that Mr. Bourne has been here and Mr. Michelmore.

21,016. Which Mr. Michelmore?—Mr. Jeffery.

21,017. Is Warren alive?—He is dead.

21,018. Did he tell you how much he had been offered by these men?—He didn't tell me how much he had been offered.

21,019. Did he vote for you notwithstanding?—Yes, and I gave him a sovereign, I think, to pay expenses; and on the morning of the election (he agreed before) I paid him 50*l.* in my workshop.

21,020. Did you pay him before he voted?—Yes.

21,021. Did you get the money from Mr. Edmonds?—Yes, all the money.

21,022. All in gold?—Yes.

21,023. Tell me is there a man named Barter?—Yes, that's my son-in-law.

21,024. Didn't you go and see him?—I will tell you that he married my daughter and we are generally all of a family on one side. They never asked me, but I went to Mr. Edmonds knowing the situation my son-in-law and daughter were in in business, and finding I was paying so much money I made it my business to ask for something, and Mr. Edmonds I think gave me 30*l.* for him, and I carried it to the counter for my daughter, he never received it and I never knew what I was going to bring.

21,025. You did bring it?—Yes.

21,026. You didn't take it back again?—No, certainly not.

21,027. What is the christian name of your son-in-law?—James Barter; he is ill.

21,028. This Mr. Elford did he vote for you right in Dunn's time?—Yes.

21,029. Didn't you go and try him in 1863?—I might have done so, I never offered a single farthing, I never offered anything.

21,030. Did he ever tell you what he could get on the other side?—No.

21,031. Have any people told you with regard to the election of 1863 that they had any money from the other side?—No, never.

21,032. In 1865 what did you do for Colonel Dawkins and Captain Pim?—I had nothing to do with it. I've been very ill and enough to do to take care of myself.

21,033. Nothing to do with the election?—No.

21,034. Did they send you anything as a present?—No.

21,035. In fact you have been out of pocket by the transaction?—No mistake about that, worse luck.

SEVENTEENTH DAY.

E. Woodley.

2 Sept. 1866.

21,036. Did you get any situation for your sons ?—No. They have all to work hard here.

21,037. (*Mr. Coleridge.*) Did you do all this out of love to the Conservative party ?—I always did it that way.

21,038. What made you do it ?—It was my hobby.

21,039. Who set you on your hobby, Mr. Edmonds ?—When I went to vote.

21,040. What made you take all that trouble in running about for money for other people if you got nothing yourself ?—No, not to vote.

21,041. Did you get anything for going out of your way ?—Nothing at all.

E. Baker.

EDWARD BAKER recalled and examined.

21,042. (*Mr. Bere.*) You were here the other day and were examined ?—Yes, on Monday.

21,043. You told us about a sum of money that had been offered to you, but you did not tell us anything about your having offered a sum of money to another voter ?—Me offered money ?

21,044. Yes.—There was none, sir.

21,045. Do you know a man called John Nickells ?—Yes, sir.

21,046. Did you see him either in 1862 or 1865 about the election ?—I saw him at one time.

21,047. When was that ?—I think it was three months after, at Mr. Seymour's election.

21,048. It was for Mr. Pender, the last election ?—I think it was.

21,049. Did you go down with Mr. Dennis to see him ?—No.

21,050. What had you to do with him the last election ?—Nothing.

21,051. I will read you what he has sworn : "There "was some hint thrown out by him if he came to me. "Baker the tailor was there. I came here and Mr. "Dennis ;" you did go down to him ?—Yes, I was sent down.

21,052. Who sent you ?—I think Mr. Windeatt.

21,053. What to do ?—To come to him at the "Seymour."

21,054. What did you do when you got down ?—I asked him to come over to the "Seymour ;" he did not satisfy me whether he would or not ; Mr. Dennis passed by at the time we were talking about the election, nothing more, and then it slipped out by Mr. Windeatt.

21,055. Did you say to him if he came over to the "Seymour" he could have almost anything he wanted ?—I deny it.

21,056. Have anything in reason ?—I told him he might perhaps get a something, but what I did not know, in regard of work, that is the work he would render to the duke. A man of the name of Orridge told him he would do a good thing for himself in regard of trade, and get a good deal of money.

21,057. "*Q.* Did he not name any figure at all ? "*A.* I asked Baker whether he would give me 200*l.*, "and he said I dare say they would" ?—No such thing has ever passed ; it is a lie of his.

21,058. You never told us anything about going to see him before ?—I was sent.

21,059. Why did you not tell the whole truth the other day ?—I was not asked.

21,060. You were not bound to conceal everything you were not asked ?—This is the election before. What I told you about was the last election.

21,061. You were asked about 1863 too, and "about any other election," whether you knew anything about that, was this when Mr. Dent stood against Mr. Pender ?—I think it was 1862. I do not want to conceal anything, but to tell you the truth.

21,062. What do you know about the election of 1862 besides this, were you sent by anybody else to Mr. Windeatt ?—No, I was over at the "Seymour," and three or four were there.

21,063. Who were they ?—Mr. Worthy, Mr. Richard Angel, and me.

21,064. Who else ?—Mr. Trotman.

21,065. Did Mr. Windeatt, jun. send you out to different people ?—No, anywhere where he wanted to send I used to go, with the telegraph from the "Seymour" to the station, anywhere where he liked to send me.

21,066. How many telegraphic messages did you take at that time ?—I cannot tell.

21,067. Used you to write them out at the telegraph office ?—They were brought to me by the servants.

21,068. In an envelope, sealed up or open ?—I believe they were.

21,069. What were they brought in, in an envelope or sealed up ?—I think they were sealed up.

21,070. Did you ever know what persons were telegraphed to or not ?—No, I know nothing about that.

21,071. Did Mr. Windeatt send you to anybody else ?—Not at that election.

21,072. Did you hear that he sent Trotman, or Worthy, or Angel, or any other people ?—Many people at different times.

21,073. Take Worthy ; to whom did he send Worthy ?—I think he went over to the blacksmith, Nickells.

21,074. Was it after you went or before ?—I cannot say.

21,075. What made Mr. Windeatt send you to Mr. Nickells ?—I do not know ; I was acquainted with Nickells.

21,076. Is "coming down to the 'Seymour'" the same meaning as "coming to the 'Seymour' hotel" ?—The same meaning.

21,077. When a man "comes in" he is supposed to be pretty sure to vote for the party ?—Yes.

21,078. And to receive a remuneration for voting ?—I do not know.

21,079. Did you receive anything ?—No.

21,080. Did you offer any voter anything in 1862 ?—What election is that ?

21,081. Pender and Dent ?—No.

21,082. In 1863 did you offer anybody money ?—When is that ?

21,083. Seymour and Dent ?—No.

21,084. Were you not one of the Liberal messengers then ?—Yes.

21,085. Are you sure you did not go and see people when you were sent for by Mr. Windeatt to see people ?—No, sir, it was Mr. Mills' election I was there.

21,086. That was in 1859 ?—Yes.

21,087. When Mills and Dunn stood ?—Yes.

21,088. What did you do at that election ?—That was all ; I was sent by the different parties where they wanted to send me, after carrying different things, letters and one thing and another.

21,089. Did they send you to any person with a parcel ?—I carried it to one man.

21,090. Who was that ?—John Huxham.

21,091. How much money was that ?—30*l.*

21,092. Who gave to you the money ?—I went into the "Seymour" and took it up in the room on the morning of the election.

21,093. Which room ?—The room on the right-hand side passing over the bridge.

21,094. As you come in at the front door ?—The room in the right-hand passage.

21,095. There were two rooms at the end ?—Yes, the third room down on the right.

21,096. Who was sitting there ?—No one at all.

21,097. Who told you to go to get the money ?—I met a gentleman in the passage, I followed him ; he opened the door and pointed his finger over to it, I went down and took the money up.

21,098. How did you know you were to take it to

John Huxham?—Because he had told me to get him some money.

21,099. Whom had he asked?—I think the committee.

21,100. Who were they?—Mr. Windeatt, Mr Parnell, and I think Mr. Fogwill. I cannot recollect.

21,101. Either of the two Michelmores?—Yes.

21,102. Which?—Mr. Jeffery.

21,103. Mr. Chaster, was he there?—I do not recollect.

21,104. Mr. Cuming, was he one?—I believe he was.

21,105. Mr. Condy was there?—I will not say. Huxham came to me and asked if I could get him a little money; he had been disappointed by the party.

21,106. The other side?—No, the same side; he never voted for the Tory party; he asked me for 5*l.*, as he was deceived. He asked me whether I could get him a little money. "I will put it into your "hands if you can get me a little money." I said, "Why "do you not apply to the other party." He said, "They "have deceived me twice, and by that means I shall "not ask them, I shall put it into your hands." I asked what he wanted. He says, "Get me what you can, "10*l.*;" I said, "Do you not mean to have more, you "may as well have more." He says, "Get me what "you can, I will leave it in your hands." I got him 30*l.*

21,107. You told the committee he wanted 30*l.*?—I told some of the party he wanted money, and they said it would be all right in the morning; I went in the morning, was shown into the room, took the money up and put it into my pocket.

21,108. Who was the person who showed it to you?—Mr. Charles Frederick Michelmore.

21,109. Is he the only person that managed in 1859?—That is the only person.

21,110. In 1865 what did you do, at the last election, Dawkins and Pim?—I did nothing then.

21,111. You did not do anything against them?—No, nothing.

21,112. Did you see the committee in 1863 on the Liberal side? Who were the committee in 1863?—I cannot tell you now. I had nothing to do with it.

21,113. Did you not see in 1865, although you voted for Dawkins and Pim, somebody on the other side of the question?—No one.

21,114. Did you not see Mr. Punchard?—Yes.

21,115. Did you not talk about the election?—He came and asked me, I told him no.

21,116. When Mr. Huxham told you he had been deceived by the Liberals what name did he mention, Mr. Parnell?—That was the name.

21,117. Did not he also mention the name of Mr. John Elliott?—No.

21,118. Did you see Mr. John Elliott at the last election, talk to him about voting?—No, I know nothing about it.

21,119. Did you not see him?—No.

21,120. Nor talked to him at all?—No, nor he to me.

21,121. Is there anything else about any of the elections that you wish to be explained?—No, they set me on merely as a messenger; I know nothing more about it.

THOMAS BLANK sworn and examined. *T. Blank.*

21,122. (*Mr. Coleridge.*) What are you?—A boot and shoe maker.

21,123. How long have you had a vote for Totnes? 12 or 13 years.

21,124. You made a pretty good thing of it altogether?—No, sir; nothing great.

21,125. When did you first vote?—For Mackenzie.

21,126. In 1857?—I do not know what time it was, that was the man.

21,127. Mackenzie and the other gentleman?—I only voted for one.

21,128. Did you plump or did you split your vote?—I plumped.

21,129. What did you get for that?—Nothing.

21,130. You gave your plumper to Mr. Mackenzie for nothing?—I did so.

21,131. Were you promised anything?—No.

21,132. You were inexperienced at that time?—No.

21,133. There was not anybody to offer money?—No.

21,134. Did they offer your wife any?—My wife had got nothing to do with me then.

21,135. I hope you do not mean that you have separated?—No. I do exactly as I like, and she does not interfere with me at all.

21,136. Does she do as she likes at all?—Yes.

21,137. You both did as you liked in 1857 and got nothing between you; you did not like it?—No.

21,138. In 1859 did you vote?—For Mr. Dunn I did.

21,139. Do you always vote for the Conservatives?—Not always, I was always Liberal.

21,140. How came you to vote for Mackenzie in 1857, he was a Tory? You got no money paid for voting for Mackenzie; tell us the reason, there must been something?—I was tried on the other side, and I considered I was not paid enough.

21,141. What did they pay you for your work?—For my work?

21,142. Yes?—I had got to look after the men.

21,143. That was in Mackenzie's time?—No, in Mills' time.

21,144. When you voted for Mackenzie?—I had nothing to do with it then. Mr. Bryett came to me and said he wished me to vote for Mackenzie.

21,145. What was Mr. Bryett's influence over you?—He pressed me very hard.

21,146. Any money inducement?—No, nothing of the sort.

21,147. What form of inducement had the effect upon you to convert you?—I do not know.

21,148. Tell us what he said?—He came to me and wished me to vote for Mackenzie.

21,149. What reason did he give you?—He did not give me any reason at all.

21,150. You are a great friend of Mr. Bryett's?—No.

21,151. What, did he offer you to vote against your own party, and get nothing for it?—I have done so.

21,152. What did Mr. Bryett promise you?—He did not promise me anything.

21,153. Did he say you should have anything?—No.

21,154. Anything about your house?—No, he has nothing to do with my house.

21,155. What was the influence which made you turn against your own friends?—I do not know that I have done it.

21,156. No reason at all?—The only reason was I was hired for the election generally, looking after the men.

21,157. In 1862 you were hired?—Yes; I consider I was not paid enough.

21,158. What were you paid?—I cannot tell you exactly, it might be 15*s.* or 16*s.*

21,159. What, did you think you ought to have 15*l.* or 16*l.*?—No, a sovereign I thought.

21,160. And because you did not get a sovereign in 1852, Mr. Bryett persuaded you to vote for the Tories in 1857?—Yes.

21,161. Did you vote for Dunn?—I did.

21,162. Who persuaded you to vote for Dunn, being a Liberal; you were a Liberal and voted for the Tories again?—I did then.

21,163. How is that?—I am a Liberal now, and always was.

21,164. How came you to vote for Dunn? Who canvassed you?—I think they all came to me, all the candidates; I did not promise anyone.

SEVENTEENTH DAY.

T. Blank.

12 Sept. 1866.

21,165. Did Frederick Evens come amongst others?—Yes, he did.

21,166. Was his canvassing of a more cogent order than the other?—It might be so.

21,167. What did he promise you for your vote?—He stated he would get me 60*l.* I saw no paper.

21,168. Was it not 40*l.*?—No.

21,169. What was it he gave you?—He never gave me anything that election.

21,170. What did he give your wife?—Nothing at all.

21,171. What did you get for voting at that election?—There was a gentleman came one evening after I was gone to bed, and I did not know who he was; I came down dressed, and that was the gentleman that came with Mr. Evens.

21,172. Mr. Evens introduced you to the gentleman?—Yes, he was a stranger to me, I do not know who he was; he was there talking when Evens went away. I opened the door and Evens went away, and then that gentlemen went away. I opened the door and the gentlemen was left behind by himself.

21,173. What did Evens say as he was going away, did he tell you to go back to the gentleman?—No, I went back to the gentleman and he went away. Then I went to bed.

21,174. Did he leave anything behind him?—I did not see anything that night; next morning I saw eleven 5*l.* notes, I picked them up in the kitchen.

21,175. Do you know how they got there?—No, I cannot tell anything about that.

21,176. Had anybody else been in the house but Evens and the gentleman?—Not that I know of.

21,177. I suppose you took care to be down first, before your wife?—I am mostly down first.

21,178. You were not surprised to find them, were you?—I thought I should see something the night before.

21,179. Did that gentlemen tell you to look out for a surprise?—No.

21,180. What did he tell you to do?—He wished me good night and went away.

21,181. What made you think you were going to find the notes there?—When I came down the next morning I was looking about, and I saw the notes thrown in behind some stool in the corner.

21,182. Had you suggested where they might be left?—No.

21,183. It was not Mr. Evens who gave you the notes?—No, he did not.

21,184. That was in 1859?—Yes.

21,185. It was 55*l.* you got?—55*l.*

21,186. Did you get anything from the other side?—No.

21,187. Did they tempt you?—No; they never came to me after they canvassed me first.

21,188. They thought it was of no use to canvass you?—It was of no use coming to me.

21,189. Unless they held out an inducement?—No.

21,190. In 1862 how did you vote, when Dent retired?—I did not vote at all.

21,191. Had you promised to vote for Dent?—No.

21,192. Who canvassed you that time?—All the candidates, I believe. I did not promise anyone; I never promise till I go and poll; no one.

21,193. In 1859 had you not promised to vote when these eleven 5*l.* notes were left for you?—No, I had not promised.

21,194. It was before the election?—I did not promise.

21,195. What do you mean, when you once passed your word you never went back from it?—I passed my word that I would not vote, and when it came to the push I did not vote.

21,196. Had you passed your word in 1859 that you would not vote for anybody but Mr. Dunn?—I never passed my word at all.

21,197. Had you passed your word to Mr. Dunn?—No, I did not.

21,198. Did you not promise also in 1862?—No.

21,199. In fact you kept in the market on the list?—I do not know about the market.

21,200. How do you mean by voting in 1862 when Dent retired?—I do not know; I did not make up my mind.

21,201. Had anybody promised you to vote for Dent in 1862?—No one.

21,202. When Mr. Dent retired, if you had gone to the poll what were you promised?—Nothing.

21,202*. Had not Mr. Screach been at you?—Not then.

21,203. Not in 1862?—No one.

21,204. Had Mr. Pender been with you, or had the Liberals?—There is an action between us.

21,205. You have told us about 1859, when you got eleven 5*l.* notes for Dent; then came the next one between Pender and Dent; did you get anything from Mr. Pender's people?—No.

21,206. Did you not get a 5*l.* note after the election?—Not a penny.

21,207. Do you remember getting 5*l.* in the same mysterious way about the latter end of 1862?—No, sir.

21,208. You are sure?—I am.

21,209. Did Evens give you anything?—When, Dent's election?

21,210. No, Dent and Pender?—No one.

21,211. In 1863, who canvassed you then?—Mr. Evens.

21,212. Did you promise to vote then?—No.

21,213. You did not pass your word at all?—No, I do not think I did.

21,214. Was not that the first time you passed your word?—I will not be certain whether I did or no.

21,215. Did you promise Evens to vote for Dent?—No, I did not.

21,216. What did he give you?—He gave me 30*l.*

21,217. Had he not said anything to you about 100*l.*?—There is 40*l.* besides that; he would have offered me 40*l.*; it was but 30*l.*; he brought me 20*l.* first; he said, "There is 20*l.*," and I said, "I shall "not take it;" and he said, "I meant to bring you "down 10*l.*" That was to vote for Dent.

21,218. What did they offer you to vote for Seymour?—Nothing.

21,219. Did they canvass you?—They canvassed me.

21,220. Did they tell you there was money going at the "Seymour Arms"?—I always voted the other way.

21,221. Did you vote for Dent?—I did vote for Dent.

21,222. Did you get anybody else to vote for Dent?—No.

21,223. Were you sent to give any money to anybody else?—No one.

21,224. In 1865, who canvassed you then?—All four.

21,225. Did you promise?—No.

21,226. You did not promise any of them?—Not one.

21,227. For whom did you vote?—For Seymour and Pender.

21,228. Had not Mr. Screach been to you at that time?—He came up to me when I was at work the same day; he came up to me and said if I went down it would be 150*l.* for me.

21,229. Where?—Down at the "Stars," and I went down.

21,230. That was old Screach?—That was old Screach.

21,231. Afterwards did Frederick Evens say anything to you?—No, before that.

21,232. What did he say?—He came to me; I would not promise him; I told him I would have nothing at all to do with it.

21,233. Why would you not have anything to do with him?—Because I did not like the man.

21,234. Whom did you not like, Dawkins and Pim?—I did not like Mr. Evens.

21,235. What did he say about giving 100*l.*?—He

offered me 100*l.* to vote at the election. I told him that I would have nothing to do with it.

21,236. You did not promise at all?—No.

21,237. Had you promised Pender and Seymour at that time?—No.

21,238. Afterwards old Screach came?—He came after the nomination. He said, "Old chap, I want to ' see you, I want to borrow a pair of lasts;" he said, 'I wish you would go with me and there is 150*l.* ' if you go down to the 'Stars.'" I went down to the "Stars."

21,239. Was the 150*l.* there?—No; there was none at all.

21,240. Whom did you see at the "Stars"?—I saw Screach.

21,241. Anyone else?—No one in particular at all.

21,242. You had signed the requisition, had you not?—Yes, I had.

21,243. After signing the requisition you went over to the other side?—After Screach promised me the 150*l.*

21,244. You saw old Screach?—I went down with him.

21,245. Where did you go for the 150*l.*?—He said I was to come down to the "Seven Stars," and I should have 150*l.*

21,246. Did you see old Mr. Heath?—Yes; I saw him, but he did not say anything to me.

21,247. Did you ask him?—There was not anything said about the money after I came down at all.

21,248. At what time did he call upon you?—It must be the evening of the nomination. It was almost dark when I returned home.

21,249. As nobody said anything to you about money did you not remonstrate?—I think he wanted to stop me then and kidnap me.

21,250. To make a lame duck of you?—No; I came home by myself.

21,251. Did he give you some liquor there?—Yes, he did.

21,252. "All nations"?—I do not know whether it was "all nations" or not.

21,253. He did not give you enough to keep you in?—I was careful over that.

21,254. You got a little business at the "Seymour Arms"?—No; came home to my own house and I went to bed; there was some person sent up from the "Seven Stars" after that.

21,255. What didhe offer you?—He came up from the "Stars." I was gone to bed.

21,256. Did you see him?—No.

21,257. Did your wife?—No one; I came out on the stairs and he said, "Here, I want you to go down to "the 'Stars' directly with me." I do not know who it was.

21,258. What time was this?—In the night or the evening. I told them if anybody wanted me they must come where I was.

21,259. Did somebody come?—No; they did not come.

21,260. They left you alone?—No.

21,261. Did you have the 150*l.*?—I did not get it.

21,262. Did you go to Seymour and Pender's people and ask them to make it up to you?—No, I did not.

21,263. Did they come to you for Seymour and Pender?—The next morning Mr. Searle came to me and asked if I would go for a ride.

21,264. Thomas Jacob Searle?—Yes.

21,265. Where did you go for a ride?—He took me down on the plains.

21,266. What did you go and ride in, a cart or a fly?—A fly.

21,267. When you got there what did you do?—Voted for Pender and Seymour.

21,268. Did he give you a present afterwards?—No.

21,269. Do you mean you never got work after the election?—No.

21,270. Did Mr. Searle tell you where to find something?—No; he never said any word about money at all.

21,271. (*Mr. Bere.*) Did you give evidence to the solicitor against the petition who got it up; we have your evidence?—The evidence here I gave to him.

21,272. In your evidence you said Searle told you you would find something under the carpet. You did not find something under the carpet?—No.

21,273. Do you know whether Mr. Searle's evidence was taken?—I know he took it.

21,274. If he swears he told you you would find something under the carpet it is untrue?—Yes.

21,275. What did you get for voting at the last election?—I did not get anything.

21,276. Have you had nothing given to you since the last election?—No.

21,277. Not a 5*l.* note ever?—I had 5*l.* to go up to London, but I was never called.

21,278. What solicitor took your evidence before you went to London?—Mr. Tucker.

21,279. Did you not tell Mr. Tucker that Mr. Searle had told you you would find something under the carpet?—No, never; Mr. Tucker asked me.

21,280. Try and recollect what it was you told Mr. Tucker; did he come here to you?—No. I heard he was going to London, and I was served with a warrant or whatever you call it.

21,281. Who served the Speaker's warrant on you? Mr. Hill.

21,282. You were going to London?—Yes.

21,283. Where did Mr. Tucker take down your evidence?—Down at Mr. Searle's.

21,284. Was Mr. Searle present whilst it was being taken?—He was.

21,285. What did he say?—Mr. Tucker asked me whether I paid anything; I told him no. He asked me whether I had offered any person anything; I told him no.

21,286. Did you ask him about Mr. Searle saying who put some money under the carpet?—I never said a word to Mr. Searle about it.

21,287. How long were you up there?—I went away on Monday morning and returned on Friday morning.

21,288. What did you get first?—I got 5*l.*, and 3*l.* 2*s.* 6*d.* afterwards.

21,289. You paid all your expenses to London?—Yes.

21,290. And all your travelling expenses?—I paid them myself.

21,291. Out of the 5*l.*?—Yes.

21,292. Both ways?—Both ways.

21,293. Did not Mr. Tucker tell you that Searle had said he had promised you money for your vote, and that he told you where you were to find it?—He did not say any such thing.

21,294. That you mean to say?—Yes.

21,295. When you went into the fly what did Searle say to you?—He did not know which way I was going to vote.

21,296. He said he was going to take you for a drive?—Yes.

21,297. He did not say where he was going to?—No.

21,298. How far were you from the Plains?—My house is at the top of town, that is at the bottom.

21,299. You were talking about the election going on?—Hardly a word.

21,300. What did Searle say?—"I hope you will "not vote against us."

21,301. And what did you say?—I said, "You will "see when I come down."

21,302. How long was it before you did vote?—I went right down into the booth.

21,303. Between the time of your saying so and your voting what had been said to you to make you vote for Mr. Pender?—There was nothing said.

21,304. What did he promise you?—Nothing.

21,305. What did he give you?—Nothing.

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21,306. Did he tell you where to find anything?—No.

21,307. Did he say anything to you about money? I do not remember.

21,308. You do not recollect a word being said that it would be as well for you if you voted on their side as on the other?—He did not say anything of the kind.

21,309. He asked you not to vote against them; did he give you any reason why you should vote for them?—No.

21,310. What did he say about money?—He said nothing about money.

21,311. Nor about the price of your vote?—No.

21,312. Or about anything being made right after the election?—No, nothing of the kind.

21,313. What did he say to you about voting?—He only asked me to vote for Pender and Seymour.

21,314. On your oath did he not tell you that you should have anything for so doing?—No.

21,315. Did he ask you what you had been promised on the other side?—I dare say he had heard that.

21,316. Did you tell him you had been promised 150*l.*, and had not been able to get it?—No.

21,317. And he thought the other side had behaved ill to you?—No.

21,318. What did he say of that?—Not a word about it. I do not think he knew that I had been offered money on the other side.

21,319. What sum did he name to you?—He did not name any sum at all.

21,320. Did he not promise you any money for your vote?—No.

21,321. Or that you should be remembered after the election?—No.

21,322. Did he say anything at all about it?—No.

21,323. Did you ever find any money after the election?—No.

21,324. Or did any person show you any?—No.

21,325. Did he tell you what other people had got?—No.

21,326. Or did you know the price?—No.

21,327. You at first said you were a Liberal and always voted for the Conservatives when you were paid, what made you vote for the Liberals without being paid?—Screach came to me and promised me 150*l.*, that was the reason.

21,328. Did you get anything more for voting for the Liberals?—I did not get anything.

21,329. You have not had a farthing either before or since, or up to this time?—No.

21,330. Has Searle talked to you about this matter?—No, not a word.

21,331. Or Mr. Parnell?—I have only seen him in the street.

21,332. Have you seen any one on the Liberal side?—No.

21,333. Did you tell Harris you had always had money, and would not vote without it?—No, nothing of the kind.

21,334. You had always had money?—No, the first election that I voted I had no money.

21,335. You remember the municipal elections in 1864?—Yes.

21,336. Whom did you vote for then?—I do not know.

21,337. The Liberals or the Conservatives?—The last time I voted in the council I was for the Liberals.

21,338. Had you not promised Mr. Edmonds you would vote for the Conservatives?—No, I did not; he came to me and I said that I would not vote for them.

21,339. Was he not going to give you a pound on that occasion?—I told him I would not vote for them; I asked him 2*l.* and he said he would not give it to me. That is how it was that on the last occasion I voted against them. I told him that they had promised me 2*l.*; I asked him about that and he said that was right. That was when he canvassed me for the last election, and I told him I would have nothing to do with him.

T. Lampen.

THOMAS LAMPEN sworn and examined.

21,340. (*Mr. Bere.*) How old are you?—I am 83.

21,341. You voted for Baldwin in 1839?—Yes, I did.

21,342. Did you get anything for voting for Baldwin?—No, never in my life; I always plumped for him.

21,343. When did you first get any money for your vote?—I never had any at all.

21,344. Nor your wife?—No.

21,345. Do not you remember when Mr. Petre was standing here?—Very well indeed.

21,346. You remember Mr. Petre and his agent coming round to you?—Yes, they came and offered me 50*l.*, and if I had given the two votes I should have had 100*l.* Mr. Teed was one of the candidates. They went over to Bridgetown, and there they compromised the thing; there was no election.

21,347. Do you remember their going over to Mr. Tracey's?—Yes.

21,348. Were you there yourself?—No.

21,349. You heard of it afterwards?—Yes.

21,350. You never saw the paper?—No, I never did.

21,351. On the last occasion, when Colonel Dawkins and Captain Pim stood, did you see Mr. George Heath and Mr. John Heath?—Yes.

21,352. What did you say to them?—I was on the bridge, where I generally go when it is fine weather, and I went into the "Seven Stars," and John Heath said, "Neighbour, have you seen my son George," I said, "No; I am an old man and I should think of "having a little money this time if there was any "going." They talked about 25*l.* for each vote. Mr. Edmonds said I talked very high, and John Heath said to me, slapping his hand on my shoulder, "You shall have it;" but I never had a farthing.

21,353. They behaved very badly to you, I suppose you thought?—I thought they did to an old man like me.

21,354. Is that all you know about it?—Yes.

21,355. Did you ever ask him for it?—I told him about it several times.

21,356. You talked to him about your not getting it?—He told me several times that it could not be had; I told him that they had behaved very badly to me not to get me my money as they had promised me.

21,357. (*Mr. Coleridge.*) Had any other voters told you they thought he had kept their money from them?—Not anyone else.

21,358. Did anyone come to you on the other side?—Mr. Pender came.

21,359. And Mr. Michelmore?—No, he did not come.

21,360. Or Mr. Parnell?—No.

21,361. Did they offer you anything on Mr. Pender's side?—No; only my son told me he thought if I had voted on Pender's side that I might have got a little.

21,362. What is your son's name?—Thomas Lampen.

21,363. How old is he?—40 or 50.

21,364. How came you to talk about this?—The election was going on.

21,365. Has your son got a vote?—No.

21,366. Did he get anything for talking to you?—That I cannot say.

21,367. Has he ever told you that?—No.

21,368. You do not think that it was he who kept

your money instead of Mr. Heath?—He did not go to Mr. Heath's, he was on the Whig side.

21,369. He has not talked to you anything about it?—He has talked to me some three or four times.

21,370. Was he not sent to do so by someone upon that side?—That I cannot say.

21,371. Did he not say that Mr. Windeatt had sent him to call on you?—That I cannot say.

21,372. He came some three or four times, did he not?—My son did.

21,373. Does your son live with you?—No. He was here ten minutes ago.

21,374. Is he in Court now?—No.

21,375. When was the first time you ever voted?—I voted for Cornish and Parrott.

21,376. There was no money going in those days?—Not so much.

21,377. When did you first hear of any money going about in Totnes; how long ago?—When Baldwin and Teed put up in 1841.

21,378. And I suppose it has been going about pretty steadily ever since?—Yes.

21,379. What did Mr. Pender say when he called on you?—He said, "Cannot you give me a vote." I told him I could not; he said, "You have got one "vote to part with;" I said, "I cannot vote on your "side, I am a regular Tory and I cannot go away "from it."

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21,380. Whom had you promised to vote for?—For Colonel Dawkins.

21,381. Did you see Captain Pim afterwards?—Yes.

21,382. What did you tell him?—I did not promise him.

21,383. How came you to keep your vote back; they never gave you anything for it?—No. I wanted to have 50*l.*, and Mr. John Heath told me I should have every farthing of it.

21,384. And you think he owes you that to this day?—I do.

21,385. You do not know any other voter whom he has not paid?—That I cannot say.

21,386. Do you think he got the money you were to have?—I do not know; it is most likely.

THOMAS DENNIS sworn and examined.

T. Dennis.

21,387. (*Mr. Longe.*) What is your occupation?—A fly proprietor.

21,388. Do you belong to any particular hotel?—No; only for myself.

21,389. How long have you had a vote?—At the last election.

21,390. That was the first vote?—Yes.

21,391. How did you get that vote?—By renting a field of Mr. Chaster's.

21,392. Who was the landlord, was it Mr. Chaster's field?—Yes.

21,393. Which way did you vote at the last election?—For Colonel Dawkins and Captain Pim.

21,394. Who canvassed you for your vote first, Mr. Chaster?—No, he did not at all. I had left the field then. I left at Lady-day and the election was not till July.

21,395. You held the field then?—I left the field, the term was up at Lady-day and the election was in July.

21,396. You had given up the field?—Yes.

21,397. Who canvassed you for the Conservatives?—The one I saw was Captain Pim. I do not know the day, but it was about Tuesday I think.

21,398. Did Captain Pim come alone?—Yes.

21,399. Surely someone was with him?—There was no one with him. I was taking a glass of beer at the "Oxford Arms," and that was the only place I saw him.

21,400. What was the result; did you say you would vote for him?—He solicited my vote and I said, "I could not promise," but I said, "I promise "you one thing, I will not vote against you;" and he said, "Thank you."

21,401. Then did Narramore call on you?—Yes. That was the same day, the same afternoon. It was in the same place, the same house.

21,402. What house was that?—The "Oxford Arms;" Mr. Goodman's.

21,403. Is that where Captain Pim saw you?—Yes, where he asked me for my vote.

21,404. Was Mr. Narramore with Captain Pim?—No.

21,405. How long afterwards was it that Narramore came?—I do not know, it might be half an hour or a hour; it was in the course of the afternoon.

21,406. Did Narramore say that he had come from Captain Pim?—No.

21,407. Whom did he come from?—I do not know.

21,408. What did he say?—He said he wanted to speak to me and I went out of the parlour to another room by ourselves, and he said, "Have you promised "your vote?" and I said, "I have not to no one." I said, "I do as I like with my vote, I have no master "to please or mistress to affront;" and he said, "If "you have not promised your vote, will you vote for "our side?" and I said, "I cannot tell you what I "shall do, but I don't think I shall go against you "altogether." Then we had a talk, and he said, "I "will give you 70*l.* to vote for Colonel Dawkins." And I said, "Very well, we will talk about that "another day." I went away and he followed me. I saw him in the evening as we went into the passage to go into the room where we came from, and he said, "If you will give us both I will give you 100*l.*" I said, "Thank you, I will see you again;" and he said "You will not promise your vote till to-morrow." I said, "If I passed my word I would not," and the next day he came again and said, "Have you "promised?" "No." Then he said, "If you are as "good as your word, I am as good as mine;" and I said, "I will take you at your word." And then he gave me 100*l.* The second day, the nomination day, about 7 o'clock, he came and looked for me, and I said "All right, I will give you my vote." I didn't ask him for anything, he offered me 100*l.* and I took it.

21,409. He gave you the 100*l.*?—Yes.

21,410. And you gave him this piece of paper?—Yes.

21,411. Did you have any offers from anyone else, did anyone canvass you on the other side?—I was canvassed by Mr. Pender.

21,412. When was that?—The 5th of July that was.

21,413. That is very early?—That was the day of the month I think, because he bought some salmon of me the same day.

21,414. What did he give you a pound?—About fifteen pence I think.

21,415. How many pounds was it?—I cannot tell, about 12 or 14 pounds.

21,416. (*Mr. Bere.*) Did you get 19*s.* for it?—No, I don't think it was, I think about 17*s.* I am not sure, but it is in the book.

21,417. (*Mr. Longe.*) Did you do a little canvassing. Didn't you go to Mr. Nickells?—Oh, no.

21,418. (*Mr. Coleridge.*) You sold your vote for 100*l.*?—No he offered it to me.

21,419. You accepted it?—He offered it to me and I accepted it.

21,420. That is all?—That was all that was said.

21,421. (*Mr. Longe.*) Nickells said that Dennis asked him for his vote for Mr. Pender?—No.

21,422. How many Dennises are there in Totnes?—I do not know, there is one at the head of the town; it was not me.

21,423. (*Mr. Coleridge.*) When you went to the "Seymour" hotel about the fish, did you see a lot of people drinking there?—Yes.

21,424. Did you have any?—Yes.

21,425. Did you pay for it?—Yes, the first glass

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I did, which I ordered myself, then I went into the next room and then I had some.

21,426. No one paid for anything?—I do not know that they did or did not, I did not.

21,427. What did you have in that large room without paying?—Two or three glasses of grog.

21,428. Nobody asked you to pay?—No, I offered to pay and they said it was all right, I didn't offer to pay I was sitting alongside Mr. Prout clerk to Mr. Michelmore, and when I was about to go, about 10 o'clock, I said, "Mr. Prout, I will pay my share I am "going;" and he said, "All right, there is nothing to pay."

21,429. Did you see the maid servant?—She was there attending.

21,430. She did not ask you to pay?—No, she didn't say anything to me at all.

21,431. (*Mr. Bere.*) When you were making this bargain with Narramore didn't you tell him that Mr. Chaster had been with you?—No, I could not, he never did.

21,432. Had anybody been on the other side?—No.

21,433. Didn't Mr. Narramore offer you 40*l.* first?—No, he offered me 70*l.*

21,434. You are quite sure?—Yes.

21,435. If Mr. Narramore said he offered you 40*l.* and you said you had been offered 70*l.* on the other side, he is wrong?—He offered 70*l.* for one and 100*l.* for two and I took him at his word.

21,436. Who paid you for the fish?—I think Mr. Charles Michelmore.

21,437. Was it 19*s.* 6*d.*?—I do not know.

21,438. When you were paid, didn't he ask you if you would have a glass of grog?—No, I asked for it; and then we went into the other room.

21,439. (*Mr. Coleridge.*) How did you get the fish?—I went fishing.

21,440. You had a good time of it?—No, a bad time.

21,441. (*Mr. Bere.*) What time were you paid for the fish?—Seven o'clock I went.

21,442. Wasn't Mr. Pender and Mr. Seymour in the room?—Yes.

21,443. Wasn't Mr. Moysey the farmer there?—Yes.

21,444. Mr. Mortimer?—I couldn't tell.

21,445. Mr. Berry?—I couldn't tell, the room was full of people.

21,446. You mentioned this in the House of Commons?—I don't know.

21,447. Was Samuel Cuming there?—Yes.

21,448. The two Thomas Searles?—Yes, that was Searle the father and the young one.

21,449. And Farley of Bridgetown?—I will not say exactly about Farley. The room was full, I cannot say exactly who was there.

21,450. Venn?—Yes.

21,451. George Mitchell?—Yes.

21,452. Stanning?—I cannot say for certain.

21,453. Was John Elliott there?—He was in and out.

21,454. He was an active man?—Yes, I know the room was full, I dare say there might be 150 there.

21,455. Did you see many voters going in and out?—Yes, there is always a lot the Monday before the election.

21,456. Do you mean that nobody talked to you about your vote?—Not a single man.

21,457. Did you hear any secrets?—No, they was at one end of the room and us at the other.

21,458. Who was us?—Me and Mr. Prout sat by my side.

21,459. Do you mean to say that he did not speak to you about it?—Not a single word, he lives at Newton, not a single word; us was off from the big table.

21,460. (*Mr. Coleridge.*) Did you hear him talk to anybody else?—No, I suppose they thought they were all going to vote on one side.

21,461. They thought you were on their side?—Yes, I went in and had a glass of grog at the bar.

21,462. Which side would you have voted for if you had had no money at all?—I should have voted for Colonel Dawkins, I had made up my mind to vote for Colonel Dawkins.

21,463. And Captain Pim?—No, I do not know that. It was for this reason I had signed the requisition and I considered it nothing but fair and just to vote for him.

21,464. You thought it fair and just that you should get 70*l.*?—No, I should have voted if I had not had a penny, exactly the same.

21,465. If they had not known of your being at the "Seymour" you would not have got the 70*l.*?—I do not know I am sure. I go there almost every day with fish.

J. Pack.

JOHN PACK recalled.

21,466. (*Mr. Bere.*) Did you ever see the young Mr. Heath's dress themselves up at election time?—No.

21,467. Did not you tell the clerk who summoned you here this morning that you had seen the young Mr. Heath's dress themselves up?—No.

21,468. In old clothes?—Yes; going about the municipal affairs; no wig, nothing of that sort.

21,469. (*Mr. Coleridge.*) You were not asked anything about a wig?—I was asked this morning.

21,470. (*Mr. Bere.*) Did you ever see either with a moustache?—No.

21,471. Or paint their faces, or anything of that sort?—No.

21,472. (*Mr. Longe.*) Do you know which were the two servants sleeping down the passage in the two rooms you spoke of? Which were the rooms?—21 and 22.

21,473. Those are the rooms at the end of the passage?—No; Nos. 23 and 24 is at the end of the passage.

21,474. And 21 and 22 about half way down?—Very near about.

21,475. Who occupied those two rooms?—The cook and the chamber-maid occupied one, and the other two servants they kept in the house as well.

21,476. Now who slept in 19 or 20?—I cannot recollect anyone in particular.

21,477. No. 19?—No.

21,478. No. 18? Do you remember, were they all occupied?—They was at times.

21,479. If they had been occupied, would they have been occupied by servants?—They would have been occupied by people coming to and fro.

21,480. Were those rooms they used to put gentlemen into?—Yes, we used frequently to put them in there. It is hard to say.

Crawford.

HENRY CRAWFORD sworn and examined.

21,481. (*Mr. Bere.*) When did you first vote for the borough?—I beg your pardon, but I wish to ask you a question before going into that matter, and that is with respect to a part of Mr. Edmonds' evidence. I asked Evens, which he denies ever that he told Mr. Edmonds, that I were a swindler. It is published in the paper and may be a mistake of the reporter.

21,482. (*Mr. Bere.*) What have you to complain of?—

(*The Witness.*) Evens denies that he ever said anything of the kind, and Mr. Edmonds says that he said it through Evens.

21,483. (*Mr. Bere.*) That is a matter we cannot

settle ; we shall see before the end of the examination whether there is any truth in it or not.

(*The Witness.*) The other is whether my name is signed to the requisition for Mr. Dent.

21,484. (*Mr. Bere.*) You must know whether you signed it?—No, I did not, therefore I wish to know whether it's a forgery.

21,485. You are a painter and glazier ?—Yes.

21,486. And a cab-driver ?—And I have a little ground as well.

21,487. Is that the way you get your vote ?—I vote on my house.

21,488. How long have you had the cab ?—The last 15 or 16 years.

21,489. Your last new cab ?—About three years.

21,490. Does it go by the name of the Seymour Company's cab ?—I do not know; what you choose to call it.

21,491. When did you first vote for Totnes?—In 1862.

21,492. Whom did you vote for in 1862 ? — For Pender.

21,493. At that election ?—Yes.

21,494. What did you get for that ?—Nothing at all, I should think.

21,495. What had he promised to you ?—Nothing.

21,496. Do you know at that election Mr. Thomas Parnell came to you ?—No, that was in the last.

21,497. In 1862 you got nothing from Mr. Pender ?—I did not expect anything.

21,498. Though you did not expect it, did you get anything ?—No, by no means.

21,499. You did not find an envelope without a direction for your services, with a 5*l.* note in it ?—Nothing of the kind.

21,500. Did any of the others visit you ?—I was visited by the Tory party.

21,501. Who was it ? — Young John Heath ; he came and offered 30*l.* or 40*l.* for my vote ; I refused him, and told him I would not do any such thing.

21,502. That was the last time ?—I think it was ; I am not positive. There was also a young man named Thomas Welch offered me 60*l.* for a small pig not an hour old.

21,503. Why did you not take it ?—I would not sell my conscience that way.

21,504. You would only have sold your pig ?—I would not do it.

21,505. You would not agree to that temptation ?—I would not.

21,506. Thomas Welch is dead ?—No ; it was the young man I saw ; the father is dead.

21,507. Was the father employed as one of the Conservative registration agents ?—I have heard he had something to do with it.

21,508. You would not take this money for your pig ?—No.

21,509. Did you see Evens or Screach in 1862 ?—No, I did not ; not to my knowledge.

21,510. In 1863 you saw them ?—Neither of them concerning the election.

21,511. Do you know Tucker and Andrew Distin ?—Distin and Tucker both came to my place, and Mr. Tucker called to me and says "If you vote for us you "shall have 40*l.* or 50*l.*"

21,512. That was to vote for Dent ? — To vote against Pender and Seymour.

21,513. In 1863 Pender was not standing ?—You are right, Sir ; it was Seymour alone.

21,514. They offered you between 50*l.* and 60*l.* ?—I told them no, I should have nothing to do with it. Mr. Distin went out of the passage before him, and Mr. Tucker followed directly after.

21,515. Did you get anything offered ; did they come again to you ?—They never came again.

21,516. Did they send anybody ?—I do not know ; there were others who came to me.

21,517. Who came to you ?—A shop-mate of mine named George Mitchell.

21,518. What was it he offered you in 1862 ?—I voted then the Tory side.

21,519. Which side did you vote ?—I voted for the Tories, as I have always voted on that side of the question.

21,520. Do you remember George Robins Stone coming to you ?—Yes.

21,521. That was in 1863 ?—It was the last election.

21,522. Did anything else happen in 1863 ?—Not particularly about money matters.

21,523. Mitchell had got the 60*l.* to pay you, I suppose ?—Yes, he had, he had got the money to pay me, he had got it in a little bag. I told him I would not keep him hanging about the place. I could not get rid of him. I showed him I was not drove for money or destitute, and I showed him a little of my own to convince him.

21,524. Was it in gold what he had ?—All in solid sovereigns.

21,525. Even the sight of the gold did not tempt you ?—I would not be tempted for any consideration.

21,526. You did not agree with Mitchell ?—Mitchell said to me, "If you do not like that, I will go and "get 10*l.* more." I said, "You may go and get it "if you like." I merely said that by way of getting rid of him out of the house. By that time he walked off, as I would have no more to say to him.

21,527. Did you not also see George Stoyle ?—I did.

21,528. What did he say to you ?—Not a word concerning money towards the election.

21,529. What else was it, was it work ; who had been your customers before the election ?—Who had ?

21,530. The Liberals or the Conservatives ?—I work for both.

21,531. It is not usual in Totnes, is it ?—I sometimes work for both.

21,532. What did George Stoyle come about ?—He came and asked if I was going out to spend half-an-hour.

21,533. How long before the election was that ?—The nomination night.

21,534. Did you go out with him ?—I did. I said I do not mind going out half-an-hour ; my wife was ill in bed, and I did not care much about it ; but I said if I do I will return in half-an-hour. He said, I am going to the "Seymour," and I said I will go with you if you like. On my way I was followed by a crowd in passing through the Alley by the "Dartmouth" inn. They began to rattle sticks over my head, saying, "He is coming down here." When I had got towards the turnpike gate, one got me by the arm and another cotched me by the coat.

21,535. Who got you by the arm ?—I cannot say ; when I got as far as the turnpike gate, I slipped from them and ran away. I went into the "Seymour."

21,536. Where did you go there ?—I went to the big room, where many sat drinking.

21,537. Did you have a glass of grog ?—I did ; what I had paid for.

21,538. Did you see George Stoyle while you were there ?—He came up to me.

21,539. Did he talk to you about your vote ?—He never said a word to me about it.

21,540. Did nobody ever say a word to you about your vote ?—No.

21,541. How many cabs were you keeping at that time ?—Three or four.

21,542. How long had you had them ?—I had got three at work at a time.

21,543. Three horses ?—No, two mules and a horse working.

21,544. What sort of a fly was it in size ?—One would carry four people. I have two that would carry four people, and the other carries two.

21,545. How long have you had the two ?—I should think eight or ten years.

21,545. Where did you buy it ?—One at Paignton, and the other I made myself.

21,547. Are you a carriage maker ?—I did a little to it.

21,548. (*Mr. Coleridge.*) You bought the wheels and had a man to help you put it together ?—I hire

SEVENTEENTH DAY.

H. Crawford.

12 Sept. 1866.

a man sometimes, a carpenter and wheelwright, and I do a little myself.

21,549. (*Mr. Bere.*) Soon after the election of Seymour and Dent, did you not turn out a new fly?—After Seymour and Dent, not the one that I made myself.

21,550. Did you not have a new fly?—At Seymour's election I did.

21,551. What did you give for it?—I gave 70 guineas for it.

21,552. Where did you buy it?—Of Mr. Ash, at Torquay.

21,553. Where did you get the 70 guineas?—I worked for them, as every honest man ought to do to get it.

21,554. How did you pay for it, in a cheque or gold?—40*l.* was the first payment, and then I signed three bills that the whole should be paid in nine months, and I completed them in the nine months.

21,555. Who is Mr. Ash?—A coach builder.

21,556. Has he anything to do with the election here?—Not that I am aware of.

21,557. Is his christian name William?—John Ash.

21,558. Had you got to borrow 40*l.*?—No; I worked for it, I got it honestly.

21,559. Had you got it from the bank?—No, I never keep it at the bank; what I earn I keeps by me.

21,560. You had 40*l.* of your own at that time?—Yes.

21,561. You swear that there is no truth in the story that this carriage was given to you by the Seymour party?—No truth whatever, not the least particle of it, I am confident of it; they may say what they like, but it is false report. They say so in your presence, but if a hundred thousand came and said so I should say the same.

21,562. You never received any money for your vote?—No.

21,563. Never at any time?—I have been offered by the Tory party, but never by the Liberals.

21,564. (*Mr. Coleridge.*) Where did you purchase your horse?—I bought the horse of a man from Dartmouth.

21,565. How much did you pay for it?—15*l.* and a large pig.

21,566. Was that the day-old pig grown into a big one?—No, I think it was a young one.

21,567. (*Mr. Bere.*) Now the election of 1865; did George Stoyle come to you?—Yes.

21,568. To the "Seymour" hotel at night?—I was afraid to come back in the crowd. I was in danger of my life.

21,569. Why did they set upon you?—I do not know why they should set upon me, unless they wanted to bribe me to make a market for themselves; but they had not a chance. A great many squabbles take place.

21,570. Did they make any noise when you got out of your house?—No; I intended to come back again.

21,571. How long did Stoyle stay in your house before you came out?—I think he might have been there an hour.

21,572. You knew what he was there for; he was one of the bribers on the Liberal side?—I do not know, he never bribed me; he never offered me anything, and never said a word to me.

21,573. (*Mr. Longe.*) Did you ever find any money accidentally?—Never in my life.

21,574. Did you have credit from Mr. Ash in consequence of any letter that was sent?—No; I had dealt with him before. I bought two carriages from Mr. Ash before that.

21,575. Do you mean to say that the whole time Stoyle was in your house he did not talk to you about your vote;—No, never a word, which way I was going to vote. I do not remember his asking such a question.

21,576. Did you not tell him Mitchell had offered you 60*l.*?—I may have done that; I would tell any person of that.

21,577. Is it a very odd transaction, you are offered 60*l.* by the Conservatives, and you refuse it; Stoyle, a Liberal agent, comes to your house, sits with you for an hour, and then you go down with him to the "Seymour Arms"?—He never offered me a penny in his life, nor the worth of it.

21,578. Did he ask you to come down to the "Seymour" to see what you could get?—No, he did not.

21,579. Do you mean to tell me you did not expect to get anything when you went down to the "Seymour"?—No.

21,580. No orders for a new fly or anything of that sort?—None that I am aware of.

21,581. Did you have any?—A boy was coming up the street and gave me a note; it was to order my fly to be on the Plains the following day.

21,582. Who sent the note?—I think it was sent by Mr. Jenkins.

21,583. Was he down at the "Seymour" hotel when you got down there?—Yes, he was.

21,584. Did you see him there?—Yes.

21,585. This is the election of 1863?—No, no, the fly I had in 1863; this was for the last election.

21,586. In 1863 when you stayed all night at the "Seymour," were you employed that election?—Not in that election.

21,587. Did they give you any work that election?—No, I did not. I do not know that I was out at all.

21,588. I do not like to ask you unpleasant questions, but you say you are a man of money; is it the fact that you had 40*l.* of your own at that time?—I had, sir.

21,589. For the horse you gave 15*l.*, and the carriage 40*l.*?—Yes; I can give you a little account of the way I got it together.

21,590. (*Mr. Coleridge.*) Who helped you to meet those bills?—No one assisted me never; I never borrowed a shilling of anyone. I cut a rick of hay and made 16*l.* of it.

21,591. Where did you buy the rick of hay?—I bought the grass and cut it. I sold above 20 pigs that year.

21,592. At the time Stoyle was in your house, was there not Mr. Parnell too?—Stoyle was there; he came in and sat down with me for a few minutes.

21,593. Did not Mr. Mills come in?—I do not remember seeing him.

21,594. Nor Mr. Parnell?—I did not see him to my knowledge.

21,595. Where did you see him?—Not at all at that election to my knowledge. I may have seen Mr. Parnell at the hotel, but not to have any conversation with him that I am aware of.

21,596. You saw him at the hotel?—I think I saw him at the hotel.

21,597. If you have got any accounts to show how you got the 40*l.* and the 15*l.*, we shall be glad to see them?—I have no accounts at all.

21,598. You must be here to-morrow?—I shall be very proud to be here again.

Adjourned till to-morrow at half-past 10 o'clock.

EIGHTEENTH DAY.

Thursday, 13th September 1866.

Lieutenant PENDER sworn and examined.

21,599. (*Mr. Bere.*) Are you captain in the 25th?—No, I am lieutenant.

21,600. Where were you in 1865?—I was quartered at Preston.

21,601. Did you come here to assist your father at the election?—No, merely as a looker-on.

21,602. When did you come here?—I started from Preston four days before the election.

21,603. Is that the Saturday before the election?—The Friday or Saturday before the election.

21,604. Did you start from Preston in consequence of any communication from your father?—Not that I am aware of.

21,605. Did you stay anywhere on your way?—I stayed in London nearly a day.

21,606. Did you go to Manchester?—No.

21,607. Did you stay at your father's house in London?—No, I think it was Rawlings' hotel, Jermyn Street.

21,608. Had you any interview with your father's then secretary?—No.

21,609. You did not see him at all?—No.

21,610. Did you see the manager of the London department of Mr. Pender's business?—No.

21,611. How long had your father been down here before you started from Preston, do you know?—I think I was here first.

21,612. Did not you find your father here when you came?—I think he was here.

21,613. Had you not heard from him when he was here canvassing before you came down?—Not that I remember. I certainly heard nothing about the election.

21,614. Had you received a communication by telegraph from him?—No, not to the best of my recollection.

21,615. Did you find a letter for you in London from him?—No.

21,616. Or from anybody connected with Totnes?—No.

21,617. What was the reason you came down?—I merely came down. It was an opportunity of getting leave, and I came down to look at the election.

21,618. Was Mrs. Pender in London then or in Manchester?—I think in Wales; I am not sure.

21,619. On the Sunday, the 9th of July, did you not have a telegram from your father in London?—I certainly do not remember any telegram.

21,620. (*Mr. Coleridge.*) What other Pender could there have been in London to whom a telegram could be sent?—None, I should think.

21,621. (*Mr. Bere.*) Did you yourself telegraph to your father?—I may have done so, but I do not recollect.

21,622. Are you quite sure you did not receive a telegraphic message from him on the 9th in London?—I certainly do not remember. I will not swear I did not, but I do not remember.

21,623. Did you go to the Whitworth Ordnance Office while in London?—To the best of my recollection I did not.

21,624. Or any office with which your father is connected?—I do not know where the others are.

21,625. (*Mr. Coleridge.*) You are quite sure that Mrs. Pender was not at Manchester at this time?—I think not.

21,626. On the 7th July did you send a telegraph?—I think not.

21,627. There is a telegram on the 7th July, Pender to Pender, Manchester?—It could not have been me.

21,628. Would your father telegraph so to one of his clerks in Manchester?—He might have done so.

21,629. Is he in the habit of doing so?—He might have done so.

21,630. Would not he telegraph to the manager?—He would telegraph to the firm.

21,631. What is the name of the head man?—Mr. Brown is the head man, I think.

21,632. Is there a Mr. Jacks?—He is in the business.

21,633. What luggage did you bring with you from London?—To the best of my recollection a large tin box, a hat-box, and a travelling bag.

21,634. What did the large tin box contain?—I think before I came to London it was filled with clothes.

21,635. A hat-box and another small box?—Only one hat-box and a leather bag.

21,636. You stayed at Rawlings' hotel?—To the best of my recollection.

21,637. Did you leave by train on the Sunday or Monday?—I left by the night train on the Sunday.

21,638. You got here early on the Monday morning?—Yes.

21,639. How did you get to the "Seymour" hotel?—To the best of my recollection I walked with my bag.

21,640. How did you get your luggage?—It was sent with the "Seven Stars" fly.

21,641. What was the size of the tin box? Was it one of the tin boxes in which regimentals are packed?—No, much larger; to hold clothes for a month or two months.

21,642. Had you got leave for two months?—No, I think about a week or 10 days.

21,643. You had no occasion to fill the tin box to the fullest extent?—No, but I generally travel with more than I require.

21,644. Had you a portmanteau as well?—No.

21,645. You heard what the man said?—Yes.

21,646. "*Q.* What was his luggage?—*A.* There "was a tin box and portmanteau"?—No.

21,647. Who came down with you?—I was asleep till I got to the station, and then I saw a gentleman who turned out to be Mr. Murchison.

21,648. Did he go to the "Seven Stars?"—Yes.

21,649. Did you see what luggage he had?—I could not tell.

21,650. Could you form any idea of the weight of your box?—When full, over 100 lbs. I have got the box with me at the "Seymour Arms."

21,651. Have you got a cover to it?—It is a canvas cover to it.

21,652. It might be mistaken for a portmanteau?—It might.

21,653. The tin would not be seen?—No. I have seen portmanteaus of the same description.

21,654. You heard the description, had you any box answering to that description?—I think not.

21,655. (*Mr. Coleridge.*) I will read what the boots, Beer, says: "*Q.* What kind of box was it?—*A.* As far "as I recollect it was polished wood. *Q.* With a "handle to it?—*A.* No, I think a leather strap was "buckled round it. *Q.* Was it covered with leather?"—*A.* I think not. *Q.* What did you think it was "when you got hold of it?—*A.* I thought there was "gold in it. I came back to the yard and said I had "taken a good whack of gold to the Seymour hotel. "*Q.* Are you sure it was not a bag?—*A.* It was a "box. *Q.* What made you think it was gold?—*A.* It

"was so heavy; I knew it could not be wearing ap-"parel. I knew it was some metal or other weight. "(*Mr. Coleridge.*) *Q.* It might have been cartridges? "—*A.* It might." Was it at all like a cartridge box?—Not at all; it was a very large box.

21,656. (*Mr. Bere.*) Have you in your possession any box answering to that description?—None.

21,657. Had you at that time?—I had not a box in my possession at that time, or ever had, and I have not a cartridge box, because I shoot with muzzle loaders.

21,658. Did you take from London to Totnes any more luggage than you brought from Preston to London?—No, nothing more.

21,659. Did you bring anything down for your father among your luggage?—No, nothing.

21,660. Nothing at all?—Nothing at all.

21,661. Did not you go to his house in Arlington Street and ask for letters, or anything of that sort, and bring them down?—No; Arlington Street was, to the best of my recollection, shut up.

21,662. You found no parcels waiting at "Rawlings' "Hotel" for you to bring down?—None.

21,663. I put it to you plainly, did you bring down to your father a large sum of money on that night?—Certainly not.

21,664. You went to the "Seymour" hotel?—I went to the "Seymour" hotel.

21,665. How long did you stay there?—I stayed there till after the election.

21,666. During that time you lived in the same room as your father, I suppose?—Yes, we had a common sitting room, but I was very little there.

21,667. What did you do principally?—I was at Berry Pomeroy, and looking about principally.

21,668. Did you go to canvass the electors at all?—No.

21,669. Did you see any of them?—Oh, numbers of them.

21,670. Did you speak to them or ask them for their votes?—No, I do not remember asking any of them for a vote.

21,671. Did you happen, out of curiosity, to go to the big room at the "Seymour" hotel at any time?—Yes, I was there.

21,672. How often?—I should think twice before the election, and the night of the election.

21,673. That was twice the Monday morning, the day you came down, and once the next day, Tuesday?—I think it was twice or three times; I know I was there before the election, and after the election was over.

21,674. Who were in the room that you knew personally when you went in before the election? What persons who were personally known by you did you see in that big room on any occasion?—I have seen on different occasions Mr. Cuming.

21,675. Mr. Brooking Cuming, the person who acted as your father's legal adviser?—The elder one, and Mr. Michelmore.

21,676. Mr. Jeffery Michelmore?—Both the Mr. Michelmores and Mr. Chaster, Mr. Windeatt, the elder, the two younger Windeatts, and someone who I think is called Captain Fowle, he has a wharf close to the "Seymour Arms" hotel.

21,677 Was there anybody else you knew, not belonging to Totnes, that you saw in the room?—I think there was my father's secretary there.

21,678. Who was he?—Mr. Heald.

21,679. Do you know whether he wore a white hat with a black band?—He did; of course I would not swear, but I think he did.

21,680. At the time you were in this big room were there a large number of persons in it?—Before the election there were a fair number; after the election it was crowded.

21,681. Was there eating and drinking going on?—Yes, there was.

21,682. You say you walked about the town; did you go into any of the banks here?—No.

21,683. None of them?—I did not go into the bank here; certainly not.

21,684. No communication with any of the officials connected with the bank?—No; I know none of them, even by sight.

21,685. Then how long did you stay after the election?—I could not say the number of days. It must have been that I either went away the day or the day but one after; I am not sure.

21,686. Then you went away. Did you go back to Preston?—I returned to Preston.

21,687. (*Mr. Coleridge.*) Were you down here more than once during the election?—The last election?

21,688. Yes.—Only once.

21,689. You did not come and go?—No.

21,690. Were you down in 1862?—No; I was abroad in 1862, at Malta.

21,691. Nor 1863?—Nor 1863.

21,692. You have not told us yet when first it was arranged that you should come down?—Oh, it was merely I arranged it myself. I think I thought I should like to see the election.

21,693. Your father knew of it?—He knew I was coming, but he did not urge me to come, or anything.

21,694. Just to clear this up, what amount of money did you bring with you in gold?—I should think I brought enough just to cover my expenses. I should think 15*l.*

21,695. Was there a large sum of money in a little travelling bag?—No.

21,696. None at all?—No.

21,697. Who is Mr. Brice, of Edinburgh, who is constantly having your father telegraph to him?—There is Mr. Brice the architect; he was to have altered Arlington Street.

21,698. Was there a Mr. Simpson in Edinburgh?—That is the doctor.

21,699. Was he attending anyone connected with you at that time?—He was attending my mother.

21,700. Who was Mr. Reed, of Sunderland?—Colonel Reed, a brother-in-law of my mother.

21,701. Who is Mr. Gibbs to whom your father telegraphed several times?—Gibb I think, is the name.

21,702. Do you know who Mr. Gibbs is to whom a telegram appears to have been sent several times?—He is, I think, a large China merchant.

21,703. There appear to have been a great many telegrams from Pender to Pender, Manchester?—Those would be all to the firm.

21,704. Pender to Hay; that, I suppose, would be Lord John Hay?—Yes.

21,705. Is your father a member of Brooke's?—He is.

21,706. Did you bring any servant down here with you?—No.

21,707. Did any person come down in the same train with you who was known to you?—The only soul whom I saw in the train was Mr. Murchison.

21,708. Was he the only person who came with you by that train to Totnes that night?—No one got into the carriage with me. I was asleep all the way down.

21,709. Did you walk up here alone?—Yes.

21,710. How did you know your way; had you ever been here before?—I was here when Mr. Seymour and my father came down to give an account of their stewardship. I think that was the year before.

21,711. Was that at the same time the dinner was given to the volunteers?—No.

21,712. Then how long ago do you say it was?—I think it was the year before.

21,713. Do you know a Mr. Hatton, of Leith?—No, I do not.

21,714. Did you see any persons in your father's room at the "Seymour Arms" besides Mr. Heald, Mr. Cuming, Mr. Chaster, Mr. Michelmore, and those you mentioned; was there any person there whose

name was unknown to you?—I think I knew the faces of all of them.

21,715. Was Mr. Parnell amongst them?—I do not know him by name.

21,716. Do you know Mr. Mitchell, of Bridgetown?—I know the name, and it is very probable that I might know his face if I saw him; but I was here such a short time that I do not recollect the names of many persons whom I saw.

21,717. I suppose you were a good deal in your father's room?—Not very much.

21,718. Where did you generally sit?—I was a great deal about. It was very fine weather at the time, and I used to go out walking; in fact, I avoided the room as much as I could.

21,719. Are you perfectly certain that you had no such box with you as the man at the "Seven Stars" has described, and that no person came down in that train with you who would have been likely to have had a box of that kind?—I certainly had not any box of that kind. Mr. Murchison may have had one.

21,720. This is a box which was carried across from the "Seven Stars" to the "Seymour" hotel, not one merely that might have belonged to a passenger and been given to the care of the conductor and by him put on the top of the 'bus. Do you know of any such box as would have answered this description?—I had, as I have said before, a hat box, a large tin box, and a travelling bag; my hat box is not the ordinary form of hat box; it is a square hat box covered with some shining stuff which looks like leather.

21,721. What was in that box?—Simply my hat; it is a hat box which will hold a suit of clothes at the top in the lid; a square box.

21,722. Did you put your dressing things in it?—No; I had my dressing bag in my hand; I always carry that myself.

21,723. Are you quite certain that you had nothing in your hat box besides your hat?—I will not swear there were not some cigars; there was nothing beyond that.

21,724. Was there anything in the hat box which would make it weigh anything like seventy pounds?—Certainly not.

21,725. Was there any money in the hat box?—None.

21,726. Did you receive any parcel when you were in Totnes?—None.

21,727. Did you ever go over to the "Seven Stars" while you were in Totnes?—On one occasion.

21,728. With Mr. Jeffery Michelmore?—Yes.

21,729. What was that for?—He said he had some business to do there, and wanted some one to go with him. I said I would go.

21,730. Did you know the business he was going on?—No.

21,731. Where did you go to?—We turned to the right and went into the bar, and there I met Captain Pim, to whom I was introduced by Mr. Heath, and I think Mr. Heath escorted us out again.

21,732. Where did Mr. Michelmore go to?—I think he went upstairs; he disappeared from me.

21,733. Did you know he had a letter from Lord Cranstoun?—I think there was something of the sort.

21,734. Did you see the letter?—No; I know it had something to do with Lord Cranstoun's letter.

21,735. Did Mr. Michelmore tell you it was to get the votes of Lord Cranstoun's tenants for your father?—No; he did not mention anything about it to me.

21,736. Throughout the whole period, either before, during the election, or afterwards, had you anything to do, directly or indirectly, with any negotiation for the purchase of votes?—Certainly not.

21,737. Had you anything to do with the payment of any voter for his vote?—No; I do not think I even heard a voter canvassed; I certainly never remember asking anybody to vote.

EDWIN BARTLETT sworn and examined. *Mr E.Bartlett.*

21,738. (*Mr. Bere.*) What do you work at?—I have been a postboy 14 years.

21,739. What were you doing at the election of 1865?—Nothing, sir.

21,740. Were you employed to look after some of the voters?—I was employed at the "Seymour" hotel in 1863.

21,741. Were you a postboy then?—Yes.

21,742. Were you sent up from the "Seymour" hotel to go to Henry Crawford?—I was.

21,743. How long before the election of 1863?—I was employed on the night of the nomination day.

21,744. Did you go for him?—Yes.

21,745. Who sent you?—Mr. Hill.

21,746. What is his christian name?—I do not know.

21,747. Is it Samuel?—I do not think it is.

21,748. What room did you get your orders in?—In the kitchen.

21,749. Did he come down to the kitchen and tell you to go up to Henry Crawford?—Yes.

21,750. Then you went up to him?—Yes.

21,751. Where were you to bring him to?—I was to go to his own house.

21,752. You were to go to Henry Crawford's house, were you?—Yes.

21,753. Were you to bring him to the "Seymour" hotel?—Yes, sir, if I could.

21,754. Were you to offer him anything to bring him down?—No.

21,755. You went and got Henry Crawford?—Yes.

21,756. How long did you stay in the house with him before you got him down?—I met him coming out of the passage with George Stoyle.

21,757. Did you and George Stoyle come down with him to the "Seymour" hotel?—Yes.

21,758. What happened as you went down, was there a crowd and a row, and did you and Crawford and Stoyle go to the hotel?—Yes.

21,759. Were there a number of people who made a disturbance?—We went in the back way, and when we came on the Plains the people holloa out, "There he goes!" I got him over to the "Seymour hotel," and shoved him up the steps.

21,760. You got him in there safe?—Yes.

21,761. Where did you put him inside?—After he came inside the door I left him.

21,762. You had done your duty?—Yes.

21,763. Did you go and tell Mr. Hill you had got him?—I did.

21,764. Was Mr. Hill by himself when you told him?—Yes.

21,765. Where was he?—Coming in over the steps.

21,766. Did you see anybody else that night about Mr. Crawford?—I did not.

21,767. Do you know what Crawford got when he came down to the Seymour?—I do not.

21,768. Did you ever hear?—No.

GEORGE GRIFFIS sworn and examined. *Mr. G. Griffis.*

21,769. (*Mr. Bere.*) How long have you lived in Totnes?—Since 1861.

21,770. Where did you come from before you came to Totnes?—Dartmouth.

21,771. Had you voted at Dartmouth before?—Yes.

21,772. How many times?—Four or five times.

21,773. Did you often get something for voting at Dartmouth?—I was one of the unfortunate ones.

21,774. You did not get anything there?—No.

21,775. The first time you got a vote here was in 1863?—1862.

EIGHTEENTH DAY.

Mr. G. Griffis.

13 Sept. 1866.

21,776. Did you vote for Mr. Pender?—No, I did not vote at that election.

21,777. Did you get anything offered you on that occasion?—No.

21,778. From neither side?—Neither side.

21,779. Did anybody call upon you from either side?—Yes.

21,780. Who called on you?—Mr. Pender called on me.

21,781. Besides Mr. Pender?—Mr. Dent came, and some one else.

21,782. Did you see any of the other members of the party, Mr. Screach or Mr. Evens?—No, they did not come near me.

21,783. You were turned out in 1863; did they come to you?—No.

21,784. Whom did you vote for in 1863?—For Mr. Dent.

21,785. What did you get for that?—Nothing, sir.

21,786. Not even a present?—Not a present.

21,787. Did you find anything?—Nothing at all.

21,788. Whose house were you living in then?—The duke's.

21,789. You were turned out, were you not?—Well, sir, I was turned out in this way; my house had got to come down for the building premises.

21,790. Where was your house?—At the top of Bridgetown, where those villas are built.

21,791. Were you able to pay your rent when you were turned out?—No, I was rather in difficulties at that time.

21,792. Did you go to Mr. Bryett?—I did.

21,793. Did Mr. Bryett pay your rent for you?—No.

21,794. What did he do for you?—He lent me some money.

21,795. How much did he lend you?—I think 30*l.*

21,796. How long before the election was that?—It was many months after the election.

21,797. Did you see Mr. Bryett before the election?—Never.

21,798. Or his clerk Narramore?—Never.

21,799. Did not Mr. Narramore come to you in the election of 1863?—He never spoke to me in his life. I hardly knew the young man at the time, not for electioneering purposes.

21,800. Had you seen him about any other purposes?—No, not at that time.

21,801. I will read to you what Mr. Narramore said: "*Q.* Do you know anything about Griffis? You "were going to tell something about him?—*A.* I was "sent to him with a letter to make some arrangement "with him." Did you see him, then, at the election?—No.

21,802. Do you not remember his coming?—I am certain he did not.

21,803. Mr. Bryett had lent you some money in 1863?—Yes; I think it must be in June.

21,804. June, 1863?—In the election just after Christmas.

21,805. Did you pay it back?—I did.

21,806. When did you pay it back?—He had timber of me for building a house and different things, and I paid some part of it.

21,807. How long was it before you worked out the whole?—Not long since; he never asked me or pressed me for money; he told me to work it out.

21,808. When did you make up the account at last, did you square it?—We have never done it yet.

21,809. It is not squared yet?—I think he must be something in my debt now.

21,810. Have you ever paid him anything in money?—I do not know that I have. I will not say whether I did pay him partly or not. I forget.

21,811. You would not say whether you did or not?—I forget. My wife is in the habit of paying money at times, and she may have done it.

21,812. Does your wife receive money besides you?—My wife receives and pays far more than I do.

21,813. Do you know whether your wife received anything for your vote in 1863?—I am certain she did not.

21,814. Do you think she would have told you if she had?—I fancy so.

21,815. Had you voted for the council before?—No.

21,816. How had you voted at Dartmouth?—I voted at the last election for the Liberals.

21,817. How was it you came to vote for the Tories when you got to Totnes?—The way was this: I fancied Mr. Michelmore was not treating me in the way I liked, and that made me rather vote against him.

21,818. How was it that he had not treated you as you liked?—That is, young Mr. Jeffery; his brother was a gentleman, and always used to stand by me. I could not say that of Mr. Jeffery.

21,819. What did he do to trouble you?—He would not allow me a fair living in my trade.

21,820. Was he a rival in your trade?—I used to deal with him for timber.

21,821. You used to buy his timber?—Yes.

21,822. Did he charge you too much?—More than I could get a living profit out of.

21,823. He got the best price he could for it?—Yes.

21,824. He sold you his timber dear, and therefore you voted against him?—That was not all.

21,825. What was the other part?—I had notice to leave on account of this building, and he put me to great disadvantage in my trade.

21,826. Because he would not sell you his timber cheap, and because you had to leave, therefore you voted for Mr. Dent?—I had been to some members of the other party to get a place for workshops.

21,827. What members of the other party?—Mr. John Heath down at the "Stars."

21,828. Where did you get a workshop from Mr. John Heath?—On his own premises.

21,829. Did Mr. John Heath ever say anything to you about voting for Mr. Dent?—He never spoke to me.

21,830. Did he not canvass you?—I do not know.

21,831. Did he not come and ask you for your vote?—He may have been in confidence with Mr. Dent.

21,832. What did you pay him for the workshops?—6*l.*

21,833. Where were they?—Just up behind the mill.

21,834. Are you renting them now?—I have now another one. I have got a shop at my own house.

21,835. That was all the consideration you got for your vote, the workshops?—I paid him the rent for it.

21,836. Had you gone to Mr. John Heath and told him Mr. Michelmore was going to turn you out?—I believe it was well known by Mr. Heath and every one else. I think he belonged to the building party.

21,837. He is a member of the building company that built those villas?—I think he is. He knew the house had got to come down and there was no place in Bridgetown.

21,838. Did you sign the requisition to Mr. Macleay?—I never heard the name before I saw that.

21,839. Did you sign any paper that Mr. Harris brought you?—Yes, it was for Mr. Dent, I think. I never heard the name of Macleay that I know of.

21,840. Is that your handwriting?—Yes, that is my hand.

21,841. (*Mr. Coleridge.*) You did not know that you had asked Mr. Macleay to come down?—I forget all about it.

21,842. Did you read it before you signed it?—I have forgotten all about it; it is plain enough there.

21,843. Did you read it before you signed it or not?—I do not believe I ever saw that side of the list at all.

21,844. How came you to sign your name to what you did not know?—Mr. Harris came bothering me, asking me to sign it to get down a man, and I just put down my name.

21,845. What did Mr. Harris tell you to make you sign the paper that you knew nothing about?—No doubt he told me it was to get down a member for Totnes, to get down a candidate.

21,846. On the Conservative side?—Yes.

21,847. Did he tell you what man?—He may have, but I do not know; no doubt it was Mr. Dent.

21,848. Did he state the name?—No.

21,849. Instead of Mr. Dent it was to ask Mr. Macleay to come down?—I forget the name.

21,850. Did Mr. Macleay come down and see you, as you had so kindly asked him?—No.

21,851. As far as the requisition goes, you know nothing about it?—No.

21,852. You signed it because Mr. Harris bothered you, I suppose?—I suppose so.

21,853. That is the general way with the requisitionists?—That is about the truth, I believe.

21,854. (*Mr. Bere.*) You voted for Mr. Dent in 1863, and you split your vote in 1865, did you not?—I did.

21,855. How did you come to do that?—I do not know how I came to do so.

21,856. Did you not get a little money on both sides for doing that?—No.

21,857. Did not your wife?—I am certain she did not.

21,858. Take care; did you not make an appointment to go and see a stranger at the "Seven Stars"?—No, I am certain I never did.

21,859. Did you see any person on the night before the nomination about the election?—No.

21,860. Had you talked to any person about the election before it came on?—Oh, I said I should vote for Mr. Pender.

21,861. Did you tell that to Charles Frederick Michelmore?—I might have said so.

21,862. What did he say when you told him you were going to vote for Mr. Pender?—Just the same as another man in conversation.

21,863. Just tell me what was said; what did he say to you about voting for Seymour?—He never said anything to me about Mr. Seymour. I never intended to vote for Seymour.

21,864. Did you tell him so?—I told many people so.

21,865. Did you tell him you intended to vote only for Mr. Pender?—For Pender and Colonel Dawkins.

21,866. When did you tell Mr. Michelmore that?—I do not know that I ever told him so, not privately, but in company.

21,867. Take care what you are saying?—It is the truth.

21,868. Did you not see some person the night before the nomination, before the election, and make an arrangement that you should go down to the "Seven Stars"?—No one.

21,869. Or your wife?—Not to my knowledge; my wife can answer for herself.

21,870. Where is your wife?—My wife is ill.

21,871. Is she here?—No, very ill; she will be quite willing to answer any questions.

21,872. Did your wife go down on the Monday before the election to the "Seven Stars"?—I know nothing about it.

21,873. Did you know she had money in the house afterwards?—No, we had before.

21,874. Had she money in the house afterwards that you had not there before?—Not to my knowledge.

21,875. Take care?—I am on my oath, and I am telling the truth.

21,876. That is what John Heath has sworn here, and I will read it: "*Q.* George Griffis?—*A.* There had been "an appointment for him to come down to our house "on Monday morning. Mr. Mum came down smoking "a cigar in the entry, and he said to me he had made "an appointment to meet some voters there; amongst "a number of people, Griffis. He had evidently seen "him the night before. I then saw Griffis' wife "coming across and she said her husband could not "come; she was to come for the money. I said to "Mr. Mum, 'Griffis is a doubtful card; he is under "'the thumb of some of the people on the other side, "'and I would not advise you to pay him. *Q.* What did "'Mr. Mum say?'—*A.* He said, 'We have made it all "'right, I can rely on her." The woman came over "and in my presence they began counting whatever "sum they had arranged, which was handed to her." Do you mean to say what you have?—There was no appointment made with me, not at the "Stars."

21,877. Where was it?—Nor with Mr. Heath.

21,878. Where was the appointment made, and with whom?—By my wife, not with me.

21,879. You think your wife can tell all about it?—She did not mention it to me, not about any time to meet at the "Stars."

21,880. Did she tell you she was going to get some money for your vote?—She told me a long time after.

21,881. What did she tell you?—She told me she had had a present from the "Stars."

21,882. How much?—I do not know the exact amount.

21,883. How much?—I believe it was 50*l.*, I expect—

21,884. Why did you not say that before?—She did it before I knew anything about it.

21,885. (*Mr. Coleridge.*) You knew all this when you were first asked the question. You have been fencing with us ever since?—I say it was not myself.

21,886. You might just as well have told us the circumstances, you know that a payment to your wife is a payment to yourself. What became of the 50*l.*?—I suppose it was put in the trade.

21,887. What did you get on the other side?—Not a farthing; nor ever was offered a farthing by any party.

21,888. You had better take care?—I am taking care.

21,889. Was your wife offered anything?—No; I do not believe one of the party ever spoke to her.

21,890. Do you know Thomas Jacob Searle?—Very well.

21,891. Did you see him before the election?—Very often.

21,892. Did you have many dealings with him before the election?—He pays me scores of pounds a year.

21,893. How much before the election?—Not a farthing. I did not receive any money not from the barking season.

21,894. After the election had you got a payment?—No, no account.

21,895. Have you got any accounts at all?—No, not particular ones.

21,896. What do you mean by that?—Nothing more but just in my timber trade.

21,897. Is that the only trade you carry on?—No, I am a wheelwright.

21,898. Do you not keep an account of the customers you have got and the sums of money they owe you?—Yes.

21,899. (*Mr. Bere.*) We shall require a medical certificate from the doctor as to your wife not being able to attend and be examined to-day, who is her medical attendant?—Dr. Kellock.

21,900. Do you think she is able to come here to-day?—No, she is not.

21,901. Is she well enough to be examined if we went down to your house?—Yes, I think she could come into the room.

RICHARD NORRISH sworn and examined.

Mr. R. Norrish.

21,902. (*Mr. Coleridge.*) How long have you been a voter?—I have only voted once.

21,903. What do you vote for?—A quarry and store-rooms.

21,904. What do you pay a year for it?—10*l.*

21,905. Who did you vote for at the last election?—Dawkins and Pim.

21,906. Who canvassed you?—Both of them.

EIGHTEENTH DAY.

Mr. R. Norrish.

13 Sept. 1866.

21,907. Who else came, did Frederick Evens or Screach come?—No.

21,908. Or either of the Mr. Heaths?—I saw Mr. Heath the Saturday previous to the election.

21,909. Who told you to go to the "Stars?"—No one.

21,910. Who sent you to the "Stars" to get a bag of money?—I will tell you who told me to go; I had no bag of money.

21,911. Who told you to go?—I will tell you by-and-bye.

21,912. Who sent you to the "Stars" on the Saturday before the election?—I engaged with Mr. Heath on the Saturday evening.

21,913. Which Mr. Heath?—John Heath, the old gentleman. I was not at home, I was at a place called Cornworthy, I saw Mr. Heath on the Saturday evening with some gentlemen at the door of the "Stars."

21,914. Did he call you to him?—He did, he saw me coming and he said, "Here is one of our old fellows "whom I can depend upon." I said, "They tell me "there is some money knocking about, I should like to "have a little of it this time."

21,915. You had had some money before from Mr. Heath in reference to the municipal elections?—Yes, I was always paid for the labour I had done.

21,916. What did you say to him?—I said I was a poor man, and that a little would do me good. I said I hoped it would not be like it was in Mr. Dent's time, he came down here, and ran away, and did not give anything.

21,917. You had no vote then?—No, but I was a watcher then.

21,918. What did he say to you?—He said if I would look after the lame ducks at the upper part of the town that if they did come to a contest he would guarantee that I should have 1*l.* a-day for looking after the lame ducks.

21,919. Did you look after them?—I did.

21,920. How many of them were there?—I think three or four.

21,921. Did you go and see Mr. Heath after this to get your money?—I did not see him except when he was knocking about the town on the Sunday. On the Monday evening there was a meeting at the "Seven Stars," and I went down there.

21,922. What did Mr. Heath give you?—He never gave me anything, not Mr. Heath.

21,923. Then who did give it you?—It was a darkish young gentleman in No. 1 room. I should think he might be such an aged man as Mr. Heath.

21,924. But Mr. Heath you would hardly call a young gentleman?—Ho, he is not.

21,925. Was Mr. Heath present then?—No, he showed me where to go.

21,926. What became of Mr. Heath?—Mr. Heath stood in the lobby or in the passage.

21,927. What was the gentleman doing when you got in?—He had got a book before him, pens, ink, paper, and so on.

21,928. Anything besides?—He had got some money there.

21,929. The sight of which rejoiced your heart no doubt; what did he say?—He said that Mr. Heath had given me a good character, saying that I was always true to their side, and he gave me a little parcel.

21,930. What did that little parcel contain?—Four 5*l.* notes.

21,931. No gold?—Not a farthing in gold or silver.

21,932. Did you consider that you had been well paid?—I said I was very much pleased with the present.

21,933. And I suppose you went and voted for Dawkins and Pim in consequence?—I did.

21,934. And you would have been equally pleased if you had had a present from the other side, and you would have voted for Pender and Seymour?—I do not believe I should if they had given me 50*l.*

21,935. Do not you think that 100*l.* would have bought you for Pender and Seymour?—I am a poor man, but I do not think it would.

21,936. Is that all you got at that election?—That is every farthing I got.

21,937. At Mr. Dent's election, not when he ran away, but when there was a contest, were you a watcher?—Yes.

21,938. What did you get for watching?—I think I had 7*s.* 6*d.* a-day.

21,939. For how many days?—That I cannot tell.

21,940. Was it a fortnight?—Not so long as that.

21,941. How much money did you get altogether?—Not much, I was forced to sub.

21,942. How much did you have altogether?—I think best part of 3*l.* or 4*l.*

21,943. Who paid you that?—Young Master John Heath.

21,944. Did the other young Mr. Heath give you anything?—No.

21,945. What did you do for that?—I watched the lame ducks.

21,946. Now the election when Mr. Dent did pay, did you look after the lame ducks?—I went away with two or three parties, I went to Devonport.

21,947. With whom did you go to Devonport?—I think one was called Searle.

21,948. How many of those lame ducks were you looking after?—They were all voters.

21,949. How did you look after them?—I gave them something to eat and drink and put them to bed at night, we went to Downchurch.

21,950. How did you go there?—With flys.

21,951. How long did you stay there?—Not very long, there were enemies in the camp.

21,952. You had to move on?—Yes, and go to Kingsbridge Road.

21,953. Did you take the train?—Yes.

21,954. How long did you stay before you took the train?—As soon as the train came.

21,955. You gave them something to drink and kept them quiet?—Yes.

21,956. The train took you to Plymouth?—Yes.

21,957. When you got to Plymouth did you find some one looking after you?—No, but we went to Devonport.

21,958. What made you go to Devonport?—There is a friend's house there, a wheel within a wheel. I was not the head man.

21,959. Who was the head man?—Mr. Evens.

21,960. Was he with you?—He went away.

21,961. He saw you safe with your birds, and went away and left you in charge?—I did not see him again till we came away.

21,962. How long before the election?—Several days.

21,963. How long did you keep them at Devonport?—I would tell you the time if I could recollect.

21,964. Did you come from Devonport to Plymouth?—Never, till we came back for good.

21,965. Where did you put up?—I think the "Three Elms" or the "Three Trees," near the dockyard.

21,966. What did you do with the lame ducks, did you look after them?—They slept in two rooms, I slept with Searle, and others in a double-bedded room.

21,967. Did you sleep with your eyes open?—No. I was very comfortable.

21,968. You had a great deal to drink?—Yes, no mistake.

21,969. They were comfortable enough to be quiet?—Yes.

21,970. Who told you to bring them back?—Mr. Evens ought to have come back to us, we had not money enough, and obliged to borrow of the landlord.

21,971. The landlord lent you money?—He came with us.

21,972. To get his money?—To get the bill paid.

21,973. What did the bill come to?—More than 20*l.*

21,974. For how many days?—There were six of us.

21,975. How many days?—I do not know.

21,976. What was the name of the landlord?—I do not know, he was a biggish man.

21,977. He kept the "Three Elms?—Yes.

21,978. When did you come back?—We came back on the polling day.

21,979. You kept them till the polling day, and came by an early train in the morning?—The first train in the morning.

21,980. Did you take them to the poll?—No, to the "Seven Stars." I had nothing to do with them.

21,981. You delivered them to the "Seven Stars?"—Yes.

21,982. Do you know where they were put, in the cellar or where?—I do not know.

21,983. Were they comfortable before they came from Plymouth?—Yes.

21,984. Had a good breakfast?—Yes.

21,985. Something to drink to keep them comfortable?—Yes.

21,986. And you only got 3*l.* or 4*l.*?—Yes, and very good for a working man.

21,987. You were better paid the next time, when you got 20*l.*?—Yes, I was a voter then.

21,988. When Mr. Dent left you in the lurch, what did you do then; did you take any lame ducks away?—Not that time.

21,989. What did you do?—Only knocking about like the rest, seeing after our men, that other men should not take them.

21,990. That was the time when Mr. Dent would not go to the poll?—Yes.

21,991. What were you to have that time?—This was the captain (Mr. John Heath).

21,992. What were you to be paid?—I think 5*s.* a day.

21,993. How long were you employed?—I think a week.

21,994. How much did you get?—I think 30*s.*

21,995. That is when Mr. Dent went away without paying?—That is the voters.

21,996. That was a great hardship?—I think they felt it.

21,997. Were you at the "Seven Stars" when a demonstration was made about the withdrawal of Mr. Dent?—I think I was.

21,998. There was great dissatisfaction?—Yes.

21,999. And they thought Mr. Dent had swindled them by not going to the poll?—I do not know what they thought. I do not know anything about electioneering.

22,000. Do you recollect some women making a row?—Well, most of the women about there was pretty tightish.

22,001. They make more noise than the men at elections?—They do when they get on.

22,002. Did you see any women there with baskets waiting for their money?—I do not know about baskets; I saw plenty of them there.

22,003. Had you ever been a watcher at a former election, 1859?—Yes, since 1832.

22,004. Have you been paid every time?—Yes.

22,005. What is the most you ever got at an election for watching?—I never did keep an account.

22,006. Did you ever have more than 5*s.*?—I do not think so much.

22,007. Who generally employed you?—Generally the Mr. Heaths.

22,008. Is that all you know about elections?—No; I know back years ago.

22,009. How many times did you vote at the municipal elections?—Twenty years and more.

22,010. Were you always paid for what you did then?—I always got paid my day's work.

22,011. What did you get paid?—Sometimes it did not run to more than 2*s.* 6*d.*; I have had as much as 3*s.* 6*d.*

22,012. Did you never get 1*l.*?—No.

22,013. Did you never get paid for your vote at a municipal election at all?—Never in my life.

22,014. At the last contest did you vote?—I did.

22,015. What did you get then?—Nothing more than my day's work.

22,016. Did not you hear that money was going about?—I have since.

22,017. You would have got some if you had known?—Yes, I should have liked, but I never did.

THOMAS BLACKLER sworn and examined.

Mr.T.Blackler.

22,018. (*Mr. Longe.*) What is your occupation?—A marble mason.

22,019. How long have you had a vote for the borough?—A good many years.

22,020. Which was the first election you voted at?—I think it was for Lord Seymour.

22,021. Do you remember the election of 1859?—Mr. Dunn's; yes.

22,022. Who did you vote for?—Mr. Dunn.

22,023. Who else?—No one. Oh, yes, I did, I voted for Lord Gifford.

22,024. You split your vote?—Yes.

22,025. You were occupying a house of the Duke of Somerset's then?—No, it did not belong to the Duke of Somerset; I occupied stores on the quays of the Duke of Somerset's.

22,026. You voted for the duke's candidate?—Yes.

22,027. And also for the Conservative?—Yes.

22,028. Did not you hear anything about that afterwards?—No.

22,029. Did Mr. Michelmore say anything to you about it?—No, not at that election.

22,030. Did you get anything from the Conservatives then? what did you get from Mr. Dunn?—40*l.*

22,031. Did you get anything from the other side?—I did not.

22,032. Were you canvassed on the other side?—Both sides.

22,033. There was no prospect held out to you on the other side?—No.

22,034. No prospect of either losing your stores or getting any money?—No.

22,035. Now comes the election of 1863, Mr. Dent's?—The first or second?

22,036. Well, 1862?—I did not vote at all.

22,037. Were you canvassed in 1862?—Yes, I was, but there was no contest and I did not go to the poll.

22,038. Were you canvassed by both sides?—Yes.

22,039. Did you then hold the stores of the duke?—Yes.

22,040. Did you have a visit from Mr. Michelmore then?—No.

22,041. Who canvassed you?—Both canvassed me, I believe.

22,042. But who?—They both canvassed me. I did not promise either one of them.

22,043. Did Mr. Michelmore call on you?—I think he did. I did not promise anyone. I did not vote at all.

22,044. That was 1862?—Yes.

22,045. Then the next occasion were you canvassed at all?—I was canvassed.

22,046. For Mr. Dent?—Yes.

22,047. For Mr. Pender also?—No, Mr. Seymour.

22,048. Were not you canvassed for Mr. Pender?—Yes; I do not know exactly; I think I was.

22,049. Did he canvass you personally?—I have forgotten; I cannot tell you.

22,050. I think in 1863 you promised your vote to some one then. Mr. Michelmore canvassed you for Mr. Seymour, did not he?—He did, but I did not promise.

22,051. You promised your vote?—No, I did not.

22,052. Do you remember that interview?—He came and asked me whether I would vote for Mr. Seymour. I told him I could not promise.

22,053. Who canvassed you on the other side?—I forget now; I think Mr. Dent himself, but I did not promise him.

22,054. How did you vote?—For Mr. Dent.

EIGHTEENTH DAY.

Mr. T. Blackler.

13 Sept. 1866.

22,055. How much did you get for it?—I got 80*l.* for it.

22,056. Who gave it to you?—Mr. George Heath.

22,057. After that you did not hold the stores much longer?—No, I was turned out of them.

22,058. What was the reason given?—He never told me. I suppose it was that I did not vote for Seymour. I always thought so.

22,059. You had not voted for him; you had voted for Mr. Dunn before?—No; I had voted for Mr. Seymour. I never promised more than one vote. I told him so.

22,060. Did Mr. Michelmore tell you that he had heard of your having had money?—No, I do not think so. I know he never said anything to me about money.

22,061. You merely had notice, and nothing was said?—No, nothing was said; the notice was sent in by the clerk.

22,062. Now, the last election of 1865, did not Mr. Harris bring you a requisition to sign?—I think he did; I almost forget what for. I signed one, I know.

22,063. You do not know what for?—Well, it was to get some gentleman down here as a candidate; I forget his name.

22,064. One of the Conservatives?—I did not concern myself much about those things.

22,065. Now, at this last election which way did you vote?—I voted for Mr. Dawkins and Mr. Pender.

22,066. You had thrown over Mr. Seymour?—Yes, I had thrown over Mr. Seymour altogether. I did not vote for him, because he turned me out. He came to canvass me, and I told him I would not.

22,067. Who canvassed you for Mr. Pender?—No one did not ask me to vote for him.

22,068. Why did you vote for him?—Because I chose to do. He was a good man, I thought.

22,069. Did Mr. Chaster call on you?—No.

22,070. You had no interview with Mr. Chaster?—No; he did not call or no one asked me.

22,071. Mr. Chaster employs you sometimes, does not he?—Yes, very often. I work for all parties here in the town; that is the reason I sometimes split my vote, because I get my bread by it. They come to me when they want anything done.

22,072. Was not Mr. Chaster managing some work for Mr. Pender?—The schools.

22,073. And he employed you?—Yes, the party did amongst them. Mr. Cuming did, I believe, come to me about a foundation stone, about a school building.

22,074. When were you first employed about the schools?—I really cannot tell now. I could with my books.

22,075. Was it before or after the election?—I think it was after; I cannot be certain of that; I think it was.

22,076. Was it before or after?—Let it be when it will, I cannot tell you.

22,077. At all events you were employed by Mr. Chaster?—Yes; Chaster was there and Mr. Cuming.

22,078. That is the reason you gave your vote?—No.

22,079. What was the reason?—I had no particular reason, only I had to please all parties in the way of trade.

22,080. Did not Mr. Farley call on you?—What Farley; Farley of Bridgetown.

22,081. Yes, Farley of Bridgetown?—No.

22,082. Thomas Jacob Searle?—No, none of them.

22,083. You did not see them at all at that time?—No.

22,084. Who was it called upon you for Mr. Pender?—No one.

22,085. Surely some one canvassed you?—No.

22,086. Not Mr. Pender himself?—No, he did not; I never spoke to him in my life.

22,087. Now, on the other side who canvassed you; Colonel Dawkins?—Well, I think Mr. Heath asked me to vote for him.

22,088. Did not he ask you to vote for both?—Yes, he asked me if I would. I told him I could not tell. I did not promise, and I have never spoken to one of them. He came to my house once or twice, and I was not at home.

22,089. (*Mr. Coleridge.*) Did you meet anyone accidentally at Farley's?—No.

22,090. Did you ever meet anyone at Farley's?—No.

22,091. On the morning of the election, did not you meet Mr. Searle at Mr. Farley's?—No; I do not speak to Mr. Searle.

22,092. Did you meet him anywhere else?—No, he might be walking about the house, but I never spoke to him; he never speaks.

22,093. Whom did you meet at Farley's during the election?—No one to have anything to say about the election.

22,094. Whom did you meet there?—I do not know whether I was there or not.

22,095. Were you or not?—I cannot tell, I might.

22,096. Whom did you meet there?—Perhaps I might meet Farley.

22,097. What did he say to you?—Not a word. Now you won't get anything out of me, because I am as innocent as a baby, and I won't tell you no lies.

22,098. (*Mr. Longe.*) Going back to the last election, when Mr. Michelmore called on you, you did not vote for Seymour?—He came down to me at Farley's, the tailor; that is my son-in-law.

22,099. Did not he tell you you would lose your stores?—No, I was out of the stores before that election. I told Mr. Seymour I would not vote for him because I was turned out of his stores. He says, "I cannot help that," and Mr. Michelmore was there, and I said that Mr. Michelmore could if he had liked. And he said, "My back is pretty broad, it will take a "good piece of cloth to make me a coat." That was in my son-in-law's shop, who is a tailor; Mr. Jeffery Michelmore, not the old gentleman. That is the words that passed between us.

22,100. Mr. Heath you say canvassed you for Colonel Dawkins?—Yes.

22,101. What did he promise you?—Nothing.

22,102. He promised you nothing?—No.

22,103. You got 80*l.*?—Yes, I would if could, but I got nothing.

22,104. You got something this last time?—No.

22,105. Your wife did?—No, my wife died years before that.

22,106. Your wife died about 1865?—My wife died the 3rd September 1863, is the day her died. There is a grand mistake about that. I was accused of having had money, but I had none, I assure you. Harris accused me of having money several times, he wanted me to go to London for having money, but I told him it was no use; he could get nothing out of me because I had nothing.

22,107. (*Mr. Coleridge.*) Do you mean to say, that having sent the requisition up to the Conservative candidate who came down, and having voted for the Conservatives before, you voted for the Liberals on the last occasion without having anything?—I did.

22,108. And in spite of your being turned out of the stores?—Yes.

22,109. What was the reason?—Well, for the sake of my trade, I got work from all parties.

22,110. (*Mr. Longe.*) You got money before?—Yes, I have told you all the money I got.

22,111. Do you mean you signed the requisition for the Conservatives this time and got no money?—Upon my life I did not. If I don't go from this place any more, I would not tell you a lie about it. If you catch me in a lie you punish me, do you hear, I give you leave to do that.

22,112. (*Mr. Bere.*) You may depend upon it you will be punished if you do not tell the truth?—I hope I shall, that is all.

22,113. (*Mr. Longe.*) Did you have any conversation with anyone on the Conservative side about money matters?—Not one single word. No one ever came to me except to Mr. Michelmore when he met

me in my son-in-law's shop with Mr. Seymour, and then I positively refused to vote for him, and told him what it was for, and after I had voted for Mr. Pender I met Mr. Michelmore down on the Plains, and he showed me the list of the polling, and I think Mr. Pender's was then 100 exactly. He says, "There "Blackler, what do you think of that." I says, "Well, sir, I am very glad of it, Mr. Pender is a very "nice man." On the other side he showed me Mr. Seymour's, and he said, "Now, what have you to say "about that"? And I said, "Nothing, only he "turned me out of the stores at the election." That is all that passed between us.

22,114. You knew that money was going about at this last election?—I did; but I could get none of it. I never asked nobody for no money; if freely given me I took it, but I never asked no man for a penny.

22,115. You got 80*l.* without asking?—Yes, it was offered, and I took it. I never asked nobody.

22,116. (*Mr. Bere.*) It was pretty well known that you wanted it?—Well, I did want it.

22,117. (*Mr. Coleridge.*) Did you get anything paid to you after the election?—Not a farthing.

22,118. You said you voted so as to please all parties?—I worked for all, and I voted in the way of trade.

22,119. Do you find you have pleased all parties?—I have not had any fault found anywhere.

22,120. You have not lost any custom?—Not that I know of.

22,121. You voted one one way and one the other?—Yes, I have done so several times. I did in Lord Seymour's time.

22,122. Have you the building of the schools?—No, I am putting the mantle-pieces in, and I did the foundation stone as they call it.

22,123 (*Mr. Bere.*) Have you a contract for that?—Yes, a mere agreement with Mr. Cuming.

22,124. (*Mr. Coleridge.*) What does it amount to?—About 7*l.*, all of it. I dare say 8*l.* by the time it is finished.

22,125. Is that all you are going to do for the school?—Yes, I believe so.

22,126. The mantle-pieces cannot be many, or very good ones?—No, they are plain ones; four of them I think about 30*s.* each, that is all.

Mr. James Heath sworn and examined.

Mr. J. Heath.

22,127. (*Mr. Bere.*) Where are you living now?—Exeter.

22,128. Are you acting as a veterinary surgeon there?—I am.

22,129. Where is your place of business?—The Southernhay.

22,130. How long have you been there?—Rather more than 12 months.

22,131. Were you there before the election of 1865?—No.

22,132. You were just going?—Just starting.

22,133. Had you been up to Exeter to see anything about the business?—I think I had been there on a visit to some friends and looking about.

22,134. Were you in or about Exeter at the time of the election?—No.

22,135. You were down here?—I was in Totnes during the whole time.

22,136. How long before the election had you been up to Exeter?—I cannot remember, a few days, staying with some friends.

22,137. Was that some weeks before the election?—Some weeks, I think, before.

22,138. That was to see whether you were likely to do well in Exeter?—That is the only reason.

22,139. Did you find that people were willing or likely to support you there?—I did.

22,140. You found you could get a good many good friends?—Yes.

22,141. Did you go to any people to see whether they would be likely to give you their custom?—I do not know that I did.

22,142. Did you send a card round, or anything of that sort?—No, not at that time, I had not made up my mind to go then.

22,143. Did you go and see young Mr. Collins at the "Queen's" hotel?—No, I do not know that I was ever there.

22,144. There are a good many people who live in Queen Street who have to do with horses?—Yes, I know. I did not know it then.

22,145. Do you know Mr. Brown living there?—Yes, very well.

22,146. Do you know any other of the shopkeepers in Queen Street?—Yes.

22,147. Was Mr. Brown a friend of yours before?—Yes.

22,148. Did he recommend you to come and set up in Exeter?—I do not know that he did, I do not remember it.

22,149. Do you know Mr. Thomas, a hatter there?—I did not at that time. I do now.

22,150. Since you have been living in Exeter?—Yes.

22,151. Were you down here when Colonel Dawkins first came?—I think I was.

22,152. Do you remember who came with him?—I do not.

22,153. Did not you see him. Do not you remember the actual time of his arrival?—I do not think so.

22,154. What room in your house were you staying in?—I was living there.

22,155. What room were you occupying as a bedroom?—A private room on our own side of the house, without any number.

22,156. Which side do you call your side?—The left-hand side.

22,157. That is the side appropriated to the family, is it?—Yes, chiefly.

22,158. The rooms where customers are put are on the right-hand side of the house?—Yes.

22,159. Were you introduced by your father to Colonel Dawkins?—I believe I was.

22,160. Did you work for him at all; canvass for him?—I do not think I canvassed for Colonel Dawkins at all; I do not remember it; I may have done.

22,161. Were you a voter at that time for Totnes?—I was.

22,162. What did you vote on?—Before I went to London my brother and I occupied a house together on the Plains, a joint occupation.

22,163. Did the joint occupation continue while you were in London?—When I came down there I slept there for the purpose.

22,164. Were you ever objected to?—I believe I was.

22,165. The revising barrister confirmed your vote?—Yes, certainly.

22,166. Were you examined as a witness?—Yes.

22,167. Although at that time resident in London, you occupied in Totnes also?—Yes, Totnes was my home.

22,168. How many days and nights during that year did you stay in Totnes?—I slept there all the summer months during the vacation, from May till October or November.

22,169. Were you at the college in London then?—I was.

22,170. Though you were introduced to Colonel Dawkins, I understood that you did not go to work for him at first?—No.

22,171. Did you promise him your vote?—Yes.

22,172. When was the first time you began to work in the election of 1865?—When Captain Pim came down.

22,173. Were you fascinated by Captain Pim, or was Captain Pim fascinated by you first?—It was mutual, I think.

22,174. Did you go about with Captain Pim?—I did.

EIGHTEENTH DAY.

Mr. J. Heath.

13 Sept. 1866.

22,175. Were you alone when you were canvassing the electors, you and he together?—The whole time alone nearly.

22,176. Did any solicitor come with you?—I do not remember.

22,177. Mr. Thomas Kellock?—We might not go for the purpose of canvassing, we might occasionally meet a solicitor and go and speak to the voters.

22,178. Captain Pim had told you he was not going to spend any money?—He had.

22,179. Did he tell you that he had not much to spend?—No.

22,180. When you were canvassing the people did you find that you generally came after Colonel Dawkins or before him?—After.

22,181. Did you find that those who promised Colonel Dawkins to vote for him were pretty ready to promise you too?—Most of them were, except the other side of the bridge.

22,182. Did you find many people on the other side of the bridge who promised to vote for Colonel Dawkins who would not promise to vote for Captain Pim?—No, not many. They had not probably promised to vote for Colonel Dawkins. They said they would like to vote for Captain Pim but they could not; they liked the look of him.

22,183. But principally people did vote for Dawkins and Pim?—Yes, the majority.

22,184. Was that the first election in which you did anything?—No.

22,185. Had you been concerned in 1863?—Only in one case of fetching a voter to the poll.

22,186. Who was that?—A man called Lake, of Fleet Mills.

22,187. Where did you fetch him from?—From his house.

22,188. And you brought him up to your father's?—Yes.

22,189. Where did you keep him?—I brought him the back way through the race-course and over the railway bridge, because he was afraid to come through Bridgetown, up to the back part of the hotel, and put him in the smoking room and there left him.

22,190. Was that all you had to do with him?—Yes.

22,191. Although you had nothing to do with it, you knew that money was flying about then?—I could guess pretty well.

22,192. I suppose you, as well as anybody living in Totnes, knew that no candidate was likely to be returned unless a good deal of money was spent. And when you went to the people who had promised Colonel Dawkins had you any doubt that very many of them had been promised or received money?—I have no doubt many had received money.

22,193. You have heard the description as a matter of course, on the Conservative side, that a good many voters you went to promised their votes to Captain Pim and that class of men?—Yes.

22,194. So that Colonel Dawkins' money had paved the way for your canvass for Captain Pim?—Very likely.

22,195. Do you think they would have voted for Captain Pim if he had been the only candidate, if he had not spent any money?—They would not have voted at all; they would not have lost their time to go to the poll to vote for anyone.

22,196. In the course of your canvassing with the Captain, did any of the electors ask him to consider them on his part as well as Colonel Dawkins?—I do not remember that they did. There were some gentlemen's houses I did not think it my place to go into, and I let him go alone.

22,197. I believe you accompanied him to Mr. James?—I did.

22,198. But you did not go in?—I did not go in.

22,199. We have had rather a difference about that. Did Colonel Dawkins go with Captain Pim to Mr. James?—I do not think he did; I am not quite sure.

22,200. Were you and Captain Pim alone when you went to Mr. James?—I am not sure whether his friend Mr. Murchison was there, or whether I was alone.

22,201. Do you remember Mr. Murchison coming down?—I do not remember the time of his coming; I remember seeing him here and Captain Pim.

22,202. And his going round the town with you?—I do not believe he did. He may have done in one or two places. He did not regularly canvass with us.

22,203. How long did Mr. Murchison stay here?—I do not know; a few days only, I think.

22,204. I mean, was he down some little time before the election?—Not more than a few days, I think.

22,205. Did not he come down on the night of the Sunday?—I do not know.

22,206. You have heard young Mr. Pender examined; he came down by the same train?—It is very likely he did; I do not know.

22,207. Are you connected with the telegraph office here?—No.

22,208. In the course of that day did you send a message from Mr. Murchison to Mr. Charles Wescomb, of Exeter?—I do not know; I may have done.

22,209. You must remember?—I do not, indeed.

22,210. You do not telegraph so often in your life that you do not remember?—I may have done so.

22,211. Did not you during the time Mr. Murchison was down here telegraph from him to Mr. Wescomb?—Very likely; I do not know for certan that I did.

22,212. Did not Mr. Murchison tell you that he was going to telegraph to Mr. Wescomb?—I have no recollection.

22,213. Did you receive a telegraphic communication from Mr. Wescomb, addressed to Mr. John Heath?—I do not recollect it.

22,214. Are you quite sure about that?—I do not remember ever seeing the telegram at all.

22,215. Do you remember your father going to meet a train in consequence of receiving a telegram from Mr. Wescomb?—No.

22,216. Just think whether you did not on that day receive a telegraphic message from Mr. Murchison to Mr. Wescomb?—I do not know that I did; I do not think I did.

22,217. Do you remember whether any telegraphic messages came to Mr. Murchison?—I do not. I should not receive them if they did.

22,218. You were about with Captain Pim and Mr. Murchison, or Captain Pim's friend. Had Captain Pim a separate sitting-room from Colonel Dawkins?—Yes, I think he had.

22,219. And was Mr. Murchison in the habit of staying there?—Yes.

22,220. And you were in the habit of course of staying there with Captain Pim?—Very seldom I went there.

22,221. Where did you generally see Captain Pim?—He came to the bar when he wanted to go out, and asked if I was ready.

22,222. Did you make up a poll book, a canvass book?—Yes.

22,223. Have you got your canvass book?—No.

22,224. What did you do with it?—I never knew it would be wanted, and never took any care of it. It was a small printed list merely, not a book.

22,225. As you went round I suppose you entered those who promised?—Yes.

22,226. Those who were doubtful and those who were certain against you. Did you not think that might be a useful thing in case there should be an election at some future time?—I never took any care of it.

22,227. Do not you think you could find it?—No; I have not the remotest idea what I did with it.

22,228. Did you throw it away after the election?—No; I did not throw away any of my papers.

22,229. You must have it among your papers?—No; I do not know what became of it.

22,230. Have you looked for it?—I have not it among my papers at Exeter, and I have no papers here at all.

22,231. You looked for it among your papers at Exeter?—I did.

22,232. And cannot find it?—No.

22,233. Just think again about that telegram?—I have not the remotest recollection about having received a telegram or given one to either of the parties.

22,234. You would not say you have not done?—I will not, because I cannot recollect.

22,235. Did Mr. Murchison talk to you about Mr. Wescomb?—No; Captain Pim told me he knew him. Mr. Murchison I do not recollect speaking to.

22,236. Do you know whether there was any telegram from Mr. Wescomb to Captain Pim, or from Captain Pim to Mr. Wescomb?—I do not know.

22,237. What did Captain Pim tell you about Mr. Mr. Westcomb?—He said he was a friend of his.

22,238. Did he tell you what were their relations?—No; not a word.

22,239. Did you know?—No.

22,240. Did you know that they had to do with mining matters together?—No.

22,241. You did not know?—No.

22,242. Did not Captain Pim talk to you about mines he was engaged in?—No; he told me that he was interested in mines abroad.

22,243. Mines in Cornwall?—I did not know he was.

22,244. Did Mr. Murchison tell you he was interested in mines in Cornwall?—No.

22,245. Nothing at all?—No; I did not know that he was till now.

22,246. Did you see Mr. Smith, the attorney, while he was living in your father's house?—I may have.

22,247. You have seen him here, have not you?—No.

22,248. Have not you seen him since he was down here this time?—No.

22,249. When did you first come to Totnes?—Monday week.

22,250. You have been here ever since?—No; I came again last Monday.

22,251. Did you go back again on Monday week?—Yes.

22,252. Should you know Mr. Smith again if you saw him?—No; I do not know that I ever spoke to him.

22,253. Do you mean to say that you never saw Captain Pim in communication with each other?—I do not know Mr. Smith; I was never introduced to him in my life, and I do not know that I ever saw him.

22,254. Do you know the person who slept in No. 13 in your father's house?—I do not know what bed rooms anybody slept in.

22,255. Did you ever go to No. 13 bed room?—No.

22,256. Take care?—Not to the bed-room.

22,257. Take care; where did you go; are there two No. 13's in your house?—No.

22,258. Do you mean to say that you never went to No. 13 during the election?—Never. I do not know that I was ever on the bedroom landing that side of the house; I heard there was a gentleman in No. 13.

22,259. Did not you know whether that was Mr Smith?—I did not know; I did not know Mr. Smith.

22,260. Was it a person who was a stranger to you?—Yes, but I did not know what room he was in; I heard there was a stranger in No. 13.

22,261. Just describe him?—Somewhere about your height and figure; might be a little older.

22,262. I thought you said you had never seen him?—I had seen a gentleman, but I did not know whether it was Mr. Smith or anybody else.

22,263. Was he older or younger than I am?—Older.

22,264. Grey hair and greyish whiskers?—I think he had, but I am not quite sure; there were several strangers about.

22,265. Your boots has sworn here, and he is a man likely to know these things, there were no strangers about the house, except Mr. Smith and Colonel Dawkins' valet?—He knows better than I do; he was in the house certainly.

22,266. You say you do not know Mr. Smith by sight?—I do not.

22,267. (*Mr. Longe.*) What do you mean when you say you do not know Smith; you do not know who was the person in No. 13; and yet you know the stranger?—Yes, I know there was a stranger.

22,268. Of course you saw hundreds of strangers, which one do you mean?—One spoke to me about going to see a voter.

22,269. Where did he speak to you?—At the bottom of our stairs.

22,270. What voter did he speak to you about?—Robert Smaridge.

22,271. (*Mr. Bere.*) What colour hair had he?—I think greyish, or lightish grey.

22,272. Any moustache?—I do not think he had; I did not look particularly at him.

22,273. You did not look particularly at a stranger who spoke to you about going to see a voter?—No.

22,274. Do you mean to try to persuade us to believe that, that a person who was a stranger to you asked you to go to a voter for him and you did not notice him particularly?—I heard there was a stranger in the house, and a gentleman told me to go and see a voter and gave me something to carry to him.

22,275. What did he give you to carry to him?—A parcel.

22,276. What was in the parcel?—I did not see; it was heavy, most likely money.

22,277. Where did he give you that?—At the bottom of the stairs, just by the bar door.

22,278. Where was your father then?—I do not know, he asked for my father.

22,279. What day was it?—Whether it was the nomination day or the day before I am not sure.

22,280. Are you quite certain he did not give you that bag in No. 13?—I am certain; I never went into No. 13 during the election, and I do not know that I was on that flight of stairs at all.

22,281. (*Mr. Coleridge.*) If you did not know the stranger I suppose he knew you, or he would not have given you the parcel?—Very likly; he asked me for my father.

22,282. How did he address you?—I was in the bar and he says, "You are Mr. Heath's son?" "I "am." "Is your father here?" "No, I will look for "him." And I went to look for him and I could not find him; and he said, "You will do just as well I "dare say. There is a man called Robert Smaridge "at Shillibeer's, cow keeper, at Warland; take it to "him and get him here if you can."

22,283. Did you take it to him?—I did.

22,284. Did Smaridge know about it?—He seemed to understand.

22,285. Did you take a receipt?—No.

22,286. What did Smaridge say when you came?—I asked whether he was there of Shillibeer's wife, I think. I had never seen the voter before, and I think it was Shillibeer's wife's side he was, in the kitchen.

22,287. What did he say when you saw him?—I asked if he was Robert Smaridge; he said yes. I said I have a parcel for you and I want you to come to our house immediately. I left the parcel and I said I should wait outside, and in a few minutes he came out and went to our house with me.

22,288. When you got him in the house what did you do when you got him to your house?—I left him in the large room.

22,289. Were any other voters there?—A lot of voters.

22,290. Who were looking after them?—I do not know exactly.

22,291. Was your brother?—My brother was in and out of the room.

22,292. Who else?—Young Willis was in and out of the room.

EIGHTEENTH DAY.

Mr. J. Heath.

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22,293. Frederick Evens?—He was in and out of the room too.

22,294. Screach?—I do not know whether he was in the room, I did not see him.

22,295. Mr. Kellock?—I think he was there.

22,296. Mr. Edmonds?—I did not see him.

22,297. Mr. Smith?—I do not know Mr. Smith.

22,298. Do you know Mr. Smith's clerks, Mr. Daw and Mr. Lind?—No.

22,299. Did you know there was a stranger there with two clerks about the house?—I heard there were two of Mr. Smith's clerks in No. 6, but I did not see them.

22,300. Who else was in the house; I do not mean voters who were being kept, but those who assisted in keeping them?—Mr. Norrish was going in and out, and a lot of them.

22,301. (*Mr. Bere.*) Was Smaridge the only person you took money to?—No; William Allery.

22,302. Where was that?—I think it was in No. 1.

22,303. Did he come out and say he could not wait, and did you go upstairs, and did you say "I will go " and get it for you?"—I do not recollect that circumstance. I know my father gave me a bag which I thought contained money, but I did not see the money.

22,304. Where did he give it to you?—In the entrance to our house.

22,305. Did you go and look for it in consequence of Allery coming out and saying he could not be kept?—I cannot recollect; I might have asked him whether he had any money for Allery, and he gave me a bag, or whether he gave it to me and said, "Take " that to Allery," I do not know; Allery will be able to remember the circumstance.

22,306. Allery has already sworn to it. Did you make a statement to the person who took down your evidence that you were going to give here to-day?—Yes.

22,307. Was that statement read over to you?—I do not know.

22.308. Just take it in your hand?—Yes. (*The witness referred to the proof.*)

22,309. It is No. 13 I am calling your attention to; that is all?—I believe that was the gentleman in No. 13. I had heard there was a strange gentleman in No. 13 but I never went in.

22,310. You believe the gentleman you received the money from was the gentleman sleeping in No. 13?—I understood so.

22,311. Who told you that?—I had heard Screach ask for No. 13.

22,312. Did you see Screach go upstairs?—Yes, many times; and Evens had asked me for No. 13.

22,313. Were those the only two that asked you for it?—Yes, that I recollect.

22,314. Had you told them where to go in order to find No. 13?—They appeared to know.

22,315. Then why did they ask?—They asked if they could go to No. 13, and I said walk up, and then they walked up.

22,316. Were those the only two persons you operated upon in 1865?—The only ones I have the slightest recollection of.

22,317. Was not there another whom you promised money to?—I do not recollect. If you can tell me the name.

22,318. Do you know Joseph Barker?—Yes.

22,319. Did you promise him some money?—I do not know that I did.

22,320. Did you canvass him with Captain Pim?—Yes.

22,321. Where did you canvass him?—At his own house.

22,322. Did he promise you his vote?—If I recollect right, Barker told me that a little money would do him good; and I said he should not be forgotten, or something to that effect. Till you mentioned his name I had no recollection of it.

22,323. Perhaps there may be a great many more if one only knew their names to refresh your recollection. Just think; were not there others you had to do with at that time?—No, I do not know any others.

22,324. On the morning of the election, do you remember Narramore and Willis coming to Captain Pim's early on the night of the election probably?—No.

22,325. Did you go out at all on the night or the morning of the election to see any voter?—I sent Captain Pim off at 4 o'clock in a carriage to fetch a voter.

22,326. You sent Captain Pim off?—Yes.

22,327. Where to?—I think to a country voter.

22,328. What was his name? — A respectable farmer.

22,329. What name?—Pearce, I think; he used to live at Follaton.

22,330. Did Captain Pim go off in the carriage?—Yes.

22,331. Who with him?—He went alone; the post-boy drove him.

22,332. What post boy, George Beer?—I do not recollect.

22,333. How many post boys had your father at that time?—Three regular ones, but we generally took on a man or two extra at election time.

22,334. You do not know which drove him?—No.

22,335. When did Captain Pim come back?—The election morning, but I did not see him return. He came back and took a gentleman to the poll.

22,336. Did he succeed in taking Pearce to the poll?—Yes; he promised him the day before if he was fetched.

22,337. He had seen Pearce the day before?—Yes.

22,338. How far was it from Totnes?—Six or seven miles.

22,339. Then what was the use of going at three or four in the morning?—An hour and a half he would be going out.

22,340. What going six or seven miles?—It might be eight or nine miles.

22,341. Follaton is not so much?—He lived on Sir Walter Carew's estate at Dean then.

22,342. What time did Captain Pim bring him back?—I think between seven and eight.

22,343. Are you quite certain that he was not living at Follaton at the time?—Certainly.

22,344. Had he left the farm place then?—Yes.

22,345. And lost his qualification?—He had at the time.

22,346. You also thought it was not a good vote?—I do not think it was not a good vote on the scrutiny.

22,347. Did you go or send anybody out to see some voters at Bridgetown?—Not that I recollect. I went with Captain Pim to canvass in Bridgetown.

22,348. Who were those?—Nearly all.

22,349. I mean on the morning of the election, did Captain Pim direct you to go and see any particular voters that morning?—No.

22,350. I understand you were not present when the conversation took place between him and Narramore and Willis?—No.

22,351. How many times did you see this stranger who paid you the money?—I do not know that I saw him again.

22,352. Only that once?—Only that once.

22,353. Did you never see him with Captain Pim?—No; and I was nearly always with Captain Pim.

22,354. You say you were not there in the sitting-room?—No.

22,355. So he might have gone and seen him in the sitting-room?—He might.

22,356. Are you quite certain you did not go with your brother and Arthur Niner on that morning?—Certainly; I think I helped to put the horse in and sent them off.

22,357. Did they tell you where they were going?—No.

22,358. You knew pretty well?—No.

22,359. Which way did they go?—Over the bridge:

I thought they were going out into the Berry preserves.

22,360. Did you think they might find some birds?—Duck or game.

22,361. (*Mr. Coleridge.*) At the time of the election 1865 you were living at Exeter?—No.

22,362. When did you go to live at Exeter?—In the latter end of July or August following.

22,363. You were about almost constantly with Captain Pim from the time he came to the time he went away?—Yes, almost.

22,364. Captain Pim has told us that on the night before the election he did not go to bed at all?—Nor did I.

22,365. Do not you recollect Narramore coming to him?—I do not recollect the circumstance.

22,366. Do you recollect Captain Pim asking you to find a messenger to go and fetch Narramore?—No.

22,367. Very early in the morning?—No.

22,368. You had a good deal of conversation with Captain Pim afterwards?—Very likely; he went away shortly afterwards.

22,369. Did he tell you that he had sent Narramore to offer large sums of money to different voters?—I have heard 10*l.*

22,370. You knew that before this inquiry I suppose?—I heard Captain Pim say, "I have sent a "fellow to offer a lot of the duke's men large sums of "money to make him pay more, just for a lark."

22,371. Did he say whom he had sent?—No.

22,372. Did he say whom he had sent to?—No.

22,373. To raise the price, and make him pay dearer?—Yes.

22,374. Did you sleep at your father's house during the election, or your own voting place?—I think at my father's house.

22,375. I suppose you never went to bed before Captain Pim had gone; you saw him the last thing?—If he had done canvassing I went to bed.

22,376. What room did you sleep in?—A private room; the private side of the house is not numbered.

22,377. You have told us the description of the stranger who gave you the money. Are you certain he had not dark hair; you said you thought it was greyish?—I did not look particularly at it.

22,378. What is your impression?—I think it was dark hair turned grey.

22,379. What colour whiskers?—I cannot say.

22,380. Greyish whiskers?—I did not look particularly.

22,381. Any moustache?—I do not think he had.

22,382. Was his hair always the same colour when you saw him?—I only saw him that once.

22,383. Did you see a gentleman about at that time with dark hair and dark moustache and light whiskers?—Colonel Dawkins had dark whiskers.

22,384. Anybody else?—No. I tell you I was very little on that side of the house where strangers occupied.

22,385. Were you often in No. 1?—No, very seldom.

22,386. Did you ever see any voters in No. 1?—Allery, I think I saw in No. 1.

22,387. Did you ever give money to anyone in No. 1?—I think I did to Allery, either in No. 1 or the entry.

22,388. Whom else did you give money to in No. 1?—Nobody.

22,389. Thomas Gillham?—No.

22,390. Are you sure of that?—I will not be positive.

22,391. Just try and think?—I do not think I did.

22,392. You do not think you gave anything to Thomas Gillham in No. 1?—No.

22,393. Did you see him in No. 1 just before the election?—No, I do not think I did.

22,394. How many voters in all did you see in No. 1?—I do not think I saw any others but what I mentioned.

22,395. No others but Allery?—No.

22,396. Then you gave Allery a bag?—Yes.

22,397. What did it contain?—I do not know; I believe it was money.

22,398. Did you ever see a gentleman about the house who obviously was wearing a dark wig during the election?—No.

22,399. Did you ever wear one yourself?—No.

22,400. Did you never once change the colour of your hair?—No.

22,401. You are certain?—Quite certain. I never did in my life; this colour is quite good enough for me.

22,402. Did you ever buy a wig at Exeter?—Never.

22,403. Any moustache?—No.

22,404. Did you never dress up in one?—Never.

22,405. Never at any time?—I did on Guy Faux night, making a bonfire.

22,406. Did you keep that Guy Faux suit and wear it during the time of the election?—No, I never saw it I should think for five or six years.

22,407. Then at election time you never disguised yourself in any way?—Never at any time.

22,408. Did you have some private theatricals here?—Never.

22,409. You never dressed up?—No; my brother did.

22,410. Which of your brothers dressed up?—My brother as a captain; a military suit.

22,411. Not an election captain?—No.

22,412. You can tell us who slept in No. 18 during the election?—No.

22,413. You were very full during the election, were not you?—Yes.

22,414. Had you this house, this joint occupation at this time?—Yes.

22,415. Who was living there?—My brother and his wife.

22,416. How came you not to sleep there?—Because I was so late to bed at election time.

22,417. Did you ever see any voters there late at election times?—Very late.

22,418. What is the latest you saw them at the time of the election time?—Crawford was late going over the bridge with a mob with him.

22,419. Was the house open all night during the election?—The night before.

22,420. But was it the other nights, three or four nights before?—I do not think it was; I was not up all the night.

22,421. Was it open the day before the nomination?—I did not stay to see.

22,422. Was it Monday?—I do not think it was.

22,423. Or the Saturday?—I do not think it was.

22,424. (*Mr. Longe.*) You remember the election of 1863?—Yes.

22,425. You were in the hotel then?—Yes.

22,426. Did you know the Mum then?—I saw him, because he was on our side of the house, and I passed the room.

22,427. (*Mr. Bere.*) Was he in No. 9 then?—Yes.

22,428. (*Mr. Longe.*) How did you know who he was?—I heard the waiters and them say there was a Mr. Mum in No. 9.

22,429. Do you think the waiters know more than Mr. Heath and Mr. Heath's family with regard to what goes on in the house?—Yes.

22,430. In the 1862 election, was there a Mr. Mum then?—I do not know. I was a youngster.

22,431. There was only six weeks difference?—There was no contest. I do not know.

22,432. We understand that in the 1863 election, when you took no part in the election, you knew there was a Mr. Mum in the house, and that you knew what he was doing?—I guessed what he was doing, and I knew there was a man.

22,433. If there was a man, which I very much doubt, do you mean to say it would not be known?—It was at Dunn's election in 1859, not Dent's.

22,434. I asked you as to 1863?—I beg your pardon,

GHTEENTH DAY.

Ir. J. Heath.

3 Sept. 1866.

it is my mistake. I never saw any stranger at Dent's election at all.

22,435. Your father has told us there has been a stranger down there every time?—There may have been. He knows better than I do.

22,436. Your father has told us there was a stranger every time?—He knows better than I do.

22,437. You do not know anything about him in 1865, with the exception of of what you told us before, that there was some man came to you whom you never saw before or after?—Yes.

22,438. That is all?—Yes.

Mr. T. Marshall.

THOMAS MARSHALL sworn and examined.

22,439. (*Mr. Coleridge.*) Are you Colonel Dawkins' valet?—Yes.

22,440. How long did you live with him?—Two years the 2nd of last April.

22,441. Were you a soldier?—I was then.

22,442. You left the regiment with him as soldier servant?—Yes.

22,443. You were with him when he went on half-pay, had you served your time?—I purchased my discharge when I went from Totnes.

22,444. Do you recollect Colonel Dawkins coming here?—I came with him.

22,445. I think he told us that was about the 4th of July?—I cannot recollect the day of the month, somewhere about that.

22,446. Eight or nine days before the election?—Yes.

22,447. When you came did Mr. Smith come with you?—No.

28,448. I do not mean with you, but with Colonel Dawkins?—No.

22,449. Are you sure he did not?—I cannot recollect.

22,450. Mr. Smith was staying as Colonel Dawkins' guest at the "Seven Stars"?—Yes.

22,451. You attended to him?—Yes.

22,452. Brushed his clothes and that sort of thing?—Yes.

22,453. Mr. Smith says and Colonel Dawkins says that they came together, and that Mr. Smith paid Colonel Dawkins' fare, that rather looks as if it was so?—I cannot remember. It is probable it was so.

22,454. Did Captain Fox come at the same time?—No; he came afterwards.

22,455. You attended to Captain Fox?—Yes.

22,456. What room did Mr. Smith occupy?—No. 13.

22,457. You are quite sure?—Yes.

22,458. You have been to the house and looked at it.—Yes.

22,459. While attending to Mr. Smith was he often in the room in the daytime?—I cannot say. I used to go in the morning to call him and take him hot water.

22,460. At what time?—Between 7 and 8 o'clock.

22,461. Used he to get up and come to breakfast at the proper time?—Not always.

22,462. Out of the nine or ten days how many times do you think he came down to breakfast?—I do not think he was down more than half his time.

22,463. When he not did come down to breakfast did he have his breakfast in his room?—He took his breakfast by himself.

22,464. What time did Colonel Dawkins breakfast?—Nine, half-past nine, or ten.

22,465. Was he often as late as ten?—Yes.

22,466. How late have you known Mr. Smith come to breakfast?—As late as 11 or 12.

22,467. Have you known Mr. Smith have anything taken into his room, tea or soda water?—I do not recollect.

22,468. Do you recollect whether you have taken anything?—I do not think I did.

22,469. Do you know whether the chambermaid has?—I think if anybody waited on him it would be the waiter.

22,470. The waiter says it would be the chambermaid?—I cannot say.

22,471. Was Mr. Smith constantly about with Colonel Dawkins?—I think he was about with Colonel Dawkins a great deal of his time.

22,472. Did he take all his meals with Colonel Dawkins?—He did not.

22,473. He always breakfasted with Colonel Dawkins, did he not?—I think he used to breakfast in No. 6 sometimes.

22,474. That would be with his two clerks?—Yes, the same room.

22,475. It is a sort of public room, No. 6?—Yes.

22,476. A small coffee room?—Yes.

22,477. If he came too late to breakfast with Colonel Dawkins did he have breakfast in Colonel Dawkins' room or No. 6?—No. 6.

22,478. Captain Fox generally was at breakfast?—Yes.

22,479. Did Mr. Smith generally dine with Colonel Dawkins?—He did sometimes, not often.

22,480. Are you sure of that?—He did not more than half his time, I should say.

22,481. I suppose you do not know whether he did or did not dine with Colonel Dawkins?—No.

22,482. Now Colonel Dawkins came down, as we heard, about 10 days before the election, but you are not certain about Mr. Smith coming with him?—I am not certain.

22,483. What were your instructions from Colonel Dawkins as to any communication you had with Mr. Smith?—My instructions were, when anyone asked who he was I was not to say.

22,484. Colonel Dawkins or Mr. Smith?—Colonel Dawkins; I was not to satisfy them.

22,485. How long was that before the election?—When we first came down.

22,486. With reference to Mr. Smith what were your instructions?—Not to give any information.

22,487. Do you recollect any particular stranger coming down and asking to see Colonel Dawkins?—Oh, no.

22,488. Do you recollect Mr. Lind?—Yes.

22,489. He was a stranger?—No, I had seen him before at the office.

22,490. When you have gone on messages?—Yes.

22,491. You knew who he was?—Yes.

22,492. Do you recollect anybody else coming?—Yes, another clerk, Mr. Daw.

22,493. Besides those, do you recollect a particular stranger coming?—No; I saw many strangers about.

22,494. You saw Mr. Kellock?—Yes, I know him.

22,495. You saw him constantly with Col. Dawkins?—I saw him very often.

22,496. And Mr. Edmonds?—Yes.

22,497. Do you recollect Mr. Kellock coming in with another gentleman on the day before the election, and bringing some money?—I cannot recollect Mr. Kellock bringing any, but Mr. Lind told me I was to go to No. 6 and wait there. After I was there some few minutes some money was brought and put upon the table.

22,498. Mr. Lind had given you notice that money was to come?—He did not say there was any coming, I was to go and stay in the room till someone came; and I think Mr. Lind brought the money and put down some papers; and I was to fold it up in papers and it would be taken away.

22,499. Do you recollect whether that was on the Monday or the Tuesday?—The polling day. I cannot remember the day or the date.

22,500. Do you recollect on two occasions receiving money?—No; never but one.

22,501. Are you quite sure about that? I do not want to trap you, but do you recollect on one occasion being in your shirt sleeves?—I am certain I never had

money more than once. I cannot say whether I was in my shirt sleeves that time.

22,502. You do not recollect Mr. Kellock saying "Never mind about being in your shirt sleeves, come "and watch this money till Mr. Edmonds comes"? —I cannot recollect whether I was in my shirt sleeves or not.

22,503. The nomination day, of course you recollect that?—Yes.

22,504. The day before the nomination day, the Monday; do you recollect whether the transaction about the money was the Monday or Tuesday?—It must have been on the Monday; I did not receive any on the Tuesday.

22,505. It would be on the Monday?—I think it must have been on the Monday.

22,506. Do you recollect Captain Fox going to Torquay with Mr. Kellock?—No, I do not.

22,507. Do you recollect some money on the Tuesday about which you have spoken being brought into the room Number 6?—Yes, I recollect. I am pretty sure Mr. Lind put it on the table, and Mr. Lind or Mr. Edmonds took it away. I would not be sure which it was. I believe they were both there.

22,508. Are you sure Mr. Kellock was not there? —I cannot remember.

22,509. Do you know Mr. Kellock?—Yes.

22,510. You are quite sure that Mr. Lind or Mr. Edmonds were the persons who brought the money? —I think so.

22,511. Was it not a gentleman whom you did not know by sight, with a light grey moustache and light hair, who brought the money in?—I cannot remember anything of that sort.

22,512. You recollect the money being brought in and put on a piece of newspaper?—I think it was put in two pieces of paper.

22,513. What was the money in?—I will not be sure, but I think it was in a little bag, and it was shaken out on the paper loose; there were some notes as well.

22,514. Can you tell us the numbers of the notes? —No.

22,515. Or the amount in gold?—I could not say. I should think some hundreds.

22,516. Were you told the amount by anyone?— No.

22,517. Was it Mr. Lind or Mr. Edmonds who shook out the money?—I cannot remember. They brought the money in, and I think it was Mr. Lind who shook it out.

22,518. When it was shaken out of the bags did you see what it had been in before? Whether it had been made up in a neat parcel?—I think it was brought in there in a paper and laid on the table on two half sheets of paper.

22,519. Are you quite sure that it was not brought in tied up in a neatly made parcel like a sort of bankers' parcel?—I do not remember.

22,520. Your impression is that it was brought there in a loose piece of paper?—I think it was.

22,521. It was shaken out you think by Mr. Lind, and afterwards was taken away by Mr. Edmonds?— By Mr. Lind or Mr. Edmonds.

22,522. Had anything been said by anybody before the transaction took place about your watching the money?—No.

22,523. Had not Mr. Kellock, if he was there, said "Never mind your shirt sleeves, will you wait till I "fetch Mr. Edmonds"?—I cannot remember, he might have done so.

22,524. Do you know Captain King?—No, I do not.

22,525. On the following day do you recollect being alone in No. 6, when a gentleman came again with some money?—No, never.

22,526. You have no recollection of that?—I never had anything to do do with money but that once.

22,527. It has been sworn it was on the Tuesday, not the Monday, and that Mr. Kellock came in and said to you, "Never mind your shirt sleeves, watch "this money till Mr. Edmonds comes;" have you any recollection of that?—I have not.

22,528. Will you undertake to swear that such a thing never did happen?—I will swear I never had but one lot of money.

22,529. Do you remember being in your shirt sleeves when you had this lot of money?—I cannot say.

22,530. Were you likely to have been in your shirt sleeves at 5 o'clock in the day?—I might have been, not generally so late in the day as that.

22,531. What time did this transaction about the money take place?—I do not know.

22,532. Cannot you say whether it was 3, 4, 5, or 6 o'clock?—It was some time in the afternoon, I cannot say when.

22,533. There was no valet with Mr. Smith or Captain Fox?—No.

22,534. You are certain there were not two transactions about money?—I am.

22,535. Was that on the day before the election or before the nomination?—It must have been the day before the nomination.

22,536. Are you quite sure of that? Have you anything to fix it in your mind?—I could not swear to it; but I think it was the day before the nomination.

22,537. You have no sort of recollection of Mr. Kellock?—No.

22,538. Or of his saying anything about not minding your shirt sleeves?—I cannot remember that.

22,539. You know Mr. Lind well by sight?—Yes; perfectly well.

22,540. Will you describe what sort of looking person he is?—He is about 5 feet 10 in height, and dark.

22,541. Any moustache?—I think not any.

22,542. That is the only transaction of the kind you know of?—Yes.

22,543. Have you any doubt that it was Mr. Edmonds or Mr. Lind who brought the money into the room?—I think it was Mr. Lind who brought it.

22,544. You think you know Mr. Lind so well that you cannot be mistaken in that?—I did not think I ever should be called on to speak to this. I cannot swear to it; but that is what I think.

22,545. If it was not Mr. Lind who brought it, was it not some stranger whom you had never seen?—I cannot tell.

22,546. A man with a light moustache?—I cannot remember.

22,547. Your impression is it was Mr. Lind or Mr. Edmonds?—I cannot think it was anyone but Mr. Lind.

22,548. You have no doubt it was one or the other? —Just so.

22,549. You have no doubt Mr. Lind shook out the money?—I think so.

22,550. And Mr. Edmonds carried it away?—The money was brought there in a parcel, and thrown out on this newspaper.

22,551. Was it merely twisted up loosely, or was it a neatly made up parcel?—I think it was neatly made up; about six inches wide, and a foot long.

22,552. Do you remember subsequently some more money being brought in?—No.

22,553. You are quite sure of that?—Never but once.

22,554. You are positive that only once you had anything to do with money?—Only once.

22,555. What fixes it in your mind that it was the day before the nomination, and not on the Tuesday; what occurred to make you think so?—I could not say which day it was. I fancy it was near the nomination, we had been there some time. I do not think it was the nomination day.

22,556. Was it the day after the nomination?—It was not after that.

22,557. What makes you say it was not the nomination day?—I cannot remember what day it was; it was some time before the nomination. I cannot say how long.

22,558. What occurred on the nomination day to make you think it was not that day?—I was in front of the hotel nearly all the time.

22,559. But that was over by 11 o'clock; were you in front of the hotel from 2 to 6?—I cannot remember. I cannot be certain what day it was.

22,560. Can you give us any reason why you prefer saying it was the day before the nomination to the day of the nomination?—I think it is most likely that it must have been before; they would want the money for the election.

22,561. Have you no better reason than that for saying so?—No.

22,562. Was it the day when Captain Fox went to Torquay?—I do not know when he did go.

22,563. You know nothing of that?—Nothing at all.

22,564. Now put entirely out of your mind what they would want the money for, and try and recollect whether this may not have been on the nomination day?—I am sure I cannot say; it must have been before the nomination day, I think.

22,565. Have you any other reason for saying so, except that you think the money was wanted?—I have no particular reason.

22,566. When did you know that the money was wanted?—I heard about that on both sides. I heard that both sides were bribing from different people who were going in and out.

22,567. Who told you that your own side were bribing?—No particular person told me.

22,568. You heard a general rumour of it?—There were a great many said they were bribing all about.

22,569. What did old Mr. Heath say to you about it?—Nothing at all.

22,570. Or either of the young Mr. Heaths?—It was none of the Mr. Heaths who told me so.

22,571. Do you know Brown, the waiter at the "Stars"?—Yes.

22,572. What conversation had you with Brown about bribery going on?—I had no conversation with him.

22,573. You heard nothing from Brown about it?—No.

22,574. About your being ready to receive some money, or anything of that sort?—No, never.

22,575. You did not know that the money was coming?—I did not know it. Mr. Lind said that I was to go into the room and wait for a few minutes, and almost directly this money was brought to me.

22,576. What time was that in the afternoon?—I could not say.

22,577. Was it as late as 4 o'clock?—I cannot say.

22,578. Have you read any of the reports of this evidence in the newspapers?—No. I did not know that I was coming here as a witness until I received a telegram from the colonel yesterday morning.

22,579. Captain King and Mr. Kellock have told us that on the nomination day they went into the room No. 6, and put down a sum of money on the table, that they told you not to mind your shirt sleeves, but to wait until Mr. Edmonds came. Captain King was a gentleman who had a light moustache?—I do not remember any such gentleman at all.

22,580. Are you quite certain that at the time you received the money Mr. Lind was there?—I fancy that Mr. Lind brought the money in.

22,581. Are you sure that you are not confounding Mr. Lind with Captain King?—I do not know any Captain King at all.

22,582. Captain King was a gentleman who had a light grey moustache?—I cannot remember such a man.

22,583. So far as you recollect, Mr. Lind brought it, and Mr. Edmonds was present?—I do not know whether he was present when it was brought in, he must have been present when he took it away.

22,584. How many gentlemen were present when the money was brought in, more than one?—I cannot remember more than one.

22,585. And that one was Mr. Lind?—Yes.

22,586. How came Mr. Edmonds to be there; did anyone go and fetch him? Did you go?—No. I did not go out of the room until after the money was gone.

22,587. Did Mr. Lind fetch Mr. Edmonds?—I do not know.

22,588. Were you left alone with the money?—Yes; the door was fastened I should think for a minute, or thereabouts.

22,589. Who was that done by?—By Mr. Lind, no doubt; he went out of the room.

22,590. And locked you in?—No; the door was merely shut, it was not locked; he pulled the door after him.

22,591. You were not locked in?—No.

22,592. Nor did you lock anyone out?—No.

22,593. How long after that did Mr. Edmonds come in?—They came in both together.

22,594. In some two or three minutes?—It might have been longer.

22,595. Were you standing up all that time looking at the money?—No; I folded it up ready to be taken away.

22,596. What necessity was there for doing that if it had been already done?—It was shaken out by Mr. Lind, and I was told to wrap it up in the newspaper.

22,597. And Mr. Edmonds came in with Mr. Lind and took it away?—Yes.

22,598. Are you quite certain of that; are you sure that Mr. Edmonds came in at all?—As well as I can remember it was either Mr. Lind or Mr. Edmonds who took it away; one of the two.

22,599. Are you sure that no stranger came in?—I cannot remember any.

22,600. That no third party came in at all?—I cannot say.

22,601. (*Mr. Longe.*) Captain King has told us that he was the person who took this money there. Surely you must have made some mistake; he was alone with you in the room, and that you kept guard over it?—I cannot remember Captain King or any strange gentleman being there.

22,602. (*Mr. Coleridge.*) You are sure you had nothing to do with money on two occasions?—Quite certain.

22,603. Where were you on the afternoon of the nomination day between 3 and 5 o'clock?—I might have been in the tap of the hotel during some of the time.

22,604. Whose room was No. 6?—I think Mr. Smith was in there.

22,605. You would not have gone into No. 6 unless you had been sent for?—No.

22,606. Were you never sent for to No. 6 at any other time?—Not for that purpose.

22,607. How often had you been sent for to No. 6?—Sometimes I used to answer the bell instead of the waiter.

22,608. Do you mean to answer the bell for Mr. Smith?—Yes.

22,609. Were you ever sent for into No. 6 except on this afternoon to wait for something?—Never, except on one occasion.

22,610. You are sure of that?—Quite sure.

22,611. And this transaction took place on the Monday before the nomination?—As far as I can remember.

22,612. Can you tell us of what this money consisted?—I cannot.

22,613. Were there as many as a hundred sovereigns in gold?—I should think there were 200 or 300.

22,614. And the rest in notes?—There were a great many notes; I cannot say how many.

22,615. Were there as many as 20 notes?—I cannot say.

22,616. Were there as many as 30?—I cannot say.

22,617. Were there as many as 10?—I think there were more than 10.

22,618. Was it a regular roll of notes, or what?—I think as well as I can remember they were all crumpled up.

22,619. Did you have the curiosity to see the

amount of any one of the notes?—I do not know the amount.

22,620. Did you see a 100*l.* note there?—I cannot tell you.

22,621. (*Mr. Longe.*) If you recall it to your mind, I think you will find you are not carrying out your instructions at all. It was not Mr. Lind, it was a strange gentleman, and what he said to you was, 'You don't know me; I don't know you." There was that understanding between you that you were not to know one another; he was about three minutes in the room with you, and then took the money away. Was that not really the case?—I fancy there was some such thing; I think I did hear those words.

22,622. Someone came in, and it was an understood thing that you were not to know him. You did not know him, and he gave you the money?—He might have said so. I am certain it was Mr. Lind who told me that I was to go into that room.

22,623. (*Mr. Bere.*) And did not the person say, 'You don't know me; I don't know you"?—Yes, I think I do remember those words.

22,624. (*Mr Coleridge.*) Are you quite certain that it was Mr. Lind who had the money and shook it out of the bags?—Yes.

22,625. Might it not have been on the Tuesday instead of the Monday?—I do not think it was.

22,626. You cannot fix it in your memory, except that the money might be wanted earlier?—I have no other reason for thinking so.

22,627. (*Mr. Bere.*) Did you ever say anything about leaving a stranger in the room with the money to anyone?—No. I never said anything to anyone during the time I was there.

22,628. You were cautioned about that?—No. The colonel requested me if anyone inquired who he was I was not to say anything, they were to find out.

22,629. You were told that anything you heard in the house you were to keep to yourself?—I never remember anyone saying any such thing.

22,630. Did Mr. Smith ever tell you anything like that?—That I cannot remember.

Mr. William Kellock sworn and examined. *Mr. W. Kellock.*

22,631. (*Mr Bere.*) You are a surgeon in Totnes?—Yes.

22,632. Have you been to see the wife of George Griffis?—I have.

22,633. Is she in a fit state to be examined here?—She cannot get out of her bed.

22,634. Were you not at one time a tenant of the Duke of Somerset?—Yes.

22,635. Were you not turned out?—Yes.

22,636. How long ago?—Some years ago

22,637. What was the reason given to you?—I guessed the reason.

22,638. Because you had voted against the duke?—I voted against his nominee.

22,639. (*Mr. Coleridge.*) Do you think this woman in a fit state to be examined if we went to her house?—If you could put it off for a few days it would be much better, unless it were absolutely necessary.

22,640. (*Mr. Longe.*) As to your eviction, had you notice to quit without any conversation with the duke's agent?—I think Mr. Michelmore gave me notice to quit.

22,641. How soon was that after your adverse vote?—I met him on one occasion, and he said "I shall 'give you notice to quit your fields." Afterwards at Michaelmas I received the regular notice to quit, and I never went into the fields afterwards.

22,642. Was there any understanding that you took your fields as a good Liberal, and would vote in a certain way?—No. I never voted in that way.

22,643. How came you to get your land from the duke?—Mr. Michelmore let it to me. He knew I was an old freeman. I have a house for which I pay 25*l.* a year, and out of which I might have made two votes, but I never thought of anything of the kind.

22,644. You had your land without making any terms?—I made no terms whatever.

22,645. They knew you would not vote on their side?—I never did except when the duke was a Conservative.

22,646. When was he a Conservative?—I have forgotten the date.

22,647. You can hardly say that. In 1852 he stood as a Liberal?—I believe Sir George Adams was the chairman of his committee when he first came out.

22,648. Was not that an uncontested election?—It is so many years ago that I forget.

22,649. Mr. Cornish retired and Lord Seymour was elected in his stead?—Yes.

22,650. Do you know of other cases where persons have been evicted soon after an election by Mr. Michelmore?—I have heard so.

22,651. Can you give us their names?—I think there was a man of the name of Sercombe, and I believe there were others. I never interfere about elections. I have an old political squib with some five or six names to it which came out at that time.

22,652. How old is that?—There is no date to it.

22,553. How many years back was it?—Soon after I was turned out.

22,654. Was it when you voted for Dunn?—I dare say it was. I always voted for the Conservatives.

22,655. Of course you allude to old Mr. Michelmore?—Yes; he is dead.

Robeet Smaridge sworn and examined. *Mr. R. Smaridge.*

22,656. (*Mr. Bere.*) When did you first have a vote for Totnes?—At Pender and Seymour's election.

22,657. Who did you vote for then?—Pender and Seymour.

22,658. Do you mean the last election?—No.

22,659. Did you vote for Pender in 1862?—Yes, I think I did.

22,660. Did you vote for Seymour against Dent?—Yes.

22,661. What did you get for voting for Seymour?—Nothing.

22,662. Did anyone come to you on the other side, from Dent?—Yes.

22,663. Who came to you?—A man named John Tucker.

22,664. What did he offer you to vote for Dent?—He offered me 20*l.*

22,665. Would you not take that?—No.

22,666. Did you say what you would take?—No.

22,667. Did you tell the other side that you had been offered 20*l.*?—I do not think I did.

22,668. Are you sure you did not?—I might. I would not say.

22,669. Are you a son-in-law of William Shillabeer?—I am a brother-in-law of Samuel Shillabeer.

22,670. Did he get anything for you in 1863?—Yes, he got something.

22,671. How much did he get?—He got 10*l.*

22,672. And handed it over to you?—Yes.

22,673. Was that all that he handed over to you?—That is all I had.

22,674. How much did he have?—That I do not know.

22,675. Which Mr Tucker came to you, the one at Roester Bridge?—No. A man in this town, a butcher.

22,676. Do you know whom Samuel Shillabeer got the 10*l.* from. Did he tell you?—No, I do not think he did.

22,677. Do you know where he got it from?—He got it from the party who I voted for.

EIGHTEENTH DAY.

Mr. R. Smaridge.

13 Sept. 1866.

22,678. From Charles Frederick Michelmore?—I do not know.

22,679. Do not you think he did?—Perhaps he might.

22,680. He got it from the Liberal party at any rate?—Yes.

22,681. Who told you that he got it from Mr. Charles Frederick Michelmore?—I do not know that he did get it from him.

22,682. Were you not told in 1863 that it came from him?—I do not know who he got it from.

22,683. In 1863 did you not promise John Tucker to vote for Dent?—No, not exactly.

22,684. Did you promise him a little?—I told him I did not know which side I should vote.

22,685. Did he tell you to come to the "Seven Stars"?—He asked me to go there.

22,686. And did you not go?—I did go.

22,687. Where did you go to at the "Stars"?—I cannot tell you.

22,688. Was it in the back room or the little room?—That I do not know.

22,689. How long were you there?—Not very long.

22,690. You slipped out and was caught by Mr. Jeffery Michelmore?—I got out of the "Stars."

22,691. Did not Mr. Michelmore get hold of you?—I went down to Shillabeer's, and Mr. Michelmore came in.

22,692. And took you to the "Seymour"?—Yes.

22,693. You were kept there all night?—Yes.

22,694. And taken up the next morning, and you then voted for Seymour?—That is the second election.

22,695. Did not Mr. Charles F. Michelmore keep watch that day?—He was there.

22,696. How many were there?—I do not know. Shillabeer was with me.

22,697. Were you in a room by yourselves?—For some time.

22,698. Who else were there?—They were all voters for Totnes, I believe, but were strangers to me; I was a fresh one.

22,699. You did not try to get out that night?—No.

22,700. You were too well satisfied?—I did not go out.

22,701. What did you get when Mr. C. F. Michelmore kept watch over you?—He promised to get me 30*l.*, but he never paid me; I never had it.

22,702. Did you not occupy the same field with Mr. Shillabeer that time?—Yes.

22,703. Had you a single head of cattle on it then?—Yes, a good many.

22,704. Who paid the rent?—I did.

22,705. To whom?—To Mr. Jeffery Michelmore.

22,706. Was it not Samuel Shillabeer who paid the rent?—No; I went with the rent to him many times.

22,707. Did you get the money from Samuel Shillabeer to pay it with?—Sometimes I did.

22,708. Always, was it not?—I do not know about always.

22,709. How many times have you ever given a sixpence yourself towards the rent?—That I cannot tell.

22,710. Whom, in 1865, did you vote for?—I voted for Dawkins and Pim.

22,711. You turned round on the other side?—Yes.

22,712. What made you turn round? How much money was it that made you turn round that Samuel Shillabeer brought you in a bag?—Not Samuel Shillabeer.

22,713. William Shillabeer?—No.

22,714. Who brought it?—One of Mr. Heath's sons.

22,715. James or John?—Mr. James I think.

22,716. Where did he bring it to?—Down to Mr. Shillabeer's.

22,717. You were there waiting?—I was.

22,718. Whom had you negotiated with?—Mr. John Heath

22,719. How much did you get then, 50*l.*?—60*l.*

22,720. I think they objected to your vote, and you got struck off the register. You have not a vote now?—I have not.

22,721. You got your 60*l.* from Mr. James Heath. What had they been offering you on the other side?—I do not think they offered me anything.

22,722. Some of them came to see you?—Mr. Michelmore came to my house. I was coming to Totnes, and he met me on the hill.

22,723. What did he say to you?—I think it was that I should be put on.

22,724. Did you not see Mr. Samuel Parnell?—He never came to me to my recollection.

22,725. Did he send to you?—Send where?

22,726. Anywhere?—I never had anything to do with anyone else but Mr. John Heath.

22,727. Did you go to Mr. Samuel Parnell?—No.

22,728. Did you try to find out how much you could get on the other side?—No, I never said anything about it.

22,729. How did Samuel Shillibeer vote last time?—The same way as I did.

22,730. And for the same reasons?—That I do not know.

22,731. Samuel Shillibeer had voted for the Liberal side before, had he not?—Yes.

22,732. Is there a William Shillibeer?—Not that I know of.

22,733. Did you go down to the "Seymour" at all the last time?—No.

22,734. You were rather afraid of being taken off?—I did not go there.

22,735. They brought a fly to take you to the poll, and you would not go in the fly?—I did not go.

22,736. They sent a "Seven Stars" fly for you, and you were afraid to go into it?—When?

22,737. The last time, 1865?—Not at that election, that I recollect.

22,738. Did you walk up to the poll?—I did.

22,739. Did you poll early?—Yes.

22,740. Did you walk from your own house to the poll?—No.

22,741. Where were you?—At the "Seven Stars."

22,742. You spent the night at the "Seven Stars"?—Yes.

22,743. In a bedroom?—Yes.

22,744. With William Stoyle and William Foote?—I do not know.

22,745. Did you sleep there?—Yes, I slept there.

22,746. How many in a bed?—Only one beside myself.

22,747. How many beds in a room?—That I do not know; may be two or three.

22,748. (*Mr. Coleridge.*) You were so comfortable when you went to bed that you cannot recollect?—I cannot say.

22,749. (*Mr. Bere.*) Who was your bedfellow? If there was a bedfellow you must know who was there?—I do not know, sir.

22,750. (*Mr. Coleridge.*) How many slept in the room?—I think there were two beds in the room.

22,751. Two in each bed?—Yes.

22,752. Who were in the other beds?—I do not know.

22,753. Who was in your bed?—I do not know about that.

22,754. Come now, it was not your wife?—Oh, no, sir.

22,755. Who was it?—I tell you I do not know any person who was there.

22,756. Was it Foote?—I cannot say.

22,757. (*Mr. Bere.*) Were you pretty well on when you went to bed that night?—On what, sir?

22,758. What is the peculiar liquid that you like best?—I am not particular.

22,759. Were you pretty well drunk when you went to bed that night?—No, I do not think much.

22,760. Surely you can remember who was your bedfellow?—I do not know the party.

22,761. (*Mr. Coleridge.*) Was he a voter?—I dare say he was.

22,762. Did he go up to vote with you the next morning?—Not with me; I went up with James Heath.

22,763. (*Mr. Bere.*) Did you see Mr. Jeffery Michelmore about your vote last time?—I met him coming home.

22,764. What did he say to you about it?—He asked me whether I was going to vote for Seymour? I said "No."

22,765. What did he say then?—He did not say very much. I told him I should not vote that side this time.

22,766. Did he ask you why?—Yes, he did.

22,767. What reason did he give?—I told him.

22,768. That you had got 60*l.* for voting the other way?—No.

22,769. What did you tell him?—Because they did not pay me what they promised me the time before.

22,770. (*Mr. Coleridge.*) How much had they promised you?—30*l.*

22,771. And they did not pay you?—No.

22,772. (*Mr. Bere.*) Did Mr. Jeffery Michelmore say if you voted for him he would make it all right this time?—I think he did.

22,773. (*Mr. Coleridge.*) How much would he have paid you altogether if he had given any?—He did not say.

22,774. How much did you expect?—I cannot tell what he expected.

22,775. What did you expect?—I did not say anything.

22,776. What did you think?—I did not say anything, because I did not want to vote for him at any price.

22,777. What price would have made you vote for him?—None.

22,778. Not 100*l.*?—No.

GEORGE GRIFFIS recalled and examined.

Mr. G. Griffis.

22,779. (*Mr. Bere.*) Where have you been since you went up to your house and came back here?—I have been at home.

22,780. Have you been at home?—I have not been in my own house.

22,781. Have you been with somebody else; have you been to see Mr. Searle?—No; I went up to Mr. Sawyers and had a glass of grog.

22,782. You became a bankrupt in 1863, did you not?—I did.

22,783. Just look here (*showing a book to the witness*); that is the account that is made out in your handwriting?—I believe it is.

22,784. And you say this is an account of what you have paid; had you paid Mr. Bryett 20*l.* at that time before you became a bankrupt?—I am sure I do not know.

22,785. When did you borrow money from Mr. Bryett; after the election of 1863, did you not?—After the election of 1863.

22,786. 28*l.*, was it not?—I think 30*l.*

22,787. When did you repay it; did you pay any part of it back to him before you became bankrupt?—Yes, I think I did; I think it was all paid and the interest what I borrowed then.

22,788. When did you borrow any more from him?—I borrowed money from him since that.

22,789. How much?—I cannot tell you.

22,790. How much have you paid back?—Oh, I paid it all back, and many pounds since that. I believe Mr. Bryett is in my debt now.

22,791. We were asking you about Mr. Thomas Jacob Searle when we sent you home to get some accounts; you produce an account book, is that the only account you have got?—That is all.

22,792. You do not seem to have had a large number of customers according to that book?—That is the only book that I have got.

22,793. Are you quite certain that you ever paid Mr. Bryett a single shilling of the money you borrowed before your bankruptcy?—I do not know; I had been doing work for Mr. Bryett.

22,794. Be careful. You answered me just this minute and said that the 28*l.* which Mr. Bryett had lent you shortly after the election of 1863 was paid back by you to him before you became bankrupt?—I did not hand him the money, nor did I pay him; it was my wife that had got the money; he did not let me have the money itself.

22,795. There was a distress put into your house by Jeffery Michelmore, and your wife went to Mr. Bryett and he paid the distress out?—He did; I told you so before.

22,796. Did you ever pay back to Mr. Bryett before your bankruptcy a single penny of the money Mr. Bryett paid for the distress?—I do not know whether I have or not.

22,797. What business you got did you enter it as an account of monies paid off?—My wife can explain that better than I can; my son and my wife keep the books.

22,798. There are two accounts in your book, one is to Budgett and the other is Blight; are those your only two customers?—My accounts are kept in my head; I am a very poor accountant myself.

22,799. I am asking about Thomas Jacob Searle. How much money did Thomas Jacob Searle pay you, whether for work or anything else, within a month of the election, either before or after?—Not a farthing.

22,800. When last did he pay you any money?—This year.

22,801. This?—I think there is the bark.

22,802. How did he pay you?—Several pounds.

22,803. How much?—I have had pounds.

22,804. How many tons of bark?—About 30*l.*

22,805. About how many tons of bark?—I cannot say exactly; at the moment you ask me to say I cannot tell; I cannot tell everything from my head in a minute.

22,806. Your head is the only place where you keep your accounts?—Five or six tons of bark.

22,807. 5*l.* 10*s.* a ton?—More than that, 5*l.* 15*s.*

22,808. What month was that?—I think the bark was delivered in the June month.

22,809. When before had he paid you any money?—Not for 12 months

22,810. Had he not paid you some money in July 1865?—No; I do not think I had done any work for him then, or anything.

22,811. Did he not pay you some money?—No.

22,812. Or your wife?—Nor my wife.

22,813. When last before June 1866 did he pay you any money?—I think it must be 12 months, or thereabouts. I sold him some bark the year before. I only deal with him in the bark way.

22,814. What is he?—A tanner.

22,815. You sell him the bark?—I sell him my bark.

22,816. Has your wife received any money from Mr. Searle?—No, sir.

22,817. Take care?—I am certain of it.

22,818. You are certain of that?—I am.

22,819. At any time?—At no time.

22,820. Or your son?—Nor my son.

22,821. Nor anybody for you?—Nor anybody for me.

22,822. Or from anybody else on the Liberal side?—Never.

22,823. Or has your wife received any money?—Never.

22,824. If Thomas Jacob Searle says he gave you the money he is saying what is not true?—I will swear to that, and it is the truth I say.

22,825. That may be?—It is truth, too.

22,826. You are the only George Griffis of Totnes?—I am the only George Griffis, excepting my son.

22,827. However, Jacob Searle says, "I also gave

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Mr. G. Griffis.

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"money to George Griffis?"—I say if he tells you that he tells you a great falsehood.

22,828. Did he give it to your wife?—No, sir.

22,829. Are you quite sure about that?—She has deceived me if she has done so.

22,830. That 50*l.* that she did get, what became of that?—We spent it.

22,831. When did she tell you first about the 50*l.* she got from Mr. John Heath?—I think it was the day after the election.

22,832. She told you nothing about it before?—No, nor I never went to Mr. Heath's house.

22,833. I did not ask that; I asked if your wife ever told you she was going to Mr. Heath's house to get some money?—It appears she went there.

29,834. Did she tell you she was going?—No, she did not.

22,835. Did you know she was going?—I never knew she was gone till she had been and back again, the day after.

22,836. Who talked to you about your vote at the last election besides your wife?—I really do not know; I know who canvassed me.

22,837. Who canvassed you?—I recollect the parties that called on me; Colonel Dawkins, he called on me; I promised him directly as soon as he called. I said, "I shall vote with you, sir."

22,838. When did you say that?—I think it was on the Monday or Tuesday; I cannot tell you the day of the month.

22,839. Did Mr. Finch, Mr. Durant's steward, come and see you?—Yes, he did.

22,840. How long before the election?—He called at my house; I was not at home.

22,841. When had you seen him?—Perhaps not a month before the election.

22,842. Did you see him just after the election?—I may have seen him a few days after.

22,843. A few days before?—I am sure about that; he came to my house and I was not at home.

22,844. Did he leave a message with your wife, which she gave you?—He said he hoped I would support Pender and Seymour.

22,845. That is the message your wife gave you?—Yes.

22,846. Did he say what he would do if you voted for Pender and Seymour?—Not a word.

22,847. Did he have any dealings with you about that time?—No.

22,848. Did you buy or sell some timber?—I buy it down there just by Mr. Durant's.

22,849. Were you buying timber then?—No, I did not buy any for several months, before or after.

22,850. Was Mr. Finch the person you generally bought the timber of?—Yes, he is the managing man.

22,851. Did you not buy some timber or did he not sell you some timber about that time?—No, he did not.

22,852. Did you sell him some?—No.

22,853. Have you done any work for Mr. Durant?—I do his wheelwrighting work.

22,854. Did he owe you a large bill?—No, he did not.

22,855. Did Mr. Finch promise you work for Mr Durant at that time?—I had done it before.

22,856. Or leave word with your wife?—Not at all.

22,857. Did you see Charles Frederick Michelmore about the election?—I see him very often.

22,858. Did he ask you for your vote?—I do not recollect that he did.

22,859. You must recollect it?—If he had I should not take any notice of him.

22,860. Why? Did you not tell him you were going to vote for Mr. Pender?—Yes, if he asked me no doubt I did.

22,861. Did you vote for Pender and Dawkins?—For the two men I promised.

22,862. Who were those?—Dawkins and Pender.

22,863. To whom did you promise to vote for Pender?—I promised him myself when he called on me

22,864. (*Mr. Longe.*) You said you got something from Mr. Pender, did you not?—Mr. Harris said so; he told a good many things that he knew nothing at all about; that is my opinion.

22,865. (*Mr. Coleridge.*) Have you told all you know about it?—I can say so, as far as I know.

22,866. You have nothing more to tell us?—I do not know that I have.

22,867. Or about what your wife had to do with the election?—Yes, sir.

22,868. Whatever it was she never handed it at the time to you?—I never had a farthing of it. I would rather it had been true, I should have been a 50*l.* better man.

Mr. S. Hilley.

SAMUEL HILLEY sworn and examined.

22,869. (*Mr. Coleridge.*) Are you a voter?—I am.

22,870. When did you first vote?—I voted for Mills and Earl Gifford. I think that was the first.

22,871. What did you get for that?—I got a very small amount; I got nothing before I voted.

22,872. What did you get?—I got a balance paid of 12*l.* odd (an account I owed) by the party.

22,873. Who paid you that?—Mr. Forde. That was done after I voted.

22,874. Who paid it?—Mr. Forde put a stamp to the amount of the balance that I had with him.

22,875. It worked off the balance?—I had promised my vote before that; he came to me came to me in the morning, and asked me how I was going to vote; "Mills and Gifford," I said; when I came back he had put the stamp to the balance.

22,876. You got 12*l.* for having voted?—Yes, I had.

22,877. On the next occasion, 1862, when Dent and Pender stood, who canvassed you?—They both canvassed me.

22,878. And in 1857 you got the balance of your bill paid off?—Yes.

22,879. Do you recollect 1859, when Mr. Dunn stood?—I do.

22,880. Did Frederick Evans give you 30*l.*, or not?—He did.

22,881. What for?—Voting for Dunn.

22,882. Now we come to 1862, Dent and Pender; what did you get then?—Nothing.

22,883. How were you going to vote?—Going to vote for Mr. Dent.

22,884. What were you promised if the election had come off all right?—I dare say I should have got some, but it happened I never asked for money.

22,885. You were not strong enough to withstand the temptation?—I suppose I was not able, nor anybody else.

22,886. Were you ever told at Dent's election you could have as much as 30*l.* if you voted for him?—Evans did.

22,887. Never told you more than 30*l.*?—Never.

22,888. Never put it at a higher figure?—No.

22,889. You were to have had 30*l.*, but Mr. Dent ran away and you got nothing?—I do not know that I was to have anything. I have no doubt I should have had the same as the rest.

22,890. In 1863, Seymour and Dent. What did you get then?—I got 30*l.*

22,891. Who gave it to you?—Mr. Evens brought it to my house; he did not give it to me.

22,892. That was to vote for Dent?—Yes.

22,893. Were you offered anything to vote for Seymour?—No.

22,894. Were you offered anything to vote for the Liberal side?—No; when I passed my word I did not have any offer.

22,895. You got 12*l.*; in 1857, 30*l.*; and in 1862 you were promised 30*l.*?—I do not know that I was promised.

22,896. You expected it?—I had no doubt I should have it; I did not get so much as some of them.

22,897. Now as to 1865; what did you do in 1865; who did you vote for?—Dawkins and Pim.

22,898. Who canvassed you?—Pim; I only saw him.

22,899. You did not do quite so well in 1865 as you had done before?—No.

22,900. How is that?—I do not know.

22,901. Who promised you anything in 1865?—Mr. Evens came to me, but there was nothing said about it; he went away and I did not see him afterwards.

22,902. You gave an I. O. U. for something afterwards?—No.

22,903. Whom did you give it to?—Mr. Heath.

22,904. Which?—Mr. George.

22,905. Where?—Up in the telegraph office.

22,906. What did he do with you when you gave him that piece of paper?—He gave me 20*l.*

22,907. Whom were you to vote for?—Pim and Dawkins. He did not say what for, but I supposed it was for that.

22,908. And you did vote?—I did.

22,909. What were you offered on that occasion?—Nothing.

22,910. Do you mean that the people did not try you?—Mr. Pender canvassed me at my shop. I told him I had promised my vote, and he did not come to me after.

22,911. Did he promise you a situation?—No.

22,912. Did he offer you any inducement to vote for the Liberal side?—I defy any man to say so.

22,913. Did you vote at the municipal elections?—Yes.

22,914. What has been the price?—I vote just as I think proper. I never study politics at the municipal elections. I vote for the man I like, and as an independent voter.

22,915. The man you like is generally the man that can pay something?—No.

22,916. Do you mean your virtue is so great that you never received anything at a municipal election?—I did receive several years ago 5*s.* for being messenger.

22,917. That is all you ever received for a council election?—Yes.

22,918. Have you told us all you ever received for electioneering altogether?—Yes, I believe I have.

22,919. The whole of these elections together you have received, as far as I make it out, is 10*l.* 2*s.* 5*d.* which is what your franchise has been worth?—92*l.* 5*s.* I had promised my vote when a gentleman came and asked me, and I said I was going to vote so-and-so.

22,920. Have you ever voted at any election for members of Parliament that you have not received something for it?—No.

22,921. You never would?—I do not know about never. I believe there are very few that are independent voters.

22,922. Captain Pim canvassed you the last time?—Yes.

22,923. What did he say to you?—I cannot say.

22,924. Did he tell you his political views?—No.

22,925. He never talked about politics?—I do not trouble my head much about that.

22,926. Did he come and say, "I am Commander Pim"?—I knew who he was.

22,927. Who brought him?—Young Mr. Heath.

22,928. Who did he say he was?—He introduced him as Captain Pim.

22,929. What did Captain Pim say?—I had signed the requisition that I would vote for those parties.

22,930. Did you know whom you had signed the requisition for, whom you had asked to come down?—I thought it was Colonel Dawkins.

22,931. Were you not very much surprised to hear that it was Mr. Macleay?—I was surprised to hear it.

22,932. Is that your signature (*referring to the requisition*)?—Yes.

22,933. What did Mr. Harris tell you about this thing? Did he read over all this top part to you, the requisition to Mr. Macleay?—I have no doubt he did, but I have forgotten it.

22,934. You did not know you had offered the honour of the borough to Mr. Macleay?—No.

22,935. You did not care who it was so long as there was a contest and money going on?—That is about it.

T. Mugford.

THOMAS MUGFORD sworn and examined.

22,936. (*Mr. Longe.*) What is your occupation?—A dealer in oysters and shellfish.

22,937. How long have you lived in Totnes?—I suppose 30 years.

22,938. How long have you had a vote?—The first time I got it was at Mr. Dent's election.

22,939. Which election?—The first.

22,940. 1862 and 1863?—Both the elections.

22,941. Whom did you vote for then?—Mr. Dent.

22,942. Now in 1862 who canvassed you?—Mr. Dent himself.

22,943. And who else?—I cannot say now.

22,944. With Mr. Dent you do not know who it was?—I do not know who it was with Mr. Dent.

22,945. Was he the last person who asked you for your vote?—Yes.

22,946. Were you asked for a promise?—Yes.

22,947. And you promised it at once?—Yes.

22,948. Had you made up your mind before that?—I never voted for the Liberal party.

22,949. Were you canvassed on the other side?—Oh, yes.

22,950. At that election?—Oh, no.

22,951. Were you canvassed by Mr. Pender?—I was canvassed by Mr. Pender.

22,952. What did you tell him?—I told him I should not vote for him.

22,953. What did you get in 1862? Did you hear there was any money going?—I had a present he gave me inside the "Seven Stars." I think it was 10 sovereigns some gentleman promised me, but I do not know who it was that gave it me.

22,954. At the "Seven Stars"?—Outside the "Seven Stars."

22,955. You are speaking of 1862, the last election?—That is the first election.

22,956. What did he give you?—Ten sovereigns.

22,957. Did you not ask for it?—No, I did not.

22,958. You understood there was money going?—I did.

22,959. What time in the day was it these 10 sovereigns were paid?—I should say the afternoon, I think.

22,960. You were a lucky man at that time?—Very lucky.

22,961. A good many went down for money and could not get it?—I cannot tell.

22,962. That was the time when Mr. Dent ran away without paying?—I do not know.

22,963. You remember that, he did not go to the poll?—No.

22,964. You do not remember anything about the election?—I do not know any more. When the election is going on I go forward and poll.

22,965. You did not poll that time?—I polled the first time Mr. Dent came.

22,966. You were one of the five?—I was one of the five, and you will find my name there.

22,967. After that you remember another election?—Soon after, but I cannot say exactly.

22,968. That was Seymour and Dent?—That was Seymour and Dent.

22,969. At that election who canvassed you?—Mr. Dent.

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22,970. Were you canvassed, and did you promise him?—Yes.

22,971. And you got 6*l.*?—That I have before said.

22,972. You were bound to vote again the same side?—No, I do not know about being bound.

22,973. You thought you would get another 10*l.*?—No, I did not.

22,974. Why did you vote for Dent the second time?—Because I do not like the name of Seymour. I have told everyone the same; I never will vote for one of the family.

22,975. Why have you got such an antipathy to the Seymours?—Because I think they are a disgraceful lot.

22,976. But why?—To see how the duke has acted here, and made quite a corruption here.

22,977. You would never have got the 10*l.* if he had not made the corruption?—I cannot say anything about that.

22,978. As soon as you got a vote you determined to vote against the Seymours?—I never voted for one of the Seymour family; I do not like the name.

22,979. What did you get in 1863?—I got nothing that time.

22,980. The 10*l.* had to buy both votes at that time?—I cannot say about buying at all.

22,981. You got nothing but 6*l.* for your votes?—They gave me a present.

22,982. The second time they did not give you anything at all?—No.

22,983. Did you ask for anything?—No, I never asked for anything.

22,984. There was more money going the second time than the first?—No, I cannot say; I mind my own business.

22,985. You got nothing, you were promised nothing, and you asked for nothing?—No.

22,986. I now come to the last election, 1865; whom did you vote for then?—I voted for Captain Pim and Colonel Dawkins.

22,987. Who canvassed you at that election first?—They both canvassed me.

22,988. Did Mr. Seymour call upon you again?—Oh, yes, he called at one time.

22,989. And Mr. Pender called too?—He called outside the door.

22,990. You were civil to him and received him?—I was civil enough to tell him I should not vote for one of his name.

22,991. Who was with Mr. Seymour when he called?—I cannot tell you.

22,992. Who is your landlord?—Mr. Putt.

22,993. John Putt?—In Fore Street.

22,994. Mr. Pender called on you?—Yes, he called on me.

22,995. And asked you for your vote?—Yes.

22,996. And you objected to him?—I told him I should not vote for one of the party, not for the Liberal party.

22,997. Who was with Mr. Pender?—I think it was Mr. Jeffery Michelmore; he was on the outside.

22,998. Only Mr. Pender came in?—There was some other gentleman; I do not know his name.

22,999. Mr. Jeffery Michelmore remained outside?—I think so; and Mr. Charles Michelmore, I think, was one.

23,000. Where was Mr. Charles Frederick Michelmore?—He was outside too.

23,001. Who came in; was it Mr. Chaster?—No, he would not come to my house.

23,002. Would he not come to you?—Not he, sir.

23,003. What is the matter with Mr. Chaster?—I do not know.

22,004. Was it Mr. Windeatt?—No.

22,005. Not young Mr. Windeatt?—No.

22,006. You do not know who it was?—No; I believe two strange men came; I do not know them.

23,007. Did he say he would call again?—No, he did not.

23,008. Did you give him to understand anything?—I gave him to understand I should not vote for him. He shook hands with me, and said he wished everyone would give as much satisfaction as I did. If all said the same, he would know what to do.

23,009. Did you not have an interview with some one from the "Stars"?—No; Mr. Pender and Mr. Seymour called first before the other two.

23,010. Who came to you from the Conservative party and canvassed you for the Conservatives?—I think it was Mr. Kellock called with Mr. Dent.

23,011. Which?—Young Mr. Frederick.

23,012. And Colonel Dawkins?—And Colonel Dawkins, and Mr. Edmonds I think.

23,013. There were three?—There were three of them altogether.

23,014. When they called how did you receive them?—They came in, and they said, "Mr. Mugford, "is he in?" I said, "Holloa! what is up? You "used to call me Tom, and now you come with "Mr. Mugford. Why so?" I said, "If you call me "Tom, you shall have my vote."

23,015. So they secured your vote by calling you "Tom;" did they give you something else?—"Tom," that is what I am called now.

23,016. Did you promise your vote?—Yes; since he called me "Tom."

23,017. After that they gave you 25*l.*?—I do not know who did do it.

23,018. Someone did?—I cannot say they did not.

23,019. But someone called on you; how did you get it?—I got 25*l.* at No. 1 in the "Stars."

23,020. Who sent for you?—No person. I was going down to meet the steamer, and as I am very fond of a drop of beer, I went in and had a glass of beer. They said, "Who are you," I said, "Mugford."

23,021. Who asked you your name?—There were many going in and out.

23,022. Tell us all the story?—I got the 25*l.* that was handed over to me. I went home very proud upon it.

23,023. Who handed it over to you?—I do not know.

23,024. Did he give you 25*l.* with a lot of people about; was it openly before a lot of people; or did he call you into a little room?—I went in to have a glass of beer, which I often do.

23,025. Where was it this 25*l.* was given to you?—I do not know.

23,026. Yes you do know; was it in the street?—No, in No. 1.

23,027. How many people were in No. 1?—I dare say there might be a score.

23,028. Were there scores of people there when he gave you the money?—I did not say scores, I said there might be a score.

23,029. Do you mean to say 25*l.* was given to you in the room where there were a score of people present at the time?—I should think there must be a score there; perhaps they went in with the same errand as I did, to have a drop of beer.

23,030. (*Mr. Coleridge.*) What was it in; in a bag, or loose?—In a little bag.

23,031. Was it Mr. John Heath that gave it you?—No, because I should know he.

23,032. (*Mr. Bere.*) What sort of a man was he?—Such a man as that gentleman near you, as far as I can recollect, because I was half tight then.

23,033. (*Mr. Coleridge.*) I suppose you got tight after you got it?—Oh, yes.

23,034. Did you take it home to your wife?—I went right home to my wife with it.

23,035. With all the money?—I think I spent 6*d.* of it by way of a treat.

23,036. Was it a glass of grog?—No, I do not think that; it was beer.

23,037. You got tight on that?—No, not till the next day.

23,038. Should you have voted for Mr. Seymour if he had called you "Tom"?—No, sir; as I said before, I do not like the name of him.

23,039. What is your objection to the Seymours?—They are a bad lot.

RICHARD BOWDEN, jun., sworn and examined.

23,040. (*Mr. Coleridge.*) What are you ? — A carpenter.

23,041. Are you a voter ?—Not for the borough.

23,042. Never had a vote ?—No.

23,043. What did you do at the last election ? Tell us your own story ?—I went to try to get William Reeve at Dartmouth.

23,044. When did you go ?—The Saturday before the election.

23,045. Which way were you in politics ?—Always was on the Tory side, the Conservatives.

23,046. You went to bring back this voter for Colonel Dawkins ?—Yes.

23,047. Who sent you ?—I went by my own free will.

23,048. Did anybody tell you that you had got influence, or were the proper person to go ?—No.

23,049. Had you ever seen any of the Conservative committee ; Mr. Edmonds, or any one of them ?—I had.

23,050. What was said ?—I said I thought I could manage to get William Reeve to vote for the Conservative side.

23,051. How had he voted before ?—I think one time he voted for the Conservatives.

23,052. Did he ever vote for the Liberals ? Did'nt he in Dent and Seymour's election ?—I don't know.

23,053. You thought you could get him ?—Yes.

23,054. Did you tell Mr. Edmonds so ?—Yes.

23,055. What did he say ?—If you can get him, you had better employ a trap and go.

23,056. Did he say how much you might offer him ?—No.

23,057. Did you go and see him ?—Yes.

23,058. What did you say to him ?—I said I could get you a certain sum if you'd come with me.

23,059. What sum did you say ?—I do not know.

23,060. Was it a 100*l.* ?—No.

23,061. More ?—Less than that.

23,062. What was it ; 80*l.* ?—I will tell you. I said to him, "If you will come with me I will get you "a certain sum of money." I went to see him on board of a vessel, and I said, "Bill, shall I speak to "you ?" "Yes," he says, "Dick, if you will." I said, "Will you come ashore," and he said, "Yes." and I said, "I shall get you 80*l.*, and no person will "know if you'll go with me." He said, "I can "do better on the other side." I said, "Won't you "come with me," and he said, "No."

23,063. Did he say how much he was offered on the other side ?—No.

23,064. Who was it ?—I cannot tell you.

23,065. Whom did he say ; come recollect, we must have it ?—You mustn't have it if I can't tell.

23,066. You said you knew ?—He mentioned no offer. He said a certain party offered him a sum of money.

23,067. Did he say who the party was ?—No.

23,068. Did you ask him ?—No.

23,069. Did you ask what the sum was ?—No.

23,070. Did you spring it up to a 100*l.* ?—No.

23,071. Tell me all about it ?—It was a certain sum of money, and that is all I know about it.

23,072. Then you went away ?—Yes, I did.

23,073. Didn't you try and persuade him to come ?—I did.

23,074. What did he say ?—"I shall not go, I can "get more on the other side."

23,075. Didn't you try to tempt him by offering him more ?—No.

23,076. Didn't you try to outbid the other side ?—No.

23,077. Didn't he mention the names of the other side ?—No.

23,078. No names ?—No.

23,079. Did he mention Mr. Lorimer's name ?—No.

23,080. Did he mention Mr. Latimer's name ?—No.

23,081. No names ?—No.

23,082. You are quite sure ?—Yes.

23,083. Not even Mr. Parnell ?—Parnell was a man I would'nt look at.

23,084. But he might have looked at him. Did he mention Mr. Pender or Mr. Michelmore ?—No.

23,085. How did he vote ?—I think on the other side.

23,086. Had you been about in 1863 ? What had you done ?—Nothing at all.

23,087. Didn't you canvass with anybody ?—No.

23,088. What else did you besides this at the last election ? What other voter did you go to ?—None that I recollect.

23,089. Was there any other that you went to ?—None at all.

23,090. Did you canvass with anyone ?—No.

23,091. Reeve was the only one ?—Yes.

23,092. Did Mr. Edmonds tell you to go and canvass anyone else ?—No.

23,093. You came and told Mr. Edmonds that you had had a bad journey ?—Yes.

23,094. Did he tell you to go and offer him something ?—No.

23,095. The Saturday before the election you went ?—Yes.

23,096. Who went with you ?—Richard Bartlett.

23,097. Did he make any better offer to Reeve ?—No.

23,098. Did he tell Richard Bartlett who offered him the money on the other side ?—No.

23,099. (*Mr. Bere.*) To whom did you report the unsuccessful result ?—To one of the party.

23,100. Where ?—At the "Seven Stars."

23,101. In the big room ?—In the passage, something like that.

23,102. (*Mr. Coleridge.*) Did you ever see the mysterious stranger at the "Seven Stars" ?—I saw different parties.

23,103. Did you see the gentleman called Mr. Mum ?—That is humbug.

23,104. Did you see him ?—No, I did not.

23,105. No stranger about ?—No.

23,106. Did you see Mr. Smith ?—I cannot say.

23,107. Do you know Mr. Smith ?—I cannot remember.

Mr. J. Edmonds.

JAMES EDMONDS sworn and examined.

23,108. (*Mr. Bere.*) Are you a gardener living at Marldon ?—Yes.

23,109. How far is that from Totnes ?—Five miles.

23,110. Whose employ are you in ?—Dr. James Sherrard.

23,111. How long have you lived there ?—Since last May.

23,112. Where were you living before then ?—With Mrs. Taylor, of Torquay.

23,113. How long have you been a voter for the borough of Totnes ?—I believe four years.

23,114. Was the first election when Mr. Dent and Mr. Seymour stood ?—Mr. Pender I think was the first.

23,115. Mr. Pender and Mr. Dent stood ?—Yes.

23,116. Do you know John Sandford Screach ?—Yes.

23,117. Did he come to you in 1862 ?—He came to me at Mrs. Taylor's several times.

23,118. Did he offer you first of all 50*l.*, and then a 100*l.* ?—Various sums.

23,119. The first sum was too small, you wouldn't have it, and it got up pretty high, to 150*l.* ?—I never saw any money.

23,120. Didn't he come and take you from Torquay to Totnes ?—Yes.

23,121. Weren't you given to understand that you

EIGHTEENTH DAY,

Mr. J. Edmonds.

13 Sept. 1866.

could have 150*l.* if Mr. Dent stood?—Yes; but I told him I had promised my vote before that.

23,122. You had promised your vote?—Yes, for Mr. Pender.

23,123. Whom did you promise that to?—To Mr. Jeffery Michelmore.

23,124. Had he been to Torquay to canvass you?—I think not.

23,125. How was it that you had promised your vote for Mr. Pender if Mr. Michelmore hadn't been there?—He was there on one occasion, but I do not recollect what occasion.

23,126. What was your qualification?—I occupied some landed property rented under the Duke of Somerset.

23,127. Land and building?—Yes.

23,128. How many qualified in the same spot?—No one.

23,129. What was the rent?—18*l.*

23,130. What was the building, a cowshed?—Yes.

23,131. An open linhay?—Yes, formerly a barn; but I had the property a long time before I had a vote.

23,132. In 1862, did Mr. Screach come to you and say, if you wanted it and Mr. Dent stood, you were to have 150*l.*?—I never told them that I would vote.

23,133. You gave him reasonable hopes?—That is another thing.

23,134. You were driven by Mr. Screach from Torquay?—We walked and rode together.

23,135. You had a share of Mr. Screach's horse?—Yes.

23,136. When you got to Totnes you found that Mr. Dent was not going to the poll?—He left me at Bridgetown, and I went to the hotel.

23,137. And you found that Mr. Dent was not going to the poll?—I was promised, but I never got it.

23,138. The first time you voted was in 1862?—Yes, I think that was the first time I had a qualification.

23,139. Do you remember when Mr. Dent and Mr. Seymour stood in January of the next year?—Yes.

23,140. Did Screach come to you again?—I hardly remember, I think he did.

23,141. Did he offer you 80*l.* then first of all?—I am not certain; he offered me several sums I know.

23,142. And you refused it then?—Yes.

23,143. Had two men, named Elliott and Callard, been to see you at that election before Screach came? Do you know Mr. Callard, Mr. Jeffery Michelmore's clerk?—Yes, Elliott was at Torquay,

23,144. Was Mr. Callard?—I do not know. Perhaps Callard may have, both might have been.

23,145. Had Mr. Callard been there?—Yes, I think so.

23,146. To ask you for your vote?—Yes.

23,147. Had you promised it?—I think I gave a satisfactory reason why I should vote for Mr. Seymour.

23,148. Did he give you a satisfactory reason why you should do so?—No.

23,149. Was anything said about money?—No.

23,150. Then Screach came and offered you 80*l.* to vote for Dent?—I do not know whether he came after or before.

23,151. Didn't Screach come more than once?—More than twice.

23,152. At one of the times didn't he bring 100*l.* in gold?—I never saw his gold, but there was something, and he said there was much, and he could get me something more.

23,153. What was it in, a bag?—I think it was.

23,154. What did it sound like?—Gold or copper.

23,155. You didn't trouble yourself to look at it?—No.

23,156. You didn't think it was copper?—No. I do not think I troubled myself. I told him then it was too late.

23,157. Did he afterwards offer you 200*l.*?—He never offered me 200*l.*

23,158. Was it 150*l.* the highest bid?—Never so much as 200*l.*

23,159. After he made you the last offer on that occasion did you say you would drive into Totnes the next day to see him?—I do not recollect that.

23,160. You may have done so?—In the way of conversation, I might have said so, but I do not recollect it.

23,161. You didn't go to him?—No.

23,162. You went to Mr. Callard?—I came from Torquay with one of the carriages who came and took me.

23,163. Who came with you in the carriage?—I do not know. The carriage was coming up, it was sent up to Mrs. Taylor's, otherwise I would have walked.

23,164. When you came to Totnes, did you see Mr. Callard?—Yes.

23,165. In the big room?—One of the rooms.

23,166. Did you go down the passage?—To some of the top rooms.

23,167. Whom did you see there?—I saw Mr. Callard.

23,168. Did you see Mr. Seymour?—I do not know. Mr. Seymour never canvasssed me.

23,169. Mr. Thomas Michelmore?—No.

23,170. Mr. Jeffery?—I think I did.

23,171. Mr. Charles Frederick?—I do not recollect who was in the room, I saw no one on any special purpose.

23,172. Didn't you go to one of the rooms and find a little bag?—No.

23,173. You're not so lucky?—No.

23,174. Did you get any money at all at that election?—No.

23,175. Have you ever had any?—No.

23,176. On either side?—No.

23,177. You have been offered money?—Yes, a good deal.

23,178. Why didn't you take it?—I did not feel inclined to, I thought more of my principle.

23,179. What are your principles?—I am Liberal in principles.

23,180. Just come here. Did you sign that requisition (*showing witness a paper*)?—Mr. Harris never brought me any requisition.

23,181. Who brought it?—I believe John Sandford Screach, senior, of Bridgetown.

23,182. Was he a Liberal?—He has been, I believe

23,183. Did he tell you what you were signing?—Not particular. I didn't see the names.

23,184. Did you ask what you were signing?—No.

23,185. I suppose that you understood that? Is that your handwriting (*showing a paper to witness*)?—I do not dispute that I put my name to it. Yes, that is it.

23,186. Did you read this part?—No I did not.

23,187. 'Tis a pity you didn't read that now?—I don't think I can.

23,188. Yes you can. (*The witness read the paper.*)—I never saw that before and never read it.

23,189. Do you sign things without looking at them?—In such things I am not particular.

23,190. What made you sign the thing that Screach brought you without reading it?—I do not know.

23,191. He told you it was about an election?—Yes; that there was no one to come and contest the borough without the signatures, and that is the reason I helped to fill it up.

23,192. You wanted a contest?—I had no reason to want one.

23,193. Your vote was worth nothing without it?—And nothing with it.

23,194. We shall see about that; you signed the requisition?—Yes.

23,195. You voted for Pender and Seymour?—Yes.

23,196. Did you go on the day of the nomination to the "Seymour" hotel?—Yes.

23,197. Did you have a breakfast there?—Yes, I did, I believe.

23,198. Did you receive any money that day?—No.

23,199. Take care. Did you not receive money that day?—No. I know what you are coming to.

23,200. Then you had better speak it out?—The transfer.

23,201. What did you transfer?—Sold some property or transferred it to Mr. Henry Michelmore, of Newton.

23,202. The brother to Mr. Jeffery Michelmore?—Yes.

23,203. How much did he pay you for the house? It was a house, wasn't it?—Yes.

23,204. How much was it?—140*l.*

23,205. When did he pay you, on the day of the election?—I never took the money.

23,206. Was the money offered to you on the day of the election?—The business was done on the day of the election.

23,207. Was the money there when the business was done?—I believe so.

23,208. Where did you have this transaction?—In one of the rooms of the "Seymour," down stairs, I think.

23,209. At the end of the passage?—I think it was.

23,210. Was Mr. Henry Michelmore and you alone?—I think persons were in and out. I think Mr. Cuming was in and out.

23,211. Was the 140*l.* in notes or in gold?—All I saw was in gold.

23,212. Who has got the title deeds of the property now?—Mr. Michelmore.

23,213. When did you get the money?—It was transferred that very morning, I assigned the deeds to Mr. Michelmore that morning, we could not meet before that morning, or we did not meet.

23,214. Are you still a voter for the borough of Totnes?—No.

23,215. When were you struck off?—I hardly know whether it is 12 months; I think it was the last registration.

23,216. Who is the tenant of your house now?—Thomas Glyde.

23,217. Wasn't Diggins a tenant?—No.

23,218. Of any house of yours?—No, I occupy the house myself.

23,219. We must know something more about the 140*l.*; was it put on the table when you went in?—No, there was not so much, I had paid a portion of the balance.

23,220. To whom did you pay the money?—The property was purchased by Mr. Michelmore.

23,221. Mr. Charles Frederick?—Yes; and I put it into Mr. Henry Michelmore's hands to get it put all to rights.

23,222. To whom were you going to sell it?—I was not going to sell it, I was going to purchase it; it was in dispute a long time. I never had the title deeds, and then I put it into Mr. Michelmore's hands to manage it.

23,223. Who was the 140*l.* to go to?—Mr. Michelmore purchased it for me, and he had to pay back the remainder.

23,224. How much had he to pay back?—I cannot tell.

23,225. How much did you pay?—The property was sold at 140*l.*

23,226. What was the balance?—I believe I had advanced on the property a sum of 65*l.*

23,227. You could not get that money?—I could not; that is right.

23,228. How much money was handed over to you?—I agreed to sell for 140*l.*

23,229. You had only advanced 65*l.*?—Only 65*l.*

23,230. How was it you managed to get property worth 140*l.* for 65*l.*?—I had no property; I deposited the money with Mr. Henry Michelmore.

23,231. How much did you deposit?—95*l.* I bought the property at 120*l.*; then I advanced 60*l.* and 20*l.*, which made it up.

23,232. How did you pay the 120*l.*?—It was paid to Mr. Charles Frederick Mitchelmore, but he keeps his accounts so bad that I can hardly tell you how much I had paid him.

23,233. Do you know what became of the 120*l.*?—The 120*l.*; the sum paid to Mr. Michelmore?

23,234. How did you know?—I did not know about it; I left it to Mr. Henry Michelmore; he is my attorney.

23,235. How much did Mr. Henry pay you?—He balanced my account and paid me 95*l.*

23,236. Did he pay it to you?—He put it to his account.

23,237. You got credit for 95*l.*?—Yes.

23,238. The day of the election?—On the transfer of the deeds.

23,239. A man called Glyde is your tenant?—Yes.

23,240. Do not you receive the rent yourself?—I have done.

23,241. When did you last receive the rent?—Last quarter day.

23,242. After the election did you see Mr. Diggins, Mr. Edmonds' clerk?—Yes; he came to serve me with a notice.

23,243. Did he give you a glass of beer?—We took a glass of beer.

23,244. Where?—I think at the "Royal Oak," Marldon.

23,245. Did he say to you that he wanted you to go to Mr. Edmonds about this business?—Yes, he did.

23,246. And did he say if you can put us up to a dodge about it?—Yes, that was it. He did'nt say it there; I said I would not go in at all.

23,247. Did you tell him you had nothing to say?—Yes.

23,248. What did he say?—He said he knew that I knew a great deal.

23,249. Did he say that you would have money to tell him what you did know?—He did.

23,250. How much?—He did not mention a sum.

23,251. 50*l.*?—No; 10*l.* or 20*l.*

23,252. Do you know Robert Tucker, of Ashburton?—I know Mr. Tucker, the solicitor.

23,253. Did he see you about the election petition?—Yes.

23,254. Did you tell him a story which he wrote down?—I do not know.

23,255. Did he ask you some questions?—Yes.

23,256. Did he write down your answers?—Yes he did.

23,257. Where was it; at the "South Devon" inn?—No; it was at the "Seymour" hotel.

23,258. When?—I cannot tell.

23,259. Had he sent for you to go over to the "Seymour" hotel?—Someone had; I did not know who I was to meet.

23,260. Did you get a letter to go to the "Seymour" hotel?—Yes.

23,261. From whom?—I think from Mr. Jeffery Michelmore.

23,262. To go and see Mr. Tucker?—I think so.

23,263. As soon as you got Mr. Jeffery Michelmore's letter did you go to the "Seymour" hotel?—I think I did.

23,264. And saw Mr. Tucker?—I saw Mr. Tucker.

23,265. Did Mr. Tucker ask you some questions and write what you said in answer?—Yes.

23,266. Did Mr. Edmonds' clerk, say you can have 10*l.* or 20*l.*, or perhaps 50*l.* if you can put us up to a dodge or two?—He may have said so.

23,267. Did you tell Mr. Tucker?—I do not think I did; perhaps 10*l.* or 20*l.*

23,268. Not 50*l.*?—Perhaps I might name sums of money.

23,269. You didn't pay for your breakfast at the "Seymour" on the morning of the election?—No.

23,270. (*Mr. Longe.*) You had nothing to do with the message from Captain Pim before the election?—I never saw Captain Pim or Colonel Dawkins. I never saw any of the candidates before the election. They never canvassed me any of them; I know but very little, being away.

23,271. (*Mr. Bere.*) You must get your accounts and produce them before us?—Tomorrow.

23,272. All of your accounts and all your papers relating to your house?—Yes, I will.

EIGHTEENTH DAY.

Mr. T. Blank.

13 Sept. 1866.

THOMAS BLANK recalled.

23,273. (*Mr. Bere.*) I hope that your memory is a little better than it was the day before yesterday?—I do not know anything different than I did.

23,274. Do you remember what happened with you and Thomas Jacob Searle about money?—I do not remember anything at all.

23,275. Did you find any money, or remember where you found any money since the day before yesterday?—No.

23,276. You cannot recollect that?—No.

23,277. You cannot remember whether Mr. Searle told you where to find it?—No.

23,278. Do you remember being at the "Seven "Stars" the Monday before the election?—Yes.

23,279. Was Mr. Screach there?—Mr. Screach came to my house.

23,280. He was with you?—He went with me.

23,281. When you went there, do you remember your wife coming there?—She came to inquire for me.

23,282. Did she tell you that there was a gentleman up at your house waiting to see you?—No.

23,283. Take care?—There was not anyone at my house, I will be on my oath.

23,284. Did she tell you that there was someone at your house?—No.

23,285. Did she tell you that someone wanted to see you?—No; I think not.

23,286. What did she tell you?—She called for me.

23,287. For what?—To come home, because she was not very well; she was ill.

23,288. How far is your house from the "Seven "Stars"?—Hardly a quarter of a mile.

23,289. Was she very ill?—Not very ill.

23,290. Had she got nobody that she could send?—No.

23,291. (*Mr. Coleridge.*). Had the money disagreed with her?—She had not got any money.

23,292. (*Mr. Bere.*) Are you quite certain?—Quite certain.

23,293. (*Mr. Coleridge.*) Did she show you any?—No.

23,294. (*Mr. Bere.*) Did she tell you there was a doctor at the house?—No.

23,295. She did not want a doctor?—No.

23,296. Come; she did'nt come and tell you she was ill?—She came for me to come home, and to see what I was about.

23,297. She was looking after you?—She came to see where I was.

23,298. Did she think that you had got into bad company?—I do not know.

23,299. Is she a Liberal in politics?—She does not trouble herself about that; she does not interfere in that.

23,300. Didn't she come down and tell you that Mr. Searle was at your house?—No.

23,301. Or anyone else?—No.

23,302. Did you go to your house in consequence of her coming down?—Yes, I went straight home.

23,303. Did you find anyone there?—No.

23,304. Anyone in the house or near the house?—No.

23,305. Did you see something that was not there when you went away in the morning?—It was in the evening.

23,306. Did you find something that was not there when you left the house?—I didn't find anything at all.

23,307. Had your wife found anything?—No.

23,308. Nothing at all?—I never heard her say she did, nor I do not think she did.

23,309. You are certain about that?—Yes.

23,310. Who took you to the poll?—Mr. Searle; but I did not know that he was going to take me to the poll. I thought he was going with me for a drive; I thought I was going in the country.

23,311. What bank do you put your money in?—I have no money in a bank.

23,312. Take care?—No.

23,313. When did you draw it out?—I never drew it out.

23,314. Had you got an account with the bank at the time of the election?—No.

23,315. Had you money on a note in the bank?—No.

23,316. Not in any bank?—No.

23,317. Not in England?—No, nor anywhere else.

23,318. Had you lent money to anyone?—No.

23,319. You must come back again?—It is all true what I have stated, and no mistake. I might have lent my brother-in-law some money seven or eight years ago.

23,320. (*Mr. Coleridge.*) How much was that?—I gave it to him. I did not lend it to him.

Mr. T. Lampen.

THOMAS LAMPEN, jun., sworn and examined.

23,321. (*Mr. Bere.*) Are you a voter?—No.

23,322. Your father is a voter?—Yes.

23,323. At the last election did you go and see your father about his vote?—I met him in the New Walk. I merely asked him how he was going to vote this time. I said, "I hope you will get something for "yourself this time."

23,324. Did you not say that if he voted on Mr. Pender's side you thought he might get a little?—I might have made some such remark out of curiosity, but I knew that all the men in the world would never turn him.

23,325. You do not think alike; you are a Liberal, and he is a Tory?—We are not all of one principle.

23,326. You have voted for the Liberals in the council?—That would depend.

23,327. Depend on what?—On the party who I felt disposed to vote for. I never received a farthing from a man in my life, or even a pint of beer.

23,328. You did tell your father he might get a little money on the other side?—I might have said I thought he had better try the other side. If I did say so I would not deny it.

23,329. Had anyone been to you to ask you to go to your father?—Not a soul.

23,330. Whose house do you live in?—The house belongs to Mrs. Marshall.

23,331. Were you a watcher at the last election?—No.

23,332. Or at any of the elections?—The first time that Baldwin came here I was.

Mr. G. Penny.

GEORGE PENNY sworn and examined.

23,333. (*Mr. Longe.*) What are you?—A grocer.

23,334. How long have you had a vote?—For 25 years.

23,335. What was the first election at which you voted?—I voted in 1847. I was put on the list in 1841.

23,336. Who did you vote for then?—For Seymour and Ricardo.

23,337. What was your qualification?—A house in Fore Street.

23,338. Was there any money about then?—I do not think there was. I never asked.

23,339. Did you hear of it?—No.

23,340. The next election in 1852, whom did you vote for then?—For Mills and Seymour.

23,341. There was some money about then?—I heard there was.

23,342. Did you get any?—I did not. I never asked.

23,343. Were you canvassed by the Conservatives?—Yes, by Mr. Baldwin.

23,344. No offer of money was made to you?—None whatever.

23,345. In 1857, whom did you vote for then?—Lord Gifford and Mills.

23,346. Were you canvassed by the Conservatives?—I was.

23,347. By whom?—I cannot remember.

23,348. Was there money about then?—I heard so.

23,349. Was there money got by people on both sides?—There may have been, but I never saw or heard of it myself until after the election.

23,350. Was any offer of money made to you?—When the two Liberal candidates came to me I pledged my word to vote for them.

23,351. Did not the Conservatives offer you money?—No, they merely asked.

23,352. They did not offer you any money?—Not a farthing.

23,353. (*Mr. Coleridge.*) Are your customers Liberals or Tories?—I do not ask them. I think they are about half and half.

23,354. In this town I thought persons only dealt with those who agreed with them in political principles?—That is not so. I deal with lots of Tories.

23,355. (*Mr. Longe.*) In 1859, whom did you vote for then?—For Gifford and Mills.

23,356. Were you canvassed by Mr. Dunn?—Yes.

23,357. Did Mr. Mitchell call on you?—I do not know him.

23,358. Was any offer made to you then?—None.

23,359. Was any present made to you afterwards?—Never, direct or indirect.

23,360. In 1862 did you vote?—I did.

23,361. Whom did you vote for?—For Pender.

23,362. Were you canvassed by Mr. Dent?—I think so.

23,363. Was any offer of money made to you?—None.

23,364. Did you get anything from the other side?—No; there may have been something spoken of as a joke, not a reality.

23,365. Was that in 1862?—No, in 1863.

23,366. When Dent and Seymour stood?—Yes.

23,367. Whom did you vote for then?—Alfred Seymour.

23,368. Were you canvassed by Mr. Dent?—I believe I was.

23,369. Had you no visit from Frederick Evens or Screach?—I never knew them in my life; they never came inside my house.

23,370. Was anything offered you at that time by anyone?—I was offered by old John Heath 100*l.*

23,371. How was that; did he call on you?—He did not; he met me accidentally in the street, and asked me whether I would not do something for them that time; he said "I can manage 100*l.* for you." I said, "Let us have it." I went over to the "Stars" to get it; they were just beginning to fall out amongst themselves, and I cut my stick.

23,372. You did not get it?—No.

23,373. If you had got it how should you have voted?—I cannot say.

23,374. When was this offer made to you?—The night before the election.

23,375. That was the only offer made to you?—Yes.

23,376. At the election of 1865 you had another offer from the Conservatives through young Narramore?—Yes.

23,377. Was that the only offer you had?—Yes.

23,378. When was that made?—On the morning of the election Narramore and another youngster like himself were passing up the street, and he said to me, "You are run away again; we can give you "something." I said, "Let us have it." He said, "We can get you 350*l.*" I said "You keep the 150*l.* "for yourself, and bring me the 200*l.*; you know "where I am."

23,379. You did have a *bonâ fide* offer from Mr. Heath?—That was at another election.

23,380. Did you not look out for something this time?—I never looked out.

23,381. When this offer was made by Narramore, you did not believe it?—No, nor anyone else.

23,382. No offer had been made before that?—No.

23,383. And you got nothing afterwards?—No, direct or indirect.

23,384. (*Mr. Coleridge.*) Had old Mr. Heath said anything to you?—No, he never spoke to me.

23,385. (*Mr. Bere.*) Is your house your own?—Yes.

23,386. Although no offer was made to you on the Liberal side, did anyone who had a strong influence over you press you to vote on that side?—No one.

23,387. Has not Mr. Huxham some influence over you?—No, he never asked me to vote in his life.

EDMUND TUCKER sworn and examined. *Mr. E. Tucker.*

23,388. (*Mr. Bere.*) Are you one of the gentlemen who signed the petition?—Yes.

23,389. How long have you been a voter?—About 20 years.

23,390. Have you always voted for the Conservatives?—Yes.

23,391. And did you ever receive any money for doing so?—Certainly not.

23,392. Have you ever given money to anyone else?—No; I never offered the slightest inducement in my life.

23,393. In 1863 did you go with Mr. Sparke Distin to see Crawford about his vote?—On my way home I called on Mr. Distin to wish him good night, and he told me that he was going to Crawford's to bespeak a carriage on the following day to take his son to school, and asked me if I would go with him. We went into the passage and on our way in we ran up against a man; it was between the two lights.

23,394. Do you know who he was?—I have since heard it was Samuel Parnell. Mr. Distin called out for Crawford, and I heard an answer from the court. We went through a passage and saw Crawford in the yard, and Mr. Distin asked him to come round the next morning at 9 with a carriage to take his son to school; that was all I heard.

23,395. Did you leave Crawford's before Mr. Distin did?—We left together.

23,396. Could anything have passed between Crawford and Distin which you did not hear?—Certainly not.

23,397. No offer was made by you to Crawford of 50*l.* for his vote?—Certainly not.

23,398. Is there any other person in Totnes of your christian name?—No.

23,399. Could Mr. Distin have made that offer without your hearing it?—I do not think it is possible.

23,400. Do you remember the election of 1862, when Mr. Dent withdrew?—I do.

23,401. Did you know anything of a set of people called the slippery company?—They were talked of.

23,402. Did one of the Searles tell you on that occasion that you were too late?—I was at the "Stars" on the night of the nomination, and as I was going out I met Mr. Kellock; he asked me where I was going; I said I was going home. He said, "Stay with me, and we will go across the bridge to "see what is going on." At the gate Mr. Kellock went on the lower side and I passed on. When we were about half-way across we saw Thomas Jacob Searle, and he said, "Well, old chap," or words to that effect, "what are you going to do to-morrow; "you are too late now for the bargain is made; they "might have had me and four or five others."

23,403. Did you hear from other people any information that they had been bribed or been offered money on the Liberal side?—Never.

EIGHTEENTH DAY.

Mr. E. Tucker.

13 Sept. 1866.

23,404. Except that one instance?—That is the only instance I ever heard of.

23,405. (*Mr. Coleridge.*) What caused you to sign the petition?—I happened to be at the "Stars," and on my way home I met Mr. Edmonds who asked me if I would return for a moment, and called me into a room behind the bar. He said Colonel Dawkins was determined to petition against the sitting members, believing he had a strong case sufficient to turn them out, but he could not present a petition unless he had the signatures of two Conservatives.

23,406. You knew there had been enough dirty work on your own side to prevent their obtaining the seat?—That I knew nothing of.

23,407. Were you not aware that large sums had been spent in Totnes for more than 20 years on both sides?—I have not the least doubt of it.

23,408. And when Searle said what he did you knew that bribery had been going on upon that side?—I did.

23,409. Although you did not know the persons who had been administering it?—I did not.

Mr. J. E. Lloyd.

JOHN EARLE LLOYD sworn and examined.

23,410. (*Mr. Bere.*) You are the other petitioner?—I am.

23,411. You are a partner with Mr. Bentall?—Yes.

23,412. How came you to sign the petition?—One evening I was sitting in my dining room when Mr. Frederick Kellock came in and asked me if I would go over with him to the "Stars," and there I was requested to sign the petition.

23,413. How many times have you voted at the elections for a member of parliament?—I think some three or four times.

23,414. Did you ever receive any money from any one for so doing?—Never.

23,415. Did you ever give money to any one for so doing?—No.

23,416. Or used any improper influence as to obtaining their votes?—No, never in my life.

Adjourned to to-morrow at half-past 10.

NINETEENTH DAY.

NINETEENTH DAY.

T. Marshall.

14 Sept. 1866.

Friday, 14th September 1866.

THOMAS MARSHALL recalled.

23,417. (*Mr. Coleridge.*) Since you were examined have you been thinking over the circumstance about the money?—Yes, but I cannot remember.

23,418. Are you still convinced it was Mr. Lind who came in, and not a stranger?—I am not positive; I could not swear to it.

23,419. Do you think if you saw the person who came in you would know him?—I do not know.

23,420. Are you at all more positive to say whether it was the Monday or the nomination day?—I could not say. I remember a gentleman saying, "You do "not know me, and I do not know you."

23,421. Do you think that was said by a stranger or Mr. Lind?—It must have been said by a stranger. It was someone I did not know I am positive.

23,422. You do not think it was Mr. Lind who, knowing you, said "You do not know me, and I do "not know you"?—I think it was some stranger who said that.

23,423. Having recollected that, can you recollect whether it was Monday or Tuesday?—I cannot.

23,424. Do you remember anything about Mr. Kellock saying "Never mind about your shirt "sleeves"?—No.

23,425. You cannot say for certain, it may have been Tuesday?—It may have been.

23,426. Did Mr. Kellock come into the room?—I cannot remember.

23,427. If a stranger came into the room did Mr. Lind come in also; are you sure Mr. Lind was there?—I am sure Mr. Lind said I was to go to the room.

23,428. Mr. Lind told you to go to the room before the stranger came?—Yes, before anyone came.

23,429. You were told to go in there and wait?—To go in and wait for some few minutes; and directly this money was brought and put upon the table. I think it was in two brown paper parcels; then it was emptied and wrapped into newspapers.

23,430. Who took that away?—I do not know; some stranger took it away I think.

23,431. Was it not Mr. Edmunds?—It might have been.

23,432. You know Mr. Edmunds?—Yes.

23,433. Do you recollect someone coming in shortly afterwards?—I cannot recollect.

23,434. Do you recollect Mr. Kellock coming?—No.

23,435. Whom do you recollect, besides the stranger, coming to the room?—I cannot recollect anyone.

23,436. You are not sure whether Mr. Lind came?—No.

J. J. Phillips.

JOHN JERMAN PHILLIPS sworn and examined.

23,437. (*Mr. Bere.*) What are you?—Carpenter.

23,438. How long have you been a voter for Totnes?—I think in 1859 I first voted for Mr. Dunn.

23,439. What did you get for voting for Mr. Dunn?—20*l.*

23,440. Who gave you that?—I think Mr. Even Evens. He gave it to my wife.

23,441. Is that the first money you had ever received for voting?—Yes.

23,442. Hadyou voted before for the council?—Yes.

23,443. Did you never have any money for that?—I have been paid for my day's work; never got a farthing besides.

23,444. Never any other money?—Not for the council.

23,445. Where did Evan Evens pay you?—At our house.

23,446. He paid your wife?—Yes.

23,447. Had he been to see you before he came to pay your wife?—I was working at Torquay at the time, and could not see him.

23,448. He came to see your wife?—Yes.

23,449. And gave her the money?—Yes.

23,450. Did she make the bargain for you?—I do not know that she made any bargain; what was offered she took.

23,451. Are you quite sure about that? Because they say the wives are more difficult to deal with than the husbands. Did you have any communi-

cation on the other side?—In 1859 I voted for Earl Gifford and Mr. Dunn.

23,452. What did you get for voting for Earl Gifford?—Nothing.

23,453–55. Who asked you to vote for him?—Mr. Michelmore.

23,456. Thomas?—Yes.

25,457. Did not you get any little present after the election?—No, not from them; I never had a penny more.

23,458. Did not you go to the "Seymour" and have a little to drink?—I was going to Bridgetown on some business and they asked me to go; I did not stop above a quarter of an hour. I did not go for the sake of the drink.

23,459. In 1862 were you canvassed for Mr. Dent?—Yes.

23,460. When Mr. Pender and Mr. Dent stood?—Yes.

23,461. Did you vote at all?—Yes, I voted for Dent.

23,462. Were you one of the five then?—I had nothing to do with any man but myself.

23,463. There were five men who voted for Mr. Dent in 1862, when Mr. Dent did not go to the poll, do you remember that time?—Yes.

23,464. Not the time he stood against Seymour?—Then of course, if he did not stand, I did not get anything.

23,465. Did anybody tell if anything was to be had if he did stand?—No.

23,466. In 1863, when he stood against Seymour, what did you get then?—I had 30*l.* given me by Mr. Evens.

23,467. The same Evens?—No, Mr. Frederick.

23,468. Are you quite sure it was 30*l.*?—Certain of it; because I had it from him, then I got 10*l.* more about two weeks afterwards.

23,469. You got 10*l.* more about two weeks afterwards?—Yes.

23,470. How did you come to get that?—Because I acted in a proper manner, and they thought 30*l.* not enough for me.

23,471. When did they find out the propriety of your conduct?—Always.

23,472. How long after the election was it?—I cannot say.

23,473. Who paid you the extra 10*l.*?—They paid my missis.

23,474. Who paid it, Frederick Evens?—No.

23,475. Who?—Mr. Heath.

23,476. Mr. John Heath?—Yes.

23,477. Do you know if Mr. Heath paid any other people?—No.

23,478. How was the 30*l.* paid, in gold or notes?—Upon my life I cannot say.

23,479. Did you see any of the other side then, Mr. Michelmore, Mr. Parnell, or any of them?—They came to canvass me.

23,480. Did you tell them you had promised?—Yes, and that I could not run from my word.

23,481. Did they ask whether you could be persuaded to run from your word?—I believe I told Mr. Seymour that I had promised the other side and could not run from my word, and he said what difference was that.

23,482. Did anybody tell you that it might be worth your while to run from your word?—No.

23,483. In 1865 who did you vote for, Dawkins and Pim?—Yes.

23,484. What did you get?—20*l.*

23,485. Was that all you got?—Yes.

23,486. Who paid you?—Mr. Heath. I do not know whether he knew what he had got; he brought it in.

23,487. Where did he pay you that?—In the "Stars."

23,488. No. 1?—I do not know the number; it is the first door as you go in on the left.

23,489. Was there anybody in the rooms besides Mr. Heath?—There was a person I believe talking to some one on the lobby, but I did not take notice who.

23,3490. Who told you to go down to the "Seven Stars"?—I cannot tell; they was all going, I believe.

23,491. You heard that a good many were going, and you went down with them?—Yes.

23,492. When you got to the "Seven Stars" who told you to go to No. 1?—I do not know that anyone did.

23,493. How did you know that No. 1 was the proper room to go to?—There was a young man with me of the name of Chudleigh.

23,494. Had he gone down on some similar errand?—No, he was a watcher

23,495. He knew pretty well where to go?—Of course he did.

23,496. Did he take you to No. 1?—We went in together; he went in, and I went in after and stopped there about 10 minutes or a quarter of an hour.

23,497. Who else was there?—No one at all.

23,498. How long did you stay by yourselves?—It might be 10 minutes or a quarter of an hour.

23,499. Who came in then?—Mr. Heath.

23,500. Old Mr. Heath?—Yes, and he put it in my hand. I did not know what it was before I went out and counted it, but it was 40 half-sovereigns.

23,501. Was it in a bag?—I think it was in paper; I am not exactly sure, I did not take much notice of it.

23,502. Did you see any person else about the house excepting John Heath and yourself?—Well, there was many in the lobby; I did not know any of them.

23,503. Did you see any person you did not know?—There was a great many I did not know. I did not pay particular attention to look them slap in the face.

23,504. And that was all you got?—Yes.

23,505. Had you not got 20*l.* would you have voted at all?—Yes; I did vote, but it was not much use.

23,506. But would you have voted if you had not got the 20*l.*?—Yes, that I should have done most likely. I should not have gone to the other side at any rate.

23,507. Would you have taken the trouble to vote if you had not got the 20*l.*?—Yes, I should; because if I promise a person I do not like to run from my word.

23,508. Did you not promise because you expected something?—They offered it me; I never asked them for anything.

23,509. If you thought nothing would be given you would you have promised them your vote?—I do not know; if the other side offered me a lot of money perhaps I might change my mind.

23,510. Did the other side offer you anything?—No.

23,511. Did any of them come to try you at all?—Yes.

23,512. Who came to try you in 1865?—Mr. Seymour, Mr. Jeffery Michelmore, and I think Mr. Brooking Cuming.

23,513. How did Mr. Jeffery Michelmore try you?—He asked me to vote for Seymour, but Mr. Cuming did not speak a word to me.

23,514. What did Jeffery Michelmore say when he asked you to vote for Colonel Dawkins and Captain Pim?—I do not know; he said nothing at all, but Mr. Seymour——

23,515. What did he say?—He said if I had promised what difference was that, I had no occasion to vote for them. That was the only time I saw him, and Mr. Michelmore saw me come off the roof of the "Seven Stars," and I heard him say "That is the "man."

23,516. Did they offer you any money?—No, they did not.

23,517. Did you hear that money was going about at that time?—Yes; everybody heard that I suppose.

23,518. Did you see anybody on the other side?—No.

NINETEENTH DAY.

J. J. Phillips.

4 Sept. 1866.

23,519. (*Mr. Longe.*) When Mr. Heath paid you the money did you say you did not wish to have any strangers ?—No.

23,520. Do not you remember this. This is what Mr. Heath has said, that you "are paid 20*l.* in my "presence." Then the question is "From whom ?— "Mum was at the door. He said he did not want "to have anything to do with strangers, and I handed "him a bag." Do you know anything of that ?—I never heard it; that was outside the door.

23,521. Do you remember what you said ?—No, I never said such a thing.

23,522. Did you see a man in the room ?—No. Of course the man that came down with me was in the room when he paid me or gave me a paper.

Mr. T. H. Edmonds.

Mr. T. H. Edmonds recalled and examined.

23,523. (*Mr. Coleridge.*) You remember asking Mr. Kellock to get the cheque for 1,000*l.* cashed here ?—Yes.

23,524. Did you tell Mr. Lind that he had gone to get it cashed ?—I did not.

23,525. Did you tell Colonel Dawkins' valet to be ready to receive some money, and to go into a particular room ?—I did not. I never spoke to him on the subject.

23,526. Then how would Mr. Lind have known of this money being brought by Captain King ?—I cannot conceive, except through Mr. Kellock. Certainly not through me.

23,527. What arrangement did you make as to receiving the money ?—Mr. Kellock brought it to me, not in our own room, there were two or three people there writing letters, and he brought it to me in a little bedroom on the left, I do not know the number.

23,528. Did he bring it to you himself straight from the bank ?—I do not know whether he brought it straight from the bank.

23,529. Did you ever go into a room with Colonel Dawkin's servant in his shirt sleeves ?—No. Mr. Kellock brought it to me in a bedroom.

23,530. Do you recollect going into a room the night before, when the money was brought from Torquay, and seeing any one in their shirt sleeves ?—Never.

23,531. Did you ever see the servant keeping watch over some money in his shirt sleeves ?—Never.

23,532. How did Mr. Kellock deliver the money to you which was brought from Torquay ?—It was done up in a parcel.

23,533. In what room was that ?—In our own room.

23,534. About what time did he give you the money he got from the bank here ?—between half-past three and four o'clock.

23,535. Had that money been opened before he gave it to you ?—No, it was all done up in a news paper parcel.

23,536. And was the money brought from Torquay also done up in a parcel ?—Yes; there was loose paper outside of it.

23,537. Mr. Kellock gave you both these sums himself ?—He did.

23,538. That you are quite certain of ?—I have not the least doubt of it.

G. Please.

George Please sworn and examined.

23,539. (*Mr. Bere.*) When did you first have a vote ?—I voted for Dunn first.

23,540. What did you get for doing that ?—Not a farthing.

23,541. From neither side ?—No, from neither side.

23,542. Were any offers made to you ?—None at all.

23,543. Did you vote in 1863 ?—The next time I voted was for Dent.

23,544. What did you get for that ?—Now I remember I did not vote. I did not get anything.

23,545. Why did you not vote then ?—I was not wanted.

23,546. When you were wanted did you vote for Dent ?—I did.

23,547. Did you get anything ?—Not a fraction.

23,548. Were you offered anything ?—Not a farthing.

23,549. Did you see anyone on the other side ?—Yes, on both sides.

23,550. Did the other side offer you anything ?—Not a farthing.

23,551. Then in 1865 you voted for Dawkins and Pim ?—Yes.

23,552. What did you get for that ?—I was in difficulties then and I was put to rights. I had 20*l.* in money.

23,553. Who gave you the 20*l.* ?—Mr. John Heath.

23,554. Where, down at the "Stars" ?—Yes.

23,555. How did he give it to you ?—In a paper parcel.

23,556. Where did he give it you ?—Exactly at the bottom of the stairs.

23,557. Not in any room ?—No.

23,558. Had you seen anyone before that to ask for money ?—Yes, I saw this party.

23,559. Who was "this party" ?—I saw Mr. John Heath in the street, I had been offered money on the other side for my second vote, and he said to me, "I will see that you shall have something."

23,560. Who was it who had offered you money on the other side ?—Robert Lorimer.

23,561. How much had he offered you ?—He said 5*l.* or 10*l.*, or what I would like to have.

23,562. Where did he offer you this ?—In my shop.

23,563. How long was this before the election ?—Some three or four days.

53,564. Do you think it was on the Saturday ?—I think it was on the Thursday or Friday before, I am not certain.

23,565. What did you say to him ?—I said I had always voted Conservative and I should then. He said, "You can have something if you will vote for "Pender." I said that would not induce me to vote on their side at all.

23,566. Then you went down and saw John Heath ?—I keep a grocer's shop, and I was walking from my shop to the market and I saw as many as 40 or 50 persons about electioneering, and I tapped Mr. Heath on the shoulder and said, "You promised "me that you would do something for me if it laid "in your power."

23,567. When did he promise this ?—When I was in difficulties just before, He said if there should be an election he would try what he could for me.

23,568. How long before that had you been in difficulties ?—Some 12 months, I think.

23,569. Had you been to see Mr. Heath about it ?—Certainly I had.

23,570. Was he one of your creditors ?—No. I passed through the court and he had to do my business. Mr. John Heath.

23,571. And he promised to do something for you if an election came on ?—Yes, if it lay in his power.

23,572. And then you reminded him of his promise ?—Yes. I wanted some money; he asked me what I should consider fair, and I said "If I can "get 20*l.* I shall think myself well off."

23,573. He gave you 20*l.* and you voted for Dawkins and Pim ?—Yes.

23,574. Do you know anything of the municipal elections ?—No. I never had a farthing then.

JOHN PYLE sworn and examined.

23,575. (*Mr. Longe.*) What are you?—A smith.

23,576. You live in Fore Street?—Yes.

23,577. Have you lived there several years?—26 or 27 years.

23,578. For whom did you first vote at that time, your first election?—When Mr. Mills first opposed Mr. Baldwin.

23,579. There was a good deal of money about then?—There was a talk about it, I did not see any of it.

23,580. Did you get anything that election?—I did not.

23,581. Any offer?—No.

23,582. Neither side?—Neither side.

23,583. The next election was Mackenzie and Gregory?—Yes.

23,584. Whom did you vote for at that election?—I voted for Mills and Lord Seymour.

23,585. Were you canvassed by the Conservatives?—Not then; Mr. Baldwin canvassed me.

23,586. For Mackenzie and Gregory?—No, he did not then; he canvassed me at the first election.

23,587. At Mackenzie and Gregory's election?—Mr. Mackenzie canvassed me.

23,588. At that time was there any money offered to you?—None to me.

23,589. Did you hear of any money being given by anybody?—There is money spoken of at every election, ever since I knew anything about it.

23,590. You remember that at that time other people got money?—I do not know. I saw nothing about it.

23,591. You had no money?—No, not a farthing.

23,592. In 1859, Dunn's election, there was a good deal of money going about then?—There was, I believe.

23,593. Whom did you vote for then?—For Dunn and Earl Gifford.

23,594. You split?—Yes.

23,595. You were canvassed by both sides?—Yes.

23,596. Who canvassed you for Mr. Dunn?—I think Mr. Dunn himself; I think his lady spoke to me afterwards, Mr. Bryett was present.

23,597. Mr. Bryett was with Mrs. Dunn?—Yes.

23,598. Did he offer you anything?—No.

23,599. Did you understand you could get something from the Conservative's if you split?—No.

23,600. Why did you split?—Because I was doing some work for some gentlemen on the Plains, and they said if I would give them one vote they would take it as a great favour and they would do what they had it in their power to do for me in the shape of work. They owed me 70*l.*

23,601. Who was that said so?—They were Mr. Heath, Mr. Bentall, and Mr. Gillham of the "Dartmouth" inn.

23,602. Those three were Conservatives?—Yes.

23,603. Who was it spoke to you?—Mr. John Heath.

23,604. What did he tell you?—He said if I would give them one vote they would always give me work; they said they would be satisfied with one.

23,605. You say "they"?—Mr. Heath.

23,606. How do you know that he spoke for the others?—Well, sir, that is the word I believe.

23,607. What were you working at, who were your employers at that time?—Mr. Heath.

23,608. Was it for the town council, or whom?—Not the council.

23,609. You were doing some work on the Plains?—Yes.

23,610. Whose property was it?—His private property at the "Seven Stars."

23,611. What had Mr. Bentall to do with that?—I have worked for Mr. Bentall I should say for 15 or 16 years.

23,612. On his private property?—Yes.

23,613. Did he give you to understand if you voted you should have work?—Mr. Bentall never spoke a word to me.

23,614. Why did you mention those two gentleman's names just now; if you were in Mr. Heath's employment, what had the others to do with it?—I had been working for the three on the Plains, they owing me nearly 70*l.*, and Mr. Heath said, "You have "got work from the Conservatives on the Plains," I said "I have sir, from you, Mr. Bentall, and the other "gentleman, Mr. Gillham."

23,615. You worked for Mr. Gillham?—Yes, he has several houses.

23,616. You had been working at those houses?—Yes.

23,617. When Mr. Heath spoke to you had not either of those gentlemen spoken to you?—Mr. Gillham and Mr. Bentall never mentioned a word to me.

23,618. Why did you mention those three names?—Because Mr. Heath mentioned it to me.

23,619. He said, "You have been working for the "Conservatives, therefore you should give your "vote"?—He did, and I said, "I will then."

23,620. If you would what did he promise you?—To maintain me, and to do the best in their power.

23,621. Mr. Heath did not offer you anything else?—He never offered me anything.

23,622. Did you keep on?—I work for him at the present time. I believe he owes me now for work from 40*l.* to 50*l.*

23,623. Now the next election of 1862, Pender and Dent?—I voted for Mr. Dent.

23,624. Who spoke to you, who canvassed you for your vote?—Mr. Dent and Mr. Edmonds were together.

23,625. Who canvassed you on the other side?—Mr. Pender.

23,626. What did you tell Mr. Pender when he called?—I told him I could not vote; I had promised Mr. Dent, and I would stick to it.

23,627. Mr. Edmonds and Mr. Dent canvassed you; did you get any present at that time from the Conservatives?—Nothing at all.

23,628. Now we come to the next election, 1863, Seymour and Dent?—Dent.

23,629. In 1865 who canvassed you; whom did you vote for?—Colonel Dawkins and Captain Pim.

23,630. Who canvassed you?—Captain Pim did not canvass me; he called at the house and left his card, and so did Colonel Dawkins, and Mr. Pender canvassed me at my workshop, and Mr. Windeatt was along with him.

23,631. What did you tell Mr. Pender?—I told him I should not have a vote for him.

23,632. You said you had promised your vote on the other side?—No, I did not.

23,633. Whom did you promise your vote to; you had always voted for the Conservatives?—No, I had not always.

23,634. Did you get anything?—I never got a farthing more than I have got now.

23,635. (*Mr. Bere.*) On either side?—From either side.

23,636. (*Mr. Longe.*) It is said you got something?—I know that; I am aware of that.

23,637. You have heard it said?—Again and again.

23,638. It is not true that you ever got anything?—No.

23,639. You are employed by Mr. Heath still and by the party?—Yes, I have work now in hand for Mr. Bentall and for Mr. Heath

NINETEENTH DAY.

14 Sept. 1866.

Mr. Thomas Creaser Kellock recalled and examined.

Mr. T. C. Kellock.

23,640. (*Mr. Coleridge.*) I wish to ask you a question as to how the money was brought from the bank on the last day. Colonel Dawkins' valet thinks that, to the best of his impression, it was on the Monday; are you quite sure that it was on the Tuesday?—Quite sure.

23,641. Was it Mr. Lind who went into the room with you?—No.

23,642. It was Captain King?—It was.

23,643. How did the money get to Mr. Edmonds?—Mr. Edmonds came into the room with me.

23,644. He has sworn most distinctly that you brought it up to him in a bedroom upstairs?—That sum?

23,645. Yes, that you gave him the sum you brought from Torquay. You were in that little room, No. 8, and that the sum you got from the bank here was brought to the bedroom by you, upstairs. Are you quite positive about it; do you recollect it?—My recollection serves me so far as this, that after Captain King went into the room I asked Colonel Dawkins either to go to him or he went back with me to the room; whether we went to that room or whether we took ourselves to another room in the house I should like to be satisfied about.

T. Marshall.

Thomas Marshall recalled and examined.

23,646. (*Mr. Coleridge.*) Is this the gentleman who came in with the money on that occasion?—I cannot say, sir; I know both Mr. Edmonds and Mr. Kellock.

23,647. Was it one of those two gentlemen that came into the room?—I cannot remember.

23,648. You did not take this gentleman (*Mr. Kellock*) for Mr. Lind?—No, I know Mr. Lind well, and I should most likely remember. I was to go into the bedroom and wait, as well as I can remember.

Mr. T. C. Kellock.

Mr. T. C. Kellock further examined.

23,649. (*Mr. Coleridge.*) Had you told Mr. Lind this money was expected?—I do not recollect speaking to Mr. Lind upon the subject at all.

23,650. You do not recollect seeing Mr. Lind?—I do not recollect speaking to him on the subject.

23,651. Mr. Edmonds says you never came to the room that day with the money?—Will you ask him did I not come to the door?

Mr. T. H. Edmonds.

Thomas Hunt Edmonds further examined.

23,652. (*Mr. Coleridge.*) Did he get into the bedroom or come to the door; which room was it?—The room where Colonel Dawkins' valet was watching over the money.

23,653. Did you ever see him keeping guard over the money?—I never saw him in connexion with money in any way.

23,654. Did you on the nomination day, after the cheque was cashed of which we are talking, come to No. 6 whilst that young man was there?—No, I did not.

23,655. Were you staying in the bedroom where Mr. Kellock brought the money?—No, I was not; he came out on to the landing, and he said, "I have got "the money all right, just go into the private room." We went into the first bedroom we came to.

23,656. Did Mr. Kellock give you the money?—Mr. Kellock was in the bedroom on the same floor upstairs.

23,657. On the same floor?—Yes.

23,658. Are you quite certain Mr. Kellock brought the money, and that you did not go into the room and take it off the table?—Quite certain.

Mr. T. C. Kellock.

Mr. T. C. Kellock further examined.

23,659. (*Mr. Coleridge.*) Do you think now that you did take the money that Captain King brought you?—My previous impression was that he gave it to Mr. Edmonds.

23,660. On the last occasion you told us Mr. Edmonds fetched the money; it was put together by Colonel Dawkins' servant and Mr. Edmonds fetched it?—He has stated that.

23,661. In thinking it over you agree with him that you must have carried the money out of the room and given it to him in the private room?—I do not recollect which room it was in.

26,662. Do you recollect giving him the money you brought from Torquay the night before?—Certainly not.

23,663. Do you recollect in which room you gave it—I do not recollect.

23,664. Was it in No. 8?—The rooms are very near together on the same landing, and when you said that to me just now I remembered I had gone upstairs.

23,665. He was in error?—As I previously stated in my evidence, I did not recollect going upstairs more than once, and that was on a particular occasion in Mr. Smith's bedroom.

23,666. The point at issue is whether you carried the money out of the room after Captain King brought it in, and you gave it to Mr. Edmonds, or whether Mr. Edmonds came and fetched it; have you any doubt whether he took it out or you gave it to him?—I cannot recollect.

23,667. You would not undertake to contradict Mr. Edmonds on that point?—When I say I cannot recollect I would not go so far.

23,668. You would not go so far as to contradict him upon that point?—Would you ask him the further question whether it was not the fact that I went to see him and that he came to the landing?

(*Mr. Edmonds.*) I have stated that it was on the landing; where you came from I do not know. You said, "I have got the money all right."

(*Mr. Coleridge.*) The reason I asked the question was, you carefully abstained from acknowledging that you had any handiwork in the handling of the money when you were here before. It is distinctly proved that you had the handling of it, because you conveyed it to him, and you did touch the money after Captain King had deposited the money on the table?—I intended rather the contrary, but I did not state distinctly that I did receive 300*l.* of that money at that interview.

23,669. When did you receive it; you did not receive it at No. 6 from Colonel Dawkins' valet?—No, because he had left. I believe it is quite correct what Mr. Edmonds has stated, that when I got back to the room to Colonel Dawkins the valet had left.

23,670. Mr. Edmonds has said you were together

in the bedroom with this money; it was then, after you were in the bedroom, that you got the 300*l.*?—I dare say it was.

23,671. It was not deducted in No. 8 before you took the money up?—Very likely not.

23,672. (*Mr. Bere.*) It becomes important in this way, from the difference of the description given of the way in which this money was treated, there might have been another sum of 1,000*l.*?—I have distinctly stated that there was not.

CHARLES PITTS sworn and examined.

23,673. (*Mr. Coleridge.*) What are you?—A labourer.

23,674. Where do you live?—Out behind Fore Street.

23,675. What do you vote on?—A house.

23,676. How long have you had a vote?—1851, I think.

23,677. Did you not vote in 1849?—No.

23,678. Do you recollect the election of 1857, Mackenzie?—I recollect that was the election that I had nothing to do with.

23,679. Did you vote?—Not till 1862.

23,680. Whom did you vote for?—No, 1863 was the first time I voted.

23,681. Whom were you going to vote for at the election going on?—Mr. Dent.

23,682. What were you promised for your vote?—100*l.*

23,683. Who by?—Frederick Evens.

23,684. Had you been offered anything on the other side, Mr. Pender's people?—No.

23,685. Had they canvassed you?—I do not know.

23,686. Mr. Michelmore and Mr. Pender waited on you?—Mr. Pender did.

23,687. Was anything offered you on that side?—No.

23,688. So they got you to vote, and you did not get the 100*l.* for your vote; you went down to the "Stars" and you found you could not get the money?—No.

23,689. Did you get anything at all at that election?—No, not a shilling.

23,690. Now the next election, when Seymour and Dent stood, did you promise Mr. Dent?—Yes.

23,691. What were you to have for voting?—30*l.*

23,692. The market was down?—Yes.

23,693. Who promised you?—Frederick Evens.

23,694. Did he pay you?—I suppose it must be; I found it in the chimney.

23,695. When did you make the discovery?—He told me to look about.

23,696. How long did he promise you before the election?—It might be a week or 10 days.

23,697. How long was it before you began to look about?—I did not trouble my head about it; I did not go out of doors; he came to my house.

23,698. Had you bargained for 30*l.*, or were you surprised to find it?—The bargain was made; that was what he said was allowed to each man.

23,699. Did you try to get anything more out of him?—No; after the election I told him he had got more and kept the rest himself.

23,700. What did you hear he got?—40*l.*

23,701. You told him that he kept 10*l.*?—Yes.

23,702. How long was it before the election that he told you to look about?—He brought in 10*l.*

23,703. Did you find that up the chimney?—Yes.

23,704. When did you find the money?—I found 20*l.* two or three days afterwards.

23,705. Was it gold or notes?—Gold.

23,706. When you told him he had kept 10*l.* what did he say?—He said he had given me every farthing.

23,707. Did you go to the "Seven Stars" that election for the money?—No.

23,708. Did not you ask Mr. Heath for it?—No.

23,709. In 1865 whom did you vote for?—Colonel Dawkins and Captain Pim.

23,710. What did you get?—45*l.*

23,711. Who paid it?—Screach.

23,712. Did you tell Screach that he had got 40*l.* and kept 5*l.*?—No; he told me he had tried to get 50*l.* for me, but he could not; he paid me 40*l.*

23,713. Where?—In master's cellar.

23,714. Was that in gold or notes?—Gold.

23,715. When did he pay you the odd 5*l.*?—I think on the nomination day.

23,716. What did you do with Mr. John Heath that time?—Nothing.

23,717. Your name is Charles?—Yes.

23,718. Mr. Heath said, "Charles Pitts was at our "house, the 'Seven Stars,' one night. When he was "just leaving he was sent for by the other party." Who sent for you on the other side, the Liberals?—No one.

23,719. That is untrue?—Yes.

23,720. You were never sent for to the "Seymour Arms"?—No.

23,721. Quite sure?—Yes.

23,722. By no one else, by the other party?—They came up to look for me, because they saw me talking to Mr. Pender's servant.

23,723. What is Mr. Pender's servant's name?—I do not know.

23,724. What were you talking about?—I do not know. I think he stopped, because it was raining, in the passage.

23,725. Did you talk to him about the election?—No.

23,726. Was he Mr. Pender's servant or the secretary?—They told me the servant, and Mr. Seymour's was there too. They were both there together.

23,727. The two servants?—Yes.

23,728. Do you recollect being at the "Seven Stars"?—Yes, I was there.

23,729. When you were coming away do you recollect their keeping you back to prevent your coming away?—No.

23,730. Mr. Heath says you were sent for by the other party; that they retained you, and you were arranged with in his presence?—No such thing.

23,731. Do you mean that when Screach arranged with you Mr. Heath was not present?—No; he arranged with me in the cellar where I was working.

23,732. Not at the "Stars"?—No.

23,733. That is not true what Mr. Heath has said?—No, certainly not. They did not prevent my going away.

23,734. Mr. Heath was asked this. "Who sent for "Pitts"? And he says, "As he was leaving the "the smoking room there was a suspicion that he was "deserting, and a sharp look out had to be kept on "him." Do you recollect that?—I do not know the smoking room. I was in some of the rooms behind.

23,735. That is all you know about that election; and you voted for Colonel Dawkins and Captain Pim?—Yes.

23,736. In the election of 1863 were you squared with by Mr. John Heath in the "Seven Stars"?—No.

23,737. Was Mr. Heath present at any time when Evens arranged with you?—No.

23,738. Where was it that Evens arranged with you?—At my own house.

23,739. About the municipal elections, how often have you voted there?—Pretty nearly every time. I think I have been on about 16 years.

23,740. You distribute your favours by voting for the Liberal party at the municipal election?—No.

23,741. Did Mr. Parnell ever give you anything for voting?—No. I never voted on that side.

23,742. Did Mr. Parnell offer you money to vote?—No.

23,743. Did you have anything?—2*l.* once.

23,744. Who paid it?—Frederick Evens.

23,745. Did you have anything else?—I have only been paid once. I had a breakfast.

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23,746. You were only paid once ?—Yes.

23,747. What did you give Evens back from that for luck ?—I do not think anything ; but I gave him 1*l.* out of the 30*l.*

23,748. Why ?—He told me it was always usual.

23,749. Did you give Screach anything back out of the 5*l.* ?—I gave him 1*l.*

Mr. JOHN HEATH sworn and examined.

Mr. J. Heath.

23,750. (*Mr. Bere.*) Where are you living ?—In London.

23,751. Are you in business ?—Yes.

23,752. What as ?—As an architect.

23,753. How long have you been in London ?—I left the second week in July.

23,754. Up to that time had you been practising here as an architect ?—Yes.

23,755. Architect and surveyor ?—Yes.

23,756. Were you in partnership with your father ?—No.

23,757. Entirely on your own account ?—Yes.

23,758. Is your brother George also an architect ?—No.

23,759. The reason I ask is, I saw a receipt signed, the other day, George Heath, for John, George, and John Heath ?—I never heard of such a thing being done.

23,760. How long have you taken an interest in elections ?—I first took an interest in Dunn's time.

23,761. That is the first parliamentary election ; but had you taken an interest in the council elections ?—Not before that time.

23,762. Was that the first time that you had a vote ?—No ; the first time was for Colonel Dawkins and Captain Pim at the last election.

23,763. Had you not a vote before ?—No.

23,764. What did you do in Dunn's election ?—In Dunn's election I gave 30*l.* to a man named John Perrott, in Bridgetown.

23,765. How had Perrott voted before ?—I do not think he had voted before.

23,766. You gave him 30*l.* ?—Yes.

23,767. Did he vote for Dunn ?—Yes.

23,768. Where did you get the 30*l.* to give him ?—Mr. Edmonds gave it to me.

23,769. At the "Stars" ?—Yes.

23,770. Do you remember where Mr. Edmonds gave it to you. Was it out of the room No. 8 ?—Mr. Edmonds gave me the money in No. 8.

23,771. Did you see where he took it from then ?—No, I did not.

23,772. Had you gone to Mr. Edmonds and told him that you thought Perrott could be got at for 30*l.* ?—Yes.

23,773. I suppose you had to make reports ?—No, I did not.

23,774. Did not you receive instructions from various members of the Conservative committee to go and see different individuals ?—No. I never received instructions.

23,775. Did you go on your own account ?—If I thought I had any influence with a man I used to try it on.

23,776. I presume you and your father talked about it, and he said, I suppose, "John, you can do so-"and-so"?—I cannot recollect his saying it.

23,777. Mr. John Perrott voted all right that time ?—Yes.

23,778. Did you have anything to do with a man named Clarke ?—Yes.

23,779. That was the waiter ?—Yes, I gave him 40*l.*

23,780. Where did you get that ?—From Mr. Edmonds.

23,781. You gave it to his wife ?—Yes.

23,782. Did she come and ask for it ?—No. I went to her and made a bargain, and then got the money and took it.

23,783. Did you make a bargain with the husband or the wife ?—The wife.

23,784. She sold the vote ?—I bought it of her.

23,785. Did you find in your dealings with the husbands and the wives that your experience accords with the other canvassers, that the wives are harder to deal with than the husbands ? Want more money for the votes ?—I think that is the only case where I dealt with a wife. No, there was another. My opinion is that the ladies fancy they are hardly responsible ; if they receive the money that the husbands are not bribed.

23,786. Clarke voted all right then ?—Yes.

23,787. Did you see Robert Lake ?—Yes.

23,788. What did you give him ?—I think that was Dent's election.

23,789. Did you not see anybody else except John Perrott and Clarke in 1859 ?—I think I called on a man named Turpin, and offered him money.

23,790. Is that Edward Randle Turpin ?—Yes.

23,791. What did you offer him ?—I did not name any amount.

23,792. Had you been authorized to go and see him ?—No.

23,793. You had known him before ?—Yes.

23,794. And you thought you could influence him ?—I did not know ; I thought I would try and see what he was made of.

23,795. Did you find he was made of easily convertible stuff ?—He voted on our side.

23,796. Had he voted for you before ?—I do not know, I have no doubt some one had been there before me.

23,797. Did you see a man named James Chaming ?—I did not see him before the election. I fancy a day or two after I saw him. I knew him, and I remember his saying he was surprised that nobody had called upon him and offered him money.

23,798. Did you say you were surprised too ?—I think I made answer he should not be left out next time.

23,799. In 1859 had you always got money when, you wanted it from Mr. Edmonds ?—Yes.

23,800. Did you know that there was a mysterious stranger living in No. 9 sitting room, at that time, who called himself "Higgins" ?—I heard so.

23,801. Did you not see his card ?—Yes.

23,802. What was on his card, do you remember ?—"Mr. Higgins."

23,803. No address, I suppose ?—No.

23,804. Was that a card handed into the bar when he first came ?—Yes, I think so.

23,805. Did he go by the name of Higgins, or the generic term of "Mum" ?—I do not think I heard his name mentioned during the election.

23,806. Did you ever see him ?—Yes.

23,807. What sort of a man was he ?—Rather short, light complexion.

23,808. What age, about ?—I should think about 50.

23,809. He always occupied No. 9 room ?—Yes.

23,810. And the bedroom beyond it ?—Yes. I only saw him once crossing the passage to No. 9, and father pointed him out to me and said to me, "There "is Mr. Mum," or "Mr. Higgins," I do not know.

23,811. Or the "Doctor" ?—I never heard that term.

23,812. "Higgins" used to go out a great deal with the money himself ?—I do not know whether he did or not.

23,813. In 1862, when Mr. Dent withdrew, did you go to any of the voters and offer them money, or say money would be forthcoming, if they voted for Mr. Dent ?—Whatever I tell you must apply to the other elections, I cannot separate them.

23,814. What you know applies to 1862 and 1863 ?—Yes.

23,815. Did you go to Clarke in 1862 and see his wife again ?—Yes.

23,816. What did you give him at that election?—40*l.*

23,817. Did you consider the bargain remained from 1859 or should you make a fresh bargain?—I cannot exactly tell you what took place.

23,818. Besides Clarke, did you see Robert Lake?—Yes.

23,819. What is he?—He was a miller then.

23,820. Is he alive?—I believe he is, I never heard of his death.

23,821. What did you give him for his vote?—100*l.*

23,822. Where did you get that from?—Mr. Edmunds gave it to me.

23,823. In the same room as he got it from in 1859?—Yes.

23,824. Do you know how Lake had voted before, or whether he had voted before?—I do not think he had voted before.

23,825. Did he vote for you all right?—Yes.

23,826. Did he ask you for 100*l.*, or did you offer it to him. I do not suppose you began by offering him 100*l.*?—I went to him first.

23,827. He occupied a mill at Berry Pomeroy?—Yes.

23,828. He was a tenant of the duke's?—Yes.

23,829. You went and asked how he was going to vote?—Yes. I cannot exactly tell you what took place.

23,830. Do you remember what sum of money you began by offering him?—I do not think I offered him any.

23,831. The end of it was you paid him 100*l.*?—Yes.

23,832. Had you told Mr. Edmonds that you wanted 100*l.* to offer Lake?—I told him Lake would vote for 100*l.*

23,833. And you got it?—Yes.

23,834. John Raymond, what did you do with him?—James Raymond.

23,835. What did you do with him?—I took him a cheque.

23,836. From whom?—My father gave it to me.

23,837. Who drew it?—I did not look at it. I believe it was one of father's cheques for 30*l.*, but I did not look it.

23,838. Was it in an envelope?—No, open.

23,839. You took it and gave it to James Raymond. Had you arranged his price before?—No, someone else did that.

23,840. Now William Reeve, did you send him or pay him something then?—40*l.* I gave William Reeve, I am not quite sure. If he said 30*l.* it might be.

23,841. Did you get that from Mr. Edmonds?—Yes.

23,842. In gold?—Yes, in gold.

23,843. Had you seen Reeve before to settle what sum of money he was to have?—I had seen Reeve several times during the election.

23,844. And at last settled what sum of money he was to have?—I believe I did.

23,845. Samuel Saunders, what did you give him?—He and Reeve were together.

23,846. Did they vote for Mr. Dent as they ought to have done?—Yes.

23,847. That is William Reeve of Fore Street?—That is William Reeve.

23,848. During that time did you receive money from anybody else but Mr. Edmonds and your father?—No.

23,849. Did you ever see any mysterious person about the house at that election?—No, I did not.

23,850. Did you ever act as the mysterious person yourself?—No.

23,851. Were you engaged in these private theatricals that took place at Totnes?—Yes.

23,852. How long ago was that?—I should think that would be two years ago.

23,853. Did you act with your own hair, or did you get a wig for that purpose?—I put on a moustache.

23,854. No wig?—No wig. I believe I powdered.

23,855. What became of the moustache?—I am sure I cannot tell you.

23,856. Did you wear it at the last election?—No.

23,857. Had not you something to do with John Light at the election of 1863?—Yes.

23,858. What did you have to do with him?—I think I gave him 40*l.*

23,859. Was he living at Bovey Tracey then, or was he living here in Totnes?—I do not remember; he was always somewhere, not in Totnes. He did not vote.

23,860. Did you give him the money to prevent his voting?—That is it.

23,861. Had he voted the other side before?—Yes.

23,862. He refused to vote for you, but intimated that he would stay away if you would pay him?—

23,863. Can you remember at all where you saw him, here in Totnes, or where?—At his own house; I do not think I saw him at all; I saw the wife.

23,864. That negociation was through the wife?—That was through the wife.

23,865. She said that she would put up with the loss of his company for 40*l.*?—Yes, at least, I do not know; she may have gone with him.

23,866. Were those the only people you had anything to do with in 1863, as far as bribing and actually giving away money went?—Who were they?

23,867. You have spoken as to Light, Saunders, Reeves, Raymond, Lake, and Clark?—I think they are all.

23,868. Goodman, had not you something to do with him?—No.

23,869. Samuel Goodman?—No.

23,870. Or a man called Mitchell?—No.

23,871. When you paid a voter money had you to receive a per-centage.

23,872. (*Mr. Coleridge.*) You never got anything thrown back like Screach and Evens?—No.

23,873. (*Mr. Bere.*) Do not you remember that in 1863 you heard that Goodman was up at the "Oxford Arms"?—Goodman lived at the "Oxford Arms."

23,874. Did you hear that a man called Mitchell, on the other side, was looking after him?—No.

23,875. Did not you go up to take care of him and remove him, or take care that he was taken off?—I have no recollection about it; never heard that there had been any fuss whatever about Goodman.

23,876. "Do you know anything about a man "called Samuel Goodman?" This is Stone's evidence. "That was in 1863, I heard that he was at "the 'Oxford Arms,' in Mr. Goodman's house." That is another person then that keeps the house?—That is another Goodman.

23,876*a*. "On the morning of the poll John Heath, "junior, went and took him off somewhere?"—It is a mistake; I never did.

23,876*b*. Do you know whether anybody or your brothers did?—I never heard of it.

23,876*c*. Did you hear of a man called Samuel Goodman being taken away at the time of the election?—No.

23,876*d*. Though those were the only persons you actually paid money to, were there other persons you negotiated with in 1863?—No.

23,876*e*. Henry Crawford, did not you see him?—I saw him.

23,876*f*. And did not you offer him something?—Yes, I offered Crawford some money.

23,876*g*. What did you offer him?—I forget what it was.

23,876*h*. Was it 50*l.*?—It was certainly as much as that.

23,876*i*. Quite as much as that?—Yes.

23,876*k*. What did Mr. Crawford say when you offered it to him?—Well, I was just near Crawford's house and someone told me that Mr. Parnell had just come out there. I did not know whether Crawford was going to vote for our side or not, and I went in and found him in the kitchen. I asked what

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Mr. Parnell had been there about. "Of course I know "what it is; he has been here I suppose making it all "right with you. How much is he going to give "you?" He would not tell me, and I think I then offered him 60*l.*

22,876*l.* Did he say that Mr. Parnell was not going to give him anything?—No, but promised to see me again.

23,876*m.* (*Mr. Bere.*) You hear this Mr. Crawford? (*Crawford.*) I do.

(*The Witness.*) Mr. Mitchell, the painter, perhaps will remember the circumstances. If my memory serves me right he told me about Mr. Parnell having come down to Crawford's.

23,876*n.* (*Mr. Bere.*) What is Mitchell the painter's christian name?—I do not know; I think he works for Crawford. William Mitchell I think he is called.

23,877. Did not you see Mr. Cole, one of the Dartington farmers?—Yes.

23,878. And did not you offer him some money?—Yes.

23,879. What did he tell you?—I think he told me he could not vote on our side.

23,880. He was at that time and still is a tenant of the duke's, is not he?—Yes.

23,881. He is a farmer of Champernowne's, but has one or two fields from the duke?—Yes.

23,882. Did he tell you that he should lose his fields if he voted for you?—No, he would not be likely to tell me that.

23,883. Did you see a man called Chamings?—Yes.

23,884. He told you before that he was surprised that people did not call on him and you determined that he should not be surprised again?—I called on him.

23,885. What did you offer him to vote for Mr. Dent?—I think I offered him 100*l.*

23,886. Would he take that?—No.

23,887. Why not; was he a tenant of the duke's? Well, I never thought that he could be bought, although he said so, and said he could bring two or three others with him. I never believed it.

23,888. Did you get any authority from any person to offer him 100*l.*?—No.

23,889. You offered it on your own authority?—Yes.

23,890. John Drew, did you see him in 1863?—Yes.

23,891. What did you tell him?—I had not very much to say to him; I met him just outside his house about half-past 10, I think, at night, and stopped him as he was walking away and exchanged a few words with him. It was getting near the point when Mr. Michelmore and Mr. Pender came along.

23,892. How near were you to the point?—I asked him what he wanted, or something of that sort.

23,893. Did he give you an answer?—No.

23,894. Was he so uncertain in his amount with you that you could not get it from him. Was it clear that he wanted money?—Evidently.

23,895. You could not find out how much?—No.

23,896. Before you could arrive at the amount Mr. Pender and Mr. Michelmore came up?—Yes.

23,897. Had he voted for them before?—I believe he had.

23,898. Did you see him again?—No.

23,899. Marks; do you know anything about them?—No.

23,900. You know who the Marks' are, do not you?—Yes, I know them very well.

23,901. They are farmers who live in Dartington?—Yes.

23,902. Are they tenants of Mr. Champernowne?—Yes.

23,903. And also tenants of Lord Cranstoun and the duke?—I am not aware that they are.

23,904. Did not you see either of them in 1863?—I have no recollection of it.

23,905. Did you receive any intimation from them that money was going on the Liberal side?—No.

23,906. Do you know whether it was one of your brothers?—I never heard anything of it.

23,907. Did you go up to a man called Willis to see Mr. Earle of South Brent?—Yes.

23,908. Who is he?—He is a farmer.

23,909. Had he voted against you or with you before?—I think he had always voted with us.

23,910. Did you tell him to come to the "Seven Stars"?—Yes.

23,911. Did he come?—Yes.

23,912. What time did he come on the morning of the election?—I think I saw him there about 11.

22,913. All the money was gone at that time was not it?—I do not think there had been any at all.

23,914. That was 1862, the time there was no money?—Yes.

23,915. Can you tell us how it was that in 1862 the voters were not paid the money they were promised before the day of the election. At other elections they were often paid days before, but at this election nobody was paid according to the story told here; nearly everybody was promised sums of money and it was not known until the night before the election day that Mr. Dent was not going to the poll. What caused that difference?—I never paid any money until the day before the election.

23,916. You never did in any case?—Never at any time.

23,917. Some of the other persons employed did?—I did not. I should not have thought it a wise step.

23,918. Did you see Mr. Earle again in 1863?—No.

23,919. You never saw him after?—I never saw him at the second election.

23,920. John Gillham, jun.?—I offered him I think 100*l.*

23,921. On your own authority?—Yes.

23,922. Did you offer that with the idea that he would take it?—Yes, I had an idea.

23,923. He did not take it, did he?—No.

23,924. Did he refuse at once?—No.

23,925. There was a little troubling about it, was there?—Yes.

23,926. Did he tell you why he refused it?—He never refused it with me. I left him with the understanding that I was to see him again, and I looked out for him.

23,927. He voted on the other side did not he?—Yes.

23,928. He is one of the Bridgetown tenants?—Yes one of the duke's tenants.

23,929. You were not at the poll when he came there, were you?—No.

23,930. You did not see how he came up to the poll?—No.

23,931. Robert Morgan, did you see him and promise to give him a sum of money?—I called on him and offered him a sum of money.

23,932. He was living in one of Mr. Michelmore's houses?—Yes.

23,933. Could you make anything of him?—No.

23,934. Did you offer him 100*l.*?—I think I did.

23,935. Was that on your own authority?—That was on my own authority.

23,936. Now John Phillips, did you tell him that money was to had if he voted for Mr. Dent?—I think I told him he could have 20*l.*

23,937. Did he get it?—I never saw him afterwards. I found out from some other source that he was in other hands.

23,938. William Allen?—I offered him 60*l.*

22,939. What is he?—A tailor.

23,940. Had he voted against you before?—I do not know.

23,941, How did he vote?—He voted against us.

23,942. Did he hold out any hopes to you of voting for you if he had money?—No.

23,943. Then why did you go to him if he was not an uncertain man?—I went to try him.

23,944. Were you friendly with him?—I had never spoken to him before.

23,945. Had you been told to call on him by any particular person?—No.

23,946. Did he say he had had any offer of money from the other side?—No.

23,947. Edward Randle Turpin; did you see him that year?—I think I had a conversation about the election, but I did not make any bargain with him; he voted on our side.

23,948. He got it from some one else?—I think you will find that he did.

23,949. At that election you knew that money was going about on your side. Did you know that money was going about on the Liberal side?—Yes.

23,950. Did you hear from voters themselves, how much had been paid to them on the Liberal side?—No.

23,951. Never?—No.

23,952. Whom did you see actively employed by the Liberals at the election?—All those men whose names have been mentioned.

23,953. They were the men who were usually employed on that side?—Yes.

23,954. Did you ever go into a voter's house after one of the Liberal messengers had been in there?—No; I do not remember except in the case of Crawford.

23,955. You were here in 1865; where were you living?—On the Plains.

23,956. In your own house?—Yes.

23,957. With James Heath?—Yes.

23,958. A joint occupation?—Yes.

23,959. In 1863, did you see any stranger there?—No; I did not.

23,960. Did you hear of anyone being in No. 13?—No.

23,961. Or inquiring for anyone there?—No.

23,962. The only person who came down with Mr. Dent was Mr. Mitchell?—Yes.

23,963. In 1865 had you a good deal to do with the election?—No; very little.

23,964. Had you less to do with that than in 1863?—Yes.

23,965. What was the reason, had your interest in it fallen off?—I do not know; I never had anything to do with it; I took no interest in it at all.

23,966. Were you thinking of leaving Totnes at that time?—Yes.

23,967. In 1863 you had not begun to think of leaving Totnes?—I had not.

23,968. We know that money had been spent in 1863 and in 1865, from your knowledge of what had been going on at those elections, at which should you say the most money was spent, in 1863 or in 1865?—I should say in 1863, considerably.

23,969. Should you think the Liberal side spent more money in 1863 than in 1865?—Yes.

23,970. Can you give us any reason for that opinion; you have heard that some money was spent in 1863 on the Liberal side?—I should not give that as a reason, whatever I may have heard.

23,971. Can you give us any better reason?—I think the election of 1863 was contested with a great deal more spirit than the election of 1865 on both sides. I think all through the election of 1863 it was very uncertain up to the close of the poll.

23,972. There was a majority of only 8, neither side would be very certain of success?—I do not think they stopped at a few hundreds.

23,973. The uncertainty raises the price and causes more money to be spent?—Yes.

23,974. When did you first know that Colonel Dawkins was coming down in 1865?—Not till I saw his address.

23,975. Had you not received any notice from the Conservatives that a candidate was coming down?—There were rumours of which I took no notice about several candidates.

23,976. You signed the requisition to Mr. Macleay?—Yes.

23,977. Had you ever the curiosity to ask what was the reason he did not come down and stand?—No, I do not think I ever heard.

23,978. After Colonel Dawkins' address did you go about and canvass for him?—No; I never canvassed for him.

23,979. Did you meet him and Captain Pim on one occasion?—No, I do not think I ever saw them together except on the hustings.

23,980. Have you met them together with your brother James?—No.

23,981. Have you met Captain Pim with your brother James?—Yes.

23,982. Where did you go with them?—I accompanied them for two hours.

23,983. Where did you go with them?—Up through the town.

23,984. Did you see any particular voters?—Merely a general canvass.

23,985. Were there any persons to whom you paid money in 1865?—No.

23,986. No one at all?—No.

23,987. Were you much at the "Stars" in 1865?—Not much.

23,988. When you were there did you see any mysterious person about the house whose face you did not know?—There were many people there whose faces I did not know.

23,989. Did you hear of any person answering the description of the man who you say had been here in 1859 and 1863?—No.

23,990. Did you ever sleep at the "Stars" during the last election?—No.

23,991. Although you did not give anyone a bribe, did you go to negotiate with some people?—I went to offer some money.

23,992. To whom?—To Chamings and Ruby. I am not certain whether Wherry or not.

23,993. Was that on the morning of the election? Yes.

23,994. Was that after you had seen Captain Pim?—I do not think I saw him.

23,995. Did you hear your brother James examined yesterday?—Yes.

23,996. Do you remember his telling us that Captain Pim had gone out in the morning to canvass some voters who were at a distance?—Yes.

23,996*a*. That he had come back and your brother took some directions from him and that you all went off somewhere in a gig to some place in the country?—I think my brother made some mistake about the horse and gig. If I remember rightly, someone had returned with a gig, I think it was Screach, and I got into the gig and drove off.

23,996*b*. Had not Captain Pim told you to go out somewhere?—No; I had not seen Captain Pim that morning.

23,996*c*. Or Narramore?—No.

23,996*d*. Or Willis?—I think I saw Willis.

23,996*e*. Did he not ask you whether you could not go somewhere?—I think I took it entirely on my own hook when I went out to Chamings.

23,996*f*. Had you had anything to do with Ruby before?—No.

23,996*g*. How much did you offer them?—I think I offered them 100*l*. each; it may have been more.

23,996*h*. Did you see them at their houses?—Yes.

23,996*i*. They must have been up early in the morning?—Chamings had just got up.

23,996*k*. What did you say to him?—I offered him 100*l*. to vote on our side.

23,996*l*. What did he say to that?—He said it would be of no use.

23,996*m*. Did he say that he had been offered money on the Liberal side?—No.

23,996*n*. What did Ruby say?—He said it was of no use.

23,996*o*. Does he live near to Chamings?—Yes. I thought Ruby was one of those men who Chamings

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Mr. J. Heath.

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had been talking about before, and I went out there to find it out for myself; he would not tell me the names, he said that he might bring some two or three with him.

23,997. Had you not spoken to someone about going to see these men, and to offer them money?—I do not think I had.

23,998. Are you quite sure of that? It is not very likely you would have gone out there without seeing some one and having had authority from them to offer this money?—I turned out early in the morning for the sake of assisting in the election. I did not know it was all up at that time.

23,999. You had not been told of that?—No.

24,000. How late had you been up the night before?—11 o'clock, perhaps.

24,001. (*Mr. Coleridge.*) Did you ever receive any money from anyone except Mr. Edmonds?—Not besides the cheque which my father gave me.

24,002. How were you remunerated for your trouble?—I never got anything.

24,003. Were you not paid as an agent or sub-agent?—At all these elections I never received a farthing.

24,004. And you never made any charge?—No, never.

24,005. (*Mr. Bere.*) You remember the man who was examined the other day who was the boots at the "Stars" at this time?—Yes.

24,006. Was he a likely person to know whether any stranger was in the house or not?—I should believe what he said; I have a very good opinion of him.

24,007. (*Mr. Coleridge.*) When did you first hear of any mysterious stranger?—Only when this matter was first talked about.

24,008. During the time of the election, except Mr. Smith, you never heard of any mysterious stranger?—I never heard of anyone. If I had been asked at the time I should say there is, no doubt, because there had been at previous elections.

24,009. At previous elections had you known of there being a mysterious stranger?—In 1859 I had.

24,010. You had known of his being down then?—Yes, I saw him,

24,011. And in 1862?—I heard that he was there in 1862.

24,012. Or in 1863?—I must put those two together.

24,013. Do you mean that the same person was there in 1862 and 1863?—I think he was.

24,014. Did you know his name?—No; I never heard it.

24,015. Then who told you that he was there?—I cannot say who told me. I remember having heard say Mr. Mum has come.

24,016. You heard that in 1862 and in 1863?—Yes.

24,017. Did you hear of any Mr. Mum having come down in 1865?—No.

24,018. When Mr. Mum was there it was generally well known in the house?—Yes; I used to hear of it a couple of days or so before the election.

24,019. And do you believe that there was anyone down in addition to Mr. Smith and his two clerks?—I cannot give any opinion on that.

24,020. You saw him in 1859 and you heard of him in 1862 or 1863, you heard nothing of him in 1865; do you believe that there was anyone there?—I could not undertake to say whether there was or not.

24,021. (*Mr. Bere.*) Had you anything to do at the election of 1863 with a man named Coombes?—No.

24,022. Did you see many people over here from Ashburton at the time of the election, who voted on the other side?—A good many people came over here from Ashburton and most of them I think were voters on the opposite side.

24,023. Were there many of these who had voted for the Liberal member who were over here?—I think there were.

24,024. Did you see Mr. Tucker and Mr. Jardine over here?—I think I saw Mr. Tucker, I do not know Mr. Jardine.

24,025. (*Mr. Longe.*) At all these elections your father and yourself had a general authority from Mr. Edmonds that you might set to work and make yourselves as active as you could as soon as the operations commenced?—Mr. Edmonds always knew that we were about with our eyes open ready to come and tell him anything.

24,026. There was a sort of confidence in you to make offers and settle these matters with the voters?—I never told Mr. Edmonds of anything unless I thought it was something worth telling him, I would often tell him something, and he would say, "Some-"body has told me about it before."

24,027. (*Mr. Coleridge.*) Had you ever any doubt when you had offered these men money that Mr. Edmonds would let you have the money to pay them?—Not the slightest.

24,028. Did you ever promise a man any money and when you came to speak Mr. Edmonds about it, he said it was too much and would not let you have it?—No, certainly not, I should not have told Mr. Edmonds of them unless the men had accepted the offer.

24,029. Has not Mr. Edmonds said to you, you had better try and do it for less?—There could have been no necessity of that sort.

24,030. Mr. Edmonds has always let you have the sums that were requisite to keep your promise?—Yes, he has always done so.

24,031. Mr. Edmonds did not grumble at the amount of the offer, 100*l.*?—I remember when he gave me Lake's money he did not say anything, but he laughed, as much as to say that was coming it rather stiff.

24,032. How much did you give Lake?—100*l.*

24,033. Was that the only 100*l.*?—That is the only 100*l.* that I ever paid.

24,034. You never paid a voter earlier than on the day before the election?—Never, I think they were all on the election day.

24,035. You dealt with those voters who were left no doubt to the very end, we have heard that others were paid several days before the election?—Those voters whom I paid I had settled with the week before, I should think; or at least I had agreed with them.

24,036. Can you give us any instance of a voter, with whom you had agreed, afterwards having voted on the other side?—No, never.

24,037. Who has said he was sorry he could not keep his promise but he had had better terms offered him on the other side?—I cannot recollect any one instance.

24,038. In the election of 1862 when Mr. Dent withdrew and did not pay anyone, was any money requisite before the day of the election?—I do not know, I did not pay any money at that time, I think I had agreed with Lake before that election and when Mr. Dent gave it up he went and voted on the other side.

24,039. What had you agreed with him for?—For 100*l.*; at that election he came in here on the morning of the nomination.

24,040. Do you recolleet any election when the money was kept back so late as the day of the election, was it not always going about as early as the nomination day?—I do not know that, I never paid any so late as on the nomination day.

24,041. Used you to pay these voters before or after they had voted. Did they trust you or did you trust them, which has been the usual way?—I believe that I paid Lake after he had voted, I think so.

24,042. Then he trusted to you to pay him?—Yes.

24,043. Did you ever take a receipt from any of these men?—No.

24,044. Or anything in the shape of an I.O.U?—No.

24,045. You took nothing at all, no paper of any kind?—No.

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Charles Pitts recalled and further examined.

C. Pitts.

24,046. (*Mr. Bere.*) Were you turned out by the duke some years ago?—By Mr. Gillham, my landlord.

24,047. What do you rent under him?—A house.

24,048. Is Gillham a regular duke's man?—Yes.

24,049. What do you give for your house?—6*l.* a year.

24,050. Were you turned out of your house after voting at the election in the council for the Conservatives?—Because I would not vote for the Liberals they took me off the rate book.

24,051. Were you rated for the house?—Yes.

24,052. Did they turn you out of the house?—Yes, and I kicked up a row about it because they put me off the rate books, and after I had agreed with my landlord to pay the rates they gave me notice to leave, I asked him the reason, he said that he could not do as he liked, that he must do as Mr. Michelmore ordered him.

24,053. Who said that to you?—Mr. Gillham.

24,054. Whom did you get the notice from?—From Mr. Gillham, he let the house to a man of the name of Knapman, I was to give up the key to him and after that Mr. Michelmore heard of it and told Mr. Gillham not to let him have the house.

24,055. You did not hear him say that?—I asked Mr. Michelmore if I was to give up the key to Knapman, and he said, "No, to Mr. Gillham."

24,056. Was Knapman a Conservative?—I think he voted for the Conservatives, he had notice to leave too, he was a tenant of Mr. Michelmore's.

24,057. Is that all you wish to say?—Yes.

James Raymond sworn and examined.

J. Raymond.

24,058. (*Mr. Bere.*) What are you?—I am driver of the bus at the "Seymour Arms" hotel.

24,059. How long have you done that?—Two years last June.

24,060. What were you doing before that?—I had worked as a post boy before that.

24,061. Where?—At the "Stars" and at the Railway hotel.

24,062. How long have you had a vote for Totnes?—Ever since 1862.

24,063. Did you vote at Dent's election?—I did.

24,064. Were you then living at the "Stars"?—I was out of service then.

24,065. Had you got a house then?—Yes.

24,066. What is it that you vote for?—I rented a shop in Fore Street.

24,067. Does your wife keep that?—Yes.

24,068. And you voted for that?—Yes.

24,069. Did you vote for Dent or Seymour?—For Dent.

24,070. How much did you get for your vote?—I got 50*l.*

24,071. Who paid you that?—George Heath paid me 20*l.* and John Heath gave me a cheque for 30*l.*

24,072. Who made the bargain with you?—I never made any bargain.

24,073. Then was it Mrs. Raymond who made the bargain?—They went to my wife, I believe.

24,074. And she arranged that you should have 50*l.*?—I suppose so.

24,075. First of all you were offered 30*l.* and you thought that was not money enough?—I had 20*l.* first.

24,076. You did not think that was half enough?—I was promised that by Mr. George Heath.

24,077. When did you go into the service of the people at the "Stars"?—Twenty years ago last summer.

24,078. We will not go into matters so long ago as that; where you in service at the "Stars" during the last election?—No.

24,079. Then what were you doing?—I was driving the bus at the "Seymour Arms."

24,080. Which way did you vote at the last election?—I voted for Colonel Dawkins and Captain Pim.

24,081. And do you still drive the bus at the "Seymour Arms" hotel?—Yes.

24,082. And has not Mrs. Beazley turned you off for voting in that way?—No.

24,083. What did you get paid for your vote?—70*l.* I got.

24,084. Did you get only 70*l.*?—That was all.

24,085. Are you quite sure of that?—Yes.

24,086. Who paid you this money?—Screach; he made a mistake in what he said here, he said he gave me 80*l.*, it was only 70*l.*

24,087. Was it all in gold?—Yes.

24,088. That is somewhat better than bus driving, I should suppose?—Yes, rather better.

24,089. Had Screach made the bargain with Mrs. Raymond on this occasion?—I did not make any bargain, he brought the money to my house and left it on the table.

24,090. I think Mrs. Raymond must have had something to say to him?—No, she did not.

24,091. And you got 70*l.* for voting for Dawkins and Pim?—Yes.

24,092. Did not some of the people at the "Seymour Arms," ask you to vote on their side?—Yes.

24,093. Who was it who asked you to vote for them?—Mr. Jeffery Michelmore and Mr. Seymour came to me.

24,094. What did you say to Mr. Michelmore?—I did not promise him, I told him that I should see him again.

24,095. Did he say that he would see you again?—I do not know that he did.

24,096. Did he go and have any talk with Mrs. Raymond?—I do not think he did.

24,097. What did Mr. Seymour say to you?—I cannot recollect what he said, he asked me for my vote.

24,098. You did not tell him that you had got 70*l.* from the other side?—I had not got it then.

24,099. When were you first promised it?—I was never promised it at all, it was brought to me.

24,100. Then when did you get it?—On the Monday before the nomination.

24,101. Who brought it to you?—John Screach.

24,102. If you had not got any money should you have voted at all?—I might.

24,103. If you had been offered money on the other side, and had not got any from the Conservatives, how should you have voted then?—For the Conservatives.

24,104. Would you have taken money from the other side and voted for the Conservatives?—No.

24,105. (*Mr. Coleridge.*) What makes you vote for the Conservatives?—I began with the Conservatives first, and there I shall end.

24,106. Do you know what a Conservative is?—I do not know, I think they call them Tories.

24,107. Do you know the difference between Whigs and Tories?—I do not, I have voted twice at the City election and never got a farthing.

24,108. Did Mrs. Beazley ever find out that you had had 70*l.* for voting for Dawkins and Pim?—Not until now.

24,109. But you cannot say what may happen now?—No, I was fearful of that on coming here.

24,110. How did you vote in the Council?—For the Conservative party most times; the last time I voted for two and two, that was since I have been at the "Seymour."

24,111. How is it you did not split your vote on the last occasion, you were at the "Seymour" then?—I had the money then, that made me vote for Dawkins and Pim.

24,112. (*Mr. Bere.*) Did you ever have any money

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J. Raymond.

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at the Council elections?—I was paid for a day's work some time since, I had half a sovereign.

24,113. Where were you living then, at the "Seymour"?—Yes.

24,114. Who gave you the half sovereign?—Young Mr. Screach.

24,115. And then you voted for the Conservatives?—Only two and two.

24,116. Would you have had a pound if you had voted for all four?—No.

24,117. How long is it since you lived at the Railway hotel?—I left there five years ago come Christmas.

24,118. Do you remember any contest for the council while you were living there?—Yes.

24,119. Do you know a man of the name of Coombes a Liberal?—Yes.

24,120. And did he not send you for a trip to Knowle in order that you might not be able to get back in time to vote?—Yes, he made me go and drive him there.

24,121. But I believe you drove him there and back very quick, and got back in time to vote?—Yes.

24,122. After the election did anyone at the "Seymour" speak to you about having voted contrary to their party?—No.

24,123. Did Mr. Michelmore do so?—No, I have never said a word to him since.

24,124. Did you sign the requisition?—Yes.

S. Shillabeer.

SAMUEL SHILLABEER sworn and examined.

24,125. (*Mr Bere.*) How long is it since you voted first?—I voted for Baldwin and Seymour in 1849.

24,126. How did you vote then?—For Baldwin and Seymour.

24,127. You split your vote then?—Yes.

24,128. Did you get anything for it?—Yes.

24,129. How much?—30*l.*

24,130. Who did you get it from?—From Mr. Baldwin.

24,131. Who paid it you?—Mr. Goodman; he is dead now.

24,132. And he paid it you in gold?—Yes, after the election.

24,133. The next election was in 1852, did you vote then?—I think that must have been the first time I voted.

24,134. Did you vote again in 1857, that was the last time Mr. Baldwin stood?—I voted only once for Mr. Baldwin.

24,135. How often were you paid for voting for Mr. Baldwin?—Once.

24,136. Do you recollect 1859, Mr. Dunn's election?—Then I voted on the other side.

24,137. For both the Liberals?—Yes.

24,138. What did you get for voting for them?—I do not know that I got anything then.

24,139. When Gifford, Mills, and Dunn stood you voted for the two Liberals?—If I got anything then it was 30*l.*, I cannot recollect.

24,140. Who would you get that from?—Mr. Charles Michelmore made me a present, if that was the time.

24,141. Of how much?—30*l.*; I will not be positive.

24,142. Do you mean Mr. Charles Frederick Michelmore, who is now alive?—Yes, I used to pay my rent to him.

24,143. In 1862, when Dent withdrew, you voted for Pender?—Yes.

24,144. What did you get for that?—30*l.*

24,145. Who gave you that?—Mr. Michelmore. I had a present from him some time after the election.

24,146. Did you not get 10*l.* to give to Smaridge?—Yes, both at the same time.

24,147. How long was that after the election?—It might have been three or four months.

24,148. Was it not between the two elections, that of 1862 and that of 1863, that Mr. Michelmore gave you the 30*l.*?—Yes, but what time it was exactly, I cannot tell.

24,149. Very soon after you had the 30*l.* from Mr. Michelmore there was another election, when Mr. Seymour stood, what did you then get?—Nothing.

24,150. What were you promised?—30*l.*

24,151. Whom by?—Mr. Charles Frederick Michelmore.

24,152. How was it that you did not get it?—I suppose that he got it himself, and he kept it.

24,153. How do you know that he got it?—I was told so.

24,154. By whom were you told so?—He told me so himself.

24,155. Was Smaridge promised anything at that election?—Yes, I believe so.

24,156. And did he not get it?—No, he told me so yesterday.

24,157. Instead of giving you anything they locked you up at the "Seymour"?—I went over and stayed there, I was not locked up.

24,158. Did they lock Smaridge up?—They did not lock him up, they kept him there.

24,159. And they asked you to watch him?—Yes; to look after him.

24,160. Did they give you plenty of drink which you did not pay for?—I paid for what I had sometimes.

24,161. While you were watching Smaridge did you pay for what you had on that night?—I think not, they were treating me.

24,162. At that election you voted for Seymour?—Yes.

24,163. And in gratitude the duke's people turned you out?—Yes, they said I was a dead man.

24,164. What did they mean by that?—They said I was dead; I was very ill. On Michaelmas day they said I was dead, and they sent me a notice.

24,165. What do you mean by that, what did you rent of the duke?—A field.

24,166. You and Smaridge together?—No, they were separate fields.

24,167. How many acres are there?—Between seven and eight.

24,168. What has Smaridge got?—He put his cows in there sometimes.

24,169. You both voted for these fields?—Yes.

24,170. Who paid the rent, you or Smaridge?—Smaridge paid the rent.

24,171. You paid no rent at all for your field?—I paid for the keep of cows.

24,172. To whom?—To Smaridge.

24,173. How much for the cows?—He was renting a little place under me. We kept our cows together.

24,174. What did he pay for this?—16*l.* a year.

24,175. Did your cows eat 16*l.* worth a year?—He had to pay me money for that.

24,176. How would you balance the account?—He gave me 13*l.* for the field.

24,177. When you balanced your accounts how did he pay you?—I do not know exactly how it was.

24,178. How much did you allow for the keep of the cows?—Sometimes more, sometimes less.

24,179. How many cows do you keep?—Sometimes I had four, sometimes five.

24,180. How much did you allow for their keep per head?—3*s.* 6*d.* per week each.

24,181. How much did you receive from him at the end of the year? Smaridge paid all the rent, and you kept your cows there?—No; I had got a field.

24,182. Where was your field?—A little way nearer to the river; the one I rented besides.

24,183. What did you pay for that?—About 10*l.* a year.

24,184. To whom?—Mr. Michelmore.

24,185. Did Smaridge pay 13*l.* beyond that?—His was another field.

24,186. Used you to pay his rent?—The one I rented myself I paid 10*l.* for.

24,187. Did you pay that, or did he ?—I paid it.

24,188. In 1865 had you a vote ?—Yes.

24,189. How did you vote ?—For Dawkins and Pim.

24,190. Are you sure of that ?—Yes.

24,191. What did you get for it ?—60*l.*

24,192. Who paid it to you ?—John Screach.

24,193. Where ?—He paid my wife down at my house.

24,194. What did Smaridge get ?—I think he got the same.

24,195. Have you made it up with Mr. Michelmore as to voting against the Liberals ?—I have got the field now ; Mr. Michelmore knew he was in the wrong.

24,196. What was he wrong about ?—Because he gave me notice to leave.

24,197. You had voted against the dnke ?—Yes ; I had got a chance of having a field on the other side.

24,198. They did not think it worth their while to turn you out ?—I suppose so.

24,199. You have got Smaridge's field now ?—Yes.

24,200. How did you get that ?—Through Mr. Michelmore.

24,201. How did you get that ?—He knew that I was right.

24,202. Did Mr. Michelmore offer you anything at the last election ?—No.

24,203. Were you canvassed by Pender and Seymour ?—Yes.

24,204. What did you say to them ?—I told them I had promised the other side.

24,205. Did they ask you the reason why you would not vote for them ?—I told them the reason I should not vote for them.

24,206. Did you say why ?—Because they had given me notice to leave the field.

24,207. Why did you not vote for Mr. Pender ; you were always a Liberal before, what made you vote for the Conservatives ?—He was not satisfied with one vote, he wanted both.

24,208. How much might you have had if you had voted for both ?—They never offered me anything ; if I passed my word that was enough.

24,209. And you thought it would be better to get 60*l.* ?—When they told me of it after I got better I made a promise that I would not vote for them at the next election.

24,210. You were a lucky man ; you got better, got 60*l.*, and kept your field ?—I have got another field in its place.

24,211. Have you had anything since the 60*l.* was left with your wife ?—No.

24,212. Where was that left with your wife ?—In the house.

24,213. In what part of the house ?—In a little room.

24,214. Do you know who left it ?—John Screach.

24,215. How long before the election ?—On the nomination day.

24,216. Has anyone left any money for you there since ?—No.

24,217. Is that the last money you got ?—Yes.

24,218. Have you had anything from Mr. Heath ?—No.

24,219. Did Mr. Heath ever pay you at any election ?—No.

24,220. None of the Mr. Heaths ?—No.

24,221. Or Mr. Frederick Evens ?—No. Screach asked me if I should be satisfied with 50*l.* ; I said yes ; when he came he brought me 60*l.*

WILLIAM SHINNER sworn and examined.

W. Shinner.

24,222. (*Mr. Longe.*) What relation are you to Edward Shinner ?—Brother.

24,223. How long have you had a vote for Totnes ?—Ever since Dunn's election.

24,224. Who did you vote for then ?—Mr. Dunn.

24,225. How much did you get then ?—15*l.*

24,226. Who gave it to you ?—Frederick Evens.

24,227. In 1862 when Mr. Dent was down here, were you canvassed then ?—Yes.

24,228. Who canvassed you ?—I think it was young John Heath.

24,229. You did not vote then ?—No.

24,230. How much were you going to have then ?—That I cannot tell.

24,231. You expected something then, I suppose ?—They did not ask me, I had promised my vote.

24,232. Were you down at the "Stars" that night ?—No ; I was not there.

24,233. In 1863, the next election, whom did you vote for then ?—Mr. Dent.

24,234. Who canvassed you then ?—Young James Heath, and Evens.

24,235. What did they give you then ?—I had 30*l.* then.

24,236. Who gave it to you ?—Frederick Evens.

24,237. On the other side were you canvassed for Mr. Seymour ?—No, I was not.

24,238. Did they not call upon you ?—Yes ; I did not promise them ; I always took one side ; they did not think it worth their while.

24,239. You always voted on one side ?—Yes.

24,240. Whom did you vote for in 1865 ?—For Dawkins and Pim.

24,241. What did you get afterwards ?—I had 20*l.*

24,242. Who gave it to you ?—Frederick Evens.

24,243. Were you canvassed on the other side ?—No ; Mr. Parnell asked me if I would vote for them.

24,244. How long before the election ?—I suppose two or three days.

24,245. What did you tell him ?—I told him I did not know who I should vote for yet.

24,246. Did he say he would call again ?—He said "I will see what I can do."

24,247. Did you hear from him again ?—No ; no one came to me from the Liberals.

24,248. What did he mean by saying he would see what he could do ?—I do not know what he meant. He called at my house and said Mr. Pender was coming there directly. Mr. Pender and Mr. Parnell came to my house and asked me if I would promise them ; I said I had not promised anyone ; he said he would see me again, and see what he could do.

24,249. What did he mean by that do you suppose ?—To see if I would promise him to vote for Mr. Pender.

24,250. Then what was he going to do ?—I cannot say.

24,251. What do you suppose he meant by that ?—That I cannot tell.

24,252. That he would see what money he could get for you ?—I cannot say ; I do not know.

24,253. Was that what he meant ?—I suppose so.

24,254. Did you tell him you were going to vote for the Conservatives ?—They had not been to me then. I had not promised anyone.

24,255. You only got 20*l.* you say ?—That is all.

24,256. You got nothing after the election ?—No.

24,257. Did your wife get anything ?—Not a halfpenny.

24,258. On which side have you voted at the municipal elections ?—I always voted on the Tory side.

24,259. What did you get ?—Sometimes I never had anything.

24,260. (*Mr. Bere.*) You voted for Mills and Gifford in 1857 ?—That I think was when Mr. Michelmore took me away from my house.

24,261. Which Mr. Michelmore ?—Mr. Charles Frederick Michelmore.

24,262. Where did he take you to ?—He took me from my house down to the voting booth.

24,263. What had he done to you before ?—Nothing to me.

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24,264. Had they given you anything to drink?—No; not a glass; one or the other were bothering me.

24,265. What did you say to him?—He told me he would turn me out of the house if I did not vote for Mills and Gifford.

24,266. Was it his house?—He had a mortgage on it.

24,267. Who was your landlord?—I used to pay rent to Samuel Hill.

24,268. Was he the owner?—Yes.

24,269. What time did Mr. Michelmore come to you?—In the middle of the afternoon.

24,270. What were you about?—I was attending my horses in the stable, he took me down in a fly to the "Seymour."

24,271. Did you have anything to drink before you went to the poll?—Nothing.

24,272. You were taken there as a friend of Mr. Michelmore's and was obliged to vote for Mills and Seymour?—Yes.

24,273. What did you get for it?—Nothing.

24,274. Did Mr. Michelmore come to you in 1863?—When I was in bed he came and spoke to me and I went back to bed again and did not see him; he never came again.

24,275. Did he not come to you at the last election?—No, I never saw him again.

24,276. Did he come to see your wife?—No.

24,277. What did he come to your house for?—To ask me to vote on his side.

24,278. Did he ever promise you anything?—He promised me 5*l.* I never had it.

24,279. Was that at the time when he took you by the collar?—He promised me 5*l.* at Dent's election.

24,280. Did Mr Parnell ever promise you anything?—No.

24,281. Did Mr. Heath ever promise you anything?—No.

24,282. What did you get for voting in the council?—Sometimes I did not have anything. Sometimes I had a day's work.

24,283. Was that the most you ever got?—I had 2*l.* one time.

24,284. Who paid you that?—Frederick Evens.

24,285. Have you not been paid several times?—No.

24,286. Have you always been paid by Evens when you voted for the council?—Yes.

24,287. Not by Screach or by any other person?—No.

24,288. Evens is the man who always looked after you?—Yes.

24,289. Did Mr. Parnell ever offer you any money at all?—Not a farthing.

24,290. Not to vote on their side?—No.

H. Seaman.

HENRY SEAMAN sworn and examined.

24,291. What are you?—I was a draper and I came to live here 17 years ago.

24,292. Have you been on the Conservative side of politics ever since that time?—Yes, on the Conservative side.

24,293. I believe you take a conspicuous part on the Conservative side, and you have proposed the Conservative candidates from time to time?—Yes.

24,294. Did you propose or second Mr. Dent in 1862 or 1863?—In 1863 I did second him.

24,295. Were you actively employed on the committee at the time?—No, I was not.

24,296. What part did you take in the election?—Merely in seconding Mr. Dent.

24,297. Did you take a part in any election before that?—Yes, I have.

24,298. In 1862?—In 1862, I seconded Mr. Dent.

24,299. In 1859 were you actively employed in the election?—No, I was merely a seconder.

24,300. Were you not actively employed?—Never.

24,301. Did you take any part in the election of 1865?—None whatever.

24,302. You voted?—No.

24,303. You did not vote?—No.

24,304. What was the reason that made you abstain from voting?—I had an impression that these elections were got by corruption.

24,305. Was that impression produced by what you found taking place in 1859 and 1863?—I had an idea that there was a good deal of corruption, but I never found it out till there was a fact that confirmed me that the elections were carried by corruption, and that was some one calling on Elford who lives at Gerston with me, that person came up to see him and offered him 200*l.* for his vote.

24,306. Do you know what it was you heard was offered and who offered it?—I was told afterwards it was one of the Heaths.

24,307. When did Elford tell you about it?—On the same day when he saw this party.

24,308. At what election was that?—I think it must have been Dent's election in 1863.

24,309. Did you make any inquiries about it?—He came and told me; that was the first idea I had personally that there was any corruption.

24,310. I suppose you heard rumours?—I heard rumours.

24,311. Long before that?—Yes.

24,312. Did Elford take the money?—He did not, he said he should not be happy if he did.

24,313. His happiness did not depend on his taking money, I am afraid he has taken a good deal at different times?—I was not aware of it, I heard that he had taken it once, 20*l.*

24,314. When was that?—Mr. Dent's election; but I did not know it.

24,315. Did you hear from whom he got it?—No, I did not.

24,316. No name mentioned at all?—No, I read it in the paper; but I think it was Stoyle.

24,317. Is that all you have got to tell us about the elections?—That is all.

24,318. Were you present when Mr. Dent held a meeting at the "Seven Stars"?—What meeting.

24,319. Was there not a Conservative meeting at the "Seven Stars" at which Mr. Dent spoke, when there were a good many people and he addressed those who were sitting there?—I was not present; I was away.

24,320. On the nomination day did you hear a speech made by Mr. John Heath?—Yes, I did.

24,321. What did he put forward before the electors as Mr. Dent's principal qualification for being a good candidate for Totnes?—As a wealthy man.

24,322. With millions at his back?—Yes.

24,323. Did you suggest that Mr. Dent was a good man because he had taken a good deal of trouble to open up some of the unknown seas in China and was an adventurous man?—I knew he was a wealthy man, and some friends of mine in London had spoken highly of his character.

24,324. Did you look forward to his wealth or was it the impression that he had been a useful man in China and had opened up certain rivers to the commerce of the country?—That was it.

24,325. Mr. John Heath took the money view of the matter and considered he was a person with millions at his back?—Yes.

24,326. (*Mr. Coleridge.*) Did you suggest that he might open the Dart in the like manner?—No, I never had anything to do with those transactions.

24,327. (*Mr. Bere.*) How long have you lived here?—17 years, I had a leasehold.

24,328. Who was the first person you got the lease from?—Mr. Farwell who was the agent for Mr. Barry Baldwin.

24,329. In 1849 ?—Yes.

24,330. What was the length of it ?—14 or 21 ears.

24,331. Did you take it at 21 years ?—I had it for 4 or 21 years, it was optional.

24,332. Have you exercised your option ?—It was ptional in both parties.

24,333. Did you rescind it ?—No, I did not. The Duke of Somerset is the purchaser of the property.

24,334. When did the Duke of Somerset buy the nterest ?—About four years since.

24,335. Before the election of 1863 ?—Yes, it was ast before. I had an unexpired term of about two ears.

24,336. You did not take it till 1851 ?—I cannot ell you till I refer.

24,337. Was not one reason why you did not nterfere in the election of 1865, because you were romised a renewed lease by Mr. Michelmore ?—No.

24,338. Were you promised it ?—I expected I ight have had notice from the Duke of Somerset, ut I had no notice of it.

24,339. Did you speak to Mr. Michelmore about it ?—No, I did not. He came to me and said, "Now, you will in future pay the rent to me."

24,340. You talked about the lease expiring between he elections of 1862 and 1863 ; it was 1865 when it xpired ?—Yes, it did.

24,341. The duke might have insisted on your giving t up if he had chosen ?—Yes.

24,342. Did he do so ?—No, he did not.

24,343. Did he renew the lease ?—I hold the roperty on the same principle as his other tenants.

24,344. What is that ?—Tenant from year to year.

24,345. Was it not in consequence of your being a enant from year to year of the Duke of Somerset hat you did not vote at the last election ?—No, certainly not.

24,346. Would you have voted at the last election if you thought Totnes was a place where a candidate might come in honestly ?—As a Conservative. I have a respect for territorial rights, and I should have given my vote.

24,347. Was it because the Duke of Somerset was your landlord ?—No, certainly not.

24,348. What do you mean by respecting territorial rights ?—I did not feel disposed to vote. I was away out on business and I did not vote.

24,349. (*Mr. Coleridge.*) Should you have voted for Mr. Dent ?—Certainly I should. I have the greatest possible respect for Mr. Dent.

24,350. You would have voted for Mr. Dent in spite of your respect for territorial rights ?—I should for Mr. Dent, but not for anyone else.

24,351. If Mr. Baldwin had been your landlord ?—I do not know whether I would or not. That is impossible to say.

24,352. Should you have voted for Dent had he stood the last time ?—No, I should not.

24,353. Do you know the younger Mr. Dent was requested to stand ; is he a cousin of Mr. Dent ?—That I cannot tell.

24,354. (*Mr. Longe.*) You have spoken of the election having been carried by corruption, what do you mean by "carried by corruption" ?—I mean to say the elections generally in this borough have been carried by corrupt parties in purchasing votes. I have never had an instance brought home to me. I mean that generally speaking they are carried in that way.

24,355. (*Mr. Coleridge.*) Do you not believe that at the last election much more money was spent by the Conservatives than by the Liberals ?—I can hardly give an opinion. I believe so.

24,356. In Mr. Dent's election, did he spend more than Mr. Seymour ?—I have an idea that he did.

24,357. If it should turn out that he spent double what Mr. Seymour spent, should you still adhere to the opinion that the excess was obtained by corruption ?—In this borough I would.

24,358. How do you account for Mr. Seymour beating Mr. Dent ; if Mr. Dent spent double the money would there not be the duke's influence superadded to a certain amount ?—I think there are certain influences that act upon the mind of man that you cannot divest yourself of.

James Wherry sworn and examined.

J. Wherry.

24,359. (*Mr. Bere.*) How long have you been a voter ?—At the last election.

24,360. Was that the first time ?—Yes.

24,361. You have not been long resident in Totnes ?—No.

24,362. Whom did you vote for at the last election ?—Pender and Seymour.

24,363. Did anybody come to you on the other side ?—Oh, yes.

24,364. Who came ?—Colonel Dawkins and Captain Pim.

24,365. Did not Mr. John Heath come to you ?—No.

24,366. Not at all ?—I met him in the road.

24,367. Were you passing down to the "Stars" ?—I was coming round.

24,368. Did Mr. John Heath call you in ?—No, I stopped in the road.

24,369. Did he come out and speak to you ?—Yes.

24,370. What did he say to you ?—He asked me to vote for Colonel Dawkins ; I said I had promised my vote to Pender and Seymour ; he said he would give me 50 sovereigns to vote for Colonel Dawkins, or rather lend it.

24,371. What did you say to that ?—If he gave me double the money I would not go from my word.

24,372. Whom had you promised ?—The candidates themselves.

24,373. Did Mr. Jeffery Michelmore come with them ?—No, he had nothing to do with me at all.

24,374. Did you tell Mr. Heath at the time when he offered you the 50*l.* there was a good deal of money going on the Liberal side ?—I knew nothing about it. I took no notice about the money matters. One could not shut one's ears as to what was going forward.

24,375. Had you seen Mr. Charles Frederick Michelmore about the election ?—No.

24,376. None of them ?—I am quite sure of that.

24,377. Whose house do you live in ?—Mr. Chaster's.

24,378. Did he have nothing to do with your vote ?—No ; he asked no one to vote for himself or anybody else.

24,379. Does he turn anybody out who does not vote with him ?—I know that he employs the Conservative party to do his work.

24,380. Have you any trade or profession ?—No.

24,381. Do you know Mr. Samuel Cuming ?—Very well.

24,382. Did he have nothing to do with the way you vote ?—No, sir. Mr. Samuel Cuming is master of his own horse.

24,383. You and he ride the same horse ?—Yes.

24,384. Does his carry an equal pitch ?—Quite right, sir.

24,385. You did not get anything for your vote ?—No, I should be sorry for it.

24,386. You had no benefit ?—No sir ; I take a pleasure in voting.

24,387. We have heard of people who never wanted or asked, but they found something. Did you ever find anything ?—My chimney is too close for that.

24,388. Is your table too narrow ?—Nobody came into my house that I know of.

24,389. Is there a Mrs. Wherry ?—No, I am sorry to say.

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24,390. Nobody to look after the house in your absence?—Yes.

24,391. Does the lady exercise any influence upon your vote?—No woman in the world could.

24,392. Did not she?—No.

24,393. Do you think any of the Liberal people came to see you?—Not to my knowledge.

24,394. Not with a little present to you?—No.

24,395. Nothing of the sort?—No.

24,396. Neither you nor she ever found anything of the sort?—No.

24,397. No little present?—No.

24,398. Nothing came by post?—No.

24,399. Did not Mr. Charles Frederick Michelmore come up to you on the morning of the election?—Perhaps he did.

24,400. He walked down with you early to poll?—No. I went to the poll by myself.

24,401. Was he walking near?—Oh, no.

24,402. At what time did you vote?—I was the 17th person that voted.

24,403. Had you received instructions to vote?—No instructions from anyone.

24,404. You must have voted before half-past 8?—I dare say that was the time.

24,405. At what time in the morning did you see Mr. Charles Frederick Michelmore?—I do not know really.

24,406. You must have seen him before you voted?—I could not help seeing a person if he came up to my garden.

24,407. What time did he come up?—About 7 o'clock.

24,408. What did he come up for?—To see if I was at home.

24,409. Did he think they might carry you off?—They carried off my gates.

24,410. Who did?—The roughs.

24,411. Was that to make your being carried off the easier?—I do not think that; but they had a lot of donkeys turned into my garden.

24,412. Were they for the Liberals or the Conservatives?—They were no friends of mine.

24,413. (*Mr. Coleridge.*) Were there a lot of voters turned into your garden?—They voted the wrong way for me.

24,414. (*Mr. Bere.*) Before an election have you heard what the usual reason for voting in Totnes was?—I have heard a great deal; I have my own mind. I voted for Plymouth many years for the Liberal side.

24,415. At Plymouth there were no good reasons for voting, I mean good in the sense of Totnes reasons?—I cannot say.

24,416. Have you heard there were solid reasons for voting in Totnes?—I have not.

24,417. Did you say before the election you did not care a pin for who you voted, that you should vote for solid reasons?—Unfortunately it has been mentioned in this hall, since you have had the honour of sitting there, but there never was a greater mistake, I assure you.

E. Shinner.

EDWARD SHINNER sworn and examined.

24,418. (*Mr. Longe.*) What is your occupation?—A currier.

24,419. Are you a master tradesman or a workman?—I work for myself now.

24,420. How long have you had a vote for Totnes?—I should suppose now 14 or 15 years.

24,421. Do you remember the election you first voted at?—Yes.

24,422. For whom did you first vote?—Mr. Dunn, no, Mr. Mackenzie.

24,423. That was in 1857?—Yes, sir.

24,424. Who canvassed you then?—I do not know whether I was canvassed at all. I was for Mackenzie and Gregory.

24,425. Did you get a present for it?—Nothing at all.

24,426. Why did you vote?—Because I felt interested in the men.

24,427. You did not know anything about them?—I was on the Conservative side.

24,428. You were a Conservative then, were you?—Yes.

24,429. In 1852 were you canvassed?—I do not think I was.

24,430. In 1859 whom did you vote for?—I cannot recollect.

24,431. Mr. Dunn was the Conservative candidate?—I voted for Mr. Dunn.

24,432. Who canvassed you for Mr. Dunn?—Mr. Dunn himself.

24,433. After the election did they give you a present?—They did.

24,434. How much was that?—Me and my brother William had 30*l.*, that was 15*l.* each. I took the money over to my brother.

24,435. Who gave it to you?—I do not know, a stranger.

24,436. Where was it given to you?—In my own house.

24,437. A strange gentleman?—I do not know the man.

24,438. Was it Higgins whom we have heard something about in 1859?—I did not hear of him.

24,439. Whom did the stranger come with?—Frederick Evens.

24,440. Had Frederick Evens talked to you before?—I believe he had.

24,441. He had given you to understand if you voted for Dunn you would get something?—Yes.

24,442. Were you canvassed on the other side that time?—I do not think I was.

24,443. You forget then?—I do not believe I did.

24,444. In 1862, when Mr. Dent first stood, he was a Conservative, do you remember being canvassed at that time?—Yes.

24,445. Whom by?—Mr. Dent.

24,446. By Mr. Pender?—I was not.

24,447. Who came with Mr. Dent?—Mr. Edmonds.

24,448. Whom did he see when he called?—I promised to vote for Mr. Dent.

24,449. You got something?—I did not; I did not vote at all that time.

24,450. Were you told to go to the "Stars" and see Mr. F. Evens again, and did you not?—He did not come again.

24,451. Did you not go down to the "Stars" on the night before the election?—No, not that time.

24,452. Did your wife go?—Nor my wife.

24,453. You did not go at all?—No.

24,454. There were a great many disappointments at that time?—I do not know.

24,455. You were disappointed?—I was not.

24,456. Were you going to give your vote for Mr. Dent?—For Mr. Dent.

24,457. The election after is 1863, it was Dent again?—I promised him then, and I had 25*l.* for my vote.

24,458. Who gave it to you?—I received it of Frederick Evens.

24,459. On the other side were you canvassed for Mr. Seymour that time?—I do not know; if I was I never saw him. He may have called at my house.

24,460. Do you not remember being asked to vote for Mr. Seymour?—I do not.

24,461. Not by anyone?—He may have called on me since I was from home.

24,462. Your wife, was she at home; did they not talk to her about your vote?—They may, I cannot tell.

24,463. She did not tell you anything about it?—No.

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E. Shinner.

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24,464. You did not hear that any money could be got from Mr. Seymour?—I did not.

24,465. In 1865, the last election, who did you vote for then?—Colonel Dawkins and Captain Pim.

24,466. Who canvassed you?—Colonel Dawkins.

24,467. Who was with him?—I cannot tell you; I think Mr. Edmonds.

24,468. Did Frederick Evens call again?—No, he did not.

24,469. What did you get this last time?—Nothing for voting.

24,470. Nothing at all?—Not for voting.

24,471. Did you not see Screach?—I did not.

24,472. You saw Mr. Heath, I think?—I saw Mr. Heath on the Saturday week before the election.

24,473. I think you had a little transaction with him about your house?—Yes; I saw Mr. Heath at the "Plymouth" inn. I sold him my house at the "Plymouth" inn, and he gave me one sovereign in earnest.

24,474. And how much deposit?—I promised to meet him at Mr. Bryett's office in the course of the afternoon, between 3 and 4 o'clock, which I did.

24,475. He was present?—He was not; his clerk was there.

24,476. Who was that?—Mr. Narramore.

24,477. Who were the parties, Mr. Heath and Mr. Narramore?—My son was there with me. I sold him the property for 400*l.* I would have an agreement drawn and signed, but Mr. Heath said he would give me a sovereign now, and he would give me a cheque for 39*l.* afterwards, and that was to close the bargain. I took the rest of the money. I sold it as a *bonâ fide* bargain. I think he turned out an ungentleman-like man. 400*l.* I was to have.

24,478. You only got 40*l.*?—I got the 40*l.*, and Mr. Heath had a property worth 400*l.*

24,479. (*Mr. Coleridge.*) Why not sell it now for 400*l.*?—I would sell it to any man, or to you, if you please.

24,480. You got 40*l.* for nothing?—He backed my sale.

24,481. (*Mr. Bere.*) He was not the only person who offered you 40*l.* for your house, was he, at the last election?—I might have sold it to another party.

24,482. Who was that?—I might have sold it to Mr. Michelmore.

24,483. Which Mr. Michelmore?—Charles Frederick Michelmore.

24,484. He was going to give 400*l.* too?—Yes.

24,485. Why did you not take it?—I like dealing with honest men. I do not like dealing with rogues.

24,486. (*Mr. Coleridge.*) You thought Mr. Heath was a more honest man than Mr. Michelmore?—I do not mean to say that he cannot be a right man.

24,487. How did you deal with Mr. Michelmore?—I agreed with him for 400*l.*

24,488. How did you begin; did you publish the sale of your house?—There had been papers up about the sale a long time. Mr. Michelmore went down to Mr. Bryett's, and I received a letter from Mr. Bryett to go down and sign the contract.

24,489. You mean that Mr. Bryett was to sell the house for you?—Yes.

24,490. Did you instruct Mr. Bryett or Mr. Narramore to sell your house?—Mr. Bryett himself.

24,491. And you went down with Michelmore?—I received a letter from Mr. Bryett to meet Mr. Michelmore at his office at 1 o'clock on Saturday. I went there; I was there twice and Mr. Michelmore was not there. I went away and sent down my son to say as he had not attended the purchase was voided.

24,492. (*Mr. Bere.*) When you went to Mr. Bryett's with Mr. Heath, had Mr. Bryett anything to do with it? Did he tell you, you had agreed to sell it to Mr. Charles Michelmore? The sale between yourself and Mr. Heath you, know, was no more than a corrupt bargain for your vote. Have you paid back that 39*l.* to Mr. Heath?—No, the money was forfeited at the time he told me.

WILLIAM VALLANCE sworn and examined.

W. Vallance.

24,493. (*Mr. Coleridge.*) What are you?—A licensed hawker and marine store dealer.

24,494. Where do you live?—Leechwell Street.

24,495. How long have you been a voter for Totnes?—The last election was the first.

24,496. What did you vote upon?—Upon a house, garden, and stable.

24,497. What did you pay for it?—14*l.* and repairs.

24,498. How did you vote at the last election?—For Colonel Dawkins and Captain Pim.

24,499. Who canvassed you?—Colonel Dawkins.

24,500. Who came with him?—Mr. Edmonds.

24,501. What did Mr. Edmonds say?—Mr. Edmonds did not say anything more than that he came with Colonel Dawkins.

24,502. Did you say at once you would vote, or that you must think about it?—I said at once, I promised him my vote.

24,503. What did you get for your vote?—50*l.*

24,504. Who gave it to you?—Mr. Heath.

24,505. Where?—At the "Seven Stars."

24,506. Was it No. 1, the first door on the left?—No, it was on the landing.

24,507. What did he give it to you in?—Gold.

24,508. Was it loose?—Yes.

24,509. He counted it out?—Yes.

24,510. There was no bag?—No bag.

24,511. You put it loose in your pocket?—Yes.

24,512. Were you offered anything by Mr. Pender's people?—No.

24,513. Did not Mr. Michelmore offer you anything?—He did not call on me at all.

24,514. You got your 50*l.* and went and voted?—Yes.

24,515. Do you know a woman called Mrs. Grace Tucker?—Yes.

24,516. Do you know a man called Crawford?—Yes.

24,517. Do you know that she was attending Crawford when he was ill, just about the election time?—I heard that Grace Tucker was attending of him.

24,518. Attending Mrs. Crawford?—Attending Mrs. Crawford.

24,519. Have you voted at the municipal council elections?—Yes.

24,520. What did you get there?—I never got anything but once.

24,521. When was that?—It will be three years ago now.

24,522. What did you get then?—I was going off to my business, and I would not stop at home unless I was paid for loss of time.

24,523. How much?—30*s.*

24,524. Which way did you vote?—For the Tory party.

24,525. Who told you to go and get this 50 sovereigns?—No one did not tell me to go.

24,526. How came you to go there?—Why, Frederick Evens I met in the evening; no one had not been to me. I met him in the lane, and he asked me whether anyone had been to me, and I said no one had been to me.

24,527. What do you mean? Had not Colonel Dawkins and Mr. Edmonds been to you?—Yes. He asked whether any of the party had been up that day.

24,528. What party?—The Tory party.

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J. Vallance.

Sept. 1866.

24,529. But Colonel Dawkins and Mr. Edmonds had been ?—Yes.

24,530. You did not consider that they were anybody ?—This was the day before the nomination.

24,531. Nobody had been that day ?—That day.

24,532. And you told him that nobody had been ?—I told him that no person had been.

24,533. What did he say then ?—He asked me to go along with him, and I went down to his house, and he asked me to ride down in the cab with Stoyle, and I did so.

24,534. You went to the "Seven Stars"?—Yes.

24,535. What did you do ? Did you go and tell Mr. Heath that he was to give you something ?—No. Mr. Heath said there was something for me.

24,536. When had you first been promised anything ?—Not till that same evening.

24,537. Who promised it to you ?—Evens.

24,538. Had you ever asked for anything before ?—No, nothing.

24,539. Did you know you were going to get something to vote ?—I did not get a farthing for it.

24,540. You would have been very disappointed if you had not ?—No.

24,541. Had you been employed at former elections as a watcher, or anything of that sort ?—No.

24,542. Do you know anything more about the election ?—No.

24,543. Do you know anybody else who got money ?—No.

24,544. Nobody has told you that they got money ?—No.

24,545. Nobody has offered you money ?—No, no one else did call on me.

S. Saunders.

SAMUEL SAUNDERS sworn and examined.

24,546. You are a bootmaker living at Totnes ?—Yes.

24,547. And you voted for the first time in 1863 ?—Yes.

25,548. For Mr. Dent ?—For Mr. Dent.

24,549. Your politics not being very well known at that time, you were made pretty secure then, were not you ?—I was not promised anything.

24,550. But you were given something ?—Yes, 40*l.*

24,551. Who gave you it ?—Mr. John Heath, the young one ; he stated it to-day.

24,552. Were you taken away with Wm. Reeve ?—That was the time before. I was not taken away, I went voluntarily.

24,553. Where did you go to in 1862 ?—Exeter.

24,554. Who paid your expenses ?—I paid my own.

24,555. Did you want to vote at that election ?—I was not asked to vote.

24,556. What made you go to Exeter then ?—I I went off on the spree.

24,557. Did anybody help to pay the expenses of the spree ?—No.

24,558. Nobody at all ?—About a fortnight after a little parcel was sent me containing 5*l.* for services rendered.

24,559. Was that for the services you rendered on the spree ?—I do not know. I paid my own spree.

24,560. Did the spree cost you 5*l.* ?—No, I made a little out of it.

24,561. In 1865 you voted for Colonel Dawkins and Captain Pim ?—Yes.

24,562. How much did you get for that ?—I was paid a week's work.

24,563. How much ?—20*l.*

24,564. Are you a master shoemaker ?—Yes.

24,565. Who paid you ?—George Heath.

24,566. At your own house ?—No, at his office ; he engaged me there the week before.

24,567. How many pairs of shoes did you make him ?—None.

24,568. What were you engaged at ?—I was out in the evening.

24,569. Doing what ?—Looking about.

24,570. You made your boots and shoes in the day and canvassed in the evening ?—No, I do not suppose I did anything all the week.

24,571. Did you give him an I. O. U. for it ?—I do not think I did.

24,572. (*Mr. Coleridge.*) Did you ever get 20*l.* in your life for a week's work before ?—I do not think I have earned as much as that. I have had nearly as much in my business.

24,573. You know you were bribed with the 20*l.* ?—I do not call it a bribe.

24,574. (*Mr. Bere.*) Is that your writing (*handing an I. O. U. to witness*) ?—I think it is.

24,575. Having seen that paper, do you still say you got 20*l.* for a week's work ?—I have not the least recollection of giving that.

24,576. Is that your writing ?—No, I know it is not my writing. I do not think really it is my handwriting.

24,577. Look at it again ?—I would not tell an untruth.

24,578. Look at the signature ?—I cannot positively swear it is my writing.

24,579. Could you swear that it is not ?—No.

24,580. Write your name (*the witness wrote his name* ?)—I do not recollect ever doing it. I would not swear it is not my writing. I do not know whether it is or no. I do not recollect giving him that for it.

24,581. Now, having looked at that, and seen the I. O. U., do you still say that George Heath paid you that money for a week's work or for your vote ?—He did not say anything about vote. He said, "Here is "20*l.* for you."

24,582. He did not say anything about a week's work either ?—No ; he said, "I want you to be "looking about this week, and you will have some-"thing for it."

24,583. (*Mr. Coleridge.*) You got 20*l.* for your week's work ?—Yes.

24,584. And your vote ?—Yes.

24,585. (*Mr. Bere.*) Do you know Reeve ?—Yes.

24,586. Did you live next door ?—Yes, I did then.

24,587. Did you ever talk to Reeve after the election ?—This last election I think I did.

24,588. Did he vote the same side as you did ?—No, he voted for Pender and Seymour.

24,589. Did he tell you why he did not vote on the same side ?—No, I do not think there was much said about election ; directly after he came from the election he came by the house and said, "Is Sam made "all right ?"

24,590. That was you ?—Yes. I was in the back kitchen at the time, and he said, "If he is not he will "not be." He says, "I have made mine."

24,591. Did he say that to Welch ?—Yes, he said that to Welch.

24,592. Was that the old one who is dead, or the young one ?—The young one who is alive now. I did not hear all of it, but just that bit. I was in the kitchen.

24,593. Were not you curious enough to find out how much he had been made all right with ?—He said he had had 40*l.*

24,594. Did anybody come to you on that side ?—No.

24,595. Did not Reeve come and ask you to vote ?—No.

24,596. How was it that he came to think you would be made all right on that side ?—Because we had been paid at the previous election.

24,597. By the Liberals ?—No, the Conservatives, he voted for then.

24,598. Who paid this 40*l.* ?—Mr. Heath paid it.

24,599. Did you see Mr. Seymour at the last election ?—Yes.

24,600. Did Mr. Seymour promise you anything ?—He said I had better come to London to work, and

he would give me all his work and get more for me, and he said he paid a very good price for his work.

24,601. When did he say that?—A day or two before the election.

24,602. (*Mr. Coleridge.*) Did you ever do work for him?—No.

24,603. Did he not only make you this offer by word of mouth, but send you down something to sign?—That was about a month before the election. I wanted to give the business up if I could; and my uncle once got me a situation, and I thought I could get one better when I had a vote, and I asked him a long time before the election.

24,604. Mr. Seymour?—Mr. Holman.

24,605. Is he your uncle?—I say my uncle got me one once; Mr. John Angel, the cabinet maker, he got me one once.

24,606. How long ago?—Through Mr. Mills, nine years ago. He got me a place in the Post Office, but I did not pass; I went to London, but did not pass when I got there.

24,607. Did you see Mr. Holman?—Yes, I saw Mr. Holman, and said, "If your party could get me a "situation I would support the Liberal side;" and he said, "Very well, I will see what I can do." And in a day or two there was a letter came down to say that Mr. Seymour would get me an appointment, and then one or two letters passed, and there was an appointment to a situation in the Liverpool Custom Office.

24,608. Could not you pass?—My age was too much.

24,609. Have you that letter?—I have it at home.

24,610. Will you let us see all those letters?—I have no letters; Mr. Holman had the letters.

24,611. Did you sign anything then?—No, I did not sign nothing.

24,612. (*Mr. Coleridge.*) Were not you sent a paper to sign?—No, a printed form that I was to apply to the nearest port, but my age was too high, and it was no use trying for it.

RICHARD TILLEY sworn and examined.

R. Tilley.

24,613. (*Mr. Longe.*) What is your occupation?—I am grocer.

24,614. How long have you had a vote for Totnes?—Ten or a dozen years or more.

24,615. You voted in 1859, I think, for Mr. Dunn?—Yes.

24,616. Did you vote before that?—I think I voted for Mr. Baldwin.

24,617. Did you ever vote for a Liberal candidate?—No, I believe not. I have only voted on one side, I think.

24,618. Always for the Conservatives?—Yes.

24,619. You are sure of that?—I think so.

24,620. Do you remember the election of 1859, when you voted for Mr. Dunn?—Yes.

24,621. Did they give you anything afterwards?—No.

24,622. Nothing at all?—No.

24,623. Now, in 1862 Mr. Dent first came; who did you vote for then?—I did not vote at all.

24,624. Who did you promise your vote to?—Mr. Dent.

24,625. Did you get anything?—I did not vote at all the first time.

24,626. Who did you promise it to; who canvassed you?—Mr. Dunn and Mr. Edmonds.

24,627. But who in 1862?—Mr. Dent and Mr. Edmonds.

24,628. Were you canvassed on the other side?—They called round.

24,629. Who called?—I believe both parties called. I did not see them; was not at home at the time.

24,630. In 1863, whom did you vote for then?—Mr. Dent.

24,631. Did he give you anything afterwards?—He gave me 20*l.*

24,632. Who gave you the 20*l.*?—Mr. George Heath.

24,633. Who promised you the 20*l.*?—Was never promised at all.

24,634. Who canvassed you for Mr. Dent?—Mr. Edmonds and Mr. Dent.

24,635. Did not Mr. Edmonds give you to understand?—No, he never told anything about it.

24,636. When you promised your vote did not you expect anything?—I never said a word about it.

24,637. You promised your vote, and never said a word about it?—No.

24,638. How came they to give you any money?—I do not know.

24,639. In 1865, do you remember, were you canvassed on the other side?—Yes, they were there on the other side, but I was not at home to see them.

24,640. Do you mean to say they did not canvass you personally?—No.

24,641. Was your wife at home?—Yes.

24,642. Did they ask her about your vote?—I dare say they did; they called there.

24,643. Who called?—Mr. Pender.

24,644. Who called with him?—I do not know who was the man.

24,645. Do you remember Samuel Parnell calling?—Not with them.

24,646. When was it he came?—He was there every week at my house, or two or three times a week.

24,647. He is a friend of yours?—Yes.

24,648. Whom did you vote for this last election, 1865?—Colonel Dawkins and Captain Pim.

24,649. What did they give you this time?—Nothing at all.

24,650. Who canvassed you?—I was not at home when Colonel Dawkins called, but I saw Commander Pim myself down at the "Stars."

24,651. But whom did you see besides?—I saw Mr. Edmonds.

24,652. Did you see Mr. Heath?—No, Mr. Heath never said a word to me.

24,653. You never saw Mr. Heath?—No.

24,654. Did you see Mr. George Heath?—This last election?

24,655. Yes.—No, I never spoke to him that I remember.

24,656. Was there no promise made to you by any of the Heaths?—No, not this last election.

24,657. Not of 20*l.*?—No.

24,658. (*Mr. Bere.*) Do you know Clarke, the man who was waiter at the "Seven Stars"?—Yes.

24,659. Did not you tell him you had been treated very badly, because Mr. Heath had promised you 20*l.* and kept it himself?—Yes.

24,660. You are quite sure about that?—Yes.

24,661. Are you the only voter called Tilley in Totnes?—I believe so.

24,662. Did not they offer you any money at all?—No.

24,663. Did you go and see whether you could get any money?—No; I do not think I went inside the "Stars" during the last election.

24,664. Did anybody come to see you about it?—No.

24,665. Did you meet them accidentally in the street?—No.

24,666. Or find a packet on the table?—No.

24,667. Or in the chimney corner?—No.

24,668. (*Mr. Longe.*) Did you ever complain to anybody this last time?—No.

24,669. You got paid before, and you thought to have something this time?—Never but once in my life.

24,670. (*Mr. Bere.*) Why did not you get it this time?—I did not know anything was about.

24,671. What, did not you hear money was about?—I heard more than I heard before.

24,672. If you had known money was about you would have gone and asked?—I never went.

24,673. But if you had known it you would have

NINETEENTH DAY.

R. Tilley.

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gone and got some money?—Yes, perhaps I should, if I had known where it was.

24,674. (*Mr. Longe.*) Was it this last election that Mr. Parnell was speaking to you?—No.

24,675. When was he speaking to you about voting?—No, he knew I never voted on that side.

24,676. Did he try?—He never promised me anything in his life.

24,677. Had he told you you could get something?—He never said a word about money; he asked me to vote on the other side.

G. Mitchell.

GEORGE MITCHELL sworn and examined.

24,678. (*Mr. Bere.*) What are you?—A painter.

24,679. A master painter?—No, a journeyman.

24,680. Did you work for Crawford?—I worked with him.

24,681. Do you remember, some time when he was working with you, talking to him about his vote?—Yes, we have talked about it many times; we used to talk and chaff about it pretty much.

24,682. Did you chaff about it at the last election?—No, I had nothing at all to do with the last election.

24,683. 1863?—Yes.

24,684. Had Mr. Frederick Evens told you to chaff him?—No, we had talked about it some weeks before.

24,685. Did you ask him when working with him how he was going to vote?—Yes.

24,686. What did he say?—He said he did not know hardly, and that a trifle would do him good.

24,687. Did you communicate that to George Frederick Evens?—I did.

24,688. And having done that, did Evens tell you you might offer him some money?—Yes.

24,689. How much?—50*l.*

24,690. Did he give you the 50*l.* to take down to him?—Yes, I took it up to his house.

24,691. In gold?—Yes.

24,692. Where did you take it to him?—His own house.

24,693. Was he at home when you got there?—Yes, and his wife as well.

24,694. Did you show him the 50*l.*?—I did.

24,695. Then what did he say?—He called me outside the door, and said if I would get 10*l.* more he would vote for Mr. Dent and give me 50*s.* out of it, and I went and got him the 10*l.* more.

24,696. Did he vote for Dent?—No.

24,697. Did he give you the 50*s.*?—No.

24,698. Did he take the 10*l.*?—I showed it to him, but he would not have it.

24,699. Did you carry back the 60*l.* to Evens?—Yes, I did.

24,700. Who was there at the time?—George Stoyle; he was sitting one side the fireplace and I the other.

24,701. And did Crawford and Stoyle go to the "Seymour Arms" immediately afterwards?—Yes, and his wife's brother.

24,702. What was his name?—I do not know the name. I heard Crawford say it was his wife's brother, and I heard young Hill was in the "Stars" the same time I was there.

24,703. Have you ever talked to Crawford about the money you offered him at that time?—Yes, we have talked about it several times. He said he was stupid he had not had it. He said if ever he had the chance again he should be wide awake, or something to that effect; I cannot tell the words exactly.

24,704. Do you know yourself anything about the elections besides that?—No, I never interfered.

24,705. Did you ever offer money to a man called John Diggins?—No, never had anything to do with any election, and should not then if we had not worked together.

24,706. (*Mr. Bere.*) Have you voted for the elections to the council?—No, I never had a vote.

E. R. Turpin.

EDWARD RANDELL TURPIN sworn and examined.

24,707. (*Mr. Bere.*) How long have you voted for Totnes?—Ever since 1832, when the Reform Bill passed.

24,708. Have you voted at every election?—I voted at every election on the Liberal side till 1862.

24,709. And then for the first time you deserted?—Yes.

24,710. And did you desert them in consequence of some inducement from Mr. Screach, junior, being presented to you?—What I left them for was the bad behaviour of Jeffery Michelmore in taking away my work.

24,711. What are you?—A carpenter.

24,712. Did he take away your work?—Yes; after he came into a little power he began to show it.

24,713. He did not like you?—No.

24,714. Why?—I do not know, I never did any harm.

24,715. He liked somebody better?—I suppose so.

24,716. Whom did he give his work to?—A young man of the name of Elliott.

24,717. Son of John Elliott?—No, son of William Elliott; his father is dead.

24,718. Whom did you vote for after that?—I was going to vote for Mr. Dent in 1862.

24,719. Had you been promised anything in 1862?—Frederick Evens came over, but there was no arrangement made; he led me to believe there would be something.

24,720. You did not come to any sum?—No.

24,721. You voted for Dent in 1863?—Yes.

24,722. What did you get?—50*l.*

24,723. Who gave it to you?—Screach.

24,724. Where did he pay it to you?—At Thomas Mitchell's, Bridgetown.

24,725. Had you made an appointment to meet him there?—I do not know that I had, he called me ther I think.

24,726. Did he pay it before the election?—Yes, three or four days before the election.

24,727. Were there other people to be paid besides you there?—Yes.

24,728. Who?—Thomas Mitchell, Joseph Hannaford. I do not know any more but Diggins, I think he deserted.

24,729. Did Diggins and you get 50*l.* a piece?—Yes, but he voted differently afterwards.

24,730. Was it given to you in little bags, or counted out to you?—Counted out.

24,731. Whom did you vote for in 1865?—Colonel Dawkins and Captain Pim.

24,732. Did you sign the requisition?—I believe I did.

24,733. How much did you get for your vote in 1865?—60*l.*

24,734. From Mr. Frederick Evens?—No.

24,735. Who?—Screach brought it. I did not know what I was going to have before he brought it.

24,736. Did he bring it to your house?—No.

24,737. Where?—Joseph Hannaford's.

24,738. That was the place of payment in 1865?—Yes, he met me in the street.

24,739. Had he arranged with you that you were to have something?—Before?

24,740. Yes.—Certainly no arrangement made; I did not know what I was going to have till he brought it to me.

24,741. In 1863 were you turned out of land you held of the Duke of Somerset?—Yes.

24,742. Did you go and see Mr. Thomas Michelmore about it?—I will show you a letter I had from Mr. Michelmore, and he promised to see me again.

(*Handing in a letter of the 28th September* 1863 *to enforce the yielding up of possession.*) I did not know he was going to turn me out because he said he would see me again about it.

24,743. When did he give you notice?—Lady day.

24,744. Why, did he tell you?—Yes, because I voted against them.

24,745. Did he tell you that he turned you out not only because you voted against them, but because you had been bribed to vote against them?—I do not know anything about that. I dare say he knew I got the money, but then he offered me the same money if I would turn again.

24,746. Who offered you that?—Mr. Cross, the senior clerk; he came up to me several times and asked me to turn again, and said he would give me the same money to break my promise and turn again. I told him I would not if he gave me 500*l.*

24,747. When did he offer you that?—Cross came up, I think, the night before the election.

24,748. Dent and Seymour's election?—Yes.

24,749. He offered you 50*l.*?—Yes; he offered me the same money as I had got from them to pay it off, if I would turn and vote for them.

24,750. He learned you had 50*l.* on the other side?—Yes.

24,751. Did anybody offer you anything in 1865?—No. I was never canvassed, because they knew it was no good.

24,752. Is Mr. Cross living in Totnes now?—I believe he is; I do not know that he is. He is clerk of the chapel of ease at Bridgetown; his christian name is Richard.

24,753. As long as you got work from the Liberal party you voted for them?—Yes, and I should never have turned against them if they had behaved as they should have done.

24,754. As soon as you lost the work you intimated you should vote against them?—They have never paid me my expenses attending the election, or anything.

JOHN HENRY TOPE sworn and examined. *J. H. Tope.*

24,755. (*Mr. Longe.*) What is your occupation?—A baker.

24,756. How long have you had a vote for Totnes?—Since the last election for the borough.

24,757. Only since the last parliamentary election?—Yes.

24,758. Whom did you vote for?—Colonel Dawkins and Captain Pim.

24,759. Who canvassed you?—Colonel Dawkins and Mr. Edmonds.

24,760. Who canvassed you on the other side?—Mr. Pender; I do not know who the other gentleman was.

24,761. You got something afterwards at the "Seven Stars," did not you?—Yes.

24,762. What was it?—Ten 5*l.* notes.

24,763. Who gave it you?—Mr. George Heath. I beg pardon; I was going up Mill Lane, I had promised Colonel Dawkins my vote, and I was going up to the "Seven Stars" bar, and Mr. George Heath ran against me, and he says, "Here, I want to see "you." He says, "I have 50*l.* for you." I says, "I should like to have it." And he says, "If you "come over in a few hours time you shall have it." I did not go over before the evening, and Mr. John Heath paid it to me.

24,764. Had no one told you beforehand you would get that from the Heaths?—Never; not a single word about it.

24,765. That was the first time you knew there was any money at all?—Yes.

24,766. Had not you given anyone to understand that you wanted some?—No, not a word.

24,767. This was Mr. George Heath?—Yes.

24,768. He told you to come down, and Mr. John Heath gave you the money?—Yes.

24,769. How did he give it you?—In ten 5*l.* notes.

24,770. What day was it? "Two days before the "election he came to our house and received a bag "from Mr. Mum." You do not remember anything about that?—He is a liar if he says so.

24,771. He gave it to you himself?—He did; he gave me ten 5*l.* notes.

24,772. You never saw Mum or the bag?—No, I do not know Mr. Mum any more than you.

24,773. (*Mr. Coleridge.*) Did you see any stranger?—No, only George Heath and his father.

24,774. (*Mr. Longe.*) Were you canvassed by the other side?—Yes.

24,775. Whom by?—Mr. Pender.

24,776. What did you tell him?—That I should not vote for him.

24,777. Did you give any reason?—No.

24,778. You told him plump that you would not vote for him without any reason at all?—Yes.

24,779. Who was the gentleman who was with him?—I cannot say now, really.

24,780. I want you to tell us?—I do not know him.

24,781. Did you ever see the gentleman before?—Yes; he is, of course, one of the gentleman in the town.

24,782. Was it young Mr. Windeatt?—No, I do not think so.

24,783. Was it Mr. Parnell?—No.

24,784. Was it Mr. Chaster; was it Mr. Jeffery Michelmore or Mr. Pengilley?—Oh! no.

24,785. Who was he; you must know?—Upon my word I really do not know.

24,786. (*Mr. Bere.*) Did anybody give you any reason for voting for Mr. Pender?—No.

24,787. Did he promise you anything?—No.

24,788. Did he offer you anything?—No.

JOHN WATSON sworn and examined. *J. Watson.*

24,789. (*Mr. Coleridge.*) What are you?—An innkeeper.

24,789*. What is the name of your inn?—The "Lord Nelson."

24,790. Where is it?—At the lower part of the town.

24,791. In 1863 do you recollect the election?—Whose was that?

24,792. Seymour and Dent?—The first time I voted it was for Dent.

24,793. Did you vote for Mr. Dent?—Yes.

24,794. What did you get?—Nothing.

24,795. Did you have a party at your house and the bill paid?—No.

24,796. When was the first time that you had a bill paid for the Parliamentary elections; was that in 1863?—I never had a bill paid.

24,797. Did not you have a bill paid of 6*l.* or 7*l.*?—For the town council election, about 26*l.* or 27*l.*

24,798. When was that?—In Dent's election, the election following; the second time Mr. Dent came here.

24,799. Who paid it?—Mr. John Heath.

24,800. Then you voted for Mr. Dent?—Yes.

24,801. Do you know a man called Rolstone?—Yes.

24,802. What had you to do with him at the last election?—I sent a letter to Bath.

24,803. Anything in it?—No.

24,804. What did you say in the letter?—The only thing I stated was, "If you will come down I "will see that your expenses are paid forward and "back."

24,805. Did you get his expenses?—I did.

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24,806. From whom ?—Mr. John Heath.

24,807. Is Rolstone a near relation of yours ?—No, Samuel Rolstone and me are great friends.

24,808. You are both tenants of John Heath ?—No ; when my missus goes away she goes and stays at Bath.

24,809. At the last election had you any bill paid ?—No.

24,810. Not a bill of 5*l.* or 6*l.* ?—No, not a farthing ; did not ask for it.

24,811. Did nobody offer you anything ?—Neither Mr. Pender nor Mr. Seymour.

24,812. Did Mr. Heath ?—No.

24,813. Mr. Screach ?—No.

24,814. None of the Heaths ?—No.

24,815. Frederick Evens ?—No.

24,816. Nobody offered you anything ?—No, not a farthing.

24,817. Did you have a present sent you after the election ?—No, never got a farthing.

24,818. All you got was a bill run up at the municipal election paid in 1863 ?—Yes.

24,819. Are you sure that no bill was paid in 1865 ?—No.

24,820. After the election of 1865 did Mr. Heath pay you any bill for liquor had in your house ?—No, I never asked him for anything.

24,821. You keep the "Lord Nelson" ?—Yes.

24,822. Is there a man of your name keeps the "Oxford Arms" ?—No, that is Goodman.

24,823. Mr. Heath says you kept the "Oxford "Arms" ?—That is not the case; I never kept the "Oxford Arms."

24,824. Were the watchers allowed to come to your house, and were you paid the bill ?—No.

24,825. In the printed poll book you are put down as of the "Oxford Arms." Have you changed the name of your inn ?—Never ; it is a mistake.

24,826. Has it been the "Lord Nelson" as long as you have been in it ?—Yes.

W. Byne.

WILLIAM BYNE recalled and further examined.

24,827. (*Mr. Bere.*) Is your memory better than it was ?—A little.

24,828. Have you not sent all those notices at the instigation of the Liberal party ?—I saw Worthy, and I believe the first words that were said were, "Good evening," and he asked if I had been objected to, and I said, "No, I do not think I have been "objected to." And then he asked me if I would sign some notices, and I said I would if he would find the papers. And he said, "I shall see you again," and he came to me again in the night ; and he said if I would came to Mr. Windeatt's office the next morning the papers would be ready ; and I went.

24,829. What did you do then ?—I signed a lot.

24,830. In Mr. Windeatt's presence ?—No.

24,831. He made out the papers ?—No, the clerk made them out.

24,832. What is his name ?—I do not know.

24,833. What are you going to get for that ?—Nothing ; I never made any bargain.

24,834. You know perfectly well that you are to get something ?—No, I never expect to get anything. I went to Mr. Windeatt's office to inquire, but I did not see him. I went to see him to give you a full explanation.

24,835. What land have you got now ?—That you heard so much about from Mr. Harris.

24,836. What have you got now ?—I have got that, two fields belonging to the Duke of Somerset.

24,837. How much do you pay for those two fields ?—One 16*l.* and all outs, and the other 17*l.* and all outs.

24,838. Is that the full value of them ?—Yes.

24,839. That you swear ?—For the one I took first I took at the same rent as the former tenant.

24,840. Who was the former tenant ? — Joseph Adams.

24,841. How many acres are there in the two fields ?—The one I took first was called five acres, but there is a piece let off, and it does not come up to five acres.

24,842. Is that the field you give 16*l.* for ?—Yes.

24,843. What is the acreage of the other ?—Three acres and three quarters. I will tell you in a moment.

24,844. Are the fields next each other ?—In the Sharpham Road.

24,845. Are they the same sort of soil ?—Yes, but one has plenty of water and the other has none.

24,846. Which has plenty of water ?—The biggest.

24,847. How is it that 17*l.* for the smaller and 16*l.* for the other ?—One is a much more level field.

24,848. Are they both pasture fields ?—Yes.

24,849 Have you got the receipts for the rent ?—Not here.

24,850. When did you first take the field ?—The big field I first took possession of the latter part of February, but it was an understood thing that I was to pay the rent to Michaelmas, because there was a good bit of grass, and I was to pay the rent in consideration of the grass.

24,851. Were you not let that field because you voted for the Liberals at the last election ?—No.

24,852. Do you mean that Mr. Michelmore would have let you the field if you had not voted ?—I think he would let anybody a field now ; there is an alteration in the times from what it was.

24,853. You pay a rent of 16*l.* for five acres of land ?—Yes.

24,854. How much money did you get at the last election ?—None.

24,855. Your wife ?—No, my wife never interferes.

24,856. How do you know that ?—She never told me, and I do not think it is likely.

24,857. What do you mean by being a contractor ?—I take work by contract.

24,858. You are a scavenger ?—Yes.

24,859. Have you got horses and carts ?—I have got one ; I had more before.

24,860. How long since you had more ?—I sold one after the last election.

24,861. Was that in consequence of not getting anything ?—No, because Mr. Bryett, who I used to do a lot of work for, turned me off his work.

24,862. Mr. Michelmore took you on ? — Not exactly.

24,863. He has given you a great deal of work ?—That was by tender.

24,864. Where is that job ?—It is at Blackawton.

24,865. How long did it last ?—About a month.

24,866. How much did you get paid for that ?—I do not know.

24,867. How long was the job to last ?—I had several horses and carts.

24,868. How long did you work at that job ?—About a month.

24,869. How much did you get for it ?—I cannot recollect.

24,870. Yes you can ?—I am sure I cannot.

24,871. How many hogsheads of lime did you draw ?—I cannot say, two at a time.

24,872. How much money did you get for them ?—I think I had some 100 and odd hogsheads.

24,873. How many odd hogsheads ?— I do not know.

24,874. Yes you do, and you'll have to sit there again till you remember ?—I really cannot tell you now from memory.

24,875. How much money did you get ?—I cannot say.

24,876. Was it 20*l.* ?—I cannot say.

24,877. Was it 25*l.* ?—I cannot tell ; I do not know whether I have it in my pocket-book.

24,878. How far is it from Blackawton ?—I think somewhere about 11 or 12 miles. I drove the lime from Cornworthy to Blackawton.

24,879. How many journeys did you take in a day?—Only two.

24,880. That is four hogsheads of lime a day?—Yes.

24,881. Let us look at your pocket-book?—It is only some memorandums.

24,882. That is what we want to see?—There it is, but there is nothing in it.

24,883. We will keep it till to-morrow morning?—There is something in that how to manufacture voters.

24,884. (*Mr. Longe.*) Where did you spend the evening before the election?—Home.

24,885. What time did you go home?—Perhaps about 6 or 7 o'clock.

24,886. Were you not at the "Seymour" hotel?—Not until after I voted.

24,887. Who was it went to the "Seven Stars" to see Captain Pim?—I do not know; I did not.

24,888. You remember the story about that?—I do not know anything about the story. I did not go to the "Seven Stars" till the next morning, but I was afraid I might have a little drop too much of "all nations."

24,889. You went there the next morning?—Yes; I saw Mr. Kellock and Mr. John Heath, and Mr. Kellock said I ought to remember that on the morning of the election I said I would not vote for the Conservatives unless they would give me another lease of the land.

24,890. You signed the requisition?—That signature was got from me by false pretences.

24,890*. You said on the last occasion it was a forgery?—I do not know that.

24,891. What is a false pretence?—I can prove it by witnesses, by my wife and daughters, Mr. Harris came about the requisition, for me to sign the requisition for Mr. Dent, I first objected to it, and I said if I signed the requisition I should be liable to vote, and he said "Oh no, not at all." I would not be liable to vote, but being a tenant of Mr. Dent's that I ought to sign it, and I would wish you to sign it more than any person, I said I will sign a requisition and understand if Mr. Dent comes I will give him one vote and the other vote I will do as I like with.

24,892. Why didn't you keep your promise?—Mr. Dent did not come, Mr. Harris came, and said he was in a hurry. "I have several places to call at to-" night and if you will clap your name down there," pointing, "that will do"; and I understood that it was for Mr. Dent.

24,893. That is not the requisition we are speaking of?—But that is the requisition I am speaking about; I only signed one.

24,894. Your name is not on the requisition to Mr. Dent?—That is the way he took me in, and if you like you can call my wife and daughters.

24,895. We do not doubt your word on that.—When Mr. Dent did not come I thought I was relieved from my liability.

24,896. (*Mr. Coleridge.*) It was not for the party but for Mr. Dent individually?—Yes.

24,897. You say you went to the "Stars" in the morning. You heard about you and the 11?—There was no 11 with me.

24,898. There were 12 men that signed the requisition to Mr. Macleay and voted against him?—I do not know anything about it, Mr. Macleay's name was not mentioned.

24,899. You heard that there was some men that signed the requisition and voted the other way?—Yes.

24,900. You knew that you were one?—I heard so, but I didn't know anything more than that I didn't sign a requisition to Mr. Macleay.

24,901. At the time that you went to the "Seven "Stars" you knew that your name was down then?—I did not. It is since the election that I have been told that I signed a requisition to Mr. Macleay, I didn't know anything about it before.

24,902. (*Mr. Bere.*) You got all the papers about the Broomborough Estate Manufactory?—Yes.

24,903. You know as a fact that all those votes were not submitted to the Revising Barrister?—Yes, they passed the Revising Barrister.

24,904. They were withdrawn?—No. They all voted at the election.

24,905. Robert Harris, Gilbert, and Narramore those were put on?—Yes.

24,906. Is this the acreage of the fields mentioned here (*referring to a document*)?—Yes.

24,907. Is that the acreage of the field mentioned in the notice?—No.

24,908. Can you tell us what the value of the land that is mentioned in the notice, not according to the rent you give but the fair rent?—No.

24,909. Can you tell us of your own knowledge what the value of the land is?—No.

24,910. Is it worth 110*l.*?—I should think not.

24,911. When was it you first made an application to Mr. Jeffery Michelmore about the land?—I think shortly after Michaelmas I heard a man was going out, and I made an application for the field and I think he said it was promised, but he would try and let me have the other.

24,912. Did you hear that Mr. Dent was going to let his land by auction?—Yes.

24,913. Was it in consequence of your hearing that it was going to be let by auction that you left?—I said I would not vote unless I got another lease, I wanted to pay the fair full price.

24,914. Why did you not go in for it by auction?—Perhaps I might, but Mr. Harris says they would not let me have another acre of land now.

24,915. Who was it spoke for you to Mr. Jeffery Michelmore?—I am not aware.

24,916. Was it Mr. Hannaford?—I am not aware that he did.

(*Mr. Bere.*) You may go away and bring an account of the hogsheads of lime. We shall let you off till Tuesday morning.

HENRY CRAWFORD recalled and further examined. *H. Crawford.*

24,917. (*Mr. Coleridge.*) Do you recollect the time of your wife being ill?—Yes.

24,918. Do you recollect Mrs. Tucker being with her?—Yes.

24,919. What did you get for your vote?—Nothing.

24,920. Do you know that while Mrs. Tucker was nursing your wife that she showed her 50 sovereigns that she had received?—No.

24,921. Not in your presence?—No.

24,922. And if she says so it is untrue?—Yes.

24,923. Soon after the election did your wife give you some money unexpectedly?—Nothing at all, on the last election I received 30*s.* for carriage hire.

24,924. Did you receive any sum as a present at all?—No.

24,925. Was not the horse and carriage bought with the money you got at the last election?—No, and I can account for it.

24,926. Do?—In the first place I adopt my trade and my wife drives.

24,927. Drives the flys?—Yes. I am at my trade and between the two we have been able to put by 10*s.* a week, and at that time I had about 30*l.* and sold a rick of hay for 14*l.* or 15*l.*, some to Samuel Huxham, some to Mr. Bearns, some to Mr. Goodman, at the "Oxford Arms," and some to Mr. Shinner, and so I sold the rick in that way.

24,928. And what did you get for it?—14*l.* to 15*l.*

24,929. But that would not pay for the horse and carriage?—I have not finished yet; I sold a carriage to a man at Plymouth, and I sold a horse to a farmer.

24,930. What did you get for the two?—I did not

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get 20*l.*, I sold them too cheap. Then I sold about 20 pigs.

24,931. Where did you get the pigs from?—I reared them and it is known to the court one had 11 and the other nine.

24,932. What did you get for them?—Some 10*s.* and some 12*s.*, they were suckers.

24,933. What age were they?—Six weeks old; and two sows to Mr. Woods at Painsford Mill.

24,934. If you didn't get any money what were you offered?—Nothing by the Liberals.

24,935. What were you offered, anything?—I was offered by Mr. Mitchell 50*l.* or 60*l.*

24,936. You would not have the 50*l.* or 60*l.*?—No.

24,937. Do you know that your wife has said that she had some money?—Not at the election.

24,938. What did she have it for?—I had no money.

24,939. What time did she have any money given?—I do not recollect her ever having any money.

24,940. What do you mean by saying at the election?—Whether she might not have showed them that when George Mitchell offered me some money I showed him some money to show him that I was not without it.

24,941. You told us nothing about George Mitchell the other day?—I think I did, I did not want to tell a falsehood.

24,942. (*Mr. Coleridge.*) You didn't get anything for your vote at the election?—No.

24,943. No present?—No.

24,944. Nothing?—No. I got 30*s.* for fly hire for Pender and Seymour.

24,945. Who paid you that?—Mr. Tucker one half, and Mr. Callard the other.

24,946. Why didn't you say it was Mr. Michelmore's clerk?—That is him.

24,947. Did they give you anything or offer you anything?—No.

24,948. Did young Mr. Tucker offer you anything?—I do not know.

24,949. Did Mr. Callard offer you anything?—No.

24,950. What conversation had you with Mr. Michelmore at the last election?—I do not know that I had any.

24,951. Didn't Mr. Charles Frederick Michelmore have any conversation with you?—Not that I remember. I think we drunk a glass of grog, I paid for a glass of grog for him at the "Seymour."

24,952. What made you say that you got more on the Liberal side, when you were offered 50*l.* or 60*l.*?—I never said anything.

24,953. That is a mistake?—Yes.

24,954. There was no money offered on the Liberal side?—No.

24,955. You knew money was going about?—I heard of it.

24,956. Were you not expecting an offer?—No; because I promised Mr. Pender the first time and Mr. Seymour each time.

24,957. (*Mr. Bere.*) Did you hear what George Mitchell swore here to-day?—Yes.

24,958. Was the account he gave true?—Yes, I think it was.

24,959. What do you say to his saying that you said if you could get 10*l.* you would give him your vote?—I wanted to get rid of him.

24,960. Should you have taken it?—No.

24,961. You heard what John Heath said?—Yes.

24,962. Was that true?—He made a slight mistake.

24,963. What was that?—He said 60*l.*, but it was only as high as 40*l.*

24,964. Did you tell him that Mr. Parnell was with you before?—I remember since that I said it was the early bird that catches the worm, but Mr. Heath you are not going to catch me.

24,965. What made you go to the "Seymour" hotel, and get locked up?—I do not know that I was.

24,966. You were kept there?—They persuaded me not to go out.

T. Welch.

THOMAS WELCH sworn and examined.

24,967. (*Mr. Bere.*) Are you a neighbour of Mr. Crawford's?—No, I work with him.

24,968. Did you have a talk with him after the election of 1863?—Yes.

24,969. What did he say?—He told me that Mr. Michelmore gave him the money, or let him have the money, and he said if you get me money I will go with you, but I am not going to vote without getting the money.

24,970. Did he tell you that he got money in 1863?—Yes, when the scrutiny was coming on he says to me I do not care for them, I got nothing at the last election, but at the first election I was a little better off.

24,971. Did he tell you that he had been made a man by the election of 1863?—He had been, I believe.

24,972. Were you working together before the last election?—Yes.

24,973. Before that was he a man who had a good deal of money?—I never saw him with a sovereign before.

24,974. You saw him with money afterwards?—Yes, I have seen him come and offer to bet 10*l.*

H. Crawford.

HENRY CRAWFORD recalled.

24,975. (*Mr. Bere.*) You have heard that, is that true or false?—I did say I was a little better off but not that election. I spoke of it, it was the last election that was the carriage hire, that was the only thing that I could expect to be better off in.

24,976. I have abstained from asking you unpleasant questions, but I shall be obliged to ask you them if you do not tell the truth. What were your wages in 1863 as a painter and glazier, in 1863?—We were getting 1*l.* a week.

24,977. Are you quite sure?—We have these last three or four years.

24,978. A 1*l.* a week?—We are now, it was 18*s.* before.

24,979. How long was it 18*s.*?—Three or four year ago.

24,980. Has your wife ever been unfortunate?—Yes.

24,981. How long ago was that?—Eight or ten years gone.

24,982. Were you in good circumstances then?—Not particular.

24,983. How many horses and cabs had you then?—I think I had no horses, I had mules then.

24,984. What were you earning then?—I cannot tell what I was earning then.

24,985. Go back to eight years ago when your wife got into trouble?—I do not know, 16*s.* or 18*s.* per week.

24,986. How was it that she came to get into trouble?—Through a mistake.

24,987. A mistake through which she was sent to prison?—Yes; but tis no disgrace to me, I can tell you that I cannot help it, it was through false swearing.

24,988. At that time had you got any money?—I was not destitute.

24,989. Nearly?—Perhaps so.

24,990. Where did the mules stand most of the time, in the pound or in the cabs?—I turned them into the road.

24,991. When did you turn them into the road ?—Several years.

24,992. Were they running up and down the road in 1863 ?—I believe they were.

24,993. If you had 40*l.* at the end of 1863 why had you the mules running up and down the road ?—I couldn't get a field.

24,994. Could you get a stable ?—Yes.

24,995. Could you get hay ?—Yes, but a number of people do it here, I was not the only one here that did that.

24,996. When did you first keep your horse ?—I had four or five horses before the election.

24,997. Did you sell them at that time ?—I had one died.

24,998. When was that ?—I cannot exactly tell you now.

24,999. Did you borrow any money at this time ?—Yes, I remember now that I borrowed before this time, but I borrowed 3*l.*

25,000. From whom did you borrow that ?—From Mr. Nicholas John Hill.

25,001. When ?—Before the election, before I had voted.

25,002. When did you repay it ?—I never paid it.

25,003. Yet you bought this carriage for 70*l.*, and you paid 40*l.* and gave bills for the other ?—Why I didn't pay it was, that I put it against what I had done at the municipal elections and never charged for it.

25,004. What had he to do with the election ?—He was acting for Mr. Cuming I suppose.

25,005. What bill have you got against the Liberal party for work done at the elections ?—I never made out any.

25,006. Have you borrowed any other money ?—I do not recollect any.

25,007. You did not remember the 3*l.* ?—I did not, but I do not wish to tell an untruth.

25,008. It is as bad to keep back what is true as to tell what is untrue, and that you have been keeping back things I think noboby who has heard your evidence can doubt ?—I am afraid that I have rather a shallow memory.

25,009. (*Mr. Coleridge.*) Have you got any bills for the municipal elections which were paid afterwards ?—No.

25,010. (*Mr. Bere.*) Have you a field in which the mules run now ?—I have a field.

25,011. What is the rent of it ?—5*l.*

25,012. When did you pay the rent ?—I have not paid any lately because the fences were damaged, and I have told Mr. Michelmore that I would not pay any until they were repaired.

25,013. When did you pay the last ?—Over a half year agone.

25,014. Have you got the receipt ?—No.

25,015. Upon your oath have you paid a 6*d.* for that field ?—My wife has, I have sent it.

25,016. (*Mr. Coleridge.*) Have you seen the receipts ?—No.

25,017. (*Mr. Bere.*) Didn't you send the money, and didn't Mr. Michelmore send it back again ?—Not that I am aware of.

25,018. Upon your oath don't you know that your wife took the money and when she took it he said you were not to pay it because you had voted right ?—No.

25,019. What is the size of the field ?—Two and a half acres.

25,020. Is 5*l.* its value ?—It may be worth more now I have put a lot of dung on it, but it was not worth more then.

25,021. Do you know any other field let for that ?—Mr. Harris's father had it for the same sum I think.

25,022. If Mr. Harris had got it as a bargain I think you would have told us ?—I have heard Mr. Harris say, I think, that his father paid 5*l.* for the same field.

25,023. (*Mr. Longe.*) How soon after the election did you get this field ?—I think it was shortly after the election.

25,024. Do you know who was occupying it at that time ?—Mr. Harris occupied it before I had it.

25,025. Did you say anything to anyone on that side down at the "Seymour" about wanting the field to put in horses ?—I had asked for the field at different times years before that.

25,026. At that time ?—I do not remember the time I asked the Tory party for the field.

25,027. Did Mr. Michelmore know you wanted the field ?—Yes, I remember going over to the ground I had in Little Hempson parish, and he called on me and said, do not carry all your dung that way because there will be a field to put some dung on.

25,028. You were passing through the street ?—Yes, that was all that passed about the field when he named the further taking of it.

(*Mr. Bere.*) You may sit back.

(*Witness.*) You have not asked anything about Mr. Parnell's affairs.

25,029. (*Mr. Bere.*) Can you tell us anything about about Parnell the gardener ?—That is my last election.

25,030. John Parnell; tell us what you know about him ?—Yes, I know him; he came to me and asked if I would vote for the Tory party and I said no. He says is 50*l.* of any use to you, and I said no. I went away, and he then said will 60*l.*; he said I am authorized by Mr. Bryett to come to you and offer you 50*l.* or 60*l.* for your vote. I refused and he went from 60*l.* from 100*l.* I refused, and he said he was authorized by Mr. Bryett and could get the money in the course of half an hour if I would pledge my word. I refused to do so.

25,031. (*Mr. Coleridge.*) Had you ever had a disagreement with Mr. Bryett ?—No, he never disagreed with me. Mr. Parnell called on me again on Sunday morning before the Commission opened, and he said to me, "Crawford, do not say a word of what passed "between me and you at the election," he says, "For God's sake do not say a word about it, for I "do not wish to have it known."

25,032. What did you say ?—I said, All right, I will not; it is all quiet at present. Mr. Parnell now wants to pull his head out of it because Mr. Mitchell stated part of it. Mr. Bryett took Mr. Parnell down to Mr. Harris; Mr. Parnell was making use of Mr. Bryett's name. Mr. Bryett asked me if I would mention it and I told him I would.

25,033. Are you sure he did make use of Mr. Bryett's name ?—I am positive he did make use of Mr. Bryett's name to me.

25,034. Did he say he could have it from Mr. Bryett's house ?—Yes.

25,035. Did he say whether he had the money in Mr. Bryett's house ?—No.

25,036. Did he say he had told him ?—He said he could get it in Mr. Bryett's house in half an hour or less. I doubted it.

25,037. Did he tell you to go down and see Mr. Heath at the "Seven Stars ?"—He did not, Stoyle did; I was abed. I made a mistake about Mr. Harris.

25,038. What day was that ?—The nomination day.

25,039. Did you go to the "Seven Stars" ?—No; I never went near him. Mr. Stoyle came up and rattled at my window and said he wanted to speak to me, if I would go down to the "Stars" there was 150*l.* for me.

25,040. You told us something about A. S. Distin and Edward Tucker He came here and said on oath that what you said is untrue, do you still give the same account of it ?—I cannot help what he says. He comes into my passage, and when he came in he said to me, if you vote for us you shall have so much. I will not be positive whether 40*l.* or 50*l.*, or 30*l.* or 40*l.*, but he said I should have some money if I voted for them. I gave him no answer; he turned and walked out. Mr. Distin was near behind him, and he turned out of the passage first.

25,041. (*Mr. Coleridge.*) Did you ever ask for the 40*l.* ?—No.

NINETEENTH DAY.

H. Crawford.

14 Sept. 1866.

25,042. Did he ever give it to you?—No; I never looked for it.

25,043. Have you ever heard of any money?—No.

25,044. Perhaps when you come again you will remember where you got the 40*l.* that you paid to Mr. Ash, and when you took up the bills?—I have got the bills in my pocket.

25,045. Where did you get the money?—By my earnings, and the hay and the pigs.

25,046. How did you take up the bills, the 30*l.* that was left?—I had got the hire of a horse and carriage for nine months, and my own earnings as well to make it good.

25,047. Have you got any family?—I have a son in his 28th year.

25,048. What does he do?—A carpenter learning the trade.

25,049. Have you paid for his apprenticeship?—I find him in grub and clothes, and he has wages.

J. Edmonds.

JAMES EDMONDS recalled and examined.

25,050. (*Mr. Bere.*) You have given us some accounts and some receipts here, what is the meaning of that, when was it written (*handing a document to the witness*)?—Some time after receiving a letter from Mr. Henry Michelmore.

25,051. When was that?—Several months ago.

25,052. Were not those two letters written at the same time?—All written at the same time by my own hand.

25,053. That is your handwriting?—Yes. When I gave up the receipts.

25,054. Who did you give them up to?—To Mr. Henry Michelmore.

25,055. What for?—The transfer of the business.

25,056. Take care what you are saying, were you the tenant in 1865?—Since May 1865.

24,057. How did you come to pay Mr. Charles Frederick Michelmore 5*l.* for rent. Look at that (*handing a receipt to the witness*)?—I believe it is all right.

25,058. Was it your house or his?—It was purchased in the former case.

25,059. Was it your house or his?—I have never got the writings of it; whether it is mine I do not know. I gave it to Mr. Henry Michelmore to settle.

25,060. Have you paid the insurance on this house that you say you sold to Mr. Henry Michelmore?—No.

25,061. Did you insure the house in the office for which Mr. Harris is agent?—No.

25,062. Where did you insure it?—I have a house besides that.

25,063. The house of which Mr. Blight is the tenant is not insured?—No; that is the house in question, the house that is insured is not in question.

25,064. Look at those two receipts?—They are the receipts for all the money.

25,064*. When did you pay it over to Mr. Michelmore?—I have not paid it over at all.

25,065. Have you been talking about the evidence that you have either given here or were going to give here, saying what you would do, and what you would tell?—No.

25,066. That you swear, take care?—If you have Mr. Henry Michelmore here he will tell the truth of the case.

25,067. Have you not said that you did not intend to tell the Commissioners anything that you could help?—No more than the truth.

25,068. Did you not say you would not tell the Commissioners anything but what you could help?—I do not know that I said that.

25,068.* Did you not say so?—I am not certain whether I have said that or not. I will tell the whole truth. I cannot defend myself without Mr. Henry Michelmore and Mr. Harris.

Adjourned to to-morrow at half-past 10 o'clock.

TWENTIETH DAY.

R. Tope.

15 Sept. 1866.

TWENTIETH DAY.

Saturday, 15th September 1866.

RICHARD TOPE sworn and examined.

25,069. (*Mr. Bere.*) You are employed on the South Devon Railway, are you not?—Yes.

25,070. As what?—As switchman at the station.

25,071. How long have you been in that employment?—Fifteen years altogether.

25,072. But here?—A little over seven years.

25,073. Have you been a voter ever since you have been here as switchman?—Nearly all the time.

25,074. Did you first vote in 1863?—In 1863.

25,075. Whom did your vote for then, Seymour or Dent?—Dent.

25,076. What did you get for voting for him?—30*l.*

25,077. Who gave you that?—Frederick Evens.

25,078. Where did he give it to you?—In my house.

25,079. Had you made any bargain before?—No.

25,080. Had you seen him to talk to him about it?—I have seen it before. I saw him when Mr. Dent was here.

25,081. In 1862?—Yes.

25,082. Did he make you an offer?—He said he would give me something.

25,083. And in 1863 he gave you 30*l.*?—Yes.

25,084. At your house?—Yes.

25,085. To you yourself?—Yes. He left it on the table.

25,086. And you took it up?—Yes.

25,087. Was it in gold or notes?—Gold.

25,088. Left in a parcel?—Yes.

25,089. What did you get in 1865?—Nothing.

25,090. Did not you ask for anything?—No. I never asked for anything at any time.

25,091. You said you would have a little if it was going?—It was brought to me.

25,092. And you did not refuse it?—No.

25,093. Would you have voted without it?—Yes.

25,094. In the same way?—Yes.

25,095. If 50*l.* had been offered on the other side, what would you have done?—I would not have taken it.

25,096. (*Mr. Coleridge.*) Did they offer you anything on the other side in 1863?—Not exactly.

25,097. Tell us what it was. There was something you know?—He said, I should not be sorry for it afterwards.

25,098. Who said that?—Mr. Seymour.

25,099. Did he say anybody would come and talk to you?—No. He asked for my vote.

25,100. Did Mr. Parnell, Mr. Holman, or Mr. Michelmore come and talk to you?—No.

25,101. Was any influence brought to bear upon you by the railway authorities in 1863, any instructions from the directors as to how they wished you to vote?—It was rumoured as such.

25,102. Which way was it said the directors wished you to vote?—I never heard anything.

25,103. You said just now it was "rumoured"?—It was said so.

25,104. Which way was it rumoured?—It was said that some of the Liberal party had spoken about it, but they would have nothing to do with it.

25,105. Who was the chairman of the railway then?—I think Mr. Woolcombe.

25,106. Who was chairman in 1865?—Mr. Woolcombe.

25,107. Was any pressure put upon you in 1865?—No.

25,108. Did the superintendent or the station-master speak to you about your vote?—No.

25,109. Or any of the directors?—No.

25,110. You were allowed to vote as you liked?—Yes.

25,111. And some voted one way, and some another?—Yes, I believe so.

25,112. Was anything offered to you in 1865?—No.

25,113. Did you ever go to the "Seven Stars" to inquire if there was any money going?—No, I never went out of my house.

25,114. You went to the poll without getting anything?—Yes.

25,115. Did they send you anything as a present afterwards?—No.

25,116. Did you vote at the municipal elections?—I have done so.

25,117. Did your never get anything for voting?—Once, 30*s*.

25,118. Who gave you that?—Mr. Evens.

25,119. To vote for whom?—For the Tory party; I never voted for any other.

25,120. Thirty shillings and 30*l*., is all you received for votes in Totnes?—Yes.

JOHN BEARNE sworn and examined.

J. Bearne.

25,121. (*Mr. Bere.*) You are not a voter for Totnes now?—Yes. I was born in Totnes, and I have been a resident in Totnes all my lifetime.

25,122. Have you a vote now?—Yes. My story is short, simple, and true.

25,123. Then let me have it?—And I hope you will not keep me.

25,124. If you will tell us it shortly, simply, and truly we will let you off?—As I tell you I am a resident all my lifetime, and I should say, truthfully, for the last 30 years I have been and voted for the borough as well as the town council, and with the exception of two or three returns, where my vote has been objected to from the holdings. However, I ultimately gained it on different holdings, and I now retain and continue as a voter for the borough ever since. Regarding the manner of voting I always, with the exception of once, supported the Liberal party, which I call myself.

25,125. When was that once?—Your will hear if you will hear me out. And regarding of the different returns I always won, and my general impression has been, up to very recently in fact, almost till I have seen it on the election inquiry, that there never was no bribery on the Liberal side; that was my impression, because never having been offered anything induced me to think that way. But, however, I see there is a little fault on both sides since the inquiry resumed. As it regards myself I have been throughout the different times always been to the poll and voted according to my mind. The first occasion that I voted otherwise than for the Liberals was Dunn's election; and in Dunn's election a gentleman well known to you present, he is present himself now, offered me a trifle for supporting Mr. Dunn.

25,126. What is his name?—Mr. Harris. However, I did not exactly acquiesce at first, and however I was desired to call at his house, and I did so, and it may be a day or two before the election, I cannot say, and he did not pay me, but there is a gentleman who did, whom I should not know again, paid me 35*l*. in 5*l*. notes, and when the election came on I voted I believe for Earl Gifford and Mr. Dunn, and since that, whatever elections have transpired, I cannot say unsolicited, because I have been solicited by both candidates, but I have been to the poll unshackled by anyone. As I have told you before I have never been offered any sum from the Liberal party, but I cannot say so by the other party, for I was tried rather stiff at the last election. Mr. Frederick Evens said I could have 60*l*. if that would be of any service to me, first. That would not satisfy me exactly, and then he thought he would try 100*l*. However, besides myself, there is my wife and children which were grown up, and they were all on the Liberal side, and the influence led that way, and consequently prevented anything emanating from the offer of Mr. Evens. I told him how my family was situated, and could not fall in with his idea, and he tried to prevail upon me to accept 100*l*. I told him on the morning of the election, if I had taken it, I should have undoubtedly returned it, as I had given my mind to the Liberals; and, as I told you before, I never had a farthing before for voting for them, and there ends my tale.

25,127. (*Mr. Coleridge.*) At Dent's election did the Conservative party try you?—I would not swear that they did or did not. If they did I did not fall in with their ideas or receive anything.

25,128. Did not Evens have a turn at you in 1863?—No.

25,129. Who was it?—The only two parties was young Mr. John Heath. One time I met him on the Plains, and he says, "Are you not going to give us a "vote?" I said, "Are you not going to give us a "vote?" and he said, "Perhaps, I might if you do "us." He said, "Will you promise," I said, "I "would not." He said, "You might give us a vote," I said, "My dear fellow, I am not like Tom, Dick, or "Harry, I have a mind and I will carry it out."

25,130. That must have been the last time?—No, 1863.

25,131. It could not be, it was only a single election?—My memory may fail me.

25,132. In 1863, when Seymour and Dent stood, did anybody offer you anything?—That is the time I speak of.

25,133. No. There was only one return then, the conversation must have been when two votes were to be had?—Then it is my mistake, it is only one vote.

25,134. Did anybody offer you anything in 1862, when Dent and Seymour stood, and Dent retired?—The only party who offered me money is what I told you, nobody else.

25,135. Was anything said to you about money on the Liberal side?—Never.

25,136. Did Mr. Holman ever speak to you about money?—Never.

25,137. 35*l*. is all you have been good for, for your vote?—Yes.

25,138. Have you ever voted for the council?—Yes, various times.

25,139. Always Conservative?—No. I have voted occasionally for the Conservatives, because I valued the principles of the men I voted for.

25,140. Did you have anything to vote for the council?—Never. When I had it was many years ago, previous to the building of the new market. There was the "King's Arms" then where the market now stands, and there was a breakfast provided and

TWENTIETH DAY.

J. Bearne.

15 Sept. 1866.

Mr. Tippett presided over the breakfast and he would not let them take the breakfast before they voted. There was a contest between him and his friends, and he said he knew there was one at the breakfast before he polled.

25,141. Did you have your breakfast?—Yes; and I voted for my own side, that is the only thing I have had. As regards the municipal elections, I have been and voted afterwards for whom I chose, unsolicited by anyone.

E. Evens.

EVAN EVENS sworn and examined.

25,142. (*Mr. Bere.*) How long have you lived in Totnes?—50 years.

25,143. What have you been during that time?—A tradesman; two and thirty years a silversmith.

25,144. And jeweller?—Yes.

25,145. You have taken a good deal of interest on the Conservative side in these elections?—Yes, in common with my brother townsmen.

25,146. You are no relation of Frederick Evens?—Yes, a brother.

25,147. And of George Evens?—A brother.

25,148. When did you first have a vote?—About 30 years ago; that was almost as soon as the Reform Bill passed.

25,149. Did you vote at the election of Parrott and Cornish?—No.

25,150. Did you vote at the election of 1837 or the election of 1835 when Lord Seymour and Mr. Parrott stood?—No.

25,151. Did you vote for Sir George Adams at the election of 1837?—Yes.

25,152. That was the first?—I think it was the first, I am not sure.

25,153. Did you receive any money for voting at that election?—No.

25,154. When did you first receive any money for giving your vote?—I was never offered a halfpenny in my life.

25,155. Never?—No man dared to insult me.

25,156. Did you offer other people?—At that election?

25,157. No. Which was the first election you ever offered money to others?—The election of Mills and Baldwin.

25,158. Was that in 1852?—I really cannot tell the date.

25,159. Whom did you offer it to?—A person called Uram.

25,160. How much did you offer?—30*l.*

25,161. From whom did you get that money?—From the gentlemen proceeding as the managers of the election.

25,162. Who were they then?—Really, I can scarcely tell you.

25,163. Mr. Gill, Mr. Bentall, or Mr. Bastard, were they members?—I do not know whether Mr. Bastard was.

25,164. Mr. Gill?—I think so to the best of my recollection.

25,165. Mr. Bryett?—No; I think it was Mr. Farwell, the late solicitor here; he was conducting the election.

25,166. Was there any person from whom money was to be had besides the committee; was there a stranger down?—Not at that time.

25,167. Was the man you mentioned the only person you offered money to?—The only person.

25,168. You offered him the money to vote for Mr. Baldwin?—Yes.

25,169. And he voted for it?—Yes.

25,170. Had you anything to do with the election of 1857?—Who were the candidates?

25,171. Mackenzie and Gregory, Lord Gifford and Mills?—I do not recollect interfering in that election in any way whatever.

25,172. In that way?—No, I did not.

25,173. Did you have anything to do with the election of 1859; Dunn's election?—I did.

25,174. To whom did you offer money then?—John Jerman Phillips, who gave his evidence yesterday.

25,175. How much did you give him?—20*l.*, and a man of the name of Arthur Venning.

25,176. What did you give him?—60*l.* Then there was another man, John Corney.

25,177. What did you give him?—I should tell you I was in the "Seven Stars," and very near his own house. I met him in the room and I asked him whether he would oblige us by voting for Mr. Dunn. He said, "Mr. Evens, I do not wish to vote at all." I said, "If you can oblige us by voting for Mr. Dunn, "I have no doubt I can get you a present." He said, "I really must repeat the desire I have of not voting." I said, "Well, if you think proper to keep your word, "I will make you a present of 30*l.*" He said, "Mr. "Evens, if I think proper of voting I can get a very "handsome sum on the other side of the bridge."

25,178. Is John Corney alive now?—Yes.

25,179. If he thought proper he could get a handsome present on the other side of the bridge. You knew what he meant by that?—Yes; the "Seymour" hotel, of course.

25,180. Did he vote?—Well, I should say I paid in the evening; left 30*l.* with his daughter at his house. The next morning the first thing I heard when I arrived at the committee room, was that John Corney had been and voted against us. I immediately put my hat on my head and went over and demanded the money of the daughter and succeeded in getting it.

25,181. Did you pay this money in gold or notes?—I could not say.

25,182. What did you do with the money you got back?—I took it to the committee.

25,183. To whom did you pay it?—I put it on the table. Mr. Bryett would be the professional man there conducting it, and took it.

25,184. Was Mr. Kellock there?—I could not say.

25,185. Mr. Edmonds, was he there?—I recollect Mr. Bryett had the principal conducting of the election.

25,186. You are quite sure he was there when you put the money down?—Quite sure, because he called my attention to it. In the first place, I should tell you there were various rumours about this little affair, and two or three years ago he called at my shop and said, "Mr. Evens, I confess I behaved very ill to "you," and he asked me to shake hands and hoped I would not be angry.

25,187. Who was there to distribute this money at that time?—There was a stranger there.

25,188. Was his name "Higgins"?—I think that was it.

25,189. What room did you see him in the "Seven Stars"?—The first room on the left; there is a staircase running upon the left as you enter the porch, and it was the first on the left.

25,190. Is that No. 9?—I do not know the number.

25,191. When you saw him was he generally alone or in company?—Generally alone, at least those were the only occasions I went.

25,192. Did you see him more than once?—Not at that election. I do not know whether I paid those men the same evening.

25,193. Did you get the money in a lump sum?—No, separately.

25,194. Did you get it in gold from him?—I think I paid Phillips in notes.

25,195. Had you arranged with these people before as to what sums they were to receive?—I went to them to know what they would do.

25,196. And then you came back and got the money?—It was quite a matter of business. I asked

them to vote, and they said, "Give me so and so," and I said I would do so.

25,197. You say Mr. Bryett was a most active man at that election ?—Yes ; at that election.

25,198. Were those the only three persons you had to do with ?—Yes.

25,199. Did you get any remuneration at all ; I do not say in the way of a bribe, for the services you rendered the Conservative party ?—I must repeat that I never had the attempt made.

25,200. Or get any situation ?—Never. I beg pardon, I should tell you that Mr. Dunn sent for me one day unsolicited on my part. I was not aware that anybody had introduced to him that I had a son. I went to him at the "Seven Stars," and he and Admiral Keppel were in the room. He asked me whether I had not a son in London ; I said, "Yes." He asked me his occupation, and I told him he was in a merchant's warehouse, and he said, "Mr. Evens, do "not let him stay there, and I will get him something "very good." According to his request I wrote to him the same evening, and really took my son from his situation although it was a very good one at the time. He never fulfilled his engagement from that time to this.

25,201. That was Mr. Dunn ?—Yes.

25,202. You were more successful were not you with Mr. Seymour ?—He never obtained him a situation.

25,203. Did not he ?—No.

25,204. Did not he get something for one of your sons ?—No, not at first.

25,205. You took no interest, I believe, in the election of 1862 ?—No.

25,206. Nor again in 1863 ?—No.

25,207. Was not the reason why you took no interest in those two elections, because there were some peculiar circumstances affecting Mr. Seymour and your son ?—Not Mr. Seymour, it was the Duke of Somerset.

25,208. What were those circumstances ?—The Liberal party gave me a nomination.

25,209. To a Government appointment ?—Yes, to a Government appointment.

25,210. In the Admiralty ?—Yes, that is the nomination, and my son went up, passed the examination, and succeeded.

25,211. Had you written to ask for the nomination ?—I had merely sent in an application for the nomination.

25,212. Had you sent it in directly to the duke, or to Mr. Michelmore ?—To Mr. Michelmore.

25,213. At the time you sent in that to Mr. Michelmore, did Mr. Michelmore say anything to you about your vote ?—Never a word up to the present time. There has not been the least stipulation whatever.

25,214. (*Mr. Coleridge.*) I think the last time out of gratitude you did vote for Mr. Seymour ?—Yes, one.

25,215. The time before not at all ?—I did not, I told each one of the candidates that I should not vote.

25,216. (*Mr. Bere.*) Did you take any part in the last election except voting ?—Never.

25,217. You never offered anybody any money ?—Never.

25,218. (*Mr. Coleridge.*) Were you often at the "Stars" during the last election ?—Only once, I went down there on the morning when Colonel Dawkins came down as a candidate, to hear him express his sentiments ; I never took anything in the house.

25,219. Are you an older or younger brother of Frederick Evens ?—I am the oldest of the family.

25,220. No one ever insulted you by offering you any money ?—No.

25,221. Did you consider that you were insulting those people to whom you offered money ?—No, certainly not.

25,222. But you consider it would have been an insult if offered to you ?—Yes, there was a difference in their position.

25,223. Supposing that the sum of money offered had brought you to an equal position, that 500*l.* had been offered to you and 50*l.* to the other man, would that make any difference in your view of the case ?—Certainly not, I am happy to say.

25,224. You know the Rev. W. H. James ?—Yes.

25,225. He has been in the habit of dealing at your shop ?—Yes.

25,226. Your wife related some conversation to you that she had with him while this Commission has been going on ?—She came home last Saturday week, and said she had met Mr. James in the street, who shook hands with her and told her he had not been to see me lately, on account of this political inquiry.

25,227. Why should he not have been to see you ?—He felt unhappy from the imputations which had been cast on him of late.

25,228. He was well enough to call on you but not well enough to be examined ?—I have seen him passing along the street daily.

25,229. Then why should he be afraid of coming to your shop ?—I am perfectly ignorant of the reason.

25,230. What is there in your position which makes it dangerous for the Rev. Mr. James to call at your shop ?—There are a number of gentlemen coming in and entering into conversation.

25,231. But why should the Rev. Mr. James be afraid of coming to your shop, is it because you are the brother of Frederick Evens ?—I cannot tell.

25,232. Is it not a remarkable thing that he should make an exception to visiting your shop because this Commission was going on ?—It would be a very remarkable thing if I were to be accountable for other men's observations in the street.

25,233. You would not make the same objection to going to his house ?—I never was in his house.

25,234. But you would not make the same objection ?—Certainly not.

25,235. Did your wife tell you whether Mr. James said anything about Mr. Edmonds' evidence when she met him ?—No, that was all that transpired.

25,236. At the time Mr. Dent came down here had you any conversation with Mr. James about a sum of money ?—I really forget the exact time, I might have had some conversation with him.

25,237. Something about the sale of a house ?—I heard him say he would be happy to sell his house, if I knew anyone of my own party or any other person who would buy it.

25,238. Was he particular that it should be some one of your party ?—He had no objection to my suggesting it to my friends.

25,239. Did he say what he wanted for it ?—He said he wanted 700*l.*

25,240. What had he given for it ?—I have heard he gave 400*l.*

25,241. So that if any one would give him a profit of 300*l.* he should be happy to dispose of it ?—Yes, but he had made many improvements in it.

25,242. Did he say that if he got 700*l.* he would not be particular on which side he voted, or even in going away ?—He said he should not be particular or care on which side he voted provided he got 700*l.* for his house ? This is really a breach of confidence in my telling what took place in my shop.

25,243. We must not have any breach of confidence complained of here. Did he not say he would either go away and not vote, or he was not particular on which side he voted, if he could get this money for his house ?—I do not think that he suggested leaving the town.

25,244. He said he should not be particular on which side he voted ?—Yes.

25,245. He gave you to understand that he would vote for that side which purchased his house ?—Just so, at that time.

25,246. Have you been interested in the elections for the council ?—Yes.

25,247. Have you ever stood yourself ?—Yes.

25,248. Were you successful ?—No.

25,249. I suppose you have spent a good deal of money ?—In common with other candidates.

25,250. What did it cost you ?—On the first occasion it cost me from 15*l.* to 20*l.*

25,251. When was that ?—Some three or four years ago.

25,252. Was it in 1859 or in 1863 ?—I cannot tell you the dates.

25,253. Who were associated with you, Mr. Kellock, or Mr. Bastard ?—Mr. Oldreive of Bridgetown was one, Mr. Willis the butcher was another, I cannot recollect the others.

25,254. How was it that you were defeated ?—I can account for it, several men who had promised me their votes did not fulfil their engagement ; some of them through threats, intimidation, and bribes, on the other side.

25,255. Where do those persons live who were prevented from voting by intimidation ?—On the duke's property.

25,256. They were intimidated by Mr. Michelmore you suppose ?—They told me that they had received notice that if they did not do as they were told they would be ejected.

25,257. And I suppose you have no doubt that the municipal elections are carried by bribery ?—Not the least doubt.

25,258. Which of the two parties bribe the most on those occasions ?—I believe it is quite a race, the strongest purse beats.

25,259. In the election for the town council, is not the duke's influence overpowering, and is it not very difficult for a Conservative to come in against them ?—It is exceedingly powerful, there can be no question about that.

25,260. Do you think the Conservatives spend more money than the Liberals at those elections ?—I have no reason to think so.

25,261. Do you agree in the opinion which has been given here, that the reason the Conservatives get the best of the municipal elections, though they do not of the parliamentary, is that the classes who vote at the elections for the council are more Conservative in their views ?—I believe that if the town was left without the interference of the duke that it would be really Conservative.

25,262. You believe that the Conservatives have increased their parliamentary qualification, and how do you account for that ?—My idea of the way the change has been produced has been that ever since Mr. Mills' time the resources have been lessened.

25,263. (*Mr. Bere.*) On that side ? — Yes, on account of the various exposures that have taken place in respect of the charity monies.

25,264. (*Mr. Coleridge.*) Has not Mr. Pender helped ?—I do not think he has been so liberal.

25,265. (*Mr. Bere.*) Do you think that in parliamentary elections the Liberals have bribed as much as the Conservatives ?—No, they never had occasion to do so.

25,266. They have got the influence of the duke at their back, and the Conservatives have to fight against them ?—Yes, but notwithstanding that, it has been an admitted fact that the party have had to bribe.

25,267. (*Mr. Coleridge.*) Since the Duke of Somerset's influence became overpowering ?—Up to the present time they have been obliged to resort to it ; I have heard it acknowledged by them.

25,268. (*Mr. Longe.*) What reason do you give for the successes of the Conservatives at the municipal elections ?—The last check the Liberals received was when Mr. Mills died.

25,269. You attribute the successes of the Conservatives partly to the want of resources of the Liberals ?—Together with the imputation cast upon the party generally on account of the exposures that have taken place in respect of the charity funds.

25,270. That is, owing to the want of resources of the Liberals they did not give so much money as the Conservatives ? — They have at the parliamentary elections.

25,271. To what do you attribute the successes of the Conservatives at the municipal elections ?—The Conservatives are men of more property, and they do not hesitate to subscribe. When the exposure took place respecting the charity matters there was a strong reaction against the Liberals.

25,272. A reaction in public feeling ?—Yes.

25,273. What do you mean about the charity matters ; give us the names of the charity trustees to begin with ?—That is a very important feature as regards the political feeling of the town, and since that took place there has been a new batch.

25,274. What was the exposure about ?—That a great quantity of money was unaccounted for.

25,275. What year ?—It has been accruing for a great number of years past.

25,276. When was the exposure ? — About two years since.

25,277. Who were the charity trustees then ?—I do not think there were more than three or four of them ; they have died since.

25,278. And there have been elected fresh ones ?—Yes, there is a new batch made now.

25,279. At the time of the exposure I was speaking of, you say a number of trustees have died and fresh ones have been elected in the place of those who have died ?—Quite so.

25,280. Can you give me the names of the surviving trustees ?—Mr. Charles Webber was one.

25,281. Was he a Liberal ?—Yes ; and Mr. Toms.

25,282. What was Mr. Toms ?—A Liberal ; and Mr. Huxham.

25,283. Mr. Samuel Huxham ?—Yes.

25,284. Is he a Liberal ?—Yes, he was ; he has died, and Mr. Toms has died. There is Mr. Presswell and Mr. Windeatt.

25,285. Mr. Presswell was a Conservative at that time ?—Yes.

25,286. And all the rest have been Liberals always ?—Yes.

25,287. What amount of money was found to have been improperly dealt with ?—From the public reports and statements made about it I think it was 500*l.* or 600*l.* Mr. Brooking Cuming can tell you.

25,288. (*Mr. Coleridge.*) What was the report at the time ?—My own impression was that it was applied to municipal elections, and I told them so candidly.

25,289. (*Mr. Bere.*) What are the charities in Totnes ?—They are divided into different classes ; different gifts to aged people ; some 10*l.* a year.

25,290. Was it from the aged people who got them that they got votes for the Liberal side ?—I do not think that was so ; they are obliged to draw.

25,291. Was there a serving out of bread and meat ?—That was discontinued for a great many years.

25,292. And it is not given out at all ?—Not to the extent that it ought to have been.

25,293. But they give some ? — I really forget. The gifts have been quite revived now, and they are existing.

25,294. Who is the clerk to the charity trustees ?—Mr. Cuming.

25,295. Who was the clerk at that time ?—Mr. Cuming.

25,296. Is there anything else you wish to tell us ?—No ; I never had the least idea of telling you this.

25,297. (*Mr. Coleridge.*) Do you know anything more about Mr. James's desire to sell his house ?—No.

25,298. He did not wish to vote for Mr. Seymour ?—I heard him say that.

25,299. If he had bought the house he would ?—No doubt of it.

25,300. He did not make that an absolute bar to the transaction ?—I heard him express some dissatisfaction as to Mr. Seymour's private career, or something of that kind.

25,301. (*Mr. Longe.*) You attribute the former successes of the Liberals at the municipal elections to their having money from the charity funds ?—Mr.

Mills, I am confident, used to support them very extensively.

25,302. And you also said there was some money spent on the part of the Liberals ?—I should not be justified in saying that.

25,303. At all events Mr. Mills supported them ?—That I have heard is acknowledged by the party.

25,304. Since that time those resources have been wanting on the Liberal side?—Yes.

25,305. Is that not exactly the same, the success of the Conservatives is due now to the resources that the Liberals have not?—Together with that; all that is explained.

ANDREW SPARKE DISTIN sworn and examined. *A. S. Distin.*

25,306. (*Mr. Bere.*) You are an ironmonger?—Yes.

25,307. How long have you carried on business in Totnes ?—Since 1849.

25,308. And you have voted at all the elections ?—At all times.

25,309. I need not ask you the question ; have you ever received money for your vote from anyone ?—No.

25,310. Have you ever offered anybody else any money ?—No.

25,311. There has been an allegation against you by Mr. Crawford that you and Mr. Edward Tucker went to his house, and that you offered him money, 50*l.* or 60*l.*, for his vote?—It is not the fact.

25,312. Tell us how it happened that you went to Mr. Crawford's ?—My eldest boy was at school about four miles off, at Brooking. Crawford had driven him up two or three times, and I went to him for a carriage in the evening, and going by the door I called on Crawford. There was a long, dark, greasy passage, and I saw a light along it. I passed the house, and saw someone standing in the passage, and I said, "There is a light ; there is somebody here." I went in, seeing the light, and saw Crawford, and I requested him to come down the following morning to take my son to school. On our returning again this person I saw in the passage was gone.

25,313. Who was that person ?—It was so dark that I cannot tell you. I said, "That is very like "Mr. Parnell." It was so dark that I could not see his face. On coming along the passage further I saw the kitchen door was open, and there I saw Mr. Nicholas Hill, Mr. Cuming's clerk, sitting down.

25,314. Who was that ; is he here ?—He is now in America. Knowing this young man, I said, "Are "you keeping company with Mr. Crawford ?" He said, "I am coming up," and as we were very friendly we came home.

25,315. That was in 1863 ?—Yes.

25,316. Was that all that passed ?—That is all.

25,317. Did any mention of money pass between you and Crawford at any time ?—No.

25,318. You are one of the Conservative committee ?—I am.

25,319. When were you first ?—I have been $2\frac{1}{2}$ years ; since I knew of it.

25,320. Since you began to know about elections ?—I knew nothing about elections. I did not take any part in it ; it is managed by three or four, Mr. Edmonds, Mr. Heath, and Mr. Kellock.

25,321. Did they not communicate what they knew to the rest of the committee ?—It would not be right at all times to do that. I went so rarely that I know nothing about it.

25,322. In 1863 and 1865 did you not go down to the "Seven Stars" ?—Very likely.

25,323. You learned how the voters were to be got at ?—No, sir. I am a member of the Building Company, and they had occasion to meet at the "Stars" frequently, in No. 1 room, and when I have been down the town, if I have seen a light there, knowing it was the smoking room, I used to open the door, and on one or two occasions I have seen Mr. Kellock there. I have had a circular, perhaps, before. He said, "I wish you would stay." I said, "I will, "if you come up about 9 o'clock, as I have always "done ; that is my time to be home."

25,324. Do you remember a circular being sent round with "Very important" marked upon it ?—Oh ! several.

25,325. Used you to attend often ?—No, sir ; if I have been down the town I should have gone in.

25,326. Not happening to go down the town you did not go ?—I never made it a point to go.

25,327. Have you anything more to tell us about the elections for the borough or the elections for the council ?—No. I canvassed the town in 1864, and I am happy to say that I received a great many promises.

25,328. Were you successful ?—I was.

25,329. What did it cost you ?—20*l.* I should tell you I refused to stand for the council, but a friend of mine Mr. Phillips was not very well and asked if I would stand for the council. I attended a meeting at the "Stars," and when they spoke about money, I told Mr. Frederick Kellock that if it was to be no more cost than the ordinary expenses for printing, somewhere about five pounds, I did not mind ; they said about that, and then I said that I had no objection. Afterwards some one said 10*l.*, in a round sum, and I said "No," but I afterwards consented to 10*l.* ; and last February I met Mr. Heath, and he said, "I am a "lot of money out of pocket ;" and I said, "How do "I know you are money out of pocket ?" and he said I owed him more than 10*l.* "What for ?" "The last election." I said, "I would not spend any "money." "You would not have me losing 10*l.* on "your account ?" and I said "No." And on February 7th, I think, I gave him a cheque for 10*l.*

25,330. Is that all the money that your candidature cost you ?—Yes ; and a great deal too.

25,331. (*Mr. Coleridge.*) Although you have told us you never gave or received money for the election did you offer any money ?—No.

25,332. Ever offer any yourself ?—No.

25,333. On either side ?—No.

JOHN SANDFORD SCREACH recalled and further examined. *J. S. Screach.*

25,334. (*Mr. Coleridge.*) How were you remunerated for your trouble on the different occasions ?—I received 50*l.* as I told you, and I had a little reward for some men that I did pay.

25,335. There was a man here yesterday who said he gave you 1*l.* back, Charles Pitts ?—That is true.

25,336. Out of all that you paid at the last election, how many gave you something back ?—I do not remember anyone but Pitts.

25,337. Nobody else ?—I am not clear.

25,338. Did you not get something back from old Mr. Raymond ?—Not a farthing.

25,339. Who gave you the money for Raymond ?—I had it from the stranger at the "Stars."

25,340. In a sum for Raymond, or in a lot all mixed up together ?—I had 200*l.*, and I paid Raymond out of that. He says 70*l.*, but I think I gave him 80*l.* He says I am wrong, and I do not say that he is wrong.

25,341. You say you gave him 80*l.* because you do not know how to account for the money without it ?—I thought I gave Joseph Hannaford 50*l.*, but he says 60*l.* I have made a mistake, and if Raymond said 70*l.* I suppose it was 70*l.* instead of 80*l.*

25,342. That is the way of transferring it ?—Yes.

25,343. No doubt Raymond is right ?—I have not the least doubt that he is.

25,344. The election of 1863, how many voters gave you back money ?—None but Diggins of Bridgetown.

WENTIETH DAY.

. S. Screach.

5 Sept. 1866.

25,345. What did he give you ?—50*l.*

25,346. I do not mean that, but who gave you anything ?—Not a penny.

25,347. In 1859 ?—In 1859 I paid none.

25,348. If it was only one person who gave it you, that must be fixed in your memory, and Charles Pitts was the one ?—I do not recollect anything except that.

25,349. You said some of those men gave you something ; who do you recollect gave it ?—I do not recollect. I did not know till I had read it in the paper. I had forgotten about Pitts giving me the sovereign.

25,350. Cannot you recollect anyone else —No ; no one else.

25,351. Did not anybody give you 30*s.* ?—If anybody has given evidence, and you will tell me, probably I can recollect, but I do not recollect it myself.

25,352. You did not do with Pitts ?—I did not.

25,353. Pitts seems to be the only person who is in the habit of giving money. He gave Evens something, and understood it was usual, and he gave you the sovereign also because it was a regular thing ?—He did so.

25,354. That was not a regular thing ?—I never had anything to my knowledge.

S. Sims.

SAMUEL SIMS sworn and examined.

25,355. How old are you ?—66.

25,356. You have had a great deal to do with electioneering in your time ?—Yes.

25,357. When did you first vote ?—For Baldwin I think, at his first election ; I think the first election but I am not quite sure.

25,358. Did you always vote for the Conversatives ?—Yes.

25,359. Never voted for the Liberals in your life ?—Yes ; voted for Lord Seymour.

25,360. Are you a tenant of the Duke of Somerset's ?—No.

25,361. Had you voted for Baldwin and Seymour ?—I think I voted for Seymour whether I voted twice or once I do not know.

25,362. Do you recollect anything about the elections before Baldwin came ?—No.

25,363. Ever since Baldwin's time, there has been money spent on the Conversative side we have heard ?—I believe there has.

25,364. When did you first know of any money ? What was the first time you got money ?—The first time I got money was in Mr. Dent's election, which was brought to me, and I took it as a voluntary gift. I never sought after it, or seek after it. I never asked for any.

25,365. Did you never get an offer of anything in Baldwin's elections ?—Never a penny.

25,366. Never got an offer of anything from anybody on either side of anything at all at Baldwin's elections ?—Never.

25,367. Were you offered anything at Dunn's election ?—No.

25,368. Dent in 1862, was it then that you were offered the money ?—1863.

25,369. You were going to tell us what you got in 1863 ?—Yes.

25,370. But were you offered anything in 1862 in case Mr. Dent went to the poll ?—No.

25,371. What were the circumstances in 1863 ?—I got presented to me in the cellar in which I am occupied in by Mr. George Heath 25*l.*

25,372. Gold or notes ?—In gold.

25,373. When was that ?—In 1863.

25,374. But before or after the election ?—Whether the day of the nomination or the day of the election I do not know.

25,375. Either the one or the other ?—Yes.

25,376. You knew that Mr. Heath was engaged on the Conservative side ?—Yes. I knew that he was engaged for the Conservatives.

25,377. And you voted for the Conservatives ?—I always did.

25,378. And you pocketed the 25*l.* ?—I received it as a gift. I never asked for it, or sought for it, and never said to any of the party that I wanted money.

25,379. Did you say that you would rather not have it when it was brought to you ?—I did not.

25,380. Do you think they would have given it to you without your being a voter ?—I do not know.

25,381. Did you hear of their giving it to any non-voters the day of the election or before ?—No.

25,382. You knew that it was given to you for your vote ?—I did not believe that it was.

25,383. What for ?—I have always been on the Conservative side and supported them, and I did not want to be dragged to the poll. I was ready to go to the poll, and record my vote as a straightforward honest voter.

25,384. You got your 25*l.* for being a willing horse ?—I dare say it was.

25,385. You might have had it if you were not a voter ?—I do not know.

25,386. Anything by the other side ?—I do not know.

25,387. If you had voted on the other side would you have returned the money ?—I would not have voted on the other side.

25,388. Were you offered anything on the other side ?—No.

25,389. In 1865 (having tasted blood in 1863), what did you get then ?—Nothing.

25,390. That was for Colonel Dawkins and Captain Pim ?—I had not a vote then ; I had left the residence.

25,391. You were not a voter, and nobody rewarded you with 25*l.* for past services ?—No.

25,392. (*Mr. Longe.*) Did you keep it a secret about the 25*l.* ?—Yes ; it was handed to me.

25,393. And you kept it a secret ?—Yes, of course I did.

J. Sampson.

JOHN SAMPSON sworn and examined.

25,394. (*Mr. Bere.*) How long have you been a voter for Totnes ?—I can scarcely tell you. I imagined I was a legitimate voter at Dunn's election.

25,395. Were you an illegitimate voter ?—I was on the list prior to that, but I had not been in occupation a sufficient time to be a legitimate voter.

25,396. Did you tender your vote ?—I think so.

25,397. What did you get for not voting in 1859 ?—As much as Paddy shot at, nothing at all.

25,398. Did you ask for anything ?—I did not.

25,399. Were you offered anything ?—I was.

25,400. Who offered you something ?—Mr. Mum, I suppose, of the day.

25,401. Who was Mr. Mum ?—I do not know.

25,402. Where did you see him ?—I saw him there, and I have not seen him since.

25,403. Where did you see him ?—At my house.

25,404. He called on you ?—Yes.

25,405. And did you tell him that you had not a good vote ?—Yes.

25,406. What did he say ?—He said they would put up with that, and they would make the best of it.

25,407. Did he say it would be a good thing for you if you did vote ?—No.

25,408. What did he tell you ?—He said, if I wanted 190*l.* I should have it.

25,409. That is the 1859 election?—Yes.

25,410. Did you happen to want 190*l.*?—I was in want of a good deal of money, but I did not want it in the way that I thought he would give it to me.

25,411. How came you to talk about not voting?—I was not a legitimate voter.

25,412. How did you come to talk about voting?—I do not understand you.

25,413. You say you wanted to vote, and he did not mind your vote being a bad one?—No.

25,414. And he asked you whether 190*l.* would do you any good?—Yes.

25,415. And you would not have 190*l*?—No.

25,416. Did you say you were not a good vote at all?—Yes.

25,417. Did he say if you would not vote at all, that that would be something, and he would give you something for that?—No.

25,418. Did Mr. Mills and Earl Gifford come to you?—Yes.

25,419. Who came on their part?—Mr. Mills and Mr. Cuming.

25,420. Did you tell them that you were not a good vote?—Yes.

25,421. Did you tell them that your vote was bad?—Just so.

25,422. What did they say?—Mr. Cuming said he would indemnify me; and afterwards said I was a legitimate vote by succession.

25,423. Had you passed from one house to another?—No; but the property was bequeathed to my wife, and I succeeded to her predecessors.

25,424. Had you been the tenant?—No; but my wife's grandmother keeping on the business, Mr. Cuming said, by succeeding to that property we were entitled to vote upon it. I do not know whether it was correct or not.

25,425. Was that vote objected to before the revising barrister?—No.

25,426. Who told you it was a bad vote?—I understood that I was to be in possession for 12 months.

25,427. Not in all cases?—No.

25,428. In 1863 did you get anything for your vote?—Not a farthing.

25,429. Was there not something about a mortgage upon your house?—Yes.

25,430. What was that?—190*l.*

25,431. That was the curious sum that was offered to you in 1859?—I imagined it was to free me from any influence.

25,432. Who held the mortgage?—Samuel Huxham, senior.

25,433. Did he ask you for your vote?—No.

25,434. In 1863 was the mortgage paid off?—1862.

25,435. Between December and January?—On the 18th December 1862.

25,436. Who paid it off?—I called upon Mr. Edmonds, and he promised to get it done.

25,437. What made you go to him to get it paid?—I had notice.

25,438. From Mr. Huxham?—Yes.

25,439. Had you refused to vote for Mr. Pender in 1862?—I never voted.

25,440. Had Mr. Huxham canvassed you?—No.

25,441. Had Mr. Michelmore canvassed you?—Yes.

25,442. You refused?—Yes.

25,443. And then Huxham sent you notice?—I am not about to connect anything of that sort.

25,444. But I want to connect it. When did you receive notice to pay off the mortgage?—Three months prior to December.

25,445. It was not till after the election of 1862, when Mr. Pender was returned, that you went to Mr. Edmonds to try and get the money?—I went to Mr. Edmonds when the term of the notice was expired.

25,446. Had Mr. Edmonds been your man of business?—Once.

25,447. Had you been to him before?—I do not know that I had.

25,448. Did you ever employ any other attorney?—I have.

25,449. Who have you employed here?—Mr. Cuming and Mr. Bryett.

25,450. Who drew the mortgage?—I cannot tell you. It was drawn for 20 or 30 years.

25,451. It was a transfer of the mortgage?—Yes.

25,452. And you succeeded to the mortgaged house?—Just so.

25,453. Then you saw Mr. Edmonds; and did he tell you that he could arrange it for you?—Yes.

25,454. It was paid off?—I did not know to whom till six months afterwards, when Mr. Helms came to demand the interest for the principal.

25,455. He came to ask you for the money?—Yes.

25,456. Did he tell you that he had advanced 190*l.*?—Yes.

25,457. (*Mr. Coleridge.*) Did he serve you with notice?—No. These are some of the receipts I received (*referring to some papers*).

25,458. Had not Huxham said to you "If you run "your head against a post you must take the con- "sequences of it"?—Not at that time.

25,459. When did he say that to you?—At Dunn's election, I think. I beg pardon; a certain person said Mr. Huxham had said so much, and I made it my business to call upon him, or spoke to him in the street, and he owned having said so; I felt a little warm upon the matter, and some unpleasant words passed between us, and he said, "If you run your "head against a post it is your own fault." These were his parting words.

25,460. Do you happen to know that Mr. Helms though he advanced the money really advanced it for Mr. Dent?—I do not know. Mr. Helms told me it was his own money, and I went and saw Mr. Edmonds afterwards to see whether it was correct, and he said it was, and I was perfectly right in paying it.

25,461. Who has the mortgage now?—I think Mr. Helms.

25,462. You do not pay him now?—Not Mr. Helms; he said he had transferred it to Mr. Bryett.

25,463. Did not you tell Mr. Edmonds that you were afraid that Mr. Huxham would put the screw on?—How could I, having had notice to pay off. Mr. Edmonds must have known. I could not say that. The least I could say was that he had put the screw on.

25,464. Had he put it on?—I do not know.

25,465. Mr. Edmonds has said you came to him?—Yes.

25,466. Had you voted for the council before you began to vote for the borough?—I had.

25,467. How had you voted then?—I voted one and one, I voted for Mr. Frederick Michelmore and Mr. Bovey I never troubled myself much about politics.

25,468. Mr. Edmunds says, with regard to the transaction "*Q.* Captain Helms has told us something "about a mortgage of a man named Sampson, can "you explain it?—*A.* Yes it was between the first and "second election. Mr. Mitchell told me that if any "person here required a loan of course with proper "security, I might be sure that Mr. Dent would "advance the money, and then Mr. Sampson told me "that Mr. Huxham had a second mortgage on his "house, and that he was afraid he would put the "screw on him. I mentioned it to Mr. Mitchell "and he said, oh, very well I will supply the money, "provided you can get a valuation made, Mr. Heath "made a valuation, I think it was valued at 140*l.*, "and I represented this to him and accordingly the "transaction was carried out, and the money paid by "Mr. Helms, he handed it over to me and I handed "it over to Mr. Huxham or his solicitor 190*l.*, was "the amount." Who held the first mortgage?—Mr. Bastard.

25469. Did you go to Mr. Bastard and ask whether he would take the second mortgage too?—No.

25,470. Did you vote for the Conservatives in 1865?—Yes.

TWENTIETH DAY.

J. Sampson.

15 Sept. 1866.

25,471. For Colonel Dawkins and Captain Pim ?—Yes.

25,472. Did you have any offer made to you on either side ?—I was only at one meeting. They canvassed me, Captain Pim and Colonel Dawkins both.

25,473. Did you see them treating people on the other side ?—I was at none of their meetings.

25,474. It was in consequence of your gratitude to Mr. Helms for having paid this mortgage that you voted for the Conservatives ?—When ?

25,475. In 1865 ?—No ; I was always a Conservative.

25,476. How was it you voted in the council for one and one ?—I was under an obligation to Mr. Michelmore.

25,477. Was that a monetary obligation ?—No ; he did something towards giving a recommendation to son.

25,478. Though you did not vote in 1859, did you go and see any of the voters ?—No.

25,479. Do you know a man called John Pearce ?—That was not until after the election.

25,480. Did you go and see him ?—Yes.

25,481. Who sent you to see him ?—Mr. Harris.

25,482. Are you quite sure Mr. Harris sent you, or the stranger with whom you had talked about the 190*l.* ?—Mr. Harris sent me to ask for a certain sum of money, supposed to be paid by this stranger of whom I have spoken.

25,483. Did you go down ?—Yes ; but that is after the election and could not have any influence.

J. Rees.

JAMES REES sworn and examined.

25,484. (*Mr. Longe.*) How long have you had a vote ?—I think the first time I voted was the last time when Lord Seymour was a candidate, I think that was in 1852, I had not a vote before at least to the best of my recollection.

25,485. Whom did you vote for them ?—Seymour and Mills.

25,486. For the Liberals ?—Always on that side.

25,487. Were you canvassed on the other side, Mr. Baldwin's ?—Yes, they always canvassed me on both sides.

25,488. Was anything offered you then by either side ?—Nobody ever offered me any money.

25,489. Now 1857, Mackenzie and Gregory ?—Yes, I was canvassed by all four of the candidates just in the usual way, the same as every other voter is, I never give them any trouble I always tell him at first what I am going to do and always do it.

25,490. Whom did you vote for then ?—Lord Gifford and Mr. Mills.

25,491. In 1859, Dunn's election ?—On that occassion I voted for Lord Gifford and Mills.

25,492. Were you canvassed by Dunn ?—Yes.

25,493. Was anything offered you ?—No, I have told you before that no one offered me any money.

25,494. Now Mr Dent's election in 1862 ?—You are referring now to the contest when Mr. Dent retired.

25,495. Yes ?—Well I was canvassed on that occasion by Mr. Pender and by Mr. Dent both.

25,496. You were canvassed by Mr. Dent were not you ?—Yes.

25,497. Had not you something to do with Captain Helms ?—Yes, in the way of business, no other way ; he never canvassed me or asked me which way he was going to vote.

25,498. What was the business ?—Mr. Harris in a very unnecessary way has referred to the business, but I have no objection at all to be examined into it.

25,499. He lent you some money ?—Yes ; he lent me money on a mortgage in 1862, three years before Mr. Dent came here, and I will leave you to say what that had to do with that election.

25,500. Which way did you vote at that time ?—I voted against Mr. Dent.

25,501. Were you canvassed on the other side at that time ?—Yes, in the usual way, just as a mere matter of form.

25,502. No offer was made to you at all ?—No one ever offered me money and for the simple reason that I am not a person to take money.

25,503. The last election 1865 ?—I was canvassed then by all four candidates.

25,504. Was no offer made to you ?—No offer was made to me on that occasion, I told both the Conservatives that they were only brought here to be victimized by the Tories, and I voted against them.

25,505. You got nothing ?—I was never offered anything.

25,506. You got nothing ?—I got nothing.

25,507. Was any present made you ?—I never had a farthing from anyone.

25,508. (*Mr. Bere.*) Are you on the Liberal commitee ?—No.

25,509. Have you taken an active part for the Liberals ?—Yes.

25,510. Canvassed a good deal for them ?—I never canvassed anybody.

25,511. What do you mean by taking an active part then ?—Taking an interest in the election.

25,512. Do you mean walking to the poll to vote and nothing more ?—That is all.

25,513. Is your house your own ?—It is.

25,514. You do not hold under the duke ?—No, nothing to do with him.

25,515. Have you been a candidate for the council ?—Never.

25,516. Have you ever voted for the council always ?—Always.

25,517. Have you ever canvassed for it ?—Never, I never asked anybody to vote either for the borough or any other purpose in my life.

25,518. We thought it right to summon every person who is a voter in Totnes, and to call all those before us whose names were mentioned, to give them an opportunity of explaining anything said against them ?—(*Handing in a paper*) There is Mr. Charles Michelmore's account in that transaction which Mr. Harris has been so anxious to refer to, and I leave it to the Court to say what connection it has with this matter.

25,519. Who holds the mortgage now ?—The same persons.

25,520. Captain Helms ?—Yes, I suppose so.

25,521. You paid the interest to Captain Helms ?—Regularly.

J. Elford.

JOHN ELFORD sworn and examined.

25,522. (*Mr. Bere.*) Do you live at Gerston ?—Yes.

25,523. Do you work for Mr. Leaman ?—No.

25,524. Did you at one time ?—Yes.

25,525. How along ago ?—Ten years.

25,526. Had you got a vote for the borough then ?—No.

25,527. When did you first have a vote for the borough ?—I think Mr. Dunn's election.

25,528. In 1859 ?—Yes.

25,529. Did you see Mr. Edward Woodley in 1859 ?—Yes.

25,530. And what did he give you ?—20*l.*

25,531. Was that the sum you asked for ?—I think I told about 25*l.* first.

25,532. Could not he get more for you then ?—That is what he said.

25,533. That is what you took ?—Yes.

25,534. You voted for Mr. Dunn ?—Yes.

25,535. What did he give it to you in?—In notes I think.

25,536. At your own house?—Yes, he brought it up after the election.

25,537. Did you get anything in 1862 or 1862 or 1863?—No.

25,538. Did not Woodley come to you again?—I met him once in the road, but he never said anything to me about the money. He asked me to vote for them and I told him I should not.

25,539. Whom did you vote for?—Mr. Seymour.

25,540. What made you vote for Mr. Seymour?—That is my principles.

25,541. Then you had gone against your principles for 20*l.* at Mr. Dunn's election?—Yes.

25,542. You came back to them for how much in 1863?—I did not get any money.

25,543. None at all?—No.

25,544. Did not you see anybody from Mr. Seymour?—No.

25,545. Had not you something to do with the man in 1862?—No.

25,546. Did you see a man called the black man in 1862?—No.

25,547. In 1863?—No.

25,548. You never saw such a man at the "Seven Stars"?—No.

25,549. Did not you go down to the "Stars" that year?—No.

25,550. You are sure somebody had not called on you about your vote for the Liberals before you spoke about your vote to Mr. Woodley?—When?

25,551. You met Mr. Woodley in the street, and he asked you how you were going to vote, and you said you would not vote for him. Had not you seen anybody from the Liberal camp?—No.

25,552. Nobody at all?—No.

25,553. If they had offered you another 25*l.*, would not you have voted for the Conservatives?—No.

25,554. What change had come over you between 1859 and 1862?—Well, that is my principle. I am a Liberal.

25,555. Then the 20*l.* made you vote for the Conservatives in 1859?—Yes.

25,556. Would not 25*l.* or a little more have made you vote for the Conservatives in 1863?—No.

25,557. Had Mr. Charles Frederick Michelmore been to see you just about that time?—He never called on me in his life.

25,558. Did Mr. Jeffery Michelmore?—No.

25,559. Did you ever meet him?—No; Mr. Jeffery Michelmore came there with Mr. Seymour, but they never said anything about any money.

25,560. Did either of the Michelmores ever give any money to you?—Not before the election.

25,561. After the election?—I lost two cows in 1864.

25,562. What time in 1864 did you lose two cows?—They made me a present of one.

25,563. Who?—Mr. Michelmore.

25,564. Which?—The old Mr. Michelmore, Mr. Thomas Michelmore.

25,565. (*Mr. Coleridge.*) Did they give you the cow, or the money to buy the cow?—The money.

25,566. How much?—20*l.*

25,567. (*Mr. Bere.*) What time of the year was that?—March, 1864.

25,568. (*Mr. Coleridge.*) Did they give you anything after the election of 1865?—No.

25,569. Did anybody give you anything?—No.

25,570. Or during the election?—No, that is all I ever had.

25,571. (*Mr. Bere.*) That was 20*l.* the cow and 20*l.* the other side?—Each side.

25,572. (*Mr. Coleridge.*) What side are you now?—The Liberal.

GEORGE COLE sworn and examined.

G. Cole.

25,573. (*Mr. Longe.*) Where do you live?—At Windmill Down.

25,574. Who is your landlord?—The Duke of Somerset.

25,575. How long have you had a vote?—I think five or six years to the best of my judgment.

25,576. And how many times have you exercised it?—Only twice.

25,577. In 1863 did you vote?—Yes.

25,578. Do you remember Dent's election?—I do.

25,579. Who canvassed you on that occasion?—I do not know that anyone did at that time.

25,580. Did no one at all canvass you?—I was coming up the street one day, and I met Mr. Pender and Mr. Seymour the night before the election, and they asked me if I would vote for them on the Liberal side.

25,581. At this last election how did you vote?—For Seymour and Pender.

25,582. Did not the Conservatives pay you a visit on that occasion?—Yes; and the time before.

25,583. Whom did you see?—Narramore was one, and Colonel Dawkins, as he was said to be; he was a stranger to me, was the other. I was passing up the town the night before the election, when Narramore says to me, "I want you to give this gentleman a vote." I says to him, "Who is the gentleman?" and he said, "He is Colonel Dawkins." I then said, "I cannot give you any vote, for I have promised mine already." He said, "Nonsense; come along with me and have a glass of grog." Narramore and I had been great friends; we had been boys together. He said, "Will you go into the 'Stars'?" I said, "No." He said, "Then will you go into Sawyer's?" I said, "No, I would not like to go into either of those places."

25,584. Who was Sawyer's?—The "Castle" inn. I said, "No, I had rather go up the street;" and so we went into Bovey's.

25,585. Who was he?—That was a Tory inn.

25,586. What was the name of the inn?—The "Plymouth" inn. Then he said, "What will you have to drink?" I said, "If it is agreeable to you I should like to have a drop of the best brandy." After I had had that he said, "Won't you have another one?" I said, "Yes, I do not think two will do me any harm after I have been at work all day." I then said to the young lady, Miss Bovey (she is now Mrs. Watson), "If you will be particular and draw it good I don't mind if I have another." Then Narramore says to me, "This gentleman who was with me wants to talk to you. I dare say you know that I am canvassing for this gentleman." I said to him, "It is no good your canvassing me for this gentleman; I have told you that before." He said he would give me a good sum of money, and I said to him, "If you were to give me as much as the biggest horse in Totnes could draw it would be of no use; no money would buy me."

25,587. What reason did he give for asking you these questions, or saying this to you?—He said, "I could get you 400*l.* or more." I said, "Nonsense." Then I told him that the money he would get me would be only a bribe and would do me no good. I said, "I do not want it; I get my living in a straightforward way and would rather be without it." Then he told me he would come and see me in the morning. I said, "Don't do that, because if you do you will have to go back as you came." On the following morning he came up to my house. I was told that a gentleman wanted to see me, and when I found that it was Narramore, I said to him, "I told you it would be no good your coming to me." He said, "You had better take the money; it will do you a great deal of good; the duke's tenants are going to turn as well as you." I said to him, "You have lost your labour." He then took me out to a place where I had some pigs, and he said to me, "What shall I give you for those four pigs?" I said to him, "They

TWENTIETH DAY.

G. Cole.

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"are promised already to some one at Newton Mar-
"ket." He said, "I will give you 400*l.* for those pigs
"if you like to take it." I said, "That will be no
"good to me, for I have promised them already."
The value of them would be about 35*l.* I then said
to him, "Where are you to get the 400*l.* from? For
"a man like you to have 400*l.* one would suppose
"some robbery had been committed." He said, "I
"can get it for you in quick time." I then told him
it was of no use his going on in that way; that he
would have to go back as he had come.

25,588. Did he tell you where he could get it from?—No.

25,589. Did he tell you whether some gentleman had not authorized him to call on you?—He said, "Yes;" it was the gentleman whom I had seen along with him the night before.

25,590. Who did he say that was?—I think he said it was Colonel Dawkins.

25,591. Are you sure that he said it was Colonel Dawkins?—I think so.

25,592. Did you think this was a *bonâ fide* offer which he made to you?—We had been like two brothers, and I think he would have been a very bad man to tell me a falsehood.

25,593. You did not think he was playing the fool with you all this time?—If he had brought me as much as the strongest horse in Totnes would draw, I should not have sold my word. I could have had 400*l.* for my pigs if I had liked.

25,594. Although you did not take any money for your vote you helped your party a little?—I had too much business to attend to at the time.

25,595. What relation of yours is William Cole?—He is an uncle of mine.

25,596. Did you not get his vote?—No.

25,597. Had you not some talk with him about voting?—No.

25,598. David Manning; did you not talk to him about voting?—No; he did as he liked, as I should have done.

25,599. (*Mr. Bere.*) Do you know Henry Crawford?—Very well.

25,600. Did you ever sell him any pigs?—I have, and bought pigs of him too.

25,601. How long ago is that?—I should think three or four months ago.

25,602. We must go a little further back than that?—Well, about two or three years ago I bought some, and sold him some.

25,603. How many should you say?—Two breeding sows.

26,604. Had he got any other pigs at the time?—That I do not know.

24,605. (*Mr. Coleridge.*) At which election had you had anything to do with the Conservatives about your vote?—I never did trouble myself about any voting.

25,606. Whose tenant are you?—The Duke of Somerset's. I also rented under Mr. Sandridge, and under Mr. Watson.

25,607. Were you promised anything if you had given your vote on the Liberal side?—No.

25,608. Do not you know that you would have been turned out if you had not voted on their side?—I do not know that. I think I pay them as my rent quite the value of the land.

25,609. Then I suppose you would not mind being turned out?—No. I am independent of them or of anybody else.

25,610. How many acres do you hold under the duke?—I think it is 23 or 24.

25,611. And what rent do you pay?—The rent is 80*l.* a year for the house and land.

25,612. Where is it; in the valley or on the hill?—It is on the top of the hill.

25,613. Not the best ground that can be got?—Perhaps it is the worst on the hill. I came there last, and I suppose I had to take what other people would not have. I was formerly a collector at a turnpike gate, but as I had a family I thought it was a good place to settle down in for a little rest.

25,614. (*Mr. Longe.*) Who are the other persons who occupy land with you?—No one. I rent it myself.

25,615. Are there not other persons who have votes?—There was at one time a field belonging to Gerston; that is about three years ago.

25,616. Who was that?—His name was Hoppin.

25,617. (*Mr. Coleridge.*) How many times have you voted?—I have voted twice.

25,618. And always Liberal?—Yes.

25,619. With regard to the municipal elections, for whom have you voted?—I have given Mr. Heath a vote, when he was proposed as a guardian.

25,620. How came you to do that?—He had been doing business for me, and I thought he was a very fit man.

25,621. After what has taken place do you still think so?—I think so still. It is better to have some one there who are on opposite sides, otherwise no good comes of them.

25,622. There was another person who had a vote from your land?—Yes.

25,623. What is his name?—George Fitze for one field.

25,624. (*Mr. Bere.*) There were seven of them, were there not?—I only know of those two. I do not know of any more.

25,625. Do they vote now for that land?—I do not think they do.

25,626. Are you quite sure that your land does not bring seven votes to the duke?—No, it does not.

25,627. (*Mr. Coleridge.*) How did they claim any right to the land; did they do anything for it?—I used to take cows in, and had 4*s.* a week for each cow.

25,628. Then, who did you pay the rent to?—To Fitze.

25,629. And not to the duke in addition?—No. I paid them by the week.

25,630. And they paid the duke?—That I do not know.

25,631. You have been told not to know that?—I would not come here to tell a falsehood.

25,632. When you took the field was there not this understanding between you; that you were to ask no questions as to who paid the duke, and that you were to pay them weekly?—I took the field by the week, and then I had notice to leave the field, and I gave up possession of it.

25,633. Did they afterwards turn anything into it of their own, or was it at your command?—I cannot be answerable for that.

25,634. (*Mr. Bere.*) Have you paid anybody by the week for the rest of the land?—Yes. I have kept my cows during this summer in another field.

25,635. Whom did you pay the money to for that field?—To George Fitze. There is another field where I had my cows in.

25,636. Whom did you pay the money to?—To George Fitze.

25,637. Was he not the agent for the Ashburton Company?—That I am not aware of.

J. Elford.

JOHN ELFORD recalled and further examined.

25,638. (*Mr. Bere.*) Did not Mr. Heath come to you in 1863, or to your wife?—Yes.

25,639. What did he offer you?—He offered her 200*l.*

25,640. Why did you not take that?—I had given my word to the other side.

25,641. But you would have taken it if you had not given your word?—No, I should not. Mr. Harris came to me and offered me 150*l.* the night before, but I told him it was no good.

25,642. Did not the other side offer you any money?—No, they did not.

25,643. Did not they call on you?—I did not see them. I went and voted.

25,644. Did you get nothing afterwards?—No; no more than I have told you.

25,645. Have there been other votes made upon your field?—No.

25,646. Are you quite sure of that?—Yes.

25,647. Who votes for your fields besides yourself? No one.

25,648. How many fields have you got?—Two.

25,649. And what is the rent which you pay for them?—I pay 45*l.* a year for them.

25,650. Whom do you pay your rent to?—To Mr. Jeffery Michelmore; it is paid twice a year.

25,651. Is it not the fact that you pay so much a week for each head of cattle that are put in that field?—No.

25,652. Are you rated for that field?—Which field do you mean?

25,653. How much rent do you pay?—I pay 45*l.* a year.

25,654. What is the extent of each of the fields?—One is hardly six acres, the other is a little more.

25,655. Then besides those two are there any other fields which you use for your cattle?—There are not now; there were four or five years ago.

25,656. Whose fields were those that you made use of? Who did you pay for the use of them?—I paid Fitze.

25,657. And you paid so much a week for each head of cattle?—Yes.

25,658. How long is it ago that you are speaking of?—About five years ago.

25,659. How much do you pay a week for a cow?—Four shillings a week for a cow.

25,660. And how much for a horse?—That I do not know; I never had any horses there.

HENRY BARTLETT sworn and examined.

H. Bartlett.

25,661. (*Mr. Coleridge.*) How long have you been a voter for this borough?—I think since 1842 or 1843.

25,662. How have you generally voted?—I always voted on the Conservative side.

25,663. Did you ever get anything for your vote?—I never got anything in my life.

25,664. Did you not get anything at Mr. Dunn's election?—No.

25,665. Do you recollect Mr. Dunn's election in 1863?—Yes.

25,666. And your wife going down to the "Seven Stars"?—No; my wife never went inside the door of the "Seven Stars."

25,667. Is there any other Bartlett than you in Totnes?—I do not know that there is.

25,668. Mr. Heath has said in his evidence "Bartlett was one of those men whom I had never seen; "his wife came down to the "Seven Stars." Had there been some intimation sent to you that your wife should go down to the "Seven Stars"?—No, that is not me; it must be some mistake; I never had anything to do with it.

25,669. Have you a brother of the name of Jubal Bartlett?—Yes.

25,670. I am afraid you have been brought here by mistake. Did you yourself ever give anyone any money for voting?—No.

25,671. Or did you ever promise anyone any money?—Never.

25,672. Have you ever told any voter that it would be better for him if he voted for your side?—I never did.

JUBAL BARTLETT sworn and examined.

J. Bartlett.

25,673. (*Mr. Coleridge.*) How long have you been a voter for Totnes?—I think since 1863.

25,674. Do you remember Mr. Dent's election?—Yes.

25,675. On that occasion which way did you vote?—I voted for Mr. Dent.

25,676. Who canvassed you on that occasion?—I can hardly tell.

25,677. Did Mr. Evens come to you?—No.

25,678. Or Screach?—No.

25,679. Or Frederick Evens, did he not come?—I do not think I ever saw anyone; they called at my house.

25,680. Who called?—I suppose it was Mr. Dent.

25,681. Do you know whether they asked your wife to go down to the "Stars"?—No; I heard of that being said, but that was a mistake.

25,682. Do you recollect your wife having gone down to the "Stars"?—I do not know anything about it.

25,683. Did your wife give you some money about that time?—No.

25,684. Did any person give you any money about that time?—Yes.

25,685. Who was it, do you remember?—I think it was Mr. Heath.

25,686. Where did he give it you?—At the "Seven Stars."

25,687. Who had told you to go to the "Seven Stars"?—I cannot say; I was very often down there.

25,688. Were you not sent for to the "Stars"?—No; I went of my own accord.

25,689. When did he give you the money?—I think it was the day before the election.

25,690. In what room did he give it you?—In a room near the stairs.

25,691. Was it No. 1, the first room to the left as you go in?—I think the room was at the head of the stairs.

25,692. What did he give you?—He gave me 20*l.*

25,693. How did he give it you?—In gold.

25,694. Was it loose or in a bag?—It was loose.

25,695. That was given you to vote for Dent?—Yes.

25,696. Did you ever get any more?—No.

25,697. In 1865 who was it that gave you anything?—I did not get anything.

25,698. Did not Mr. Heath offer you anything?—No.

25,699. How did you vote on that occasion?—I voted for Dawkins and Pim; I think I was rather late.

25,700. Had they promised you anything on that occasion?—No; I had always voted on that side; the election was all over when I came down.

25,701. Had you not been sent for to the "Seven Stars"?—No.

25,702. Had you not gone down to see Mr. Heath about anything?—No; I never had anything more than what I have mentioned.

25,703. Did you not expect something in 1865?—I dare say I should have had something if I had not been so late.

25,704. When did you first find that out?—About 10 o'clock in the forenoon.

25,705. Did you not tell Mr. Heath it was a pity that you had not come down earlier?—No; I do not think I said anything about it.

25,706. Had you anything to do with any of the elections before 1863; were you ever employed in any way?—Yes; I have been employed at every election since 1832.

25,707. How were you employed; what was it that you did?—I was employed in the band; and I was paid for that.

25,708. You got some money on that occasion?—

TWENTIETH DAY.

J. Bartlett.

5 Sept. 1866.

Yes; we had a week's work, I think, when Lord Seymour came down here as a Tory.

25,709. When was that?—When he came down here first all the Tories voted for him, and we were employed for a week, for which we got 10*s.* or 12*s.* a day.

25,710. You were employed yourself in the band?—Yes; as far back as 1832.

25,711. What instrument did you play?—The French horn.

25,712. How many of you were there?—There were 12 or 14 of us.

25,713. Did you go on playing all day and all night?—Pretty nearly so in Lord Seymour's time. Sometimes we were out before daylight, and we used to get a quart or two of ale before about 8 o'clock, and then we began for the day.

25,714. Did you get any "all nations"?—No.

25,715. Did you play at the last election?—No; the last election when we were out was Mackenzie's; they do not have bands now; at Mackenzie's election we only played him in.

25,716. And what might you have got for that?—Five shillings a-piece.

25,717. So that your vote has been worth only 20*l* to you?—That is all.

25,718. Do you ever have your band out at the municipal elections?—No.

25,719. How have you voted on those occasions?—For the Tories always.

25,720. And what have you got for so doing?—Not a farthing; I have been a few shillings out of pocket.

25,721. You are not a member of the council yourself?—No.

25,722. Is your brother a member?—No.

T. Willis.

THOMAS WILLIS sworn and examined.

25,723. (*Mr. Bere.*) How long have you been a voter?—The first time I voted was at Baldwin and Mills' election.

25,724. Was there any money flying about at that time?—I did not receive any.

25,725. Who did you vote for then?—For Mills.

25,726. Have you always voted for the Liberals?—No.

25,727. When did you change your side?—I voted for Dunn once.

25,728. Who influenced your vote then; was it a person of the name of Woodley?—Yes.

25,729. How much did he give you to change?—I got 60*l*.

25,730. Did he come down and see you?—Yes, he saw me.

25,731. In the street was it?—Yes.

25,732. Had he a little conversation with you?—Yes.

25,733. Did he say how much he would give you?—He did.

25,734. Where did he pay it to you?—He left it on the table in the kitchen.

25,735. Was it in a parcel?—No, loose.

25,736. In notes?—Yes.

25,737. How did you vote in 1863?—I have voted on the Tory side since.

25,738. Have you any other reason but the 60*l*. which made you change your side?—No.

25,739. Did you not go to the Liberals and say, I would vote for you on this occasion, but I now vote because I have had 60*l*. given me; will you give me anything on your side?—No, never.

25,740. Why did you not go to them?—I was satisfied with the 60*l*.

25,741. Did anyone ever offer you any money on the Liberal side?—Never.

25,742. They thought you were a safe man to vote for them?—I do not know what they thought.

25,743. Did you not hear from them afterwards that they were disappointed at your not having voted for them?—I never heard so.

25,744. No one came to see you?—No.

25,745. Had you a quarrel with Mr. Michelmore before you voted?—No, I never had such a thing.

25,746. Or been turned out of your house or land?—No.

25,747. Or any of your friends?—No, not at that time.

25,748. When were they turned out?—My brother was turned out from some land.

25,749. What is his name?—John Willis.

25,750. And nothing but the 60*l*. made you turn round?—Nothing else.

25,751. Did you get anything in 1863?—Nothing.

25,752. Or in 1865?—Nothing.

25,753. Was anything offered to you?—Nothing.

25,754. Was that the only time that you were ever bribed?—Yes.

25,755. (*Mr. Coleridge.*) Had you nothing in 1862, when Mr. Dent did not go to the poll?—No.

25,756. Were you active in offering any other men anything?—I never offered a man a penny in my life.

25,757. Have you ever voted for the council?—Yes.

25,758. Did you ever get any money for that?—Never.

25,759. How did you vote then?—I voted for Mr. Samuel Huxham.

25,760. And then you voted for the Conservatives?—That was the second time I voted.

25,761. Have you had a vote for the borough longer than you have had for the council?—I can hardly tell you that.

25,762. Did you not vote for the Liberals in the council when you voted for them in the borough?—About that time I suppose.

A. Venning.

ARTHUR VENNING sworn and examined.

25,763. (*Mr. Coleridge.*) What are you?—I am not in any business.

25,764. What have you been formerly?—I was a cyder merchant.

25,765. How long have you been a resident of Totnes?—For several years.

25,766. When did you first have a vote?—At Dunn's election.

25,767. How did you vote?—For Dunn.

25,768. Did anyone offer you any money?—Yes.

25,769. Who was it?—Mr. Evens.

25,770. What did he give you?—60*l*.

25,771. Mr. Evens was always a good friend to you at the elections?—I may say the family was.

25,772. Was it Frederick Evens who gave you the 60*l*.?—No; Mr. Evens who was examined just now.

25,773. In 1863, what did you get for voting for Dent?—50*l*.

25,774. Who gave you that?—Mr. Frederick Evens.

25,775. Were you offered anything on the other side then?—No.

25,776. Were you offered anything in 1862, when Mr. Dent did not go to the poll?—No.

25,777. Were you told there was something for you?—No.

25,778. Where did Mr. Frederick Evens pay you this money?—In my own house.

25,779. In gold?—Yes.

25,780. In 1865, what did you get for voting?—I got 60*l*.

25,781. Who paid you that?—Frederick Evens.

25,782. Where?—In my own house.

25,783. Was that in gold?—Yes.

25,784. Did you give any receipt for these sums of money?—Never.

25,785. You seem to have made a pretty good thing of your vote?—Pretty good.

25,786. Have you voted at the municipal elections?—Always.

25,787. Did you ever get anything for your vote then?—Nothing.

25,788. The sums did not run high enough there?—I never asked for anything.

25,789. Are you quite sure you are correct in saying that Evens paid you in your own house in 1865?—I am quite certain.

25,790. Were you ever sent to the "Stars"?—I never was inside the door of the "Stars" at an election.

25,791. You are certain he paid you at your own house?—Quite certain.

25,792. Was your wife present when he paid you?—Yes.

THOMAS BLANK recalled and further examined.

T. Blank.

25,793. (*Mr. Bere.*) Perhaps you will be able to tell us a little more than you did on the last occasion. What happened between you and Thomas Jacob Searle on the morning of the election?—He came into the passage and said he would see me all right. I do not know how long it was, but I think in about ten minutes he sent his son to me to come down to his house. I did not go down to his house, but I went down the lane, and met him in the lane near the South Devon back door, and then he went into the stable, and behind the door he gave me a little bag.

25,794. How much did he give you?—110*l.*

25,795. In gold or in notes?—In gold.

25,796. Why did you not tell us all about this before. Have you been talking to Searle about it?—I have not been to Searle.

25,797. Has he been to see you?—Yes; he came to me in the passage.

25,798. Did not Searle say something to this effect, that if you held your tongue, and he held his tongue, we should never find it out?—He told me not to say anything at all about it.

25,799. (*Mr. Coleridge.*) When did he give you permission to tell us, last night?—No; yesterday morning.

25,800. He came to you yesterday morning, what did he say; let us have it all out?—I forget the exact words.

25,801. You must remember; it was only yesterday morning that he told you?—He said it would be better to make a clean breast of it.

25,802. Did he then ask you how you had liked sitting in Court to refresh your memory?—No.

25,803. When was it he told you that you were not to split, but to hold your tongue and not to tell us anything?—I think it was this day week.

25,804. You mean since we have been here?—Yes. I was coming out at the back door and I passed Searle, and he said, "Be firm."

25,805. What else did he say?—Nothing else.

25,806. Who else was present?—I do not know that anyone was present.

25,807. Was your wife present at the time when he said this?—No; I was coming down the back way.

25,808. Since the election have you ever had any conversation with him, except upon that occasion?—No.

25,809. Not before the occasion of your going to London?—Yes.

25,810. What did he say to you as to what you should say when you went to London?—He did not say anything.

25,811. Did he not then tell you to be firm?—No.

25,812. But when he heard this Commission was coming down, what did he tell you to do then, to be firm?—No.

25,813. How often has he told you to be firm?—Only last Saturday.

25,814. And you have been firm until to-day?—Yes.

25,815. And would you have continued firm until the end if he had not given you permission to speak out?—I do not know about that. I know the truth must come out.

25,816. (*Mr. Bere.*) Did it ever occur to you that all this time you were committing perjury, and did not Thomas Jacob Searle know it just as well?—No, it did not.

(*Mr. Bere.*) Do you know what you are liable to now; that you are liable to be sent from here to Exeter and tried at the next assizes for wilful and corrupt perjury, and Thomas Jacob Searle for subornation of perjury, for which you may at least have two years imprisonment with hard labour. It is not a matter of joke for persons to come here and deliberately attempt to conceal what they know because of the request of another party.

25,817. (*Mr. Longe.*) Who went up to London with you about the petition?—There were different persons.

25,818. Was there not someone specially with you?—No, I do not know how many went up; they were in different parties.

25,819. Was Mitchell with you?—Yes.

25,820. What did he do with you?—He did nothing with me.

25,821. But he kept you with him?—Part of the time.

25,822. He knew all about these little secrets which have now come out?—No, he never knew a word of it that I know of.

25,823. (*Mr. Bere.*) What did you do with the 110*l.*?—I spent some of it.

25,824. Did you give any of it to any other voters?—No.

25,825. You kept it all yourself?—Yes.

25,826. (*Mr. Coleridge.*) How much of it have you got now?—I do not know.

25,827. Have you any in the savings bank?—I have none in the bank.

25,828. You kept it all at home?—I have spent most of it.

25,829. Did you not give Searle a sovereign for his trouble?—No.

25,830. Can you tell us anything about any other elections?—No, I cannot.

25,831. Were you offered anything in 1863 at Dent's election on the Liberal side?—No.

25,832. What did you get for your vote in 1863?—30*l.*

25,833. Were you offered anything in 1859 at Dunn's election by the Liberals?—No.

25,834. Was this the first time that the Liberals had ever been liberal with you?—They offered me something at Mill's election; I think I was offered 20*l.*

25,835. By whom were you offered 20*l.*?—By Thomas Worthy.

25,836. Did you take it?—No, I did not.

25,837. What did you get on the other side?—I did not get anything from them.

25,838. How came you not to take the 20*l.*?—I suppose I had over-stood the market.

25,839. Were you ever mistaken in that way before?—That was the first time that I had voted.

25,840. (*Mr. Bere.*) Did you ever get anything from Searle for voting in regard to the council?—I had 3*l.* on the last occasion.

25,841. How much did you get the time before?—I voted for the opposite party then.

25,842. How much did you get from them?—I think I got a sovereign.

25,843. We want to know from you what passed between you and Mr. Searle since the first time he spoke to you about it; where were you when he spoke to you?—In the back lane.

25,844. Was he standing at the door?—No.

TWENTIETH DAY.

T. Blank.

5 Sept. 1866.

25,845. Had you passed the door of the house?—I was coming up the back lane of the house. He was at Mr. Condy's back door talking to someone.

25,846. Who was he talking to?—He was talking along with Byne.

25,847. William Byne?—Yes, I went in and he came in along with me.

25,848. Did he say anything to you then; did he ask you when you were going to be examined?—I was coming up.

25,849. Had you told him?—I was coming home. I had been down the back lane last Saturday evening with some work.

25,850. What day was it when you were first called up here?—I cannot tell you; on Wednesday, I think.

25,851. You had seen him before about this, had you not?—Last Saturday.

25,852. Before the Saturday; that was not the first time he talked to you about it?—Yes, it was the first time he said anything to me about it.

25,853. He had spoken to you before this Saturday about what you were going to say here?—What I was going to say here?

25,854. Yes?—He told me.

25,855. You got a summons, did you not?—Yes.

25,856. Did you go and talk to Mr. Searle about the summons?—No, never a word to him about it.

25,857. Did he come down and talk to you about it?—No, he never said anything to me about it.

25,858. Now just let me hear what Mr. Searle told you when he said you might come up here and tell the truth?—He did not say anything else.

25,859. How much did he say you might tell?—He did not tell me anything that I was to say; he only said, "Make a clean breast of it."

25,860. Was that the reason he said you knew what he would allow you to say?—That is when I took this here money he made me promise not to say anything about it.

25,861. That is your reason for not having said anything about it here?—(*No answer.*)

25,861*. Do you remember what words Mr. Searle said to you about telling the truth?—He only said, "Make a clean breast of it;" that is all he said to me; he did not say what.

25,862. Did he say clean brush or clean breast?—It might be breast, I cannot tell.

25,863. How do you know what you were going to say; did he refer to what you were going to say when he said, "Keep firm"?—I do not know what he meant.

25,864. You must have been talking to him about it?—No.

25,865. Or somebody else?—No.

25,866. Was your wife talking to him?—No.

25,867. Where had you been to that night; what public-house do you generally go to?—I do not go to any public-house at all.

25,868. None at all?—No.

THOMAS JACOB SEARLE sworn and examined.

T. J. Searle.

25,869. (*Mr. Bere.*) Where do you live? — In Totnes.

25,870. What are you?—A tanner and fellmonger.

25,871. Had you some conversation with Thomas Blank about giving his evidence before the Commission?—There has been a little said.

25,872. What have you said?—I told him he had better go down and state the truth.

25,873. What had you said to him before; take care?—I wish to state the truth.

25,874. What did you say to him last Saturday?—He said something to me about what he should say before the Commissioners.

25,875. What did you say?—I said, "You had "better be firm."

25,876. Were you at that time talking with William Byne?—I do not know; I might have been.

25,877. Were you talking to him about what he was going to say before the Commissioners?—No.

25,878. What do you mean by telling him to be firm?—He seemed to be nervous about it. I had read the evidence, and I thought I would go and tell him that he had better come and state the truth in Court.

25,879. Was that all that passed between you and him?—That is all that I am aware of.

25,880. Who else have you seen that have been witnesses upon this Commission?—I have seen Griffis.

25,881. Did you tell him to be firm?—I did not.

25,882. Did you tell him what he was to say?—I told him he had better come and tell the truth.

25,883. When did you tell him that?—Yesterday.

25,884. Did you see anyone who had not been examined?—No one.

25,885. Nobody at all?—Not that I am aware of.

25,886. Did you see anybody except Blank and Byne?—No.

25,887. Did you not see Griffis before he was examined?—I did not.

25,888. When did you first hear what Blank had said?—I read it in the paper.

25,889. What day was it when he was first examined; was not Wednesday the first day when he was examined?—I do not know.

(*Mr. Blank.*) Wednesday.

25,890. (*Mr. Bere.*) Then you read it on the Thursday morning?—I suppose I did.

25,891. Did anybody come down to you after the Court was over for the day and tell you what happened here?—No.

25,892. How often have you yourself been in Court?—I was here but once, and it was this day week.

25,893. Was it before you spoke to Blank, or after?—He perhaps can tell you the time.

25,894. We want an answer?—It was some part of the afternoon; I cannot tell you to an hour.

25,895. Do you know whether he was subpœnaed as a witness for that day?—I do not know that.

25,896. Did you ever come up here to see who were summoned as witnesses?—No.

25,897. Did anybody report to you or tell you from time to time who were going to be examined from day to day?—I merely went by the paper.

25,898. That is all the information you received?—Yes.

25,899. You read about Blank's evidence on the Thursday; you knew what he stated "to be firm"?—I did.

25,900. Why did you not go down to see him and tell him?—The first time I saw him I spoke to him and told him he had better come and tell the truth.

25,901. Did he say, first of all, that he had been detained in Court in consequence of the statements he had made?—I saw that he had been detained one day and I thought it my business to tell him.

25,902. Did you not mean when you told him "to be firm" that he should tell only what we were likely to find out and nothing more?—I do not think that; he seemed very nervous over it.

25,903. What do you mean by being "firm"?—At the idea of coming before the Commissioners.

25,904. You were nervous when you came to tell the truth?—I do not know.

25,905. You do not often tell the truth?—When I do come I do. I shall keep nothing back.

(*Mr. Bere.*) You know what you are liable to now. The facts connected with this man's evidence will be reported by the Commissioners to Her Majesty's law officers to determine whether you shall not be prosecuted for subornation of perjury.

25,906. (*Mr. Coleridge.*) Now tell us when you said that to Blank "to be firm," what had he said to you before?—I cannot tell you what it was.

25,907. You can tell perfectly well, it is only a

week ago; what did you tell him to be firm for?—He was nervous.

25,908. How did you see that he was nervous?—He shook; he did not like the idea.

25,909. How do you know what he was nervous about?—Perhaps he did not like to state it.

25,910. You tell us he said nothing, what had he told you or said he was nervous about?—I suppose he did not like to acknowledge he had taken a bribe; I expect that was the reason.

25,911. What did he tell you he was nervous about when you saw him in the street and thought him a little nervous?—He called on me; he brought me up in the road as I was walking up.

25,912. What did he say?—He said what should he say when he got down before the Commissioners?

25,913. What did you say?—I said, "Be firm."

25,914. Is that all you said?—That is all.

25,915. Is that all he said?—No.

25,916. Upon your oath was there nothing more said, was the whole that he said "What am I to say "when I get before the Commissioners"?—I think I said, "Be firm."

25,917. What did he say?—He said he should.

25,918. Did he ask you how he was "to be firm"? What else occured, that is not all?—Nothing that I am aware of.

25,919. By being firm you meant hold his tongue?—Perhaps so.

25,920. You say "perhaps"?—I say so.

25,921. Why could you not say so before? You say it might have been you meant by being "firm," to "hold his tongue;" you let this poor fellow come here and perjure himself in order that he might save you?—I did not want him to save me.

25,922. What did you mean by telling him to be firm?—That was the meaning.

25,923. Do you not know perfectly well when you did that you were guilty of subornation of perjury, and also making this poor fellow, who knows no better, commit perjury for your sake; was that what you meant?—I suppose that is the meaning of it.

25,924. Now tell me, when did you tell him first that he might open his mouth?—Yesterday.

25,925. What made you do that?—I thought it would be better.

25,926. Did he not come and tell you he was in a precious fix about this?—No, he did not.

25,927. What did he tell you?—I went to his shop.

25,928. What did he tell you first?—Nothing.

25,929. Had he sent up to you?—No, he had not.

25,930. You had never been to see him during all this time that he was detained in court?—One day.

25,931. What day was that?—When I read the report in the paper I went to him.

25,932. What day was that?—Yesterday.

25,933. You knew he was detained here a great deal before yesterday; when did you first go to him?—Yesterday.

25,934. When did you first know he was detained here?—Not till I read the paper yesterday morning.

25,935. How often do you read the paper?—Almost every day.

25,936. Did you not know that he was detained here ever since last Wednesday?—No, I did not.

25,937. Did you not read the papers on those days?—Sometimes I do, and sometimes I do not.

25,938. On your oath do you not read every single syllable that takes place in this court during these proceedings?—No.

25,939. What days have you missed?—I cannot say.

25,940. Did you the first day Blank was examined?—No, I did not.

25,941. Did you ever ask to see him?—No.

25,942. Did you try not to see him?—I did not.

25,943. Was it to you too great an exertion?—I did not know what day he was coming forward.

25,944. You say that yesterday was the first time you had an opportunity of going down to him, what time did you go?—In the morning.

25,945. You went down to his house?—I was walking by and he called.

25,946. Who was present when you saw him?—I saw his workman in the shop, and he came out to me.

25,947. What did you say to him?—I told him he had better go down to state the truth.

25,948. Did you tell him why?—I did not.

25,949. Did he ask you why he was to state the truth?—No.

25,950. After you told him not to state the truth before, how came you to tell him that?—I said that he had better go down and make a clear breast of it, and tell the truth.

25,951. What did he say then?—He would do so.

25,952. Did he ask you what had made you alter your mind about telling the truth?—Nothing of the sort.

25,953. What had made you alter your mind after telling him to be firm?—I thought the better plan was to go and state the whole facts, and not to tell a falsehood about it.

25,954. You told him to tell a falsehood at the beginning. You told him in the beginning to go and tell falsehoods, what made you alter your mind?—I thought it the better plan, on reflection, to tell him.

25,955. Did you take any advice?—I did not.

25,956. Did you consult any attorney?—No.

25,957. Did you consult anybody about it.—No.

25,958. It was your own reflections that made you think it was the better plan to tell the truth?—Yes.

25,959. You mean to tell the truth?—Yes.

25,960. If you had been examined before him you did not mean to do it?—I did.

25,961. Did you mean that he should come and perjure himself that you might come and contradict him on your oath?—I do not mean to say one or the other.

25,962. Do you mean to tell me that you meant him to come here and swear to one thing, and you were coming to contradict him on your oath?—I never told him to say anything.

25,963. You have told me you meant by being "firm" he was not to tell the truth; did you mean to tell the truth when you came?—I did.

25,964. If you had been examined that day?—I dare say I should.

25,965. Did you mean at that time to tell the truth or not?—I intend to tell the truth.

25,966. Did you at the time you told him to tell a falsehood mean to tell the truth yourself?—Yes.

25,967. Did you mean to tell falsehoods to back up his?—I cannot say.

25,968. You know he has told some, is that your case; did you mean to be firm yourself at that time?—Yes, I did.

25,969. It is in consequence of what has happened that you told him to make a clean breast of it?—Yes.

HENRY CRAWFORD recalled.

H. Crawford.

25,970. (*Mr. Bere.*) Is your memory better than it was?—I ask your pardon if I have said anything wrong.

25,971. When you say that Mr. Edward Tucker and Mr. Distin came down to your house in 1863 was Mr. Parnell in your house at that time?—I cannot answer, I dare say he may be, I will not be certain of it

25,972. Will you swear that he was not?—I cannot.

25,973. Was Hill in the house?—He may have been.

25,974. Did you not see him sitting in the kitchen?—I cannot recollect whether he was, I have no doubt he was there.

25,974. Have you the least doubt that Samuel Parnell was there?—No.

25,976. Will you swear he was not?—I cannot.

25,977. Was Hill in the house?—He may have been.

25,978. Did you not see him sitting in the kitchen?—I believe he was. No doubt he was there.

25,979. Have you any doubt that Parnell was there?—No doubt he was there.

25,980. Was the 60*l.* paid to your wife?—My brother-in-law gave her 60*l.*

25,981. Where is he?—He does not reside in Totnes.

25,982. What is his name?—Samuel Nichol.

25,983. Where does he live?—At Kingsbridge.

25,984. What is his address?—Goveton, near Kingsbridge.

25,985. Have you seen Parnell since the Commission was opened?—No.

25,986. Has he a wife?—Yes.

25,987. Did Parnell say that you were not to say anything about the money that she had had, because it would be all right?—Yes.

25,988. Is your wife in Totnes at the present moment?—Yes.

25,989. When was it that Parnell told your wife not to say anything?—I think last evening.

25,990. Who told you not to say anything before when you were examined here? You have been examined here two days; who was it told you that?—I do not know anything about it.

25,991. There have been people speaking to you. Did anybody tell you to be firm?—No.

25,992. Was it not your wife?—Not that I am aware of.

25,993. Was it not your wife who told you not to say what had happened?—I forget.

25,994. No you do not. Was it not your wife who told you not to say what had happened in 1863?—Perhaps it was.

25,995. You know it was?—I forget for the minute.

25,996. No you do not. Now consider. Was it your wife who told you not to say what had happened in 1863 about the money?—I cannot say.

25,997. Yes you can?—I do not wish to say any falsehoods about it; I wish to state as it was.

25,998. You say it was not your wife?—I do not know whether it was or not.

25,999. Yes you do. You know perfectly well that it was your wife?—Likely it was.

26,000. You know it was your wife. Who else has seen you besides your wife about this matter?—No one.

26,001. Whom else have you talked to about what you were going to say here?—I have not talked to anyone.

26,002. Whom has your wife talked with about it?—I do not know particularly. She may have talked last evening with Mr. Parnell.

26,003. Did Mr. Parnell come to your house to see her?—No.

26,004. Where did she see him?—I do not know. Perhaps she went to his house.

26,005. Did not you when you went from the court, send your wife to Mr. Parnell to ask leave for you to tell the truth?—I do not know.

26,006. Did not you do so?—I do not know that I did.

26,007. Did not you send your wife to Mr. Parnell?—She may have gone.

26,008. Did not you send your wife to Mr. Parnell?—I cannot recollect.

26,009. Answer me that question?—It may have been so.

26,010. Did your wife say she was going to Parnell?—I do not know; I cannot answer.

26,011. You must remember this. Did not you send your wife, or did she say that she was going to Parnell to get leave to tell the truth?—I do not know about leave to go; to ask if anything had transpired, something in that way; I do not know the particulars.

26,012. What message did she bring back?—I think Mr. Parnell told her it was all right.

26,013. And not to say anything about it?—(*No answer.*)

26,014. You hear the question. Did not she come back and tell you that Parnell said it was all right and you were to say nothing about it?—Just that. I do not know whether she did. I do not want to tell lies.

26,015. (*Mr. Coleridge.*) "Just about that"?—I do not know the particulars.

26,016. That is the effect of it?—Yes. I do not know the particulars.

26,017. I will ask you again. That carriage that you bought afterwards, was it not bought with the money that Parnell paid your wife?—I do not know. I had got plenty of money myself besides that.

26,018. How much money had you?—I told you.

26,019. I do not believe a word you say, not a single word?—Then it is no use my talking.

26,020. You may save yourself from the consequences of perjury perhaps if you tell us the truth, it may possibly save you, but not necessarily at all?—I will give you every satisfaction I can.

26,021. In 1865 were you offered 50*l.* from Mr. Bryett by Parnell the gardener?—Yes.

26,022. Had you promised Pender and Seymour?—Yes.

26,023. Had you seen Parnell before that?—Yes.

26,024. Had he mentioned a sum of money?—I do not know.

26,025. Take care. Had he mentioned a sum of money, S. Parnell, the same man?—Samuel Parnell, in 1865?

26,026. Yes?—He merely said, "Go and vote; 60." I never had any money, and have never seen any.

26,027. You know what it meant?—Those are the facts of the matter.

26,028. Do you remember Parnell coming down to your house on the Sunday morning before we came here?—Parnell the gardener called after me in the street.

26,029. I mean the Sunday before we came here?—That is before the Commission.

26,030. That is Mr. Thomas Parnell?—Mr. J. Parnell. He went so far to offer me 50*l.* or 60*l.*, and said he was sent by Mr. Bryett. That is with regard to the election of 1865.

26,031. Did he come to you on the Sunday before came here, on August the 23rd, and say that you were not to say a word about his offer to you in 1865?—I met Mr. Parnell in the street, and he called to me and said, not to remember everything, every word that had passed between him and me, and it would not be known; I said, that he said, he was sent by Mr. Bryett to offer 50*l.* or 60*l.*, and he made use of Mr. Bryett's name, that he was sent by Mr. Bryatt, and it went from 100*l.* to 150*l.* and 200*l.*, but I did not accept it.

26,032. Did he offer you 50*l.* or 60*l.* to hold your tongue?—No; to vote for the borough. He offered me 50*l.* or 60*l.*, and went to 100*l.*, from 100*l.* to 150*l.* and 200*l.* Since that, I have had an interview with Mr. Parnell, and Parnell says he did not make use of Mr. Bryett's name, but he did.

26,033. Has John Parnell seen you at all since we have been sitting here?—No.

26,034. Have you had any talk with him?—No, not since I met Mr. Parnell in Mr. Harris's shop.

26,035. Mr. Robert Harris?—No. Mr. Harris the painter's.

26,036. What passed between you?—He said he did not make use of Mr. Bryett's name, that is all, but he did.

26,037. When did you have that conversation?—That was the Thursday following after Mr. Mitchell's evidence, the currier.

26,038. Did John Parnell ask you not to say what

you knew ?—No ; but he tried to deny Mr. Bryett's name. That is the only thing he tried to get out of.

26,039. What is the day that you were first examined ?—I do not know, I forget now.

26,040. (*Mr. Coleridge.*) Now by degrees we have got a little from you, tell us a little more ?—I cannot tell you any more, that is the fact.

26,041. Nonsense, you can tell us more. You paid 40*l.* for the carriage ?—Yes.

26,042. And you owed 30*l.*, and you gave a bill for it ?—Yes.

26,043. If you received 60*l.*, why did you not pay more money for the carriage ?—I do not know.

26,044. Come, why was it ? You have told us that you began earning money directly, and that you had lots of money. You had 40*l.* by you, and you got 60*l.*, that was 100*l.*, and you bought a 15*l.* horse. Why did you not pay for the carriage without drawing a bill ?—I have kept some.

26,045. You swore yesterday that you paid off that bill, that you earned enough money to pay it off ; why did you keep the bill ?—I kept it for expenses.

26,046. You told us yesterday that your reason was that you were earning money so that you could pay it off ; on your oath did you earn 30*l.* between the drawing of that bill and the paying of it off ?—I might by selling what I had got, pigs and things.

26,047. What did you do with the 60*l.* ?—I made use of it to spend.

26,048. Where did you keep all this money ?—I did not put it in any bank.

26,049. You kept it in the house ?—Yes.

26,050. To be always ready if wanted ?—Yes.

[Sarah Crawford, the wife of the witness, here came into court, and the witness addressing her said, "I have told everything, all about "the circumstances."]

26,051. (*Mr. Coleridge.*) That is a contempt of court, and you had no business to make any such observation. Now did you not pay the whole of that 60*l.* that you received, except 5*l.* for the horse and carriage ?—I forget. Perhaps I may have done.

26,052. You had not 40*l.* That was a mistake ?—I had some money.

26,053. Had you 20*l.* ?—I cannot answer it.

26,054. Had you 10*l.* ?—I do not know.

26,055. Will you swear on your oath that you had 10*l.* by you when you received that 60*l.* ?—I cannot answer.

26,056. On your oath had you 5*l.* ?—I might.

26,057. On your oath had you 5*l.* ?—I cannot answer it.

26,058. Had you a single pound ?—It must have been a pound.

26,059. Had you 2*l.* at the time you received that 60*l.* ?—Yes.

26,060. Had you 3*l.* ?—Yes.

26,061. Four ?—I showed it to Mr. George Mitchell.

26,062. How much ?—I showed him 8*l.* or 10*l.*

26,063. Will you swear you had more than that ?—I do not know.

26,064. You swore yesterday you had 40*l.* ?—I cannot swear.

26,065. Will you swear you had 9*l.* ?—I cannot say.

26,066. Had you 10*l.* ?—I do not know.

26,067. Will you swear you had 8*l.* ?—Yes.

26,068. You swore you had 40*l.* yesterday ?—Yes.

26,069. What made you swear that yesterday ?—I should not have done so if I had not been told not to say anything.

26,070. Who told you that ?—My wife.

26,071. Your wife having told you not to say anything, you came to commit perjury. Now tell us more about it ?—I do not know.

26,072. You know that you had 8*l.*, and you know that you spent every sixpence of that money that you received in buying that carriage and horse ?—I cannot say more about it.

26,073. Is that not so ?—I may say it is so.

26,074. Those things must come out. It is your own fault. Now, when did you first hear that there was to be a Commission at Totnes ?—Some time ago.

26,075. Whom did you talk to about the Commission coming ?—I do not know particularly.

26,076. Tell us the somebody ?—I do not know.

26,077. Who came to you ?—I do not know.

26,078. Whom did you have a first conversation with ?—I do not know.

26,079. Did Mr. Samuel Parnell come to you ?—I do not know.

26,080. Did they talk with you ?—I do not know.

26,081. Who told you that Parnell had given Nichols the money for you ?—My wife ; I do not know.

26,082. Your wife told you that Parnell had given Nichols the money for you ?—I believe so.

26,083. You have no doubt about it ?—I do not know.

26,084. It was either your wife or Nichols ?—I believe my brother-in-law received it.

26,085. Who told you that he received it from Parnell ?—I do not know.

26,086. Who knew about it except Nichols and your wife ?—No one.

26,087. It was either Nichols or your wife ?—Yes.

26,088. You are sure ?—I do not know.

26,089. Nobody else knew about it ?—No.

26,090. Then it must have been Nichols or your wife ?—I do not know.

26,091. It was one or the other ?—Yes.

26,092. After you were told that it came from Mr. Parnell, and heard that the Commission was coming, did you go to Parnell to know what to say ?—I did not.

26,093. Did your wife ?—I do not know.

26,094. Did your wife tell you what to say ?—I do not know.

26,095. When was the first communication through your wife, or from Nichols or Parnell, as to what you were to say ?—I do not know.

26,096. When was the first time that your wife spoke to you about the evidence ?—I do not know.

26,097. Was it before we came down ?—I cannot answer.

26,098. Was it two months ago ?—It may be, it may be less.

26,099. Was it not immediately you knew there was going to be a Royal Commission here ?—I do not know.

26,100. Was it not ?—I do not wish to tell a lie.

26,101. Was it when the Commission was first talked about ?—I do not know when, I have no recollection of anything of the kind.

26,102. You told us that she did talk to you about it ?—It may have been last evening.

26,103. On your oath do you mean to tell us that you cannot say whether your wife mentioned the circumstances of this Commission till last evening ?—It might have been likely enough.

26,104. When was it ?—A month ago, I cannot say.

26,105. Will you swear it was a month ago ?—I cannot swear.

26,106. Will you swear it was not a month ago ?—I cannot say.

26,107. On your oath will you swear it was not more than a month ago that that was mentioned ?—I do not know ; it is no use for me to say.

26,108. You are afraid your wife is going to say what is true. Out with it, was it before we came down ?—It may have been, I do not know.

26,109. You know it was ?—I have not the slightest recollection.

26,110. Was it a month ago, or last night, or before you came here to give your evidence ?—I do not know ; I did not pay any attention to anything of the kind.

26,111. If you paid no attention, how came you to

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come here and tell lies instead of the truth?—I did not think it would come out, and find out what I had.

26,112. Was it not in consequence of what your wife said that you came here and gave your evidence as you did?—It may be.

26,113. Did not your wife tell you it was what Mr. Parnell wished you to do? On your oath did not your wife tell you that?—I do not know, it may have been.

26,114. You said so just now?—It may have been.

26,115. Why do you say one thing in one minute, and another in another?—I have no recollection.

26,116. Five minutes ago you said so?—I have no recollection.

26,117. You have forgotten since my friend examined you?—I told him so.

26,118. Then why deny it now?—It may have been so.

26,119. Why not say straight out like a man that it was so?—I said so.

26,120. Was not the reason that you came here and behaved as you have, that it was Mr. Parnell's wish?—He told my wife, I think, to say nothing, it was all right.

26,121. It was Mr. Parnell's wish that you should come here to say what you have said?—Yes.

26,122. Mr. Parnell has instigated you to commit perjury, and you have come here to carry out his behests?—Something like that.

26,123. (*Mr. Bere.*) At the last election where were you? At the "Seymour" hotel?—I went inside the door, and I came away.

26,124. In 1863 were you there?—Yes.

26,125. Was it in 1863 that you were there all night?—Yes.

26,126. Were you with George Mitchell and Sloggett?—Sloggett; I do not know about Mitchell.

26,127. How many bottles of wine did you drink?—I do not know.

26,128. How many grogs?—A good many grogs.

26,129. Were you rather sick, and wanted to go out?—Yes.

26,130. And they would not let you go out?—No.

26,131. Did you ask?—Yes.

26,132. And they would not let you go?—I do not know.

26,133. Steady! Who would not let you go?—I was too tipsy to go.

26,134. And that lasted till the next morning?—Yes.

26,135. And you voted tipsy?—I got a little fresh by that time, I dare say.

W. Byne.

WILLIAM BYNE recalled and further examined.

26,136. (*Mr. Bere.*) Did you see Thomas Jacob Searle this day week?—I might have spoken to him.

26,137. I will have no "mights;" did you see Mr. Thomas Jacob Searle this day week, and have a conversation with him?—I saw him almost every day.

26,138. Did you not have a talk with him about the evidence you were going to give?—No.

26,139. At his back door?—I have not been to his back door.

26,140. At your back door?—It may have been.

26,141. Did he say anything to you about the matters that had passed between you?—Nothing whatever, nothing happened between me and him.

26,142. About the money he gave you?—He never gave me any.

26,143. Nor promised any?—No.

26,144. Who gave it to you then?—Mr. George Heath gave me 80*l.*

26,145. Who gave it to you on Mr. Thomas Jacob Searle's side?—I had none.

26,146. Did you not know of any coming from him?—No.

26,147. Has Thomas Jacob Searle said nothing about the evidence that you were going to give to day?—No, nor anyone else.

26,148. Did you see Mr. Blank near at the time?—No.

26,149. Do you remember talking to Mr. Searle?—I might speak to him every day.

26,150. Do you remember talking to Mr. Searle, and Mr. Blank passing?—I do not; I do not remember seeing Mr. Blank pass.

26,151. At Mr. Condy's back door?—I do not think I spoke to him there.

26,152. Do you remember seeing Mr. Searle and Mr. Blank there?—I do not remember such a thing.

. Crawford.

SARAH CRAWFORD sworn and examined.

26,153. Are you the wife of Henry Crawford?—I am.

26,154. In 1863 did you get some money from Mr. Parnell or Mr. Nichols?—I did not get it from them.

26,155. Who did you get it from?—My brother.

26,156. William Nichols?—No, Samuel Nichols.

26,157. Is he living near Kingsbridge now?—Yes.

26,158. Where was he living then?—At the same place.

26,159. He got a sum of money for you?—Yes.

26,160. How much?—I believe 60*l.*

26,161. You know it was?—I was very ill, and did not see it at the time, but I understood it was 60*l.*

26,162. Was Grace Tucker nursing you then?—Yes.

26,163. Did you show her the money?—No.

26,164. Did you talk to her about it?—No, I remember her talking about it, about her getting something which made her tipsy, and I heard her say then, but she did not see the money.

26,165. Was that all that passed with regard to the last election?—Yes.

26,166. How did Mrs. Tucker know about the 60*l.*?—I do not know that she did know.

26,167. But she talked about it?—She says this morning that she never said so, she strongly denies it, and I know that she did not see it.

26,168. Had you not talked to her about it?—I did not

26,169. Are you quite sure you were not so ill, that you did not know what you said?—I am sure I did not tell her.

26,170. Where did you get the money that you got from Nichols?—He brought it to me.

26,171. In your house?—Yes.

26,172. Were you in bed?—Yes.

26,173. What was it in?—To the best of my recollection in a pocket-handkerchief.

26,174. Gold or notes?—Gold.

26,175. What did you do with it?—Kept it a length of time.

26,176. Where did you put it? Under the pillow?—I do not think I did.

26,177. Did you get out of bed to put it away?—I think I put it into the box.

26,178. Did you get out of bed?—Yes.

26,179. Was not Grace Tucker nursing you then?—She was.

26,180. Would not she know of an invalid getting out of bed and putting something into a box? Was she constantly in the room?—I cannot say.

26,181. You would have taken care not to put it away in her presence?—Yes.

26,182. Was she outside the door?—I cannot answer.

26,183. Was the box locked?—Yes.

26,184. Where was the key?—I do not know.

26,185. Under the pillow?—I do not know.

26,196. Was it about the room?—I do not know.

26,187. Did you give it to your husband?—I did not, most likely.

26,188. Do not you give him all the money?—Not all, not my own affairs.

26,189. Is your business different from your husband's?—Yes.

26,190. Do you buy the flies?—Yes.

26,191. Do you buy the carriages?—I do not know, but I know the bargains.

26,192. Do you say what carriages are to be had?—Yes.

26,193. Did you put this to your account or your husband's?—What is his is mine, I suppose.

26,194. I dare say there is an account that he does not know anything about?—I dare say there is, that I do not tell him of.

26,195. And he does not tell you of?—I am sure I do not know. I never asked him.

26,196. Did you see Mr. Parnell last night?—Yes.

26,197. What did you go and see him about?—I went to ask him what he had to say in the affair; whether he had been unfolding the business or not.

26,198. Did you find he had not unfolded the business?—He told me that he could not recollect, and he asked me to refresh his memory.

26,199. And did you refresh his memory?—I did.

26,200. What did you tell him?—I told him what took place.

26,201. Did he remember better then?—He said, "I really cannot tell."

26,202. Did not he say it would be all right?—He did not say it would be all right. He said, "I "really cannot tell, but if the thing took place, and "of course if it is brought to my memory I must say "so."

26,203. Had you previously told your husband not to say anything about it?—Not further than this; I said this, "It is of course a great disgrace on the "part of Mr. Parnell and on the party, and I have "endeavoured to cloak it, but if I could not I could "not."

26,204. Had not Mr. Parnell told you not to say anything about it?—He did not.

26,205. Are you sure about it?—I am quite sure.

26,206. You went to Parnell to find out whether he told or not?—Yes.

26,207. Whether he intended to tell?—No doubt. I should have told if he had not.

26,208. You think you would?—Yes.

26,209. When did you make up your mind to that?—I made up my mind that as soon as I was called into court I would tell the truth.

26,210. Was the reason of your coming to tell the truth because your husband was kept here from day to day?—Certainly not.

26,211. (*Mr. Longe.*) You went to Mr. Parnell to know whether anyone else could tell of this story but you or your husband, and whether anyone would be likely to let it out?—I asked what he had said.

26,212. You wanted to know whether he would tell the story; if so, your husband might?—If he had said he gave us 30*l.* he would tell a falsehood. He says really he cannot remember.

26,213. (*Mr. Coleridge.*) He remembers your having something, but he does not remember how much?—That is it. That is what he tells me.

26,214. Who told you first of all that the money came from Parnell?—I cannot say, I must trust that to my brother. He gave me the information of the place he had been to.

26,215. Tell us the information that your brother gave you?—He said he had gone downstairs.

26,216. Where?—Into my kitchen, and had been directed where to go.

26,217. Where?—Just in the arch. He is a stranger in the place, and by the directions he gave I concluded it was Mr. Parnell. I have been informed that Parnell was mixed up in the matter.

26,218. From the directions that he gave you you thought that it was Parnell?—Yes.

26,219. Did he describe the gentleman to you?—Yes.

26,220. That description tallied with Mr. Parnell?—Yes.

26,221. You have no doubt it came from Parnell?—No doubt.

26,222. At the time that you got the 60*l.* had you got very few sovereigns in your house?—Very few. Let me see——

26,223. 8*l.* your husband says?—There was more money than that.

26,224. He only knew of 8*l.*?—I cannot say, but there was more.

26,225. You kept two accounts, one a private account, a little store of your own; you did not tell me about that?—I always keep that.

26,226. That does not go into the fly business?—I keep it, I ask for it, and claim it.

26,227. You did not give him that money to buy the new fly and the horse?—I did not; the little store that I had.

26,228. What was done with it?—It was to keep me through Christmas and sickness.

26,229. Anything that he had to add to the 60*l.* for the fly and horse must have come from somewhere else?—Certainly.

26,230. (*Mr. Bere.*) Did not you go yesterday to Mr. Parnell and try to find out whether he had told anything?—I did.

26,231. Did he tell you not to say anything?—No. He says, "I really cannot recollect, but" he says, "if it comes to my memory it must come out."

26,232. What did he say you were to do?—He did not say whether I was or not to, I do not recollect that he did, to the best of my recollection.

26,233. Take care.—I told him that I should tell.

26,234. Tell what?—That I should tell you when I was summoned here.

26,235. (*Mr. Coleridge.*) Why did you not tell your husband to tell the truth?—He can do as he pleases.

26,236. He consulted you. He does not do much without your help. Did you tell him this morning that he had better come and tell the truth?—Yes.

26,237. Was it this morning that you told him?—I am confident, and I think I did last night.

26,238. Yesterday morning you told him to come here and keep it back?—I did not.

26,239. When did you tell him not to tell the truth?—I never told him.

26,240. Not in so many words, but to try and keep it back?—I did not. I do not think he wanted to expose Mr. Parnell and the party. I think Mr. Parnell is the only man to blame.

26,241. He came here to try and shield Mr. Parnell?—No doubt, as much as himself.

26,242. Did you never tell him to come and shield Mr. Parnell?—Last night.

24,243. What did you tell him when he first came here?—Nothing. I said do as you are minded.

26,244. Did he tell you he would not tell the truth—He did not.

26,245. What did he say?—I do not remember his answers.

26,246. When he told you that he was made to sit here because he would not tell the truth what did you say?—I said, "If you are obliged to tell, tell," but I would not have told if a secret was confided to me.

26,247. You thought it was honour towards Mr. Parnell not to tell?—A great deal.

26,248. You did not mind yourself or your husband getting the 60*l.*, but you did not want Mr. Parnell mixed up?—No.

26,249. (*Mr. Bere.*) You are in an awkward situation both you and your husband, and the end of it may be that both of you may stand at the court at Exeter on trial for perjury; take care. Did you not go to Parnell, and did not he tell you that you were not to say anything about it?—His words to me were, "Mrs. "Crawford, I cannot recollect." I said, "Mr. Parnell, "you know what took place." He says, "I really

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" cannot remember." Then, sir, I brought things to his mind, and he says, " Well, I think I do recollect " something of it." " Well," I says, " Mr. Parnell, " remember, when I am called to court I shall tell the " truth of it, and you must take the consequences."

26,250. Did not he then say, " You had better hold " back "?—No, he did not. He said, " If it must come " out, it must come out."

26,251. You have been giving an account to this gentleman (*pointing to Mr. Bowen*), is that the same that you have given me?—Yes, I believe that is it. Really I would tell you if I did recollect.

26,252. Did not you go and tell your husband that Mr. Parnell wished him not to say anything about it?—I do not know.

26,253. Take care,—I rather think I did.

26,254. (*Mr. Longe.*) Did Mr. Parnell know that your husband was keeping it a secret?—Of course, when he gave it him.

26,255. Did not he say that was all right?—I do not think those were his words, those were not exactly his words.

25,256. (*Mr. Coleridge.*) But to that effect?—No doubt about it.

26,657. (*Mr. Bere.*) You must stay at present.

G. Griffis.

GEORGE GRIFFIS recalled and examined.

26,258. (*Mr. Bere.*) What did your wife get for you in 1865?—50*l.*

26,259. Where did she get that from?—The " Stars."

26,260. From Mr. Heath?—I believe so.

26,261. What did you get after the election?—30*l.*

26,262. Whom did you get it from?—Mr. Thomas Jacob Searle.

26,263. Where did you get it?—He brought it to my house.

26,263*. Gave it to your wife?—Yes.

26,264. And she told you at the time?—Yes.

26,265. Have you had any talk with Mr. Searle as to what you should say?—I saw him yesterday morning.

26,266. What did he say?—He said, " I wish I had " seen you before you entered the court. I should " like for you all to go and tell the truth."

26,267. Had you seen him before about it?—Never.

26,268. Who was it told you to go and tell those falsehoods?—Part of my own forgetfulness, and part of it I did not like to divulge the secret.

26,269. Did not Mr. Searle tell you to keep it secret?—No.

26,270. Did not he tell you when he gave you the money?—No. I did not expect that. It was about a fortnight after the election.

26,271. Did not you expect to have it at all?—No.

26,272. What was it in, gold or silver?—Gold, I think.

26,273. Why did you tell us that you had money from the Conservatives, and conceal that you had money from the Liberals?—I do not know why.

26,274. Why did not you? What is the reason you told a falsehood about it?—I am very sorry I did so; that I had not told to the best of my knowledge.

26,275. You told us the truth about Mr. Heath paying you 50*l.* to your wife, why not tell us about the 30*l.* to your wife?—I do not know.

26,276. Have not you been told by somebody since the Commission was here, not to say anything about what happened on the Liberal side, and to tell all you could on the Conservative side?—I am sure I have not.

26,277. What have you been told?—Nothing more than I have said.

26,278. What inn do you go to in the evening to have a glass?—The " Plymouth " inn.

26,279. What particular friends have you?—No particular friends.

26,280. Those who come in to see you, are they most of them Liberals?—Mixed together.

26,281. Have you not had a talk with someone on the Liberal side about this, saying, " They have " found out a great deal on the Conservative side, " but they should not find out anything on the " Liberal side"?—No.

26,282. Quite sure?—Yes.

W. Reeve.

WILLIAM REEVE sworn and examined.

26,283. (*Mr. Bere.*) Where do you live?—Nearly opposite the market.

26,284. How long have you had a vote for Totnes? In 1863 I think was the first.

26,285. Was that the time that you were offered 100*l.* by Richard Bowden?—No.

26,286. When were you offered that?—That was in 1865.

26,287. What did you get in 1863?—40*l.*

26,288. Who from?—John Heath, junior.

26,289. Where did he give it to you?—The " Seven Stars;" I think it was in the passage.

26,290. Or in the little room?—No, not in the room.

26,291. Is that all you got in 1863?—Yes.

26,292. Whom did you vote for?—Mr. Dent.

26,293. Did any of the Liberal party come to you then?—I had no offer whatever.

26,294. Not in 1863?—Not in 1863.

26,295. What did you get in 1865 from the Liberals?—I got nothing.

26,296. Yes you did?—Not directly; I received nothing.

26,297. Did your wife receive it?—Well, I do not know.

26,298. You had better take care what you are doing.—I cannot swear that she received it from anyone.

26,299. Did you get 60*l.* somehow or other after the election?—Yes.

26,300. And did Robert Lorimer bring it to your house?—No.

26,301. Who did?—I do not know.

26,302. You had better tell us all you know about it?—I am really telling. He did not bring 60*l.* to my house.

26,303. Who did bring 60*l.*?—No one, not no stranger; if brought to the house at all my missis brought it there.

26,304. Where did she get it from?—Well, I believe from Mr. Lorimer, not from Mr. Lorimer, but from Mr. Lorimer's house; I do not know who she received it from.

26,305. Was it 60*l.*?—Yes, 60*l.*, three 20*l.* notes. I did not receive them.

26,306. What become of them. Did your wife have them?—Yes.

26,307. Is your wife at home?—Yes, she is recently confined.

26,308. How long ago?—Nearly a fortnight.

26,309. What did you do with that money?—I did not receive it.

26,310. What did your wife do with it?—Carried it to my father's.

26,311. What are you?—I am a joiner.

26,312. Does your wife keep the shop?—Yes.

26,313. Was your shop shut up to the 20th January 1865?—About that time. It would be January 1866; I am not positive as to the month that it was reopened in. I have no doubt it was about that time.

26,314. How long had it been shut before?—Well, I had been working at Dartmouth about four months; it was shut in the meantime, the missis was ill.

26,315. Shut all that time?—Not all that time.

26,316. Did you buy a quantity of fresh goods with that 60*l.*?—The shop was being shut; after I left Dartmouth I opened the shop in a different way. I made furniture in overtime and some things I bought at sales.

26,317. At the time you got this money paid you did not you owe Mr. Samuel Huxham a large bill?—Yes.

26,318. And did not you pay him after the election?—1863.

26,319. 1865?—I cannot recollect.

26,320. Just tell us; did not you pay Samuel Huxham a large bill just after the election of 1865, just after you got this money?—1863 I did; that was 1863.

26,321. Did not you do it in 1865 too?—I do not recollect 1865.

26,322. Did you owe any money to Mr. Huxham in 1865?—Yes.

26,323. Have you paid him?—Not all.

26,324. How much did you owe him at the end of July 1865?—I cannot tell you the amount.

26,325. Was it 20*l.* or 50*l.*?—It was not 50*l.*

26,326. Was it between 20*l.* and 50*l.*?—I do not know whether it was as much as 20*l.* or not, near about that.

26,327. How much have you paid of it. Did not you go to pay, or your wife, Mr. Huxham 20*l.* notes in payment of his bill?—No.

26,328. Then what did she do with the 20*l.* notes?—Gave them to my father.

26,329. What is your father's name?—Samuel Reeve.

26,330. What did she give it to your father for?—To take care of it, I suppose.

26,331. Could not you or she take care of it yourselves?—Yes, possibly.

26,332. When did your father give it back to you?—In little and little.

26,333. Have you ever sent any other money in your life to your father except that to take care of? What made you send the money over to your father. Come, it was not to take care of it?—I had nothing to do with receiving the money. She carried it there and told me of it afterwards.

26,334. Carried it where?—To my father's.

26,335. Who told her to carry it there?—I think it was a mutual agreement between her and myself.

26,336. Did she tell you she was going to get some money from Mr. Lorimer?—She told me she had got some after the election.

26,337. Had she gone and taken it over to your father's at that time?—Yes; it was the day of the election.

26,338. Did you know she was going to get any money before she did get it from Mr. Lorimer?—I expected so.

26,339. What made you expect it?—I voted in the morning, that was in 1865, and I did know, I expected some from the intimation that I had from Mr. Lorimer.

26,340. Had Mr. Lorimer given you any intimation that you would be paid some money before that?—He asked me to trust him. He said, "Will you vote?" I said, "Yes, certainly, I intend to vote for Mr. Pender "and Mr. Seymour;" and I said I would trust to him.

26,341. When did he say that to you?—I do not know whether it was the night before the election.

26,342. Did he say how much he could get for you?—No.

26,343. Did you mention how much you wanted?—No.

26,344. You had had money from the Conservatives in 1863; why did you not something in 1865 too?—Because I was differently situated.

26,345. What was the difference in your situation?—I was working for my father in 1865, and in 1863 I was working at strangers.

26,346. Is your father a strong Liberal?—Yes.

26,347. You were working for him in 1865?—Yes.

26,348. Was it because your father was a strong Liberal that your wife went and took the notes there to him?—I do not know that.

26,349. Did you tell your father you were going to have some money from Mr. Lorimer?—I am not certain I should say that.

26,350. Did you go and tell him, as your father, that you trusted to get some money from Mr. Lorimer?—I do not recollect it.

26,351. What did your father get?—I am sure I do not know.

26,352. Have not you heard him say what he got?—No.

26,353. Is he alive?—Yes.

26,354. Do not you know that he got money from Mr. Lorimer too?—No.

26,355. Did not he tell you so?—No.

26,356. Did you never hear it from Mr. Lorimer or anybody else?—Never in my life; I never heard anyone say he had any.

26,357. When Mr. Lorimer told you you might get some money, did you tell your wife that she had better take it to your father's?—She told me so, and I said, "Very well."

26,358. Did she give you any reason?—No.

26,359. None at all?—Not many words passed about it.

26,360. Did not your father give you some advice as to what you were to say before the committee of the House of Commons?—No.

26,361. Did not he say that you had better say the money did not come from Mr. Lorimer?—No.

26,362. Nor about the three 20*l.* notes?—No.

26,363. What did he say to you about the evidence before the committee?—I do not recollect ever touching the subject.

26,364. When were you served with the warrant to go up?—Saturday as we went up on Monday.

26,365. The Conservatives served you?—Yes.

26,366. Mr. Edmonds' clerk?—Yes.

26,367. Did not you go over to your father when you got your warrant served?—No.

26,368. Were you working for him?—Yes, I was working for him.

26,369. Were you living in his house?—No.

26,370. Where?—He is living in the higher part of the town; I am living below the arch.

26,371. Did you happen to see him in the course of the day?—The first summons was before.

26,372. Did you see him between the first and second?—Yes, I told him I was summoned.

26,373. What did he say?—He did not say anything particular, any more than he said, "If you are "summoned you will have to go."

26,374. Did he say what you were to say when you got there?—No, I kept my own counsel.

26,375. When your wife took the three 20*l.* notes down to your father do you imagine that he did not know how she got the three 20*l.* notes?—Yes, he pretty well knew.

26,376. Did not your wife tell him?—I was not there. I do not know what she told him.

26,377. Had not your father been to you before the election of 1865 to ask you about your vote?—Not to ask me about my vote, because he knew I would vote for Pender and Seymour, which I had given him to understand before I went.

26,378. Did not your father tell you how to vote, and tell you he would go and see Mr. Lorimer and make it all right?—No.

26,379. Or something of that sort?—No, he never mentioned Lorimer's name; I do not recollect it.

26,380. Well, that he would go to the "Seymour" and tell the Seymour party"?—I was working at Dartmouth.

26,381. Did not your father tell you he could get something for your vote?—No.

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26,382. What ?—I do not recollect anything.

26,383. You had had some money for the Conservatives in 1863 ?—Yes.

26,384. You were going to vote because you were working for your father for the Liberals in 1865. Did not you think you ought to have something for turning round ?—I rather expected I should have.

26,385. Did not you talk to your father about what you expected ?—I told him that Mr. Bowden had been down to me.

26,386. And had offered you 100*l.* ?—Father came down to Dartmouth, and I rode home with him, but he never said nothing about money nor Mr. Lorimer.

26,387. That was after your father had been down to Dartmouth ?—Yes.

26,388. And did you tell your father that Mr. Bowden had been down to Dartmouth and offered you 100*l.* ?—I do not recollect the amount exactly.

26,389. Well, money to vote for the Conservatives ?—Yes.

26,390. And did not your father say, "I will see "what can be done on the other side ?"—I wrote to him, not told him ; he was here and I at Dartmouth.

26,391. What did you say to him ?—That they was come to try to get me.

26,392. The Conservatives were ?—Yes.

26,393. Did you say in that letter that you must have something from the Liberals ?—No, I do not recollect it.

26,394. Did not you say you must have something from the Liberals ?—No, I never had no transaction about money with father.

26,395. Did not you tell your father that he must see whether he could not get something for you from the Liberals ?—No, I never asked him a question.

26,396. You wrote this letter for your father ; did your father come down for you to Dartmouth ?—Yes, I do not know that he came down on purpose.

26,397. Did he drive down ?—He rode down.

26,398. Did you go back with him ?—Yes.

26,399. Was your work down at Dartmouth ?—Yes.

26,400. What made you go back with your father ?—His persuasion.

26,401. How did he persuade you ?—He was afraid the other party would take me.

26,402. Did not he say when he persuaded you that he would see what could be done for you on the other side ?—No.

26,403. Take care.—I will take care.

26,404. Did not your father tell you he thought he could get you some money on the other side, perhaps he did not use the word "money ;" did not he say "Oh, we will manage that for you" ?—No, he did not ; on my oath he did not ; not then or any other time to the best of my recollection.

26,405. You say you trusted you would get something, how came you to trust to getting something. Who had been with you ?—Mr. Lorimer.

26,406. When did he first speak to you about it ?—The night before the election.

26,407. Then it was not your father, but Mr. Lorimer told you this ?—Yes.

26,408. Your father can tell us what became of the 20*l.* notes ?—Yes.

26,409. What time did you vote in 1865 ?—I do not know the exact time ; it was always before the money was fetched.

26,410. Pretty early was not it ?—Yes, between 9 and 10 I should think.

26,411. What time was the money fetched ?—Towards the evening.

26,412. Did you or Mr. Lorimer tell your wife to go down and fetch the money ?—I did not tell her to go for the money.

26,413. What did you tell her ?—I told her that Mr. Lorimer wanted to see her, or someone in there wanted to see her.

26,414. Where ?—Into Mr. Lorimer's.

26,415. How did you learn that Mr. Lorimer wanted to see your wife ?—Decidedly, he said he would remember me.

26,416. He did not say he would remember your wife ; why did you send your wife and not go yourself ?—I do not know ; no particular reason that I know of.

26,417. Did you think the money was better in her hands ? Had you agreed that she should go for it, you and your wife together ?—I was going away down the street, and I told her she might as well go in.

26,418. How far does Lorimer live from you ?—Only a door or two.

26,419. Now has Mr. Lorimer seen you since you have been down here ?—Yes, I dare say.

26,420. Has he talked to you about this little transaction between you and him ?—No, I never stopped to say as much.

26,421. Has he not talked to you about it ?—No.

26,422. Nor to your house and talked to your wife ?—No.

26,423. Did not he come a fortnight ago, or Mrs. Lorimer ?—Not to my knowledge.

26,424. Did not your wife tell you so ?—No.

26,425. Did not some of the neighbours come in and ask you as you are going away ?—No, I do not believe it, because a fortnight ago the missis was upstairs, nor not a month ago, nor two months between my missis, Mr. Lorimer, Mrs. Lorimer, or myself, nor yet since the election.

26,426. About half-past 11 on the morning of the election did you go into Thomas Welch's yard ?—I do not recollect.

26,427. Did you talk to Thomas Welch that morning ?—I do not know. Of course our houses joined each other and we frequently talked together.

26,428. You have given some evidence before ?—Yes.

26,429. Did you know a man called Samuel Saunders ?—Yes, that is a neighbour of mine.

26,430. Did not you come to Mr. Welch's yard and ask whether Sam had made it all right. You know Samuel Saunders has been here and sworn to it ?—I could not swear that he did.

26,431. Could you swear that he did not ?—I think I could. I do not recollect it. I have not the least recollection.

26,432. Did not you say what a fool he had been. "I am all right, but I have not got as much as I was "promised" ?—I believe that is a great untruth.

26,433. That you did not say that ?—That I did not say that.

26,434. Did you see Welch the next morning ?—I do not suppose that there was hardly a day passed but what I saw him.

26,435. Did you say the next morning, "I am very "sorry" ?—I do not believe there is any truth in it.

26,436. Will you swear you did not ?—I will not swear I did not, but I do not believe there is a particle of truth in it.

26,437. Did you go down in time during the last election to the Seymour ?—Yes.

26,438. When did you go down there ?—The night before the election.

26,439, Was that where you saw Mr. Lorimer ?—No, we went down the street together.

26,440. Did you go into the "Seymour" together ?—Yes.

26,441. Did you go into the big room ?—Yes.

26,442. Did you have a talk there about what money you could have ?—No, no conversation at all there.

26,443. Who was there besides you ?—A lot of people, and I had a drop of something to drink there.

26,444. Did Mr. Lorimer tell your wife who the money came from ?—I do not know.

26,445. Did she tell you from whom she got it ?—She never told me, and I never knew.

26,446. Did Mr. Lorimer tell you from whom the money was coming ?—No.

26,447. Did not mention a name ?—Not as regards money.

26,448. What name did he mention ?—He asked me if I intended to vote for Pender and Seymour, and he said he was a friend of Mr. Pender's, and I told him that I did intend to vote for Pender and Seymour, although they had not canvassed me. I was at Dartmouth.

26,449. Did he say he could get money from Mr. Pender ?—No ; he said he would see if he could get something for me, and I trusted to Mr. Lorimer. I voted and trusted to what I could get afterwards.

26,450. (*Mr. Coleridge.*) You knew when you you voted you would get something ?—No, because he did not promise.

26,451. But you felt convinced you would ?—Yes, I should have been disappointed if I had not.

WILLIAM PENGILLEY sworn and examined.

26,452. (*Mr. Bere.*) What are you ?—A bootmaker.

26,453. Have you a cousin called George Pengilley ?—A nephew.

26,454. When did you first have a vote for Totnes ?—In 1863.

26,455. Whom did you vote for then ?—Mr. Dent.

26,456. What did you get for that ?—60*l.*

26,457. Who from ?—20*l.* from John Heath, junior, and 40*l.* from Mr. Heath, senior.

26,458. How came you to get the money in two sums ?—Because after I had got 20*l.* I heard that others were getting 100*l.*, and as I voted against my principles I applied for more.

26,459. Had you voted in the municipal elections for the Liberals ?—Yes.

26,460. Who first induced you to vote against your principles at that election ?—A man called Manning, the churchwarden.

26,461. Nicholas Manning ?—Yes.

26,462. Did he come and offer you the 20*l.* ?—No.

26,463. How was it ?—He came to me one evening in the shop, and said he had just stopped at the "Stars," and seen a gentleman, and there was a man come down worth millions of money, and there was not a bit of harm in it, and he was going to pay every man for voting for him. I said I would give it my consideration, and afterwards I saw Mr. Edmonds he called on me, the solicitor ; he said if I would vote on their side he would see that I was rewarded ; and then John Heath, junior, called on me and gave me 20*l.*

26,464. Did you go down to his house ?—Yes.

26,465. And did you get the 20*l.* ?—Yes.

26,466. Gold or notes ?—Gold.

26,467. Where ?—In his house.

26,468. What room ?—In his office, I think.

26,469. The left hand side ?—No, across the Plains I mean.

26,470. He gave it you there ?—Yes.

26,471. Did you go and vote for Dent ?—I did.

26,472. And after you had voted for Mr. Dent you heard that others had had their hundreds ?—No, before the election I heard others were receiving 80*l.* and 100*l.*, and as I was going to vote against my principles I applied to Mr. Heath, and I told him I could get more on the other side.

26,473. Who told you you could get more on the other side ?—It was offered by Mr. Charles Frederick Michelmore through a friend.

26,474. Who was the friend ?—A gentleman called Martin of Plymouth.

26,475. What christian name and address ?—Mr. Henry Martin, 33, York Street, Plymouth.

26,476. How much had Mr. Martin offered you ?—He had not offered me anything ; it was through him ; he came here on a visit.

26,477. Whom did he come to visit ?—He came here to visit me.

26,478. He was staying with you ?—Yes, he came up for the election.

26,479. Was he a voter ?—No, but he was a native of Totnes.

26,480. He was interested in the election ?—Yes.

26,481. He was an acquaintance of Mr. Michelmore's ?—Well, he was a strong Liberal, and wanted to persuade me not to vote for Mr. Dent and Mr. Seymour.

26,482. How much did Mr. Michelmore offer you through him ?—I do not know how much he offered, he said he could get me more from Mr. Michelmore.

26,483. More than 20*l.* ?—Yes.

26,484. On that you went down to John Heath, senior, and told him this, and he gave you the 40*l.* ?—Yes.

26,485. Did you go back and tell your friend, Mr. Martin, you had got it ?—Yes, he knew I was voting against my principles.

26,486. Did he think you could get more money from the Liberals than 60*l.* ?—I thought he could.

26,487. Did he tell you he could ?—To the best of my recollection he told me he could get 80*l.* for me.

26,488. Is that all that passed about the 1863 election ?—That is all.

26,489. What happened about 1865 ? Were you back to your principles then ?—I did after all I am very glad to say.

26,490. Had George Pengilley anything to do with your going back ?—Yes, he had.

26,491. Had a 50*l.* note anything to do with it ?—He brought it to my house, but I refused to take it.

26,492. You signed the requisition, did you ?—Yes, I did unwillingly.

26,493. Who asked you ?—A man called Harris brought it to me one evening in a great hurry and asked me to sign the requisition, I think for Mr. Macleay ; I refused to sign it, I said I had made up my mind never to do such a thing. He said he wanted to get a certain number of names in order to get a man to come down to contest the borough, and he plagued me to do it, and I did, but I was very sorry for it immediately afterwards.

26,494. Did he say why he wanted a man to contest the borough ?—No money would be spent unless he got a man down. After being once on the side I was willing to stay with them, but I am very sorry for it.

26,495. What did you get at the last election ?—I received 50*l.*

26,496. From whom ?—From Mr. George Pengilley.

26,497. Did you give it back again ?—No, the 45*l.* was in my house.

26,498. I asked whether George Pengilley had not something to do with it, and whether the 50*l.* had not something to do with it, and you said you gave it back again ?—No, I did not say that.

26,499. You did not take the note that time ?—No.

26,500. Did he take the note down to the bank and bring you back 50 sovereigns ?—He could not do it in time ; I voted at half-past 9.

26,501. What did he do ?—He got me gold.

26,502. Then Screach brought you the 45*l.* ?—He brought it to me two days before.

26,503. Did he take a receipt ?—Yes.

26,504. What did you do with the 45*l.* ?—I gave it to Mr. Screach.

26,505. Were you examined by Mr. Tucker at the "Seymour" hotel about the evidence you were going to give before the committee ?—Yes.

26,506. You had been served with a warrant on behalf of the Conservatives, had you not ?—Yes, I had.

26,507. Did Mr. Tucker read it over to you and ask you questions, and did you answer them ?—Yes.

26,508. Did Mr. Tucker write down the answers

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and afterwards read over what you had said to him?—Not to my knowledge; I do not believe he did.

26,509. Did you sign it?—I did.

26,510. Just look here, is that your handwriting (*showing a paper to the witness*)?—Yes.

26,511. Now look at that, "I am a voter for Totnes; "I voted for Pender and Seymour; I had no money; "I had no promise of money or any bribe whatever, "but voted according to my principles for the two "Liberals conscientiously;" who told you to say that?—No one.

26,512. You went down and told Mr. Tucker a deliberate lie, and you meant to perjure yourself afterwards?—No, I did not intend to perjure myself.

26,513. This is the evidence you were going to give before the Committee of the House of Commons?—I should not have given that evidence; if I had I should have told them as I have now told you.

26,514. You think it makes a difference whether you are on your oath or not on your oath?—Yes, I do.

26,515. Do you mean to say you have seen nobody at all about what you were going to say before the committee?—No one asked me.

26,516. Not Mr. George Pengilley?—Nobody at all.

26,517. I suppose you thought nobody knew about this business of Pengilley's?—What business.

26,518. This business of the 50*l.* note; that nobody knew about it?—I do not know what you mean.

26,519. Did you think it was known that George Pengilley had given you 50*l.* for your vote?—Yes; it was rumoured about the town.

26,520. What made you conceal it from Mr. Tucker if it was rumoured about the town?—I was not going to tell him all I knew.

26,521. He was examining you not for the Conservatives, but for the Liberals, why did you not wish to tell him all the truth?—I did not wish to tell him.

26,522. Why did you tell him anything at all?—He asked what I knew directly; I said nothing.

26,523. Were you examined before the Committee?—No.

26,524. What was the reason you were to be examined as a witness before the Committee at all, was it not to deny that you had had any money from George Pengilley?—I suppose as I returned the 45*l.* they considered I must have had money on the other side.

26,525. Was not the purpose for which you were to be called for Mr. Pender, before the Committee, that you had said that you had had this 50*l.* note from Pengilley?—I do not understand you.

26,526. It was rumoured about the town that you had 50*l.* from George Pengilley; was not the purpose for which you were subpœnaed as a witness to confirm that rumour?—Yes.

26,527. Why, did you not tell Mr. Tucker that you had had nothing to do with it?—I wished to keep it a secret till I was obliged to give it up, and if I was put on my oath I should have told them as I have now told you.

26,528. (*Mr. Coleridge.*) Did you not know that if you had done that you would have been injuring your own party?—I should mind myself first.

26,529. Would it not have been the better thing to have told Mr. Tucker the truth, when he could have used his own discrimination about whether he would call you or not?—I was sent by the Conservative party.

26,530. But Mr. Tucker wanted to know on behalf of your own party what you knew about the matter?—I told him nothing.

26,531. (*Mr. Bere.*) You told him you had been bribed by Screach?—Yes.

26,531a. What was it made you conceal a bribe from the Liberals?—I did not care about telling him of it.

26,532. Are you certain nobody spoke to you about holding your tongue?—Not a single person.

26,533. (*Mr. Coleridge.*) You did not think it worth while that Mr. Tucker should be fore-armed, and so forewarned?—I thought if I could keep it a secret I would do so.

26,534. You knew he was engaged by the party, and whatever he told you would be kept secret unless it was used in the Committee?—The party had gone to London, and would have known nothing about it.

26,535. You objected to Mr. Tucker knowing about it?—I would not let any one know about it.

J. Crocker.

JOHN CROCKER sworn and examined.

26,536. (*Mr. Bere.*) Were you employed as a waiter at the "Seymour" hotel on the Saturday before the election of 1865?—No.

26,537. What is your name?—John Crocker.

26,538. You are the ostler at the "Seven Stars?" Yes.

26,539. There is another John Crocker, a waiter?—Yes.

26,540. How long have you had a vote?—1863.

26,541. You voted for Dent?—Yes.

26,542. What made you vote for Dent?—I had no other reason than that I belonged to the Conservative party.

26,543. And to the "Seven Stars"?—Yes.

26,544. Did you have any good reason for voting?—Never, nothing more than that I was getting my living from the Conservative party.

26,545. No money?—I think not.

26,546. Did you vote in 1865?—Yes.

26,547. How did you vote then?—Captain Pim and Colonel Dawkins.

26,548. What did you get for that?—Nothing. I have not seen the colour of it.

26,549. Were you employed as ostler?—Yes.

26,550. Did you drive a little?—I drove Colonel Dawkins over to Broomborough.

26,551. What did you get for that?—I never got anything.

26,552. How long have you been the ostler?—Ten years.

26,553. Did you keep an inn on your own account, or a tap?—I kept the tap.

26,554. Are people entertained at election times at the tap pretty freely, at the "Seven Stars"?—No, not but once.

26,555. When was that?—I think the town council election.

26,556. How long ago?—I cannot tell the date.

26,557. How long ago was it?—I have the bill; it is in court.

26,558. Was it in 1864; was it for Mr. Heath's expenses when a candidate?—I really cannot tell you.

26,559. How much did the tap bill amount to?—I cannot tell; the bill is in my own handwriting.

26,560. Was it 5*l.* or 6*l.*?—No, I should not think it was 3*l.*

26,561. You had your bill paid, whatever it was?—It was paid.

26,562. Is that all the money you had?—That is all the money I ever had.

26,563. Did you ever get anything for voting for the town council?—Never in my life.

26,564. You never had any money at all for voting for the borough or town council elections?—No.

26,565. Did you have any after?—Never; none.

26,566. Do you live in the house?—I rent the tap, and I rent a house opposite.

26,567. Who from?—The master.

26,568. At what rent?—5*l.* the dwelling house.

26,569. What is the tap?—It costs 30*l.* a year.

26,570. Is it a pretty good business, the tap at the "Seven Stars"?—Enough for a small place.

26,571. It is a sort of thing you would not like to be turned out of?—I should not like to be turned out of it exactly.

26,572. Do you supply everything in the house and the beer and spirits?—No, I have nothing to do with that.

26,573. Just come here, look at that [*showing a bill to the witness*].—That is my writing.

26,574. Just take it and explain what it means. Read the first item, what is the date of it?—November 2nd.

26,575. 5*l.* Master George?—Yes.

26,576. Skinner 1*l.* What did he get that for?—Voting.

26,577. Who told you to give him that?—Master George.

26,578. The next man is James Timewall 1*l.* Was that for voting for Mr. John Heath?—Yes.

26,579. The next 10*s.*?—James Holman.

26,580. Beer for men 9*l.* 19*s.* 9*d.*?—Yes.

26,581. Was it supplied by you in one day?—Yes, a day and night.

26,582. How many were there drinking?—I cannot say the number.

26,583. If you were to vote for the Liberals do you think you would be turned out of your house and the tap?—I cannot say I never had the question put to me. I consider that where a man gets his living that is the party he ought to support.

JOHN PEARCE sworn and examined.

J. Pearce.

26,584. (*Mr. Longe.*) What are you?—A cowman.

26,585. How long have you been a voter?—I have been in Totnes 22 years.

26,586. Do you remember the first election at which you voted?—I know the gentlemen, but I cannot recollect the date.

26,587. The gentlemen's name you can recollect?—Yes.

26,588. Who were they?—Baldwin one, Lord Seymour and Ricardo I think.

26,589. That was in 1847?—I think so.

26,590. Did you get any money that time?—Not a farthing.

26,591. In 1852 there was Mr. Baldwin and Mr. Mills. At that election for whom did you vote?—I voted for the Liberals always.

26,592. Did you get any money?—I was promised they would do something for me. I did not ask and never thought of having it.

26,593. Who canvassed you, Mr. Mills?—Yes, Mr. Mills and Lord Seymour.

26,594. At that time you were promised something and did not ask for anything?—I did not ask for it, not to them.

26,595. Was it sent to you afterwards?—I never asked for anything, and I have come here to tell you the truth.

26,596. What did Mr. Parnell promise you?—He promised, something.

26,597. Did you get anything?—Some time afterwards I think two months he used to come to my dairy, and when he paid a bill he said there is a present for you, and the missus brought it home in an envelope, and that was 20*l.*

26,598. Were you tempted by the other side that time?—Not that time.

26,599. In 1857, the time of Mackenzie and Gregory. Do you remember that election?—The two Liberals Lord Gifford and Mr. Mills? I voted for them, and as soon as they came and asked me I promised to vote for the Liberals.

26,600. Did anybody promise you money that time?—No.

26,601. After the election was a present made to you?—No. Not that election to my knowledge. I had it twice, but I cannot say exactly whose it was.

26,602. You had it twice from Mr. Mills?—Yes.

26,603. Was one the election of 1859?—Yes, it may be.

26,604. You remember when Mr. Dunn was the Conservative candidate, was that one?—I do not know whether Mr. Harris sent down a man.

26,605. Sent a man to you?—Sent a man to my house?

26,606. Tell us about that?—I will tell you; I will give you the truth; I intended to say the truth; I am in the habit of telling the truth; I wanted to come and clear myself of what I have been accused. Mr. Harris sent down a man I think called Smith; he came to my house, and he said to my wife I have come here for 40*l.* with your husband to vote for Dunn.

26,607. That is the man that came to your house?—Yes, and he said I had got the 40*l.* to vote for Dunn. She said, I am certain he won't, he has never changed, and never will. He put his hand in his pocket and took out the money; she saw it was gold, but he didn't count it. She said, It is no good staying here, I will not take it. He said, I will come in the evening and see Mr. Pearce, and I will bring 10*l.* more, and that will make 50*l.*

26,608. That was the stranger said that?—Yes, and I said I will lock up my doors for I am an early man. He came down again in the evening, we had been in bed about an hour, and there was a knock at the door; my wife looked out and no doubt it was Mr. Harris and Mr. Smith, and that passed off. Then on the polling day about 6 o'clock or half-past 6 Mr. Sampson up under the walk sent to my house to have the 40*l.* left. Mr. Harris sent him down to have this 40*l.*

26,609. Harris sent Sampson down?—Yes for the 40*l.* I said there was no such in my house, and my wife said she didn't have it and wouldn't take it; so I said "Where is the man that brought it down?" "At the 'Stars.'" I said, "Then bring him with you" "and I will wait for an hour," but Sampson never came, nor the stranger never came, and I went and got a friend to go to Mr. Harris to hear what he had to say, and I said. How came you to send that man Sampson for the 40*l.*

26,610. Do you deny that the 40*l.* was left?—Quite so.

26,611. Was 25*l.* left?—Not a farthing.

26,612. You got 25*l.* from some one to vote for Dunn?—No.

26,613. Not a promise to vote for Dunn and 25*l.* left?—No.

26,614. You didn't vote for Dunn?—No; and no money left. I said to Sampson, That man never came up, and I went to Harris and asked what he meant by sending a man, and he denied it. Mr. Harris cannot deny it now, it was one of his dirty tricks.

26,615. In 1862 you voted for the Liberals?—Yes.

26,616. In 1859 you voted for Mills and Lord Gifford?—Yes.

26,617. What did you get for voting? What did Mr. Barnes give you?—Never had anything, never spoke to me.

26,618. Did he leave a parcel with you?—No.

26,619. Did you get anything for voting for the Liberals?—I had this what I say.

26,620. Do you remember who gave it to you the second time?—Mr. Parnell.

26,621. You had it twice from the same person?—Yes.

26,622. In 1862, Dent's election, Dent and Pender?—I had then, after it was all over, 20*l.*

26,623. Who gave you that?—Parnell.

26,624. That is the third time?—Yes, and no more.

26,625. Now on the Conservatives; were you promised anything for the Conservatives?—Not that I know of.

26,626. Were you tried again by the Conservatives?—I remember their coming down one evening.

26,627. Who was it?—Evens, I think; but we would have nothing to do with him, I had promised before.

TWENTIETH DAY.

J. Pearce.

25 Sept. 1866.

26,628. In 1863 there was another election ?—Who were there then ?

26,629. Alfred Seymour.—Yes.

26,630. How did you vote then?—I voted for Mr. Seymour.

26,631. Did you get anything ?—Not a farthing.

26,632. How was that ?—Didn't ask for it.

26,633. You had not asked before ?—I didn't look for it.

26,634. The last election of 1865 ?—Nothing then.

26,635. How did you vote?—For Pender and Seymour.

26,636. Who canvassed you the last time for the Liberals ?—Mr. Pender and Mr. Seymour.

26,637. Didn't you see Mr. Parnell again ?—I can't remember seeing Mr. Parnell again.

26,638. Didn't you expect something again ?—I said I had.

26,639. But this last time ?—I never asked for anything, and never looked for it; Mr. Pender came and asked me, and I gave him my vote.

26,640. When you gave him your vote did not you expect to get the usual 20*l.* ?—No ; I had not got a farthing.

26,641. And nothing offered on the other side either ?—No.

26,642. To you or your wife ?—No; I got nothing.

D. Blight.

DAVID BLIGHT sworn and examined.

26,643. (*Mr. Coleridge.*) How long have you been a voter ?—16 years.

26,644. When did you first vote ?—For Mills and Gifford.

26,645. What did you get at that election ?—Nothing.

26,646. And nothing promised you ?—No.

26,647. What did you get at the election of 1859 ?—Nothing.

26,648. What in 1863 ?—Nothing.

26,649. When were you paid for your vote ?—I was never paid for my vote ; never a glass of grog.

26,650. And never promised anything ?—No.

26,651. And never got a present afterwards ?—I will come here and look at you, and every one in court, and say I did not.

26,652. Did you have a conversation with Mr. Harris at the election of 1863, Dent's election ?—No.

26,653. Don't you recollect Mr. Harris having a conversation with you ?—No.

26,654. And your telling him that you would like to have something if there was money going ?—No ; but I was tempted in Dent's election.

26,655. Who was it ?—John Heath.

26,656. By how much ?—200*l.*

26,657. Where did he tempt you ?—In my cart linhay.

26,658. What did you tell him ?—I said it was a heavy sum of money. I do not want anything more than my rights. Then he said, "This will buy four "fine strawberry horses," and I said, "I have "enough for my labour."

26,659. Did he tell you where you were to go and get this money ?—I was to go to the "Stars" directly.

26,660. Did you go ?—No.

26,661. Did you tell him that you would not ?—I left the cart linhay and I thought of my wife and family and children, and I voted always for the Liberals.

26,662. Did you go to the "Seven Stars" ?—No.

26,663. Did you go back and tell him ?—I said, "Master, I am much surprised at having you come "here and tempt me with money, for your father "never knew me to shift or turn."

26,664. What did he tell you then; did he tell you anything more ?—He said I would have a strong opposition come against me.

26,665. What are you ?—A haulier.

26,666. What horses do you keep ?—It depends; 8 or 10.

26,667. You never had an offer besides that ?—No.

26,668. You never had any present from the Liberal party ?—No.

26,669. Not after the election ?—No.

26,670. Never anything on the table or up the chimney ?—No.

26,671. Nor your wife ?—No.

26,672. Did you ever find any money in your waggon or carts ?—No.

26,673. Never had a horse left by mistake ?—Never. It has been said, "There's an election horse," but I can say it is not.

26,674. You never had a strange horse that you did not pay for ?—No.

26,675. (*Mr. Bere.*) You are a tenant of the duke's ?—I rent a little.

26,676. How much ?—One field I give 9*l.* for.

26,677. And the other, the marsh ?—Five guineas.

26,678. How long have you rented that ?—A long time.

26,679. What is your qualification ?—My house and stables.

26,680. Worth more than 10*l.* ?—Yes.

26,681. Didn't you tell Mr. Harris in the election that this time you would mind yourself ?—He came to me at the quay when I was picking up stones. He says, "Oh! Mr. Blight." I says, "Oh! Mr. "Harris." We are very friendly ; I am friendly with everybody, Whig or Tory ; and he said, "Is it "any use coming to your house, master, with 60*l.* or "80*l.*" I said, "No, Mr. Harris, not in the election ; "I never took it, and wouldn't now."

26,682. Did you take any ?—No, not at the time of the election.

26,683. For the council ?—No, not a copper.

26,684. Have you ever had a present of 60*l.* or 80*l.* ?—Not at any time.

26,685. Did you have it for anybody else than yourself ?—No, my wife and family work hard.

26,686. Whom did you tell what Mr. Harris had offered you ?—I never told anyone.

26,687. Did not you consider about it, and ask whether you should take it ?—No, I used my own mind on the subject.

26,688. Do you have Mr. Michelmore's hauling ?—I work for him or anyone.

26,689. Did not you think that you would have been turned out of your field at the last election if you had voted against him ?—I didn't; I get my living by the public at large.

26,690. Would you have lost the hauling for the Duke of Somerset if you had not voted ?—Never asked any questions.

26,691. Do you think you would have been allowed to keep your field and employed as haulier for the Duke of Somerset if you had not voted ?—I never tried.

26,692. You have heard of other people being turned out ?—Yes, but I never tried.

Mr. R. Tucker.

Mr. ROBERT TUCKER sworn and examined.

26,693. (*Mr. Bere.*) Are you a solicitor practising at Ashburton ?—I am.

26,694. I believe you were employed on behalf of Mr. Pender and Mr. Seymour to get up evidence against the petition ?—I was, last March.

26,695. There are certain papers and documents in your possession which we consider necessary to be produced. We now call on you to produce all correspondence connected not only with the election for Totnes in 1865, but the election for Ashburton in

1865?—I have brought here every paper connected with the Totnes election; the Ashburton correspondence in 1865 I must object to produce.

26,696. Then the court will be obliged to use their power to enforce the production of those?—All I say is, that there is nothing whatever which is relative to Ashburton in any way connected with the election in Totnes.

26,697. That is for us to judge of?—Very well; I will produce the letter book if you think proper to have it. I may say I have no objection personally.

26,698. (*Mr. Coleridge.*) We only ask them for our own use, not for the purpose of being put in evidence?—Personally I have no objection, but as the agent of Mr. Jardine I think I should not be bound to produce documents connected with any other election. There is nothing which affects Totnes in any way.

26,699. (*Mr. Bere.*) Perhaps you will produce them?—I will.

26,700. (*Mr. Coleridge.*) Let us have the letter book for that period, May, June, July, and August.

26,700*. (*Mr. Bere.*) Who was returned for Ashburton in 1859?—Mr. Askell.

26,701. Was there an inquiry before the House of Commons into that election?—There was an inquiry.

26,702. Before a Committee of the House of Commons?—There was.

26,703. Have you a copy of the evidence given before the Committee?—I think it is in the hands of the solicitor in London, the London agent.

26,704. (*Mr. Coleridge.*) Who was your London agent then?—I forget; I cannot tell at this moment; I can send you the name.

26,705. Was it Mr. Coppock?—No.

26,706. Mr. Cooper?—No.

26,707. Mr. Baker?—No. I can send you the name; I cannot recollect it now.

26,708. (*Mr. Bere.*) Are you sure you have not a copy yourself?—A copy of the evidence?

26,709. A copy of the evidence and the proceedings before the Committee, a printed one.—I do not know at all. If I have a copy you should have it. I have not the slightest objection to produce that.

26,710. That is all we want to ask you at present, except I may ask you this one general question,—You produce your draft brief and draft notes?—Yes.

26,711. Did you take the evidence of the witnesses mentioned in that draft case at the various places mentioned in this town, or at one only?—Will you allow me to look at it? (*It was handed to the witness who referred to it.*) Some were taken in London, these are additional evidence taken in London, and I have put them separately.

26,712. Did you extract that evidence by asking them questions to which they gave you answers, or did they give you statements?—I took this evidence at the "Seymour Hotel," I think in March last. I was concerned for Mr. Pender and Mr. Seymour in getting up the case in defence of their seat. I took nearly the whole of this evidence; I believe the whole with the exception of Mr. James and Mr. Butland's evidence, at the "Seymour Hotel." I am speaking from recollection, and I believe all the others were taken at the "Seymour Hotel."

26,713. Did you take any at the "South Devon Inn"?—No, never.

26,714. Did you read over to each witness after you had drawn out his statement?—Yes, I did; and they signed the notes. I should say I did what I will never do again, because the last seven years I have not worked my brain, but I did not know that I should be concerned so long in it. I wrote all this myself and read over every word. That is not my handwriting; it was written by Mr. Windeatt in London. I examined the witnesses and he wrote.

26,715. That is Mr. Thomas White Windeatt?—Yes; Thomas White Windeatt.

26,716. (*Mr. Coleridge.*) Does the brief for counsel contain the whole, that is, that draft?—Yes. I never saw but the outside. Messrs. Smith and De Gex were the London agents, and I sent a statement of the facts to them. Of course I saw the brief day by day but not the inside.

26,717. You never saw them compared?—I never saw them compared.

26,718. As far as you know the paper was made to contain all that was in your copies?—Yes; I sent them copies of this evidence, and a statement of facts for the purpose of ascertaining exactly how the thing stood. How they prepared this brief I do not know. I have no moral doubt that if the brief were handed to me I should find word for word.

26,719. No one else was employed in getting up the evidence besides yourself?—No one.

26,720. (*Mr. Bere.*) So that in fact you are answerable for all the evidence?—I am responsible for the evidence from beginning to end.

Adjourned until Tuesday morning at 11 o'clock.

TWENTY-FIRST DAY.

Tuesday, 18th September, 1866.

JOHN ACKRELL sworn and examined.

26,721. (*Mr. Bere.*) What are you?—A mason.

26,722. How long have you lived in Totnes?—All my lifetime.

26,723. How long have you been a voter?—I do not know; between 18 and 20 years, I think.

26,724. When did you first vote, in 1847?—I voted the first time that I had a vote.

26,725. Was that when Mr. Blount stood?—No; long after that.

26,726. Had you anything to do with Blount's election?—Yes; I was hired by the Tories.

26,727. What did they give you?—*4s.* a day, *5s.* a night, and all my meat and drink.

26,728. Was that all you got from the Tories?—Yes.

26,729. When did you first vote?—I voted for Lord Seymour, the present Duke of Somerset, the first vote.

26,730. Was it Lord Seymour, Ricardo, and Baldwin?—I am sure I cannot say.

26,731. Whom did you give your vote to?—I do not know. Mr. Baldwin at one time came to my house and offered me 200*l.* for my vote.

26,732. Who did that?—Mr. Baldwin himself offered it.

26,733. Was that the time that Ricardo stood against him?—I dare say it was; I am not certain about that.

26,734. He came to your house and offered you 200*l.*?—Yes, the night before the election.

26,735. Did you take it?—Certainly not. I never had a penny piece of bribe all my life.

26,736. Why did you not?—I knew myself better. I belonged to the other side.

26,736*. What are you?—I am a Liberal, of course I am.

TWENTY-FIRST DAY.

J. Ackrell.

18 Sept. 1866.

26,737. You told me that you were employed by the Tories; when did you change?—I never changed.

26,738. Were you employed by the Tories?—I was. I was working for a Tory master, and he said he would stop my work, and I was to go up to Prout's ropeyard to make up my time if I liked.

26,739. What did you go there for?—I went to fight the way when there were rows in the street, or anything of that.

26,740. What did you do in Mackenzie and Gregory's time?—I voted for the Whigs; never voted for a Tory at all.

26,741. How many times have you had an offer of money to vote for the Tories?—I do not know that ever I was offered any money except that once. There is chaffing and joking every election, but never to my knowledge was I offered any money at that time.

26,742. Where do you live?—Warland.

26,743. Who is your landlord?—Myself. It is my own house.

26,744. Do you rent any of the duke's land?—No; never did.

26,745. Whom do you work for principally?—I work for different ones throughout the town.

26,746. Do you do the duke's work?—I have of late years.

26,747. How long have you done his work?—I should think five or six years. I have done part of it, part of it in Totnes; only a job or two over in Bridgetown.

26,748. Who was the man who did it before you?—Jewel, he was called.

26,749. And you succeeded him?—Yes.

26,750. Who gave it to you?—Young Mr. Tom Michelmore gave it to me.

26,751. You have been working ever since?—I have till Christmas last.

26,752. What is the reason you left off?—My health failed. I have been crippled up with the gout.

26,753. You never had any money?—Never a penny piece, neither in the council nor the borough, and I will challenge any man in the world to say he ever gave me one, I do not care who he is.

26,754. If you had no money, did you ever ask for any?—I never did.

26,755. Did anybody on your side make you a present?—Never in my life.

26,756. Who built the schools that Mr. Pender subscribed to?—I built the walls.

26,757. A pretty good contract?—I do not know that it is. It is left to be measured and valued.

26,758. Who is to measure and value it?—Mr. Cuming; he was the architect. But I would as soon that a stranger measured and valued it, and sooner; no fear about that.

26,759. (*Mr. Coleridge.*) Were you ever offered any money except on that occasion?—No, I do not think I ever was.

26,760. Not any offer in Pender's election?—Nothing but Bob Harris, who came chaffing, and said I had better get 150*l.*

26,761. What did you say?—I said I thought it would be a useful thing. And then when Dent was coming in he came to me, and I said, "Get out of "the way, you damned fool."

26,762. What were you offered on Pender's side?—Nothing.

26,763. Did Mr. Parnell offer you anything?—No.

26,764. Mr. Searle?—Never talked to him.

26,765. Or Mr. Elliott?—No.

26,766. Mr. Michelmore?—No.

26,767. Now the next election, Seymour's election, Seymour and Dent; were you offered anything then?—I would not take it.

26,768. Were you offered anything?—Never offered by that party in my life.

26,769. You said you were offered by Harris?—Not that party. I did not consider Harris was an offer because I did not suppose an election was coming on. The man was not dead when he came and asked me if 150*l.* would be of any service.

26,770. Was that before Seymour and Dent, or before Pender and Dent?—I do not know which it was.

26,771. Was it when Lord Gifford was known to be ill?—I cannot answer about that. It is about four years agone.

26,772. At the last election did Harris offer you anything?—No, he never came near me; he took care of that. He offered me to turn some houses into a chapel, and I said I did not work for such chaps, I only worked for gentlemen.

26,773. When did you have the contract for the schools that Pender built?—I never had any contract; I was ordered to build them.

26,774. When was it?—June or July.

26,775. July of what year?—1865.

26,776. Directly after the election?—I do not know.

26,777. After or before?—I cannot recollect when the election was, what month; it was about June or July.

26,778. When Mr. Pender canvassed you for your vote what did he say about building the schools?—He never canvassed me.

26,779. Did Mr. Seymour?—I never saw him till he was on the hustings.

26,780. Who did canvass you at the last election?—I never spoke to Captain Pim or Colonel Dawkins.

26,781. I did not ask you that; I asked who canvassed you?—Mr. Michelmore asked me for my vote.

26,782. When he called did he say anything about the schools?—No.

26,783. Did Mr. Brooking Cuming?—No.

26,784. Who spoke about the schools?—Mr. Sam Cuming.

26,785. Did he canvass you for your vote?—No.

26,786. What did he say about the schools?—He said you have to come and build the walls.

26,787. Did he say that was for voting for Pender and Seymour?—He did not.

26,788. Did you suspect it?—I did not.

26,789. Was anybody employed about the schools that did not vote for Pender and Seymour?—I do not know.

J. Briggs.

JOHN BRIGGS sworn and examined.

26,790. (*Mr. Coleridge.*) Did you vote at the last election?—No.

26,791. You had lost your vote?—Yes, I was cut off.

26,792. You voted in 1863, did not you?—I voted in 1862.

26,793. Who did you vote for?—Mr. Pender.

26,794. That was the time when Mr. Dent withdrew?—Yes, that was the time when he did not stand the contest.

26,795. What did you get for voting for Mr. Pender that time?—Nothing at all.

26,796. Were not you offered anything?—If I voted for Mr. Pender I was told I should have a present afterwards.

26,797. Did you have it?—No, I did not, but some of the others did.

26,798. Who made the offer to you?—Mr. Frederick Michelmore at the "Exeter Inn."

36,799. Did he tell you where he could get the money afterwards?—No, he said that every working man who voted for Mr. Pender should have a present afterwards.

26,800. Did Mr. Michelmore tell you who you were to look to for it?—No, he did not say anything at all about it.

26,801. Did you go and ask him for it?—No, I did not ask him at all.

26,802. How came you as you, were promised a present and did not get it, to find out that you were

not to get it?—I found the others had it and I had none, and I thought to myself the next time I vote for that party they shall tell me of it.

26,803. Tell me the names of the others who you knew had it?—Thomas Kinsman.

26,804. What did he tell you he got?—He told me he was going to have 20*l.*, but had only 10*l.* of it then.

26,805. Who else?—I do not know, but several said, "I have had something, have not you had it?"

26,806. Did they tell you who gave it to them?—Thomas Kinsman's aunt gave it to him, Mrs. Kinsman, but who brought the money to her I do not know.

26,807. Was Thomas Jacob Searle one of those who were busy at that time?—I do not know.

26,808. Mr. Parnell?—I do not know.

26,809. When did you complain about not getting your present after voting for Mr. Pender?—I told many of the Liberal side.

26,810. And did you complain of that with a view of getting the money?—I do not know that I told any individual at that election. I did not go to them again.

26,811. Did you tell Mr. Brooking Cuming?—No, I did not go.

26,812. Then you did not try to get it?—No.

26,813. You thought it ought to be brought to you?—Yes.

26,814. Did they bring anything to you?—They never brought anything. Never a farthing.

26,815. Did they bring it to your wife?—Not they, they thought I was too far bound to vote that side.

26,816. Why were you so bound?—Because I was a tenant of the duke's.

26,817. They thought that as a tenant of the duke's they might have you for nothing?—Yes, that I should do as I was told.

26,818. In 1863 you went into the country on a journey before the election, did not you?—Yes.

26,819. Who took you?—Mr. Frederick Evens.

26,820. That was to Kingsbridge, was not it?—Well, he came and asked me whether I would like to go to Kingsbridge, because Thomas Kinsman was down there, and him, and Sandy Smith, if I would like to have some company, and go for a ride. He said, I will pay for it.

26,821. He asked you to vote for Mr. Dent I suppose?—Yes.

26,822. And then he told you you should have 25*l.*, did not he?—He carried it up to my missis as I was going away.

26,823. Did he give it to your missis?—He put it on the table, and she took it up.

26,824. And I suppose you and she spent it afterwards?—I got some of it, but I could not get it all; if a pound was wanted I had it.

26,825. How long did you stay at Kingsbridge?—We went down on the Wednesday, and stayed there till Tuesday morning at 4 o'clock.

26,826. Then you were brought back, and you polled for Mr. Dent?—Yes.

26,827. As you had voted for Mr. Dent, I believe you got notice to turn out from the duke's land?—Yes.

26,828. Was it a house, or was it land of the duke's you voted on?—I had a little orchard, a field and cottage.

26,829. The cottage you lived in?—The cottage you lived in.

26,830. Who gave you the notice?—John Callard, Mr. Michelmore's clerk.

26,831. Was it to turn out that day six months, or what?—He brought it about Michaelmas.

26,832. Have you the notice?—No, I suppose it is torn up now. I was to leave at six month's notice at the expiration of the tenancy.

26,833. The regular notice?—The regular notice.

26,834. Did he tell you why you were turned out?—No, he did not say why, because I trusted for it, because others were served so.

26,835. You knew pretty well that you should have to go?—I knew.

26,836. Did not you get more than 25*l.* when you knew that you should be turned out of your cottage?—Yes, I had 10*l.* after that.

26,837. When was that given you?—In the middle of the day after I voted in the morning, Fred. Evens promised me that down at Kingsbridge, he said he would give me a present, I never asked him for anything.

26,838. Your missis then got 25*l.*, and you had all your grub at Kingsbridge paid for, and you got another 10*l.* for having your grub paid for?—Yes, that is it.

26,839. That 10*l.* you kept yourself; you did not give that to your missis?—Of course I carried it home. where there is a family.

26,840. Did you get anything else after you had got notice, or was turned out of the cottage?—No.

26,841. Did you complain to Mr. Thomas Michelmore of being turned out?—No, I did not say a word to him, because I was as independent as he was. If I could not work for one person I could for another.

26,842. Then you lost your vote, and did not vote at the last election?—No, I was a good vote before, and then they cut me off.

26,843. It was as good as a loss of 35*l.* to you?—20*l.*

26,844. You were quite out of it?—Yes.

26,845. Did not they give you anything for the sake of auld lang syne?—No, they did not look at me then.

26,846. Did not they employ you?—I was out one night for a couple or three shillings.

26,847. How often have you voted at the municipal elections?—Twice or three times.

26,848. How often were you paid for it?—Twice.

26,849. What did Mr. George Heath give you at one time?—I never had one penny from Mr. George Heath in my life.

26,850. Which of the Mr. Heaths paid you?—Neither one.

26,851. Who paid you?—I think I had 5*s.* from the Liberals when I voted for the Liberals in Bridgetown, for a days work.'

26,852. What have you had from the Conservatives since you have turned round?—Another 5*s.*, I think, that is all I had.

26,853. Did not Frederick Evens give you a pound or 30*s.*, or something of that sort?—I forget now; he might have.

26,854. Who gave you 1*l.*? Was it Mr. Heath or Evens?—I think Frederick Evens gave me 30*s.* or thereabouts. I was pretty near tight.

26,855. Did not Mr. George Heath give you something at one time?—Never a penny.

26,856. Neither of the Heaths?—No, the man who gave it me was Frederick Evens.

26,857. Did you get anything in the "Stars" at the election of 1863?—After I voted I had some breakfast.

26,858. Did you get any money there when you voted for John Dent?—That is when Evens gave me the 10*l.*

26,859. Was that given to you in No. 8 just at the top of the stairs?—No; facing the front door there is a pair of stairs with a smoking room behind.

26,860. Are you quite sure that Mr. George Heath has not paid you anything?—Never paid me anything. Neither of them.

THOMAS KINSMAN sworn and examined.

T. Kinsman.

26,861. (*Mr. Bere.*) How long have you had a vote for Totnes?—Thirty years.

26,862. When did you first vote?—For Lord Seymour and Parrott against Sir George Adams.

26,863. At the election of 1837?—Yes.

26,864. Have you continued to vote ever since?—Yes.

TWENTY-FIRST DAY.

T. Kinsman.

18 Sept. 1866.

26,865. And always on the same side?—Yes, always straight forward.

26,866. You are not the Thomas Kinsman who was taken off to Kingsbridge?—No, that is a nephew of mine. I was never taken anywhere.

26,867. Is your name Thomas?—Yes. I have a nephew of the same name.

26,868. (*Mr. Coleridge.*) Did not your wife give the last witness the 25*l.* he has spoken of?—No, my wife had nothing to do with him.

26,869. (*Mr. Bere.*) You have always voted for the Liberals?—Always. I never deviated at all.

26,870. What are you?—A baker by trade.

26,871. Have you always been that trade?—No. I was once a schoolmaster.

26,872. What sort of a school did you keep?—The Commercial School.

26,873. Do you know of your wife having paid your nephew any money?—No. She never had anything to do with him.

26,874. Has he any other aunt besides your wife?—My wife never paid him any money, and he will say so if you have him forward.

26,875. Did you not once apply to Lord Gifford for a situation?—That had nothing to do with my vote at all.

26,876. Did you do so or not?—I did.

26,877. Did you get the situation?—I did not.

26,878. What situation was it?—I asked him if there was anything in the Customs, or anything of that sort.

26,879. Which of your nephews was it?—A brother of the one who is here.

26,880. When did you ask that?—Many years ago.

26,881. Did you vote in 1865?—I voted at every election.

26,882. Was your nephew living with you in 1863?—I dare say he was.

26,883. Were you living next door to some people of the name of Foote?—No, that is my house.

26,884. A house belonging to you?—Yes.

26,885. Did you ask for this situation while the canvass was going on?—No, I sent a note to him.

26,886. While Lord Gifford was down here?—I do not recollect.

26,887. Just think of it. Did you not send him the letter while he was at the Seymour Hotel canvassing?—No, I never sent to him at the Seymour; if I sent him a letter, I think it was directed to him at the House of Commons some time before the election.

26,888. How many times did Lord Gifford stand?—Three or four times.

26,889. He was elected in 1855 for the first time, and he stood a contest in 1857 and in 1859?—I voted for him every time.

26,890. When did you write to him for the situation?—That I cannot remember.

26,891. What is your qualification?—My own house, which belongs to me.

26,892. Where do you live?—In Fore Street, exactly opposite the Plymouth Road.

26,893. You must remember when you wrote for the situation?—I do not.

26,894. What has become of your nephew?—He is living in Totnes as a baker.

26,895. Was he in business at the time you wrote for the situation?—No.

26,896. What is his christian name?—William.

26,897. How long has he been a baker?—Twelve months.

26,898. Was he in any other business before?—A journeyman baker.

26,899. How long before he went into business had you written for the situation?—That I cannot tell.

26,900. Was it in consequence of your not getting the situation that he went to learn the trade of a baker?—No, he was brought up under me as a baker.

26,901. Is it thirty years ago since he learnt the trade of a baker?—No, not so much as that.

THOMAS KINSMAN, jun., sworn and examined.

T. Kinsman, jun.

26,902. (*Mr. Bere.*) Are you a nephew of Thomas Kinsman the elder?—I am.

26,903. How long have you had a vote for Totnes?—Since 1862.

26,904. Who have you voted for in the election for the council?—I never voted in the council at all.

26,905. That was the first time you voted?—Yes.

26,906. Who came to you in 1862 about your vote?—Not any person.

26,907. You did not vote in 1862?—Yes, I voted for Pender.

26,908. What did you get for that?—I had 20*l.*

26,909. Who gave you that?—My sister gave it to me.

26,910. What is your sister's name?—My sister's name was Amelia Kinsman. She is dead now.

26,911. Where was she living then?—She was living along with me, at my aunt's.

26,912. Do you mean the wife of the gentleman who has been just examined?—Yes.

26,913. You and your sister were living there at that time? At that time I was married. I was not living there; I was working there.

26,914. Where did she give it to you?—She gave it to me in my own house; she gave me 10*l.*

26,915. Where did she get it from, do you know?—Mr. Samuel Parnell gave it to her, I suppose.

26,916. When did she give you the other 10*l.*?—I had it by instalments. I had 5*l.* a long time afterwards.

26,917. Who gave it to you?—My sister gave it to me.

26,918. The other 5*l.*, where did you get it from?—I got it from her. I think Mr. Parnell gave her the 10*l.* altogether, but she kept it back for fear I should spend it rather too quick.

26,919. Did she not get the 20*l.* from Mr. Parnell all at once?—No.

26,920. Did your aunt know anything about it?—I do not believe that she did.

26,921. Did any one come and give your sister this money, or did she fetch it from anywhere?—I think she fetched the second lot; whether any one came with the first lot I do not know.

26,922. You were at work at this time and were not able to be seen; your sister would be able to be seen by some one?—I suppose so; I did not know where she was going to.

26,923. Do you recollect telling a man of the name of Briggs anything about this?—We were together.

26,924. Did he not tell you what he had got?—I understood from him that he was going to have the same as I had.

26,925. He told you that he was going to have 20*l.*, did he?—Yes, so I understood.

26,926. Did he not afterwards tell you that he did not get anything?—Yes.

26,927. In 1863 who did you vote for?—Mr. Dent.

26,928. What did you get?—Altogether I got 35*l.*, I was to have 40*l.*

26,929. Who promised you the 40*l.*?—Mr. Evens.

26,930. You went to Kingsbridge?—Yes.

26,931. How much did he give you then?—I think 18 sovereigns.

26,932. How many times did he pay it you in?—Twice.

26,933. Did he give you the rest of the 35*l.* when you came home?—Yes.

26,934. Did he give it you in sovereigns?—My wife took it. I found the first on the chimney-piece hanging up.

26,935. In a bag?—Yes.

26,936. Where did you find the second?—At the "Seven Stars."

26,937. Is your wife alive?—Yes.

26,938. At the election of 1863, what did they offer you on the other side?—Nothing. I never saw anybody. I went away a long time before the election. Mr. Evens came up after I had got away, and he gave a sovereign to a man named Smith to get me out and make me drunk.

26,939. (*Mr. Coleridge.*) Did not your sister go to Mr. Parnell before the 1863 election?—I do not know.

26,940. (*Mr. Bere.*) Did you see your sister after the election, and did she not talk to you about the way you voted?—She told me that I had done what I ought not to have done.

26,941. Did you say you got some money on the Tory side, and the Liberals would not give you any?—I have no doubt I did; but I never spoke to her for a long time.

26,942. (*Mr. Coleridge.*) When was it Mr. Parnell first spoke to you about having voted wrong in 1863?—I never spoke to him in my life.

26,943. Not after the election, did he never speak to you?—No.

26,944. Did Mr. Searle?—No.

26,945. Did Mr. Michelmore?—No.

26,946. Did no one on the other side complain of your having turned round in 1863?—No, they never spoke to me.

26,947. (*Mr. Bere.*) Who did you vote for in 1865?—I had not a vote then.

26,948. You did not get any money then?—No.

26,949. Is that all the money you ever had that you have stated?—Yes.

26,950. Were you employed in 1865 about the election?—No, I have got too much work to do to be employed.

26,951. You must ask your wife to come up?—She has got five or six children to look after, and I have got to go to work.

26,952. What was your qualification in 1863, what did you vote on?—On a house.

26,953. Did Foote vote on the same house?—Yes.

26,954. Who receives the rent for it?—My uncle.

26,955. (*Mr. Coleridge.*) You must tell your wife to get somebody to look after the children, we want to know what money she got from the "Seven Stars"?—She got it from Mr. Evens.

26,956. She told you that?—Yes.

27,957. What did she tell you she got it in?—In a little bag.

27,958. You got 35*l.* altogether?—They considered my expenses.

27,959. Were these 17 sovereigns in a little bag?—Yes.

27,960. How many little bags did she get?—Two.

27,961. How much in each?—35 sovereigns altogether.

27,962. You must send your wife up here; we must know all about it?—They gave us some money to go to Kingsbridge, two or three sovereigns.

MARY KINSMAN sworn and examined.

Mary Kinsman.

26,963. (*Mr. Coleridge.*) Do you recollect Mr. Parnell leaving a sum of money in your house in 1862 for your nephew?—Yes, I do. It was between my niece and Mr. Parnell; I believe it was 20*l.* at two different times.

26,964. Were you present when Mr. Parnell left it?—I was not; his sister took it, but I knew it.

26,965. Who told you about it?—My niece.

26,966. Did she tell you what Mr. Parnell had left the money for?—No.

26,967, Did she not say it was for voting for Mr. Pender?—No.

26,968. Did she not tell you whether Mr. Parnell himself left it, or had he sent it?—I think he left it himself.

FRANCIS COOMBES sworn and examined.

Mr. F. Coombes.

26,969. What are you?—A draper.

26,970. How long have you had a vote for Totnes?—Since 1859.

26,971. Who did you vote for in 1859?—Mr. Dunn.

26,972. Who were you canvassed by on that occasion?—By Mr. Dunn. I do not know who was with him at the time.

26,973. Were you canvassed on the other side?—Yes.

26,974. Who canvassed you then for Lord Gifford and Mr. Mills?—I think Mr. Mills came and Lord Gifford.

26,975. On the last occasion did you have any interview with Mr. Parnell?—No, not on electioneering business; I was constantly seeing him.

26,976. (*Mr. Longe.*) Did you receive anything at the time you voted in 1859?—I did not.

26,977, Do you remember Mr. Dunn being down here and Mrs. Dunn?—I do.

26,978. Mrs. Dunn was a good customer of yours?—Yes, a tolerable customer, not to any great extent.

26,979. Do you know how long she dealt with you?—I think a week or a fortnight.

26,980. She ran up a bill at your shop?—She did.

26,981. Do you remember what the amount was?—I think 8*l.* or 9*l.*

26,982. Did you vote at the election in 1862?—I did not.

26,983. Did you promise your vote in 1862?—I did not.

26,984. Were you canvassed?—I was canvassed.

26,985. Who by?—By Mr. Dent and Mr. Pender.

26,986. You did not promise to either?—I did not.

26,987. Your principles were not made up at that time?—No.

26,988. You were open to conviction by either party?—I did not feel inclined to vote, so I left and went away. I was not at home during the election; I went to London.

26,989. There was no lady down on that occasion to deal in your shop?—No, I believe not.

26,990. You remember going up to London?—I do.

26,991. What took you to London?—I saw Mr. Parnell on the nomination day, and I said, "It is "likely to be a strong contest to-morrow, and I would "rather be out of the way altogether. I think I should "like to go away and get into London to go to Suffolk "to see my friends, and I shall be out of the way."

26,992. This you told Mr. Parnell?—Yes, I did.

26,993. Did you go to Mr. Parnell?—No; it was in the shop.

26,994. What did he come for?—He did not come for anything particular. He was frequently in and out having a chat. We are very friendly.

26,995. Talking about the election?—Most likely so.

26,996. Who opened the conversation?—That I cannot tell.

26,997. Did he call about your vote?—No. Most likely. I do not think anyone asked me about my vote at all on that occasion. I cannot tell whether I said to him, or whether he made the proposition to me, "If you go away, we must pay your expenses," or whether I said to him, "I shall expect my expenses "paid." It was one way or the other, I could not undertake to say which.

26,998. You told this to Mr. Parnell, and your expenses were paid?—They were paid.

26,999. Who by?—By Mr. Parnell some two or three months after.

27,000. That was the December election?—Yes, 1862.

27,001. How much were you to have for expenses which Mr. Parnell paid you?—10*l.*

27,002. He gave you that sum?—Yes.

27,003. On that occasion did you ask the Conservatives whether they would pay your expenses?—No, I did not.

27,004. Why should Mr. Parnell pay them?—I do not know why.

27,005. Why one side more than the other?—That I cannot tell you.

27,006. There must have been some other conversation. I suppose you had told Mr. Parnell that you would vote for Mr. Dent if he did not pay your expenses?—No, I had promised. It has come to my recollection, that either Mr. Heath or Mrs. Heath, or some of them, were constantly asking me about my vote for Mr. Dent, and I said I would not vote against him.

27,007. You promised Mr. Heath?—Mr. Heath or Mrs. Heath. They were in and out of the shop, and I said, "I promise you this much, I will not vote "against Mr. Dent."

27,008. You had told Mr. Parnell that you had promised?—Most likely.

27,009. When you promised Mr. Heath did not Mr. Heath make some proposition to you that you would get some little present?—No.

27,010. Nothing about any money?—No.

27,011. Any remuneration of any kind?—Mr. Heath I ascertained came to my house in the evening and found that I was gone. He came after I left; I went by the mail train.

27,012. He saw your wife?—He saw my daughter I believe.

27,013. Did not he see your wife?—I have no wife.

27,014. What did he tell your daughter?—He merely inquired if I was in, and my daughter told him, I suppose, that I was gone away.

27,015. Did he ever say that you were losing a good thing?—I never heard that he said anything of the kind.

27,016. Do you know that he did not say anything of the kind?—If he had she would be most likely to have told me I think.

27,017. The next month, January, you were back again then?—Yes.

27,018. How did you vote at that election?—I did not vote. That is in 1863.

27,019. Yes. Who canvassed you for the Conservatives that time?—Colonel Dawkins.

27,020. No, no; the 1863, six months after?—I am not aware whether Mr. Dent called again in 1863 or not, I believe he did.

27,021. Did you have any conversation with Mr. Heath?—I had.

27,022. How long before the election?—I had several conversations with him.

27,023. Did he call upon you?—He did.

27,024. Give us the effect of this conversation?—He said, "Well, you have voted for us before, you "may as well give us your vote again." I think something to that effect, and I said, "No, Mr. Heath, I "cannot vote, I would rather not vote at all.

27,025. What reason did you give him?—I told him I was under certain obligations on the other side, and I would much rather not vote.

27,026. What were the obligations that you were under to the Liberals that you told Mr. Heath of?—He did not ask me to whom I was under obligations.

27,027. But we must know?—I did not tell him.

27,028. What were they?—I told him I was under obligations.

27,029. What were they?—I was under obligations with reference to borrowed money.

27,030. (*Mr. Bere.*) You owed Mr. Samuel Huxham 200*l.*?—No.

27,031. How much?—I think 100*l.*

27,032. You owed somebody else a similar sum?—I owed Mr. Parnell a sum of money.

27,033. 100*l.*?—I think so.

27,034. (*Mr. Longe.*) Those were the two persons?—Yes; and I had overdrawn at the bank, the Devon and Cornwall.

27,035. Had you interviews with the manager of the bank with regard to the sums overdrawn?—I had not.

27,036. Is that a Liberal bank?—I believe it is. Mr. Heath told me at the time, "You have no occa-"sion to have any fear as to the bank; they have "been spoken to, and they will not interfere in any "way."

27,037. Mr. Heath told you that?—Yes.

27,038. Then you did go into your difficulties with Mr. Heath?—Just so far I think.

27,039. There was no doubt that you were opening that to Mr. Heath with the view of his helping you out of your difficulties?—No, not at all.

27,040. Did not he make an offer with regard to the bank and with regard to your other debts?—No.

27,041. He did not hold out any prospect of being able to relieve you?—No. I think Mr. Heath has confused one election with another with reference to that.

27,042. (*Mr. Coleridge.*) What election are you referring to?—That is the election I am referring to now.

27,043. (*Mr. Longe.*) You went away again that time?—No, I did not; I stayed, but I did not vote.

27,044. (*Mr. Bere.*) When were you a bankrupt?—I was not a bankrupt exactly.

27,045. When did you make a composition with your creditors?—Somewhere about four or five months.

27,046. Have you got the composition deed, and the arrangements that were made in consequence?—I have not got them.

27,047. Who has got them? Who was your solicitor?—I employed no solicitor.

27,048. Has Mr. Parnell got them?—No; I suppose the accountants have got them.

27,049. Where were the proceedings conducted?—In London.

27,050. Why were they not done here or at Exeter?—My creditors sent from London.

27,051. Your wholesale creditors in London?—Yes.

27,052. They sent people to look at your affairs?—Yes.

27,053. Have you got any statement at all of what you owed at that time?—I have not.

27,054. What did you pay?—6*s.*

27,055. How much out of that did you pay to Mr. Parnell? Did Mr. Parnell ever get 6*d.* of that composition?—Yes.

27,056. How much has Mr. Parnell ever had?—He has had somewhere about 15*l.*

27,057. When did he get it?—He has had it at different times.

27,058. When did Mr. Parnell advance the 100*l.*?—He never advanced it in the whole amount; it was had from Mr. Parnell at different times, running through long course of years. I was in the habit of going to Mr. Parnell and asking him at different times if he could lend me 5*l.* or 10*l.*, or 14*l.* or 15*l.*, as the case might be.

27,059. What was Mr. Parnell then?—He is an accountant and secretary of the gas company.

27,060. Was he an accountant and secretary of the gas company when he used to lend you small sums of 5*l.* or 10*l.*?—Yes.

27,061. When Mr. Huxham lent you the 100*l.* did you get it in the same way?—No; I had 50*l.* at a time, I think.

27,062. What security did you give Mr. Huxham? Did you give him a note of hand?—A note of hand.

27,063. When did you give him that?—I really do not know when that was.

27,064. You must remember that people do not

borrow 100*l.* and forget it?—Well, I cannot tell when I first borrowed the money from Mrs. Huxham.

27,065. Was it Mrs. Huxham?—Yes.

27,066. Was it after old Mr. Huxham's death?—No.

27,067. How was it you borrowed it from Mrs. Huxham?—Mrs. Huxham was the person I asked.

27,068. Was she a relation of yours?—No.

27,069. A customer?—Yes.

27,070. And you knew her in that way?—Yes.

27,071. Have you got any of your account books at home?—No, I have not.

27,072. Have you got any books that contain entries of your transactions in 1862 or 1863?—I have not.

27,073. What accounts used to be kept when you owed Mr. Parnell the sum of money?—I used to give him an I. O. U.

27,074. Did Mr. Parnell produce those I. O. U.s before the persons who settled your affairs in London?—Yes; but after it got to a considerable amount he said he would rather I would give a note of hand for them.

27,075. When did you give him a note of hand?—Some time early in 1866, this year.

27,076. Are you certain the sum that you got from Mr. Parnell was only 100*l.*?—I got more.

27,077. How much?—Altogether?

27,078. Yes. Was it 200*l.*?—Yes; but it was not so much in 1863.

27,079. Just think. When did you give Mr. Parnell an I. O. U. and the note of hand?—I believe either in January or February this year.

27,080. When did you first make the offer to compound with your creditors?—I think it was early in April.

27,081. What was the state of your affairs in January? Were you solvent or not?—No.

27,082. Did you know that you were insolvent when you gave Mr. Parnell a note of hand for 200*l.*?—I had not gone into my affairs.

27,083. Had you good reason to believe that you were insolvent when you gave Mr. Parnell a note of hand for 200*l.*?—I knew I was in difficulties—great difficulties. I was constantly borrowing money and getting bills renewed.

27,084. Did you give Mr. Parnell a note of hand when you were served with a notice to appear before the House of Commons' Committee?—No, I believe not.

27,085. Did you give Mr. Parnell a note of hand after you knew that there was going to be a petition?—Yes.

27,086. Now take care?—I believe not.

27,087. Did you not give Mr. Parnell that note of hand after you heard of the proceedings, or that a petition was going to be presented?—I do not know when I heard about the petition.

27,088. Just think.—If you can tell me the date of the month it was in I am ready to state.

27,089. You told us Mr. Parnell came to you and suggested it would be better to give him a note of hand. When did he come for that purpose?—I believe that I went to his house to borrow some more money.

27,090. When was that?—The beginning of the year, January or February.

27,091. When were you first examined as to the evidence that you were to give in London? You were examined, were you not?—By Mr. Tucker.

27,092. When did that happen?—I do not know what month it was in.

27,093. Do not you remember going to the "Seymour Hotel?"—I remember, but I do not know what month it was in.

27,094. Was that before or after you had given the note of hand?—I really cannot tell you.

27,095. Just think; we cannot be satisfied with symptom of not recollecting. You must remember such a thing as that?—If you can tell me the month.

27,096. You remember going to Mr. Tucker, and giving Mr. Tucker some evidence?—Yes.

27,097. Was that in 1866 or last year?—I should suppose it was in 1866; I really do not know; I would willingly tell you.

27,098. (*Mr. Coleridge.*) You are sure Mr. Tucker did examine you at some time?—Yes, I saw him at the "Seymour Hotel."

27,099. Did he write down what you said?—I do not know.

27,100. You must remember that?—He did not keep me two minutes I think.

27,101. What did he ask you about?—He asked me if I knew anything about the elections.

27,102. What did you tell him?—I said, "No, I "never interfered with the elections but little. I "did not take an active part."

27,103. Did you tell him what your transactions were with Mr. Parnell?—No.

27,104. Do you mean that that was all that occurred, that Mr. Tucker asked you whether you knew, and you said, No, and he went away. Did not he write something down?—I do not think he did; he asked me if I always voted for the Liberals, I said, "No, I "voted for Mr. Dunn."

27,105. Mr. Pender and Mr. Seymour in 1865?—No, Mr. Pender only.

27,106. What was your inducement to vote for Mr. Pender in 1865?—I thought he was a very suitable man for the House and for the town.

27,107. What did you hear about money from Mr. Pender's side?—There was a great deal of talk about money flying about, but I never heard of any particular sums.

27,108. Did anybody offer you any particular sums?—Never.

27,109. (*Mr. Bere.*) Did not Mr. Parnell come down and tell you that you must give him a note of hand for 200*l.* because it might be awkward if he came before the committee?—No.

27,110. Did not you tell Parnell before you gave him the note of hand what the state of your affairs were?—No.

27,111. Quite certain about it?—Yes.

27,112. Do you know whether the bank objected to the amount that Mr. Parnell was entered as a creditor of yours?—Yes, I believe so.

27,113. By how much was your debt to Mr. Parnell reduced? How much was he allowed to rank as a creditor for?—I believe 200*l.*

27,114. What had you entered him at?—That was the amount, I think, 200*l.*, or 205*l.* I think it was; there was some odd sum.

27,115. Are you sure it was not 250*l.*?—Yes.

27,116. The bank objected to the amount?—Yes.

27,117. Was that objection of the bank's successful? Did they reduce Mr. Parnell's debt?—No.

27,118. He was entered as a creditor for 200*l.*?—Yes.

27,119. When did you give him the note of hand?—I know in 1866.

27,120. What became of the I.O.U.s that you had given him from time to time?—I received them.

27,121. What did you do with them?—Destroyed them.

27,122. Where?—I believe I destroyed them at the time.

27,123. Where?—At Mr. Parnell's house, I believe.

27,124. Where did you draw out the note of hand? Did Mr. Parnell draw out the body of it and you sign it?—Yes.

27,125. At his own house?—Yes.

27,126. Did he tell you to destroy the I.O.U.s?—I did destroy them.

27,127. Did not he tell you?—I do not know.

27,128. When did Mr. Parnell first begin to lend you money?—I think as far back as 1859.

27,129. After the election of 1859 or before?—After, I believe.

27,130. From 1859 to 1865 Mr. Parnell lent you sums amounting to 200*l.* with interest?—Yes.

TWENTY-FIRST DAY.

Mr. F. Coombes.

18 Sept. 1866.

27,131. What interest were you to pay?—I believe he charged me 5 per cent.

27,132. Did he give you any account in which the interest was entered?—Not in which it was entered.

27,133. How do you know that the sum for which you gave a note of hand was 200*l.*?—The note itself did not amount to 200*l.*; the note I gave him, I believe, was for 150*l.*; there were 200*l.* owing him altogether.

27,134. How were the other 50*l.* secured?—By an I.O.U.

27,135. Was that borrowed after the note of hand?—No.

27,136. Then why not cancel the note of hand at at the time the others were given?—I told him at the time that I would give him a note of hand for 150*l.*, and I would endeavour to pay off the others and take the I.O.U.s.

27,137. What are the names of your accountants in London?—Honey and Humphreys.

27,138. Where do they carry on business?—In Ironmonger Lane.

27,139. Was not the agreement between you and Mr. Parnell that the money lent to you should be settled in this way; that you should give a note of hand for 150*l.* and have another 50*l.* for voting for Mr. Pender?—Most decidedly not.

27,140. There was no such understanding?—No.

27,141. That you swear?—That I will.

27,142. (*Mr. Coleridge.*) Did you pay this 150*l.* in your account when you compounded with your creditors? Was not Mr. Parnell's debt 205*l.*?—205*l.*

27,143. What did you do with the I.O.U.s?—Mr. Parnell holds them still.

27,144. You never had as much as 200*l.*; you let the interest run on until it was 205*l.*?—I believe so.

27,145. Did you ever pay him any interest at all?—No, never in my life.

27,146. From 1859 to the present time you have paid no interest?—No, I never paid any distinct interest.

27,147. Did you ever pay anything off during this time?—I was frequently borrowing of Mr. Parnell.

27,148. When did you first borrow anything of him?—Sometimes I would have money of him and pay him back in a fortnight.

27,149. Have you ever paid him a farthing since 1862?—I have borrowed money of him and paid it back again frequently.

27,150. That you do not include in the 205*l.*?—Just so.

27,151. In what sums would that be?—Perhaps 5*l.*

27,152. When you had 5*l.* from him how long would it be before he had it back?—Perhaps in two or three days, perhaps a fortnight.

27,153. This transaction was altogether distinct from the running account?—Quite so.

27,154. Apart from these little sums, have you ever paid him a farthing off the running account from the time it began?—I used always to give him an I.O.U. for the money I had; when I paid him back I had the I.O.U. given up.

27,155. You paid no interest upon that?—Certainly not.

27,156. Did you ever pay him a farthing off the running account?—No, not off the running account.

27,157. And you never paid him any interest?—No, I never paid him any distinct interest.

27,158. Then out of that 200*l.* Mr. Parnell has had about 16*l.*?—Yes.

27,159. Not quite so much as the interest for his money?—He has not.

27,160. I suppose that is all that he is to have?—No; he will receive his money with the other creditors.

27,161. Upon the whole sum 6*s.* in the pound?—Yes.

27,162. You told Mr. Parnell you were going away and did not wish to vote; did he say what you might have for staying?—No, he did not.

27,163. He knew your circumstances and that the money would be of value to you; did he say what you might have if you stayed?—No.

27,164. Did he say anything about your being able to get any money at the election of Dent and Pender to pay off his debt?—No.

27,165. Or about forgiving you your debt if you stayed and voted for Pender?—Never.

27,166. Between that election and 1863 did he continue to advance you sums of money?—Yes.

27,167. In 1863, when you did not vote, did Mr. Parnell say anything to you about money?—No.

27,168. When did he pay you the 10*l.* for your expenses in going away? Was that before the election of 1863?—That I really cannot say.

27,169. How long did you stay away?—I was away about a week.

27,170. Where did you go to?—I went from here to London and from there to Suffolk.

27,171. Was that about five weeks before the following election?—It must have been after the election of 1863.

27,172. What did he give you for not voting in 1863?—Nothing.

27,173. Did he say what you would have if you did not vote?—No.

27,174. Did Mr. Michelmore say anything about that?—No.

27,175. Did Mr. Heath say you need not be frightened about the bank in 1862; he knew your circumstances and that you had an overdrawn account?—Yes.

27,176. Did he say what sum you might have for voting for Dent?—I might tell you a circumstance about 500*l.* which has been mentioned.

27,177. What was that?—Mr. Heath came to me in the course of the election and said, "If you make up "your mind and vote for Dent, 500*l.*," and he walked away laughing, and I regarded it as a piece of chaff. I do not believe there was anything intentional in the matter.

27,178. Did you not know that Mr. Heath's chaff was of a practical nature, and was followed up by some result?—I never had much faith in it.

27,179. You knew Mr. Heath was dealing with money?—I did not.

27,180. (*Mr. Longe.*) On the day of the election did you not say you were waiting for Mr. Heath to see if the 500*l.* was coming?—I did not.

27,181. Did you not say that to Mr. Harris?—No, I pledge my honour I did not.

27,182. Never mind your honour; you are on your oath here. Did you not say in the afternoon you were waiting for Mr. Heath?—No; I do not remember having any conversation with Mr. Harris about it at all.

27,183. Did not Harris ask you to come to the poll?—Very likely he did in the course of the day.

27,184. When he came did you not tell him you were waiting for Mr. Heath?—I do not remember.

27,185. Will you swear you did not?—Yes, I can swear I did not.

27,186. (*Mr. Coleridge.*) Did you go to the "Stars"?—No.

27,187. Was anything offered you on the other side that day?—Not a farthing.

27,188. What made you vote for Pender and not Pender and Seymour?—I knew that Mr. Heath has a strong objection to the Seymour interest, and I did not wish to run counter to him exactly.

27,189. You did not dare run counter to Mr. Parnell, and you did not like to run counter to Mr. Heath?—Mr. Parnell never had any influence over me on account of what I borrowed from him; I exercised my own judgment.

27,190. What do you mean by that; you told us you were under obligations which prevented your voting in 1862 and 1863?—I was under obligations certainly.

27,191. Was not the reason you did not vote because your were under those obligations?—No; that was not my reason.

27,192. Then what was your reason for not voting in 1862; you have already sworn you were under

obligations to Mr. Parnell, Mrs. Huxham, and the bank, do you wish to withdraw from that?—I stated to Mr. Heath that I was under those obligations, and that I had rather not vote. I do not know that anyone exercised any influence over me.

27,193. You did not vote?—I did not.

27,194. (*Mr. Bere.*) Have you told us what really was in this deed of composition? Who were the trustees?—To guarantee the payment? Mr. Parnell and my brother.

27,195. In that deed is he described as having advanced 200*l.* in order to pay the composition?—I do not know how the deed is worded.

27,196. Did Mr. Heath give you anything for going away in 1862?—No.

27,197. Or any one on that side?—No.

27,198. When did you pay Mrs. Huxham?—I paid her off the money and borrowed it again. In 1866 I owed her, with interest, 104*l.*

27,199. Was she one of your creditors?—Yes.

27,200. Where did you get the money from with which any portion of the composition was paid?—Of course I was continuing the sale of my stock.

27,201. Did you not get it from Mr. Parnell?—No.

27,202. Will you swear you did not get from Mr. Parnell the sum with which you paid the first 3*s.* in the pound?—No; I have had no money from Mr. Parnell since.

27,203. Where did you get it from?—I have been selling my things. It has been paid in three instalments.

27,204. What did your debts amount to altogether?—I think about 2,000*l.*

27,205. Where did you get the 200*l.* to pay off the first instalment of 2*s.* in the pound?—I have had the sale of my goods. My shop has been open from day to day.

27,206. Would you try to make us believe you got the 200*l.* out of the profits of your trade since April?—I had the whole stock of goods.

27,207. Did you sell your stock by auction?—No.

27,208. Have you got 200*l.* to pay your creditors out of the profits of your trade since last April?—Not out of the profits of my trade; I have been selling the whole of my stock.

27,209. Selling your stock at a loss?—I do not mean to say that. I have the whole stock to sell off to realize the money.

27,210. When did you pay the first instalment?—In July.

27,211. To whom did you send the money; did you pay each creditor separately or send it all to your accountants in London to distribute?—I paid it through the bank.

27,212. Through what bank?—The Devon and Cornwall Bank.

27,213. How did you pay it?—I took up the cash to pay it.

27,214. Did you take 200*l.* and pay it into the Devon and Cornwall Bank; is that what you mean?—I took up money sufficient to meet the instalment to the Devon and Cornwall Bank.

27,215. What cash did you take to the bank?—I believe 100*l.* and some odd pounds. Some of my creditors are allowing me time to pay them off as I can.

27,216. Which of your creditors are allowing you to do that; is Mr. Parnell one of them?—Yes.

27,217. Who else?—My brother at Torquay.

27,218. How much is his debt?—Over 300*l.*

27,219. Anybody else?—My father.

27,220. How much is his debt?—I think 400*l.* odd.

27,221. And who else is there?—Mrs. Huxham.

27,222. That is 1,000*l.* off it as to which you are not paying anything at present?—Yes.

27,223. Are you sure that you took as much as 100*l.* to the bank to pay off the other 1,000*l.*?—Yes, I did.

27,224. Did you take it in pounds, shillings, and pence, or how?—I took it in actual cash; I had no banking account then.

27,225. Was that money which you had received over the counter?—Yes.

27,226. The whole of it?—Yes.

27,227. Since the month of April?—Yes.

27,228. Had Mr. Parnell lent you anything between April and July?—No.

27,229. Are you sure of that?—Yes.

27,230. When was the last time that he lent you any money?—He has not lent me anything since the arrangement with the creditors.

27,231. When last before then had he lent you anything?—I cannot say exactly.

27,232. Was it a week before the arrangement?—It was a long time before. I should think last year.

27,233. What was the last sum he lent you?—That I cannot say.

27,234. Was it 50*l.*?—No; nor yet 20*l.*; some small amount.

27,235. Do you think you took over 100*l.* or under it to the bank in July?—It was over.

27,236. How much over?—A few pounds, 3*l.* or 4*l.*

27,237. What did you direct the bank to do with the money?—I gave them the names of the parties, the different creditors, and where it was made payable.

27,238. Were all of your creditors living in London?—No, not all in London; there were some at Manchester.

27,239. All of them away from here?—Yes; all away from here.

27,240. When was the next instalment due? What were the dates?—They were three, six, and nine months.

27,241. Until those are paid off the other 1,000*l.* is not to be paid off at all?—No; Mrs. Huxham will be paid; my brother and my father will remain unpaid.

27,242. Mrs. Huxham and Mr. Parnell do not come in under the present distribution?—They will take it kindly as I can pay.

(*Mr. Bere.*) You will please to write a letter by this night's post to the accountants in London, and desire them to send down your composition deed.

27,243. (*Mr. Longe.*) I must ask you again about the election of 1863. Were not you in the "Stars" several times during the polling day?—I was not there at all.

27,244. Which Mr. Heath was it that you negotiated with?—Mr. Heath, senior.

27,245. Did you not see Mr. George Heath that day?—I might have seen him, but not to have any serious conversation with him at all.

William Cole sworn and examined.

Mr. W. Cole.

27,246. (*Mr. Bere.*) Where do you live?—In Dartington parish.

27,247. Do you rent land of Mr. Champernowne?—Yes.

27,248. And also of the duke, do not you?—Yes.

27,249. How much do you rent from the duke?—Handy nine acres; but one field they call six that I have a vote on.

27,250. How many else have votes on that field besides you?—None.

27,251. What is the building on it?—Stone walls and thatch.

27,252. Open linhays for the cows to run in?—Open linhays for the cows.

27,253. For how long have you voted on that qualification?—When Mr. Pender came here first.

27,254. That was the first time?—That was the first time.

27255. Who put you on the list of voters?—Mr. Michelmore.

TWENTY-FIRST DAY.

Mr. W. Cole.

18 Sept. 1866.

27,256. He told you to go and make a claim?—Yes.

27,257. Did he ask you which way you were going to vote?—Yes; they told me when I took the ground.

27,258. They told you how you were to vote when you took the ground?—Yes.

27,259. Whom did you take the ground of, Jeffery Michelmore?—I applied myself.

27,260. To whom did you apply?—To old Mr. Michelmore. I was there to pay the rent, and I told him that I wanted a field handy the turnpike road.

27,261. At what rent?—I agreed the rent at 20*l.* a year, and then I paid 18*l.*

27,262. You had it before for 20*l.*?—No; he asked 20*l.* Mr. Jeffery wrote to me a letter first, and then he said 20*l.*, and I told him it was too much money, I could not give it, and he said 18*l.*, and that was my rent.

27,263. What did he say when he agreed to take off 2*l.* a year?—He did not say anything then.

27,264. When did he first tell you how you were to vote?—When Mr. Mills—they was not dead then, they was living; before that took place.

27,265. When you took the ground did he tell you you were always to vote for the duke?—Well, he said he should wish me to vote.

27,266. At that time were you holding under Mr. Champernowne?—Yes, at the same time.

27,267. How much did you hold under him?—About 20 acres; from that to one and twenty.

27,268. He is the other way of thinking, different from the duke, is not he?—Well, he did not say nothing.

27,269. Did you vote for Mr. Pender?—I did.

27,270. Did you vote for Mr. Seymour in 1863?—I did.

27,271. What did you get either time for voting?—Nothing at all.

27,272. You would have got the sack if you had not?—I do not know that, sir.

27,273. Since you have been a tenant of the duke's have you ever had a little present at Christmas?—No.

27,274. Never?—Never.

27,875. Did not Mr. Thomas or Mr. Jeffery Michelmore ever present you anything?—No.

27,276. Or to your wife?—No.

27,277. He never sent anything to your wife?—No.

27,278. Are you quite sure of that?—Yes.

27,279. Do you think she always tells you what money she gets?—She never had any or I.

27,280. You are quite certain about that?—Quite certain.

27,281. Did any of the other side come to offer you anything?—Yes.

27,282. Who came, Mr. John Heath?—Young John Heath came.

27,283. When did he come to you, which election was it?—The morning the polling day was.

27,284. Seymour and Dent, or the last one when Colonel Dawkins and Captain Pim stood?—That was Mr. Pender's time.

27,285. The first time Mr. Pender ever came?—Yes.

27,286. What did young Mr. John Heath come to offer you then?—150*l.*

27,287. And would not you take it?—No.

27,288. Did he come to offer you anything when Mr. Seymour stood?—No.

27,289. He tried you the first time and did not again?—He tried that first time and was afraid to come again.

27,290. Did not he try you in 1865?—No, he did not.

27,291. Did anybody else try?—Yes.

27,292. Who?—Mr. Shinner.

27,293. He came to you?—He came to me.

27,294. From whom did he come, who sent him?—I do not know who sent him.

27,295. What did he offer?—He did not offer me nothing.

27,296. What did he come for?—To try and get me to vote.

27,297. For the Conservatives?—Yes.

27,298. Did not he offer you something for becoming a vote for the Conservatives?—No.

27,299. Did not he tell you where you could get something?—No.

27,300. Was nothing said about the "Seven Stars" then?—No.

27,301. Or a lot of money was going about then?—No, he did not say nothing about the money.

27,302. Are you quite sure you would not be turned out of your field if you did not vote?—I am sure of nothing.

27,303. Did not you tell Mr. Champernowne so?—No, he was a gentleman and did not compel me.

27,304. Did he never canvass you for your vote?—No.

27,305. What?—No.

27,306. Are you quite certain about that?—He never canvassed me; I saw Squire Champernowne myself before I did vote, but he never came to me.

27,307. Did you say to him you should lose your field if you did vote?—No, I did not.

27,308. Did not you tell him you should lose if you did vote for anybody except the duke?—No; I told him I had promised and could not go against my promise.

27,309. Are you quite sure that Mr. Edward Shinner did not offer you 100*l.* then?—No, he never offered me a pound.

27,310. (*Mr. Coleridge.*) Who did offer you anything the last time?—No person offered me any money.

27,311. Did they offer anything besides money?—No, nothing.

27,312, (*Mr. Bere.*) Did you see Mr. Pender at all during the last election?—I saw him, and others saw him, the day the electioneering was. I saw him but never spoke to him. Yes, he came to my house first.

27,313. Did he see you?—Yes, he did see me and I promised him.

27,314. Did not he tell you something about this being a good thing for you?—No, he never mentioned it.

27,315. Who are the other Dartington tenants who have votes on the Seymour property; who besides you of the tenants of Mr. Champernowne?—I do not know.

27,316. Are not there two men called Marks?—Yes; two Marks. There is Henry Marks I think.

27,317. Who else?—Several in the parish. Mr. Barnes I should think has one of the linhays I should say.

27,318. Did Mr. Seymour canvass you?—No, I never saw either one.

27,319. The last time?—I never saw either one.

27,320. You only saw them the first time?—Only the first time. I never saw either one the last time; either one of the four.

27,321. What is the name of your wife?—Susan Cole.

27,322. When you are out about the farm do not you think she does a little in the electioneering line?—I am quite sure she does not.

27,323. There are so many wives in Totnes who do?—Yes, but my wife is not one of that sort.

27,324. I expect she does and does not tell you, that is the truth of it. Do you know that she tried to get a little money out of the Conservatives the last time?—No.

27,325. She did not tell you that?—No.

27,326. That she had been offered money?—Perhaps she might; perhaps Mr. Harris might have offered her money.

SUSAN KINSMAN sworn and examined.

27,327. Are you the wife of Thomas Kinsman the younger?—Yes.

27,328. Did you go down to the "Seven Stars" at the last election to get some money?—Yes, sir, 18 sovereigns.

27,329. In a bag?—Yes.

27,330. Did you find 18 sovereigns in a bag hung up in the house?—17.

27,331. Who gave you the bag at the "Seven Stars"?—Mr. Frederick Evans.

27,332. Where was he then?—In the billiard room as you go up from the kitchen.

27,333. What was done when you went down to the "Seven Stars"?—Nobody was with him.

27,334. Who was there; where was he standing?—By the side of the billiard room door; he beckoned to me to come to him, I did not know what he wanted.

27,335. Who told you that?—Frederick Evans came up to me and said, "You had better come down "and look after your husband." I did not know that he had gone away till he came back, because he asked me to wait outside the door. Alexander Smith was between them, and he is now at Torquay.

27,336. They took your husband away?—Yes.

27,337. He left 17 sovereigns to give you a little comfort during your husband's absence?—Yes.

27,338. And you got 18 more?—Yes.

27,339. Is that all?—Yes.

27,340. You got it from Frederick Evans; was any one else in the billiard room when you were there?—No.

27,341. Did you see any of the Heaths?—No.

27,342. Or any person whom you did not know?—I saw plenty in the smoke room.

27,343. Do you know anything about your husband having money in 1862?—I heard him say his sister brought him 10*l.* at one time and 10*l.* afterwards; I never had the money; I know nothing about it; I never saw it.

27,344. Did anybody come in 1863?—No one; the Liberals came in 1862.

27,345. (*Mr. Coleridge.*) Do you know whether his sister kept 10*l.* to give it to him in small sums for fear he should spend it?—Yes, she did, and she gave him 1*l.* and 2*l.* when he wanted it.

WILLIAM SMALE sworn and examined.

Mr. W. Smale.

27,346. (*Mr. Coleridge.*) How long have you been a voter for Totnes?—Ten years.

27,347. What are you?—The railway company's agent.

27,348. You first voted in 1857?—I did.

27,349. Who for?—Mills and Gifford.

27,350. Were you offered anything to vote against them?—Never.

27,351. What were you offered to vote for them?—Nothing.

27,352. Was no money given you?—Nothing; I never wanted it.

27,353. You are the company's agent?—I was at that time the goods clerk at the station.

27,354. As you are the railway company's agent have you got some power over some of the men?—Not the least.

27,355. How many men are there under you?—Only my man, one man.

27,356. Did you vote in 1862?—I did not.

27,357. How was that?—For this reason; I voted in 1857 and 1859.

27,358. Did you get anything for voting in 1852?—No.

27,359. Was anything offered you?—Nothing at all.

27,360. You voted for the Liberals?—Yes.

27,361. Who for in 1862?—In 1860 I broke my residence and went to Newton; I came back here, leaving the management as the company's agent. I had a great many kind friends on both sides of the question, and I said, if you will let me alone I will have nothing to do with politics.

27,362. Had you a vote in 1862?—I had. I was on the register.

27,363. Who was it you told that you would not vote in 1862?—John Diggins, Mr. Edmond's clerk, can explain the matter. I was objected to in 1863. I had business that called me away, and I said, "Look here, "Diggins, withdraw the objection, and I will give "you my word I will not vote against the party; but "if you make me stop at home to sustain the vote and "resist the objection, I will go against you through "thick and thin." The objection was withdrawn, and consequently I kept my word.

27,364. You mean, at the time the revising barrister was revising, you wanted to go away from home?—Yes.

27,365. You did not want to stay here to sustain your vote?—I told Mr. Diggins if he would withdraw the objection and leave me alone I would have nothing to do with it.

27,366. How were you treated in 1862?—I was canvassed by both parties, and I told them I would not vote.

27,367. Did you give a reason?—I believe I did, I will not be certain; at all events that was the reason.

27,368. You would abstain for that election, but you were brought to vote afterwards?—No, I did not; I said I would not if they let me alone.

27,369. In 1862, and they let you alone?—Nothing was said to me in 1863.

27,370. Why did you not vote in 1863?—For the very self same reason, I had passed my word.

27,371. I suppose they thought from your not voting Liberal in 1862 you might be got for the Conservatives in 1863?—Just so.

27,372. What did Mr. Heath come and say to you about that?—Mr. Harris has spoken truly the other day in some part of his evidence, when he said he had my room as a committee room, which he had.

27,373. How came you to let it him?—As a matter of business.

27,374. It is rather unusual, is it not? We never hear of the "Seymour Arms" being used as a Conservative committee room.—If they had not had it the Liberals would.

27,375. What did you get for your committee room?—5*l.*

27,376. What did Mr. Heath offer you?—He came in the afternoon a little after three.

27,377. On the nomination day?—On the day of the polling; he offered me 500*l.*

27,378. Votes were worth anything then?—I told him I was not to be bought. He then said he would double it if I would promise to leave the house.

27,379. Did he offer to pay the money?—If I was prepared to take it. I said I should not.

27,380. You believe it was to be had?—I do. I am certain of it.

27,381. Are there any other people who vote the same way as you that go with you?—No.

27,382. You have no voters that you carry with you?—Not the least.

27,383. That is a largish sum; you told him you would not have it?—A good character is better than 1,000*l.* at any time.

27,384. Did he show you any money at the time?—No, but he led me to suppose that he had the 500*l.* in his pocket.

27,385. How did he do that?—From having his hand in his pocket when he came in.

27,386. In 1865 you thought you were absolved from your promise?—I said they would not let me

TWENTY-FIRST DAY.

Mr. W. Smale.

18 Sept. 1866.

alone; but the Tories are such a tenacious lot, they are a regular bull-dog lot; they would hunt you to the skin of your teeth.

27,387. Who canvassed you in 1865?—I think Mr. Kellock called with Colonel Dawkins, and Mr. John Heath with Captain Pim.

27,388. Did they promise you anything?—Oh, no.

27,389. Mr. Harris offered to make you a station-master?—He offered me a situation as station-master with 200*l.* a year on some line or other.

27,390. The line of which Lord Devon was chairman?—I expect it was the one of which Mr. Potter was the chairman. I did not know more about it.

27,391. If you thought there was such a thing to be had, and you had had time to consider of it?—I have nothing to do with such dirty blackguards as Harris.

27,392. When did Mr. Harris offer you that?—I cannot say when; it must be just before the election.

27,393. You told him you would have nothing to do with it?—I did; in addition to that they had got down the Pickford's people. They were trying to bribe me.

27,394. Are you a Pickford's agent?—No, sir.

27,395. Did anybody else offer you anything at that election?—No, not a farthing.

27,396. (*Mr. Bere.*) When did you cease to be goods manager at the station?—1858.

27,397. When did you set up as an agent to the company?—1861.

27,398. Did it require a good deal of capital to start it?—No.

27,399. How much do you think?—About 70*l.*

27,400. Did you borrow any of it?—I did.

27,401. Of Mr. John Bowden?—I did.

27,402. When did you pay it back?—I paid him three months since.

27,403. Did you owe Mr. John Bowden money at the time of the election?—I did, I am not ashamed to own it.

27,404. Did you pay him interest?—I did.

27,405. What?—Five per cent., or whatever was the rate of discount at the time.

27,406. The bank rate of discount?—Yes.

27,407. (*Mr. Coleridge.*) 10*l.* or 12*l.* per cent.?—Never so high as that. I paid it off before the high prices.

27,408. Used Mr. Bowden to canvass you at all?—No, he never asked me which way I was going to vote.

27,409. (*Mr. Longe.*) How much did you get for Mr. Pender's committee room?—5*l.*

27,410. (*Mr. Coleridge.*) Did you find any Conservatives come there by mistake?—No.

27,411. You did not find any miraculous conversions owing to your committee room being engaged?—No. I have handed a book to Mr. Bowen.

27,412. (*Mr. Bere.*) Never mind about that now.

Mr. W. Satchwell.

William Satchwell sworn and examined.

27,413. (*Mr. Bere.*) What are you?—A tailor.

27,414. Where do you live?—At Warland.

27,415. Whose house do you occupy?—It belongs to the society, I am a member of it.

27,416. A building society?—No.

27,417. What society?—A local society.

27,418. What sort of a society?—A mechanics' society.

27,419. A mechanics' institute?—No.

27,420. Who is the secretary of it?—William Foote.

27,421. Are you all of the same politics in the society?—No.

27,422. How long have you had a vote?—The first time I voted was for Mr. Ricardo.

27,423. What date?—I do not know the date.

27,424. Were you one of those who went down to Mr. Ricardo to ask him whether he was going to bribe or not?—No.

27,425. Did you vote for him because you thought he was not or was going to bribe?—I did not know whether he was or not.

27,426. What did you get for your vote?—Nothing.

27,427. Did you ask for anything?—No.

27,428. Were you canvassed by Mr. Ricardo?—I saw Mr. Ricardo and promised him.

27,429. You would not have voted for Lord Seymour?—No.

27,430. Whom did you vote for in 1857?—I voted for Mr. Mills.

27,431. Not for Lord Gifford?—No.

27,432. Did you vote for the Seymour candidate at any election before?—No, sir.

27,433. Are you quite certain how you voted in 1857?—I do not recollect the candidates.

27,434. Mackenzie, Gregory, Mills, and Gifford?—I voted for Mr. Mills.

27,435. Did you not vote for somebody else too?—Oh, yes.

27,436. How is it you voted for Mills and not the other?—Mr. Mills came to me, and I promised him, as I thought he was the best Liberal of the three.

27,437. Was he more liberal to you?—I never had a farthing. I thought he was Liberal in his politics, and I voted for him.

27,438. He called himself a Conservative?—I know that, but I thought I would vote for him.

27,439. Whom did you vote for in 1859; Dunn and Mills and Gifford?—I voted for Mr. Mills.

27,440. Not for Mr. Dunn?—No.

27,441. Did you get anything that time?—No, I was never offered anything.

27,442. Were you offered anything on the other side?—No.

27,443. You voted for Mr. Dunn?—Yes.

27,444. Who offered you anything?—Mr. Harris.

27,445. How much did he offer you then?—He got me up to his house; he said he wanted me to do some work for him; I went up and waited for some time; at last he put me into his office. I did not know who was there, but some one was there, and asked me if I was going to vote for Mr. Dunn? I told him I was not going to vote that side of the question. At last he had got something in his hand and he shoved it in my waistcoat pocket whilst he stood at the desk.

27,446. What was it?—25*l.*

27,447. Did you carry it home?—I did; I did not know what it was.

27,448. You thought it was bank notes?—It was dark; I told him I should not vote for Mr. Dunn. His answer was, "I shall not see you again, I am going to "Cornwall to-night."

27,449. What did you do with the 25*l.*?—I kept it.

27,450. You voted for Mr. Mills?—Yes, I did.

27,451. Do you not think you ought to have given the 25*l.* back?—I did not ask for it; he gave it to me as a free gift to help me to go on.

27,452. Was that all the temptation you had?—That's all.

27,453. What temptation had you when you voted in 1862 and 1863?—How I voted I forget now.

27,454. Seymour and Dent?—I voted for Seymour.

27,455. In 1859 did you not see somebody on the Liberal side?—No.

27,456. Are you quite certain about it?—They never tempted me with any money, they always make sure of me.

27,457. Have you got a wife?—Yes.

27,458. Does she ever get any money?—No.

27,459. She never told you?—If she had I should have known it.

26,460. Did you ever have an envelope with a mysterious 5*l.* note in it?—No.

27,461. Did you find anything in a stable, or on the chimney-piece, or on a table?—No.

27,462. What did you do in 1865, the last time?—I voted for the Liberals.

27,463. What did you get for doing that?—I never was offered anything.

27,464. Were you offered anything on the other side to vote for Colonel Dawkins and Captain Pim?—I only tendered my vote; it was expunged three years ago.

27,465. You did not vote the last time?—I tendered my vote.

27,466. (*Mr. Coleridge.*) What did Mr. Parnell offer you?—He never offered me any money.

27,467. There was some one; now tell us who it was?—I cannot recollect; it was a strange gentleman who gave me the money; I do not know who it was.

27,468. Where did he see you?—I was passing by the "Dartmouth" inn and some gentleman came to the garden and asked if it was my name; I said yes.

37,469. What sort of a man was it?—A slightish man.

27,470. With a white hat and a black band round it?—No.

27,471. What money did he offer you to vote?—He offered me 30*l.* for a waistcoat; I told him I had not got one at the price.

27,472. Which way were you to vote?—The Conservative side.

27,473. Who was the gentleman who called on you and talked with you about money at the election?—No one at all.

27,474. Not Mr. Elliott?—Yes, Mr. Elliott.

27,475. John Elliott?—I never had any conversation with him.

27,476. Nor Mr. Thomas Jacob Searle?—Yes.

27,477. What conversation had you with Mr. Thomas Jacob Searle?—None whatever.

27,478. Nor Mr. Parnell?—No, sir; Mr. Parnell said, "Will you go all right?" I said, "I will go all right."

27,479. Were you paid since the election?—I had 20*l.*

27,480. Who was it paid it?—I think it came from the hands of Mr. Parnell.

27,481. How did it come to you?—I believe he gave it to me.

27,482. Where?—At my own house.

27,483. After the election?—Yes.

27,484. How long after the election?—Some time.

27,485. Bank notes or gold?—gold.

27,486, You got 20*l.* since the last election, though you did not vote?—No, I did not.

27,487. It was after the 1863 election Mr. Parnell gave you this?—Some time after.

27,488. Did you not say it was very unfortunate they would not let you vote the last time?—I was not out of doors for a fortnight.

27,489. Did yot have something by way of consolation for your vote not being accepted?—Nothing at all.

27,490. You rendered your vote for Pender and Seymour?—Yes; I had not been out of doors for a fortnight; I went to see the doctor, and I went back into Mr. Windeatt's. He said, "You may as well tender your vote." I said, "I do not know much about it, I will go, however."

27,491. What time did you tender it?—I carried up a written paper to the mayor.

27,492. What did he say?—He did not say anything.

27,493. You did not make a waistcoat for the stranger who came outside your garden?—No.

27,494. Did he pay you in advance?—No.

27,495. What has it been worth altogether from the very time you have had a vote: how much have you had altogether in your lifetime?—20*l.* and 25*l.*

27,496. Is that all?—Yes.

27,497. How old are you?—60.

27,498. Did you vote at the municipal elections?—Yes.

27,499. What did you have for voting then?—I think about 15*s.* or 16*s.*; we all had a jolly good breakfast.

27,500. What besides?—Half-a-crown each man.

27,501. You never had 1*l.* from anyone?—No; I always voted for the Liberal side.

27,502. Did Mr. Huxham ever give you anything?—I never received a halfpenny.

27,503. Did Mr. Michelmore ever give you anything?—No.

27,504. Was there anything?—No.

27,505. Do you know George Fitze?—He never offered me a penny in his life.

27,506. Did George Fitze ever give you 50*l.*?—Mr. Harris offered me 50*l.*; he is the only one that ever offered me any.

27,507. I thought you said he gave you 25*l.*?—That is another election.

27,508. Tell us about that; when was the 50*l.* offered?—That is Mr. Dent's election.

27,509. The first or the second one?—I cannot tell you.

27,510. He gave you 25*l.* at one, and offered you 50*l.* at another election?—I was talking to Mr. Lane and he came by with some hand bills that he had brought from Mr. Michelmore of Newton. On my way home he ran after me and offered me 50*l.* to go for Mr. Dent. I told him no, I would not.

27,511. You voted against him?—Yes; I told him I should vote against him; I gave him to understand that.

27,512. Now when Mr. Harris gave you the 25*l.* that he slipped into your waistcoat pocket, did you mean to have voted for the other side for that?—Of course not.

27,513. Did you not go after that to George Fitze's house?—Yes.

27,514. You are sure?—Quite certain.

27,515. Do you recollect meeting Mr. Harris after you came out of George Fitze's house, and saying you did not mean to vote for him?—I did not go to him at the election time.

27,516. You knew about George Fitze at the election?—No.

27,517. Did he ever offer you anything?—Never.

27,518. George Fitze, the grocer?—I know him very well.

27,519. Did you tell him of Harris having given you 25*l.*?—Mr. Harris blowed about it.

27,520. Now tell us; you have had more than the 20*l.* and the 25*l.* in your lifetime?—When, sir?

27,521. It will come out; you had better tell us. Do you mean to swear that this is all you ever received? Come, tell us, on your oath, did you ever receive more than the 25*l.* and the 20*l.* you told us of at any election?—I might have had plenty if I had had a mind.

27,522. Tell us what you had; out with it; on your oath, what have you received in addition to the 20*l.*? You have told us about the 25*l.*?—I do not know but I had two 20*l.*

27,523. Who was it from?—It must come from the Liberal party.

27,524. Who gave it to you? Mr. Parnell?—Yes.

27,525. Was it in 1862 as well as in 1863 that Mr. Parnell gave you 20*l.*?—At two elections going.

27,526. Was it at the two elections that came very close together?—No, I got nothing for one of them.

27,527. You got nothing for 1862?—No.

27,528. When was it given by Mr. Parnell? Was not it after the last election? You have told us Mr. Parnell gave 20*l.* after the 1863 election; when did he give it you, on your oath?—After the election.

27,529. Was the second 20*l.* you got after the 1863 election?—I forget the dates.

27,530. How often did Mr. Parnell pay you?—Twice.

27,531. When did he first pay you?—I do not know.

27,532. Was it in 1859?—No.

27,533. Do you recollect what was the first time Mr. Parnell paid you? You say Mr. Harris paid you 25*l.*?—No; I did not have anything.

27,534. Was it after that?—After that.

TWENTY-FIRST DAY.

Mr. W. Satchwell.

18 Sept. 1866.

27,535. Was it in 1862 when Mr. Dent retired?—No; I had nothing then.

27,536. He told us he paid you twice; in 1863 was the first time he ever paid you?—If I had made a memorandum of it I should be able to tell.

27,537. Was 1863 the first time he ever paid you? It might have been.

27,538. When was the next time?—Before the coming election.

27,539. That was in 1865?—I cannot say.

27,540. Tell us all about it. When was it he gave you the other 25*l.*?—I had it two elections going; I cannot recollect which.

27,541. Just try and recollect?—I should say it was not in 1859.

27,542. It was not in 1862; you were paid in 1863 for the first time. When was it you got the second 20*l.*? Did you get that 20*l.* before the 1863 election or after?—I cannot recollect.

27,543. When was it? Are you quite certain that you did not get 20*l.* after the last election, though your vote was refused?—No.

27,544. Will you swear that Mr. Parnell did not give you anything after the last election?—I never had a farthing.

27,545. What did you have before?—I voted for Seymour.

27,546. Before the last election, when your vote was refused, what did Mr. Parnell give you for voting? Nothing at all.

27,547. What did he give you upon that election?—I had nothing at all; I cannot recollect at all when it was he gave me the 20*l.*

27,548. Was it not the same occasion that Mr. Harris gave you the 25*l.*?—No, it was not.

27,549. Are you sure it was not after Mr. Dent's time, when Mr. Dent withdrew?—I cannot recollect that.

27,550. Try and recollect; it must have been in 1859, 1863, or 1865, that you got the other 20*l.*; was it 20*l.*, or something more?—20*l.* I believe.

27,551. How long ago was it that you last received any money from Mr. Pender through an election?—The election before the last.

27,552. After 1863?—Yes, I know I tendered my vote; it was before I tendered my vote.

27,553. How long before you tendered your vote?—I got nothing at all for tendering my vote.

27,554. How long before you tendered your vote was the last time that Mr. Parnell paid you?—I cannot recollect.

27,555. Was it long before?—It might have been; it was some time after I voted; he gave it as a free present and that is all I know about it.

(A short adjournment here took place.)

27,556. (*Mr. Coleridge.*) Have you improved your memory?—Yes, a little.

27,557. When was it Parnell first gave you the 20*l.*? Think about it. Are you quite sure it was not in 1859?—Perhaps it might be; I cannot recollect.

27,558. Will you swear it was not the same election that you received the 25*l.* from Mr. Harris?—It may have been.

27,559. Before we adjourned you swore that it was not?—I could not recollect it.

27,560. You have sworn to what is distinct perjury, because you swore it was not the same election that you received the 25*l.* Was it not that election?—I recollect myself that it was.

27,561. Then why did you not recollect before?—I could not recollect.

27,562. What you wanted us to believe was, that you did not receive the money upon both sides. Now it was in 1863 that you received the 20*l.* from Mr. Parnell?—Yes.

27,563. On the last, what did you receive?—20*l.*

27,564. What did you receive at the election when Dent withdrew? What did Parnell give you?—I cannot recollect.

27,565. He gave you something?—I do not know.

27,566. Did he give you something?—I think so, but I cannot recollect.

27,567. You have sworn he did not four or five times. Now try and recollect what it was?—I cannot recollect. I do not know.

27,568. Was it more than 10*l.*?—Yes.

27,569. Was it over 15*l.*?—Yes.

27,570. Was it 20*l.*? (*No answer.*) Was it 30*l.*? What was it when Dent withdrew?—I cannot recollect.

27,571. You have sworn it was more than 15*l.* Was it 20*l.* or more?—20*l.* or 25*l.* I cannot recollect.

27,572. Which was it? 25*l.*, was it not?—20*l.* or 25*l.*

27,573. You have sworn here to-day that all you received was 20*l.* at one election, 25*l.* at another, and we have now got to 85*l.* instead of 45*l.* at last. Now tell me what you received after the 1865 election when you tendered your vote?—Nothing at all.

27,574. From anybody?—No.

27,575. What did you receive before the election?—Nothing. I did not receive anything at all at that election.

27,576. You tendered your vote, you had always been bribed by Parnell, and you had voted at no election without bribery by Parnell. What was it that he offered you if you would vote for Pender and Seymour at the last election?—Nothing at all. I was not out of doors for a fortnight.

27,577. What did you get indoors?—Nothing at all.

27,578. Did he pay you anything?—No.

27,578. Did he pay the doctor's bill?—No.

27,580. He never came to see you?—No; I never saw him at all.

27,581. Who did he send to you?—No one at all.

27,582. Who came to talk to you?—I told you that I saw Mr. Windeatt.

27,583. He was the only person?—Yes.

27,584. Windeatt, knowing that you had a bad vote, told you to go and tender it?—He asked me. I objected at first.

27,585. What was the inducement that he gave you to go and tender your vote after you objected?—Nothing at all.

27,586. Do you know John Watson?—I know a Watson who keeps the "Lord Nelson."

27,587. What did he offer you for your vote?—Nothing.

27,588. Did he offer you 100*l.*—No.

27,589. No other sum?—No.

27,590. What election was it that he talked with you?—I never had a talk with him.

27,591. Watson never said anything at all at any election?—No.

27,592. Try to recollect?—No.

27,593. If he comes here and swears he offered you 100*l.* it is false?—Yes.

27,594. Which side does Watson want people to vote for?—The Conservative side.

27,595. Did not he ask you to tender your vote for the Conservative side?—He never spoke about it.

27,596. Not at the last election, but at any election?—He never said a word about it.

27,597. When did you last see Mr. Parnell?—The last time was down the street at the door.

27,598. To-day?—No.

27,599. Have you not seen him here to-day?—I have seen him, but not to speak to him.

27,600. When did you last speak to him?—Last week.

27,601. What did you talk to him about, the election? Come, out with it; we shall have all this out?—I asked him what it was he gave me, but he could not recollect.

27,602. What did he tell you?—He could not recollect.

27,603. And you could not recollect?—No.

27,604. What was it he told you that he had given you?—He did not tell me.

27,605. Did he tell you how many times he had paid

you? Did he say he had paid you three times, and did he tell you that it was four, and you had forgotten?—It was some time after the election.

27,606. What was it you told Parnell that he had paid you? three times, and did he tell you it was four?—No.

27,607. What did he tell you?—I was not there a minute; I went to the post office, and I do not think I told him.

27,608. The last time before?—I have not been but once.

27,609. Since the last election, what conversation have you had?—Never had any.

27,610. You told us of one?—Only that one.

27,611. When you knew the commission was coming, did not Parnell have a conversation with you about your evidence?—No.

27,612. On your oath, has he never spoken about your evidence till last week? What was the conversation you had about your evidence?—I do not know what it was, unless I said I got the money.

27,613. What did he say?—I had better say so.

27,614. When?—When I saw him one evening.

27,615. How long since?—Last week.

27,616. You had a conversation with him before when he told you not to say so?—I do not recollect.

27,617. Was not there a conversation when he told you to keep it back?—He never told me.

27,618. Not in those words; but was not there a conversation that you had with him when you were summoned? Come. Mr. Parnell will have to come and tell us, and you may as well tell us at once. You have committed gross perjury, and your only chance is to tell the truth?—I do not recollect.

26,619. You recollect. What was the first conversation you had when you were summoned here?—I recollect I asked him if he knew what money he had given.

27,620. That was at the post office; but you had a conversation after you were summoned as a witness?—I recollect that I asked if he knew what money he gave me, but he said he did not recollect.

27,621. When was that?—Last week.

27,622. But before that; when did you get the summons?—Friday.

27,623. But the first summons?—About a fortnight or three weeks ago.

27,624. And as soon as you got that summons did you go to Mr. Parnell?—Not immediately.

27,625. How soon afterwards?—I was at his house. I was doing some work, and we got on to talk about it.

27,626. How long was it after you got the summons that you had a conversation with him?—The last week or the week before.

27,627. Was it not before or directly after you got the summons?—No.

27,628. How soon after the summons?—I think the week before.

27,629. What was it you said to him then?—I forget now.

27,630. Did he tell you not to speak out what you knew? (*No answer.*) You know he did. What was it? Come, out with it?—I cannot recollect.

27,631. You recollect perfectly well. Now I tell you, as I tell others, that if you do not speak out, it is a serious matter whether you will not be committed at once and sent to Exeter gaol?—I cannot recollect.

27,632. You have recollected a great deal by degrees and we shall get more?—I asked him if he could recollect, and he said he could not, and he asked me and I could not.

27,633. What has made you recollect now?—I have looked over the papers to see when the elections were.

27,634. That has nothing to do with it. What made you recollect the three 20*l.* you have had from Mr. Parnell?—I thought it over.

27,635. Have you not been thinking it over since you got the summons?—No.

27,636. Not till to-day; No.

27,637. On your oath, what did Parnell tell you when you first went with the summons?—I cannot recollect.

27,638. You recollect perfectly well. You recollect the three sums of money. Be careful. On your oath, what was it Parnell said to you?—I recollect I asked what he gave my wife.

27,639. What did he say then? Did he recollect giving your wife something?—I do not know.

27,640. Was that in addition to the three twenties that you have told us of; he gave you three twenties. When was it he gave your wife some?—I do not know.

27,641. Does your wife know?—I cannot say.

27,642. When did he give this money to your wife?—I do not know.

27,643. Come; when was it?—I do not recollect anything about it.

27,644. Now, look here, we shall stand here till you tell us, and the odds are that you shall go to Exeter gaol. What was it that Parnell said about your evidence. Do not wait to hear the questions, but tell us what you know. You are sworn to tell the truth?—I cannot recollect.

27,645. Recollect what you can recollect about that?—I do not know.

27,646. Yes you do. Parnell told you not to drag him into it, did not he?—No.

27,647. What did Parnell tell you to say? You went to him for advice, and what advice did he give you the first time?—"I think," he says, "you had "better let it out."

27,648. Did he say that the first time or the last time?—The last time.

27,649. How often had you seen him about your evidence before the last time?—Only once.

27,650. What did he say then?—I asked him if he recollected whether he had got anything against me or not, and he said——

27,651. What did he say? Do not be afraid of Mr. Parnell's coming; go on?—I do not recollect.

27,652. You recollect that you asked him whether he had got anything against you, and if you recollect the question you recollect the answer?—He said he believed he had.

27,653. What was it he had?—I did not ask him, and he did not tell me.

27,654. What was it?—He did not tell me.

27,655. Then he asked you what you had against him?—Yes; and I said I did not know.

27,656. Did he not tell you the best thing was for neither of you to know? Come now; what was it. You recollect the one part of a conversation and you do not recollect the other?—I was not there two minutes.

27,657. I do not care about that. You got an answer to your question. What was it he said?—He said, "I think you had better tell it out."

27,658. That was the last occasion. If he said that on the first occasion there was no necessity to say it on the last occasion. What was it? come, out with it?—He said, the best way was to out with it.

27,659. That is on the last occasion; but on the first occasion?—The same story the first occasion.

27,660. What did he tell you?—The same as I tell you now.

27,661. Did you show him the summons?—No; I told him I had a summons, and asked him if he had anything against me.

27,662. What did you mean by that?—Electioneering.

27,663. Did you refer to a book?—No.

27,664. What did he say?—He said, "What you "have had you had better tell."

27,665. That is the last occasion?—Both occasions.

27,666. Did not he tell you that you had better keep his name out of it?—I do not recollect that he did.

27,667. Then, if he gave you that advice you have come here to tell a parcel of lies?—I do not recollect.

27,668. You do not recollect! You have been

TWENTY-FIRST DAY.

Mr. W. Satchwell.

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talking to Mr. Parnell, to your wife, and was it owing to Mr. Parnell's evidence that you gave the evidence that you did?—No.

27,669. Mr. Parnell advised you to give honest evidence, and then you give this?—He told me to tell the truth.

27,670. Did he not tell you on the first occasion not to out with the truth, and on the second occasion that it was better?—Probably he might.

27,671. Perhaps he might! Was it not on that occasion that he told you not to tell; was not that what he told you?—He never did.

27,672. What were the words he said? — I do not know.

27,673. The best thing you can do is to tell the truth. You told me just now, that on the first occasion he told you not to tell. What did he say when he told you not to tell?—I do not recollect much about it.

27,674. He gave you to understand that you were not to tell on the first occasion, did not he?—He said it would be all right.

27,675. The second occasion he changed his mind, and told you to tell?—Yes.

27,676. Will you swear that he ever told you to tell? On your oath, did he ever tell you to tell the truth?—I think he did.

27,677. You think he did! Will you swear he did?—I cannot tell.

27,678. Will you swear that he ever told you to tell the truth?—It would be the best thing to out with it.

27,679. Will you swear he ever said that, that you were to out with it?—I think he did.

27,680. Will you swear it?—I do not know.

27,681. Will you swear he did not tell you not to tell?—No.

27,682. Did you see him last night?—No; I saw him in the street as I was passing the door.

27,683. When did you last speak to him?—The end of last week.

27,684. Last Saturday, after Blank was examined, and Mr. Thomas Jacob Searle?—I think it was.

27,685. Did you have any conversation about what Mr. Thomas Jacob Searle and Blank had let out? — No, I was not there long enough.

27,686. Did you have any conversation with him? —I was not there three minutes.

27,687. Did you mention Blank's evidence to him? —I think I did.

27,688. What did he say? — He did not pass any remarks upon it.

27,689. Was it not after that that he told you it would be best for you to tell? — I think he did from what I recollect.

27,690. Did you speak to him about Blank's evidence, or he to you?—I think I spoke to him.

27,691. Did not you say, "They have got it out of "Blank, and perhaps I might as well split too"?—Perhaps I did.

27,692. Did you?—Yes.

27,693. You went and said as Blank had split, you might as well split, or words to that effect?—Yes.

27,694. Then why did you not tell us that long since? Now that you have recollected so far as that, you recollect that he told you on the first occasion not to tell. On your oath, did not he tell you not to tell? —I would not swear to it at all.

27,695. Will you swear he did not?—No.

27,696. Did he tell you to be firm?—No.

27,697. What did he tell you on the first occasion? —I asked him if he had anything against me, and he said "I do not know; you will be able to go on very "well; I have got nothing against you."

27,698. "And you will be able to pass through?" —Something to that effect.

27,699. Did you say, "Take care and not tell, and "I will not tell, and it will be all right?"—No.

27,700. You did not expect that he was coming to anything against you?—No.

27,701. If you knew that he was going to tell anything against you, you would not have kept it back? —I did not think.

27,702. Is all you have told us the truth? What he said first was not till Saturday, that you had better tell?—I do not know that it was Saturday.

27,703. Was it after Blank's examination?—Yes.

27,704. And you said it was in consequence of Blank's examination that he gave you this advice? — Yes.

Mr. S. Nichols.

SAMUEL NICHOLS sworn and examined.

27,705. (*Mr. Bere.*) Where do you live? — Goveton.

27,706. How far from here?—12 miles.

27,707. How long have you been there?—I was born there, but I have been absent. I lived there the last time about five years.

27,708. Are you brother to Mrs. Henry Crawford? —Yes.

27,709. Did you bring her a sum of money at one of the elections?—Yes.

27,710. Which election?—I think in 1863.

27,711. Where did you get the money?—I cannot positively tell you where, but I can tell you whereabouts. I do not know anybody in Totnes, except my brother-in-law and sister, but I will describe where it was. It was somewhere near to the arch across the street.

27,712. How did you come to get it?—A young man guided me on the opposite side of the street, and pointed his finger to the door.

27,713. Where did you see him?—Outside of Crawford's.

27,714. Who was the young man?—I never saw him before or since.

27,715. Did you speak to him?—He knew me. He had been at the house along with a great many others, and I had seen him.

27,716. You had seen him before then?—The same evening.

22,717. Did you speak to him first, or he to you? —He spoke to me.

27,718. What did he say? — He said, "Where are "you going to, Crawford?" I said, "Do not you go "bothering there; my sister is ill;" and he said, "Are you going anywhere?" I knew. I said, "Yes, down the street;" and he said, "Are you "going to get anything?" and he said, "I know."

27,719. Had Mrs. Crawford told you that there was money to be had? — I do not know. There was some person said that "you had better go and get it, "as your sister is ill."

27,720. Was Mr. Parnell there? — I would not know him if I was to see him.

27,721. You do not know him?—No; I have never seen the man since.

27,722. Was it a young man who took you down and showed you the door?—Yes.

27,723. Can you say where it was now?—I do not think I can.

27,724. What did you do?—I went in.

27,725. Whom did you find?—I found a gentlemanly person there.

27,726. Which side of the arch was it, the upper or lower?—This side, I think.

27,727. Which side of the street?—The left-hand side going down.

27,728. This side?—Yes.

27,729. That is Mr. Parnell's house?—I do not know.

27,730. Is it not the present post-office?—I do not know. I have never been in Totnes more than on one occasion.

27,731. When you got in and saw this gentleman, what did you say to him?—He appeared by some means to know what I came there for.

27,732. Had you seen him before?—No.

27,733. Did you see him at the house?—I did not mix with the people who came.

27,734. Did you know what they were about?—Yes, I guessed.

27,735. What did you guess?—I thought they were about politics.

27,736. And bribery?—Yes, both parties.

27,737. Can you say whether you saw the man in the house at your brother's?—I cannot say.

27,738. What did he say; "Have you come from "Crawford's"?—Words to that effect.

27,739. And you said, "Yes"?—Yes.

27,740. And what did he say?—He said, "Stop "here a minute."

27,741. Where?—In the passage.

27,742. Was there a light?—No; very dark.

27,743. What time in the evening?—It might be 8 o'clock.

27,744. What time of the year?—It must be in January, I think. I cannot say to the exact month.

27,745. He left you in the passage?—Yes.

27,746. How long did he stay away?—I cannot say.

27,747. Did he come back?—Yes, and he said, "Come in here."

27,748. Were there rooms on each side of the passage?—Yes.

27,749. Were you pointed to the room, and did you go in?—Yes.

27,750. What did you find there?—A sum of money.

27,751. What in?—In sovereigns.

27,752. What, in a bag?—No.

27,753. Where was it?—On a table.

27,754. Was it counted in tens?—No; I can count 60*l.* without that.

27,755. Did you count it?—I did.

27,756. Did you know what you were to have?—No.

27,757. You knew pretty well?—Within a few pounds.

27,758. You went to get 60*l.* Did you see the man as he came out?—When I came out I saw him.

27,759. You came out and gave the money to your sister?—Yes. To the best of my recollection she was upstairs ill.

27,760. Was there a woman named Grace Tucker attending upon her?—No, not at that time.

27,761. Did you give her money whilst she was lying in bed?—I do not know whether she was sitting on the side of the bed or in the bed.

27,762. How long did you stay afterwards, after you gave her the money in the bed-room?—That night.

27,763. You stayed that night in the bed-room?—I stayed that night in the house.

27,764. How long did you stay in the bed-room?—I cannot say.

27,765. Did you see what she did with the money?—She put it in a box.

27,766. Did you see her?—Yes.

27,767. Did she get out of bed?—Yes.

27,768. Where was the box?—Standing in the room.

27,769. By the window?—To the best of my recollection it was.

27,770. What did she do to the box?—I do not know, more than close it.

27,771. Was the box shut?—I think it was.

27,772. Had she to unlock it?—She had to open it.

27,773. Did she lock it after she put the money in?—I cannot distinctly say.

27,774. In 1865 did you get some money for her?—No, I was not there. I have not been at Totnes since, except once, a twelvemonth ago last races.

27,775. Is that all you know about it?—Yes.

27,776. (*Mr. Coleridge.*) Have you any vote?—No.

27,777. Where do you live?—At Goveton.

27,778. How far from here?—Twelve miles.

27,779. How did the person know you?—I had been given to understand by others that he had been backwards and forwards and had seen me.

27,780. Whom were you given to understand that by?—My sister told me he knew me.

27,781. Did your sister tell you who it was?—No.

27,782. Were there people there bargaining?—Some person went to the door with me, and when I went outside he said, "Are you going, so-and-so?"

27,783. Who was it?—A young man who wore a cap.

27,784. What did he say?—He said, "Are you "going down the street?" and I said, "Yes."

27,785. Was any name mentioned to you?—None whatever.

27,786. Do you know Mr. Cuming here?—No.

27,787. Do you know a young fellow called Hill?—No.

27,788. Describe the young man?—He was a young man with rather a fair complexion, and wore a cap.

27,789. What age?—I should say at that time about 20 or 21.

27,790. Had you seen him in your brother's house?—I had seen him.

27,791. When you came back with the money did your sister ask you where you got it from?—I cannot say that she did. I know I gave it to her.

27,792. Are you quite sure she did not ask you where she got it from, who gave it to you, and how you came to bring it?—No.

27,793. Has she given you anything for your trouble?—No; not a farthing

27,794. Did not she tell you to go down after it?—No,

27,795. Nor Crawford, her husband?—No, never. I never saw either of them about the affair.

27,796. What sort of a man was the man who gave you the money?—A shortish set man.

27,797. What kind of whiskers?—I could not say.

27,798. Should you know him if you saw him again?—I do not know.

27,799. Are you sure?—If you were to show me the man I might say yes; but I do not think I could.

27,800. If he was in here, do you think you could pick him out?—I do not know. I did not see him distinctly by the light.

(*Mr. Parnell was requested to stand up.*)

27,801. (*Mr. Bere.*) Is that the person?—I cannot say.

27,802. Some such built man?—Yes.

27,803. Have you the least doubt that that is the man?—I cannot positively say. It was some such man.

27,804. Will you swear he was not the man?—No, I could not swear it.

(*Mr. Coleridge.*) Now go down the street, where you think you got the money, and tell us if you can speak to it.

(*Mr. Bere.*) And go into the post office and into the passage, and see if you know the room.

JOHN CROCKER sworn and examined.

Mr. J. Crocker.

27,805. (*Mr. Bere.*) Were you employed as waiter at the "Seymour" hotel at the election of 1865?—Part of the time.

27,806. How long were you employed there?—I left on the Saturday night before the election.

27,807. Why did you leave?—Because I received very different treatment after the election was going on from what I did before.

27,808. How long had you been there?—I should think about 15 months, occasionally, not always.

27,809. How long had you been a voter for Totnes—Never.

27,810. You were a voter then?—Never a voter for the borough.

27,811. You left because they treated you differently to what you expected?—Yes.

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Mr. J. Crocker.

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27,812. Was Mr. Jeffery Michelmore there?—Yes.

27,813. Were you employed to attend on Mr. Pender?—Always before that.

27,814. Mr. Pender had his own servant with him?—One servant.

27,815. What room did he occupy as sitting-room?—No. 4 and No. 5, two sitting-rooms. The bed-rooms I do not know anything about.

27,816. How long had he been there before you were turned away?—I should think about 10 days.

27,817. Had you attended upon him all the time with his servant?—No.

27,818. Who had attended upon him besides you?—They had got a woman who had been there called Ann Satchwell.

27,819. And she attended upon him?—Yes.

27,820. Had you had unpleasant treatment before the Friday before the election?—Yes.

27,821. What was that?—There were other parties in the house who said I should not be wanted because I was on the opposite side.

27,822. Who said that?—Mrs. Beazley told me of it.

27,823. Parties were talking about your being on the opposite side?—Yes.

27,824. You had not a vote for the borough?—No.

27,825. Had you a vote for the council?—Yes.

27,826. Did you vote for the Conservatives?—I did.

27,827. On the Friday, did not Mr. Jeffery Michelmore say, "Mind you do not say anything "about what you see here; or, if you do, I will turn "you out of the house"?—He did, in No. 6 sitting room.

27,828. How long before had Ann Satchwell left?—I think she left soon after Mr. Harrington, the former proprietor, died.

27,829. When did he die?—I cannot say; I should think he must have died about 15 or 16 months before that.

27,830. (*Mr. Coleridge.*) After Seymour's election?—No, I do not think he did.

27,831. (*Mr. Bere.*) He died after the election of 1863?—Yes; I knew nothing about it then.

27,832. How did you know Ann Satchwell while she was living there; you were in the habit of going to the house?—Yes, I know Mr. Harrington well.

27,833. How long had she been a waitress there?—I cannot tell that.

27,834. A long time?—Yes.

27,835. She went away after Mr. Harrington died?—Yes.

27,836. How long after his death?—I cannot tell you.

27,837. Do you know where she went?—I heard it was Somersetshire.

27,838. Do you know whether she stayed at the same place till she came back again at the last election?—I do not.

27,839. Do you know where she came from when she came back this last election?—I heard it was Somersetshire.

27,840. How long before the election did she come back?—I saw her there day after day, occasionally with Mrs. Beasley, and I heard some of the servants say she was coming back before the election.

27,841. How long before the election did you see her first?—Three or four days.

27,842. Did she come before Mr. Pender came?—No, I do not think.

27,843. How long after Mr. Pender came did she first come?—I think she came the day after Mr. Pender.

27,844. Do you know how she came to the Seymour hotel. Was it at Mr. Pender's special request?—That I cannot answer.

27,845 Do you know who paid her?—No.

27,846. You do not know that?—No.

27847. Do you know whether she was directed to wait upon Mr. Pender herself?—It appeared so to me.

27,848. Did you receive any instructions not to attend on Mr. Pender from Mrs. Beazley?—Yes.

27,849. When?—Two or three days before the election.

27,850. Was that the first time you received instructions not to attend Mr. Pender?—I think it was.

27,851. You are quite sure about that?—Yes.

27,852. How long had Ann Satchwell been there before you received notice not to attend on Mr. Pender?—Well, I cannot tell what day it was I received notice, only Mrs. Beazley told me, or I heard the servants say so.

27,853. You say Mr. Pender came 10 days before the election, and Ann Satchwell came the day after?—I think it was Friday. I did not put down the day of the month, because I did not feel any interest in it.

27,854. How long had Ann Satchwell been in the house when Mrs. Beazley spoke to you?—Two or three days.

27,855. What did Mrs. Beazley tell you?—She said she had been informed I was not wanted there, and had better not wait on any of the rooms.

27,856. Any of the rooms?—Any of the rooms they occupied.

27,857. Who?—Mr. Pender and Mr. Seymour.

27,858. Who had come first, Mr. Pender or Mr. Seymour?—Mr. Pender, I think, came first.

27,859. Did Mr. Pender and Mr. Seymour occupy the same sitting room?—They dined together.

27,860. Did they keep the same sitting room during the day?—I cannot tell, because I never went into the room.

27,861. Had you gone into any before you received the warning of Mrs. Beazley?—I waited on Mr. Pender when he came.

27,862. And when did Mr. Seymour come?—I cannot tell.

27,863. When he came did you wait on him too?—No.

27,864. You never waited on Mr. Seymour?—I did on the former occasion.

27,865. Did Mr. Seymour bring a servant?—Yes.

27,866. Did you wait on Mr. Seymour in 1863?—I was not there.

27,867. When had you waited on Mr. Seymour before?—I waited on him when they were down, I think, in the fall of the year after Parliament was prorogued.

27,868. In 1863?—1863. I do not know the date.

27,869. Mrs. Beazley told you this, and then did Mr. Jeffery Michelmore tell you what you told us, not to say anything about what you saw there; "if you "do you shall be turned out of the house, and if you "do not you shall have a handsome present after the "election was over"?—No, Mr. Jenkins told me that in the commercial room.

27,870. John Sloggett Jenkins?—Yes.

27,871. Was he constantly about the house at that time?—Yes.

27,872. Did he and Mr. Chaster, Mr. Jeffery Michelmore, and Mr. Holman, occupy No. 5 as a sitting room?—Well, they were there occasionally.

27,873. Were not they there very often?—Yes.

27,874. Was not that the committee room?—I cannot say. I never went into any of the rooms. This Ann Satchwell answered all the bells that were rung there then.

27,875. Have you been turned out?—No; I have to leave at Christmas, or my mother-in-law has.

27,876. Is that Mrs. Stammers?—Yes.

27,877. You are her lodger?—Yes.

27,878. And Mrs. Stammers has received notice to quit?—Yes.

27,879. When did they give her notice?—On the 21st June last.

27,880. That was after you had given your evidence before the committee?—Yes.

27,881. Who gave you notice?—George Fitze gave my wife notice.

27,882. Did he tell her anything when he gave her

the notice?—He asked to see Mrs. Stammers, and my wife said he could not because she was unwell. She is 82 years old.

27,883. How long has she been a tenant of the duke's?—About 23 years, and the family before have had leases under the Dukes of Somerset for the last 150 years.

27,884. And your wife told him he could not see Mrs. Stammers because she was unwell. What did Mr. Fitze say?—He said he could leave it on the house.

27,885. Did he?—Yes.

27,886. Did he give any reason why he gave the notice?—No.

27,887. None at all?—No.

27,888. Have you ever seen Mr. Fitze in the matter?—No.

27,889. Is it George Fitze, junior or senior?—George Fitze, junior.

27,890. Have you ever seen Mr. Michelmore since the notice was given?—I have seen him, but I never talked to him about it.

27,891. Have you had any reason given you why your mother-in-law got notice?—The only reason given was, that when my sister-in-law was here from Swansea she paid the rent.

27,892. Whom to?—The office.

27,893. Was it Mr. Jeffery Michelmore?—I do not know to whom it was; she paid it to the office, and the message was, that they did not want to get rid of Mrs. Stammers, but only of Crocker.

27,894. Did they say why they wanted to get rid of Crocker?—No.

27,895. Though she has been tenant of the duke's for 23 years, because you gave evidence in support of the petition against the Liberals before the Committee of the House of Commons they gave her notice?—That must be the cause of it, sir.

27,896. Before you left, did Mr. Holman and Mr. Jenkins speak to you about not attending on Mr. Pender?—No.

27,897. Neither of them?—No, neither of them.

27,898. Was it Mr. Jeffery Michelmore and Mrs. Beazley spoke to you?—Mrs. Beazley spoke to me.

27,899. Do you know Cross?—Yes; he is an uncle of my wife's.

27,900. Was he a clerk of Mr. Michelmore's?—He was.

27,901. Where is he now?—Bridgetown.

27,902. What is his christian name?—Richard.

27,903. During the last election was he a clerk of Mr. Michelmore's?—I think not.

27,904. How long had he left him?—I should think he must have left two years now.

27,905. Did he set up for himself?—No.

27,906. What is he doing?—He has retired. He has a superannuation from the Duke of Somerset.

27,907. Was he in the habit of going to the "Seymour" hotel and helping Mrs. Beazley with her accounts?—Yes.

27,908. Have you ever been back to the "Seymour" as a servant since you were sent away that Saturday?—I never waited there. I told them I would never wait while Ann Satchwell was in the house.

27,909. You did not like her then?—No.

27,910. Why did not you like her?—Because she was waiting on these gentlemen, and I had to wash up all the dirty things she brought out.

27,911. (*Mr. Coleridge.*) Had you any quarrel with Ann Satchwell?—No, never no quarrel.

27,912. Only you did not like her being put over you?—I did not like her being brought there when the election was coming off and I should have picked up a pound or two from the members.

27,913. Do you know why she left after Mr. Harrington's death?—No.

27,914. Do you know what led to her coming back?—I heard the other servants say she was coming back.

27,915. Did you hear why?—No.

27,916. Do you know whether Mr. Pender brought her back?—I do not know.

27,917. And she has been there ever since?—She has been there ever since.

27,918. (*Mr. Bere.*) Had you gone and told any of the Conservatives things that were happening at the "Seymour" hotel?—Never.

27,919. (*Mr. Longe.*) Had you never any reason given you from anyone why you should be so disliked or disapproved of by Mr. Pender?—Well, I must tell you I was insulted by Callard and Prout, that was two clerks of the Duke of Somerset.

27,920. What did they say?—They were clerks of the duke, and they came in and said I had been taking messages from the "Seymour" hotel to the "Seven Stars," which I deny, I never did it, and to Mr. Screach's; that was the man I served my time with.

27,921. Whom did they tell that?—They told me this between ourselves, they were there having a glass of ale one evening.

27,922. (*Mr. Coleridge.*) After they had dismissed you did you go to the "Seven Stars" and wait?—I never have. I have never been to the "Seven Stars" since.

27,923. Had you ever waited there before?—I had seven or eight years ago.

27,924. (*Mr. Longe.*) You believe that your presence was objected to by Mr. Seymour, owing to that tale of Callard and Prout?—Yes, and others; because Mr. Parnell said they ought not to have had me there, but Clarke the other waiter.

27,925. (*Mr. Bere.*) Because Mr. Clarke was a voter?—Yes, and I was not.

27,926. And you were not of so much use as Clarke might have been?—No.

SAMUEL NICHOLS recalled.

27,927. (*Mr. Bere.*) Have you been down to the post-office?—Yes.

27,928. Was that the house you were taken to to get the money?—I would not swear, there are two houses so much alike.

27,929. Are they together?—Yes, with adjoining doors.

27,930. Have you any doubt it is one of two?—No doubt, by the nearness I went to the arch, but I could not swear exactly; I cannot tell you.

MRS. ANN SATCHWELL sworn and examined.

27,931. (*Mr. Coleridge.*) How often has your husband had money from Mr. Parnell at election times?—I do not know that.

27,932. Yes you do?—No, I do not.

27,933. How often have you received it for him?—That I cannot tell you, I am not going to tell false.

27,934. Have you ever done so?—Yes, I have.

27,935. When did you receive it first?—That I cannot bear in mind.

27,936. About?—If I did I would tell you.

27,937. About how long ago did you receive any money from Parnell?—I cannot tell you.

27,938. About, was it 10 years ago?—No.

27,939. Was it seven?—No.

27,940. Was not it in 1859?—No, the last election or the last before.

27,941. That was 1863?—Yes.

27,942. What did you receive then?—I had 10*l.* first.

27,943. How much afterwards?—I am sure I cannot tell you.

27,944. Yes you can?—No, I cannot.

27,945. Did you receive something afterwards?—

TWENTY-FIRST DAY.

Mrs. Ann Satchwell.

18 Sept. 1666.

Yes, but how much I cannot tell. I am not going to say what I did when I know I should not be right.

27,946. What was it wrapped in that you cannot tell how much you received from Mr. Parnell?—It was open.

27,947. Why cannot you tell?—I cannot bear in mind.

27,948. Was it about 10*l.*?—Yes, I should think it was, but I do not know exactly the sum.

27,949. Then you received two 10*l.* What was that for?—For my husband's vote.

27,950. Did Mr. Parnell tell you so?—No, I went to him.

27,951. What did you say?—I said as other people did, that I wanted some money.

27,952. You went like a good wife and told him you wanted some money?—Money is always useful, but I do not deny like many do that they have not had money when they know they have, and now it is all found out.

27,953. Then 1863 you got two 10*l.* from Mr. Parnell for your husband's vote?—Yes.

27,954. Was that at Mr. Parnell's own house?—Yes, he was not offered anything by the Whigs, but from the Tories, he might have had plenty; but he is no turn-coat.

27,955. Are you a Whig?—Yes.

27,956. Do you know what a Whig is?—Yes, they are better than the Tories or they would not be very good.

27,957. When you went to Mr. Parnell what did you say?—I went and asked him for money.

27,958. And you told him your husband was going to vote right?—Yes, and that he knew

27,959. Was that before or after the election?—After.

27,960. In 1862 your husband has told us he got 20*l.* or 25*l.* Do you know anything of that?—No.

27,961. Did not he ever tell you that?—Men do not let the women always know.

27,962. Then you know nothing about his having a lucky 20*l.* between the election of 1862 and the election of 1863 about Christmas time?—What, the 25*l.* he had put into his pocket?

27,963. No, the other 25*l.* that he only recollected to-day?—No.

27,964. Do you recollect something when Mr. Dent withdrew and your husband voted for Mr. Pender?—I do not.

27,965. Did not he show it to you?—No doubt he did, but I do not bear it in mind.

27,966. He is not quite sure whether it was 20*l.* or 25*l.*, and you cannot recollect which?—No.

27,967. You recollect his getting the 25*l.* shoved into his pocket from Mr. Harris, but he also got 20*l.* from the other side too?—Not he.

27,968. He says so; did not you know that?—No. He is very nervous, and I believe he not told you exactly right.

27,969. Did not he tell you that Mr. Parnell had given him 20*l.* at that time?—I do not recollect anything at all about it.

27,970. What did he get at the last election when his vote was tendered and refused?—He had not got anything.

27,971. Not at all?—No.

27,972. Did you get anything?—No, I should have been very glad to have had some.

27,973. Did not they offer you any?—No.

27,974. Did not you go to Mr. Parnell at that time?—No.

27,975. Why?—Because I thought there was no money.

27,976. Then you were rather suprised when you heard what money there was?—Yes, when I heard what others had got.

27,977. Did not you get anything at the election of 1863?—No.

27,978. Do you recollect a present being sent you?—No.

27,979. Or 1864?—Other folks had that, not I.

27,980. How often did Mr. Parnell give you money for your husband's vote?—I bear in mind three times.

27,981. When were those times?—I cannot bear in mind.

27,982. When you say three times do you count the two 10*l.* as two separate times?—Yes.

27,983. When was the other time?—I do not know.

27,984. Before that or after; about when?—I do not bear in mind at all.

27,985. Try and recollect?—I do not recollect.

27,986. You recollect the two 10*l.* votes you know; what was the amount the other time he gave you some?—I do not know I tell you.

27,987. You told us he gave you 10*l.* and something you think was 10*l.* after the 1863 election, and you say something another time; how much was it he gave you?—Altogether not more than 30*l.* I have told you as near as I can.

27,988. The other was 10*l.* also?—Yes.

27,989. When was that?—I do not know.

27,990. Are you quite sure the other 10*l.* was not after the last election for tendering his vote?—No, he had not a single halfpenny.

27,991. He did not tell you?—He would have told me. He is not a man who gets money and keeps it back.

27,992. But he did not tell you when he got the 20*l.* or the 25*l.*; when was this other 10*l.*?—I do no know.

27,993. Ten years ago?—I do not know.

27,994. Was it two years ago?—More than that.

27,995. Was not it between the 1862 and the 1863 elections when Mr. Dent retired when you got that 10*l.*?—I do not know.

27,996. Where did Mr. Parnell give you that other 10*l.*?—I had it all at his house, he did not come near mine, and he did not offer any sum for his vote.

27,997. How long was it between the first time you received and the next time?—I do not know at all.

27,998. Was it a year?—I do not know.

27,999. (*Mr. Bere.*) You have not so often got 10*l.* that you cannot remember?—It is not like that.

28,000. (*Mr. Coleridge.*) You quite agree with your husband about the 10*l.* you had in 1863; was the other before or after that?—I do not recollect at all.

28,001. 1863 is only three years ago; have you ever received anything within the last three years?—We have not.

28,002. Then it must have been before the election of 1863 that you got the other 10*l.*?—Yes.

28,003. How long before the election of 1863?—I have said I do not know.

28,004. I do not ask exactly?—I cannot say any time.

28,005. Was it a year?—I do not know.

28,006. Was it a month?—More than that.

28,007. Was it more than a year before?—I do not know.

28,008. Do you recollect your husband telling you that he got 20*l.* after the 1862 election?—No.

28,009. How much do you know your husband received altogether? From Mr. Parnell you received 30*l.* some time; what do you know of his receiving besides?—I do not know.

28,010. Yes, you do. You say he does not keep things back from you?—I do not bear in mind.

28,011. What has he told you he received besides that 30*l.* you got for him?—He has not told me anything about it.

28,012. Did he ever tell you that he got 20*l.* after the 1862 election, or 25*l.*, he does not know which, from Mr. Parnell? Was that the same time as you got the 10*l.*?—No.

28,013. When was it you got the 10*l.*; was it the 1859 election?—Yes.

28,014. Did you get that at Mr. Parnell's house?—Yes.

TWENTY-FIRST DAY.

Mrs. Ann Satchwell.

18 Sept. 1866.

28,015. When you went did he tell you that he had given your husband 20*l.* besides?—No.

28,016. You got 10*l.* and your husband 20*l.* and 25*l.* from Harris; that was 55*l.*?—Well, that is not 200*l.*, like some had.

28,017. You know altogether that he got 55*l.* at the 1859 election?—I do not know.

28,018. You got 10*l.*, and there was Harris's 25*l.*, and he has told us he had another 25*l.* from Mr. Parnell. He has told you about that 20*l.*, has not he?—No, nothing at all.

28,019. He has told you it was the best paying election when Mr. Mills stood?—I do not know.

28,020. You can recollect?—I cannot.

28,021. You got 10*l.* in 1859, and two 10*l.*'s in 1863?—Yes.

28,022. (*Mr. Bere.*) Did not Mr. Pender come to thank you for your husband's offer of his vote after the last election?—No; Mr. Pender was not there.

28,023. Did not he send somebody to say he was very much obliged for your husband having gone to offer his vote?—I do not know. I was not home at the time; I was at the "Seymour" hotel.

28,024. Did somebody say at the "Seymour" hotel that he was obliged to your husband?—No; I never saw Mr. Pender.

28,025. Did somebody else tell you that?—No.

28,026. What were you doing at the "Seymour"?—I went to assist.

28,027. As cook?—No, at the counter.

28,028. What did you get?—Not anything; my daughter paid me. I had nothing from Mrs. Beasley.

28,029. Who is your daughter?—Ann Satchwell.

28,030. What did she pay you?—I do not recollect, because I was not a hired servant, only went to help she a little.

28,031. What did Ann pay you?—I do not recollect.

28,032. Did not she give you something from Mr. Pender?—No, it was not from Pender, but out of her own pocket, because I was not hired.

28,033. Was it from Mr. Seymour?—No.

28,034. Are you quite sure?—Yes.

28,035. How much?—I do not recollect.

28,036. Was it a five pound note?—I should like to have seen it.

28,037. Was it a sovereign?—No.

28,038. Have not you had any money at all since the last election?—No.

28,039. Not a present?—Not anything.

28,040. Not a silk dress?—No.

HENRY TOMS sworn and examined.

H. Toms.

28,041. (*Mr. Bere.*) What are you?—A printer.

28,042. How long have you been a printer in Totnes?—40 years.

28,043. Whom do you print for, the Liberals or the Conservatives, or both?—For Mr. Hannaford.

28,044. Mr. Samuel Hannaford? Was he a Conservative or Liberal?—A regular Tory.

28,045. Were you a regular Tory too?—Yes.

28,046. How often have you voted?—About 26 years I have had a vote.

28,047. How often?—The first time I voted was 1847.

28,048. How much had you from that?—Nothing.

28,049. How much have you had in your lifetime?—Nothing.

28,050. (*Mr. Longe.*) Now in 1859 who did you vote for?—Who were the candidates?

28,051. Mr. Dunn was the Conservative candidate?—I voted for Mr. Dunn.

28,052. Did you get any present afterwards for voting for him?—No.

28,053. Now Mr. Dent's election in 1862?—I do not think there was any opposition then.

28,054. They did not go to the poll?—No.

28,055. You remember those two elections?—Yes.

28,056. 1863, Mr. Dent stood again?—I voted for Mr. Dent.

28,057. Do you remember Mr. Bourne calling on you for the Liberals?—That was 1863, when Mr. Alfred Seymour was a candidate.

28,058. What did he come about?—He came down, I think, about 11 or 12 at night to get my vote.

28,059. What did he offer you?—Nothing.

28,060. Surely he offered you something?—No, he did not.

28,061. What did you tell him?—He said he had asked me too much when he asked me to vote for Mr. Alfred Seymour. He now asked me not to vote at all.

28,062. (*Mr. Bere.*) Who had canvassed you before he came?—I believe Mr. Alfred Seymour had called.

28,063. What did you tell him?—I would not promise him.

28,064. Did you tell him you would not vote for him?—No; I would not promise.

28,065. Why, being such a consistent man, did not you tell him at once?—Because I did not want to offend anyone at that time.

28,066. But your not being decided led to another call from the Liberals?—Perhaps so.

28,067. When Mr. Bourne called did not he offer you anything?—No, he offered me no money.

28,068. Did he tell you it would be better for you?—No; but if I voted against Alfred Seymour he would withdraw all his work.

28,069. What work?—Printing.

28,070. What work do you have from Mr. Bourne?—I do all his printing.

28,071. It is worth about 40*l.* a year?—Well, it varies from 20*l.* to 40*l.*

28,072. What did you tell him then?—In point of fact I do not think I gave him any decided answer. He was in such a passion I could not speak to him.

28,073. That he would withdraw his custom directly?—

28,074. Did he hold out any other threat?—No.

28,075. Did not he hold out any hopes of advantage besides if you changed sides?—No.

28,076. What work have you had since from the Conservatives? Have you had all the Conservative printing since that?—I am not confined to the Conservatives.

28,077. Have you had all on that side?—No; there are two Conservative printers in Totnes.

28,078. Have you had all John Heath's printing?—

28,079. (*Mr. Longe.*) The next election, 1865, who did you vote for, who were the candidates?—Captain Pim and Colonel Dawkins. I voted for Pim and Dawkins.

28,080. Who were the candidates on the other side?—I think Mr. Alfred Seymour called.

28,081. Did no one call from Mr. Pender?—No; I did not see Mr. Pender.

28,082. But did no one call on his behalf?—I rather think the late Mr. Windeatt and Mr. Pender called in the shop, but I did not see them.

28,083. Did they see anyone for you in your place?—No.

28,084. And left no message?—No. The only message I believe he left was that he was the Liberal candidate.

28,085. After he left did anyone else come?—No, no one else came.

28,086. Did no one else come on their behalf?—I think Mr. Alfred Seymour was the last who canvassed me.

28,087. You are sure that no one else came from the Liberals besides those?—No.

28,088. Whom were you canvassed by for Colonel Dawkins and Captain Pim?—I did not see him at all.

TWENTY-FIRST DAY.

H. Toms.

18 Sept. 1866.

I saw him after, some part of the election, but he never asked me for my vote.

28,089. Was it known what your principles were?—Yes.

28,090. And were you doing a large business for Mr. Heath at the time?—Not particularly; just as I do now. I might do rather more now.

28,091. (*Mr. Bere.*) You never had any money given you?—No, nor none offered.

28,092. Nor did you ask for any?—No.

28,093. Nor did they offer you any?—No.

28,094. Used you to do printing for the Conservative side at the elections?—Yes.

28,095. How large an amount was it the last time?—About 16*l.*

28,096. How much was it in 1863?—I think when Mr. Dent was here it was about 16*l.* or 17*l.*, I cannot say exactly.

28,097. (*Mr. Coleridge.*) You have told us you never had anything yourself, were you ever asked to distribute anything amongst others?—No.

28,098. I suppose you keep some compositors?—I have a journeyman.

28,099. Has he a vote?—No.

S. Tozer.

STEPHEN TOZER sworn and examined.

28,100. (*Mr. Bere.*) What are you?—A mason.

28,101. How long have you had a vote for Totnes?—20 years agone; ever since Mackenzie was here.

28,102. Did you vote for Mackenzie?—Yes.

28,103. What did you get for doing that?—Nothing at all.

28,104. Did you vote for Dunn in 1859?—Yes.

28,105. How much did you get for that?—Nothing at all.

28,106. You never had anything?—No.

28,107. You have never had anything for voting. Did you go with Frederick Evens to take care of some gentlemen, some voters?—I never looked to them for any money. I took away one.

28,108. Who was that?—He was called Sharpham.

28,109. Where did you take him?—To Kingsbridge.

28,110. Where was he kept?—At the "Anchor."

28,111. How long did you keep him there?—From Sunday morning till Monday night.

28,112. What did you do with him then?—We took him back to the "Stars."

28,113. You left him there?—And left him there.

28,114. How much did you get for that job?—One sovereign.

28,115. Was that all the money you had at that election?—Myself.

28,116. Is that all the money you had at that election?—Yes.

28,117. Is that all the money you ever had?—That is all.

28,118. That you ever had?—Yes.

28,119. Whom did you work for?—Myself.

28,120. Who employs you mostly here?—Sometimes one, and sometimes another.

28,121. Have you worked for the duke at all?—No.

28,122. Have you worked for Mr. John Heath?—Yes.

28,123. A good deal?—Pretty much sometimes.

28,124. Were you working for John Heath at the last election?—No.

21,125. How long before the last election did you work for him?—I might have done a job perhaps as much as 14*l.* or 15*l.*

28,126. Had he paid you always?—Yes, what I did for him.

28,127. You have got a wife?—Yes.

28,128. How much money has she got?—Not a farthing.

28,129. How do you know that?—She is a sick woman.

28,130. Are you sure that she had not anything brought her whilst she was in bed?—I cannot speak to that.

28,131. How long have you been married?—To tell you the truth I have had three wives.

28,132. How long have you been married to the last one?—Oh, hardly a twelvemonth.

28,133. Had you a wife when Mr. Dent was down here?—Of course I had.

28,134. Are you sure she never got anything?—Never, a farthing.

28,135. Did not John Heath talk to you about getting your vote?—No.

28,136. Did anybody on that side?—I always voted one way.

28,137. What did Evens say when he wanted you to go to Kingsbridge?—He came and asked me if I would go, and I agreed to go with him.

28,138. He only gave you a sovereign?—I accepted it as better than I could get for what I did.

28,139. Had he promised you something more?—I got nothing more.

28,140. Had Evens promised you anything more?—He said I should be paid for what I had done.

28,141. Did he say how much?—No.

28,142. Had you done work for Robert Harris?—Yes.

28,143. Just before the election of 1865 had not you?—Yes; just before the election.

28,144. How much did you get paid then?—27*l.* 11*s.* 0*d.*

28,145. Was it a pretty good job?—It was a fair job.

28,146. Had you taken it by the piece?—Yes.

J. Westaway.

JOHN WESTAWAY sworn and examined.

28,147. (*Mr. Coleridge.*) What are you?—A gardener.

28,148. Where do you live?—At North Gate.

28,149. Whom did you last vote for?—I voted for Mr. Alfred Seymour.

28,150. Was that the first time you had ever voted?—That was the first time I had voted.

28,151. Whom are you gardener to?—To Admiral Mitchell.

28,152. He is a Conservative, is he not?—Yes.

28,153. Used you not to live in a little house at the end of his garden?—Yes.

28,154. And had a vote for it?—Yes.

28,155. Do you know who the Admiral voted for?—He voted for Mr. Seymour.

28,156. And whom did you vote for?—I voted for Mr. Seymour.

28,157. And for whom else?—For nobody.

28,158. This was in 1863?—Yes.

28,159. What happened to you in 1863, were you locked up?—Yes.

28,160. What did you get for voting?—I did not get anything, my wife had something.

28,161. What did your wife get?—I think it was 60*l.*

28,162. Did your wife do all the bargaining?—Yes.

28,163. Who gave her the 60*l.*?—She went to a Mrs. Webber's, I think, about three months after the election, and there was a parcel there for her.

28,164. What was in it?—50*l.*

28,165. 50*l.* in what?—In gold and notes.

28,166. Notes of what amount?—5*l.* notes.

28,167. You did not expect anything like that I suppose?—No.

28,168. Were you told that your wife would have something afterwards as a present?—I do not know about that, I think Mrs. Webber had said that I should get something afterwards.

28,169. Had you a vote in 1862?—No, I did not vote then.

28,170. But had you a vote at that time?—Yes.

28,171. Then why did you not vote?—I was not wanted.

28,172. That was because there was no contest?—There was no contest.

28,173. What were you to have if you had voted?—Nothing, there was nothing offered to me.

28,174. But supposing the election had come off where you to have nothing?—No.

28,175. Did you get any present afterwards?—No.

28,176. Did you not get 20*l.*?—No.

28,177. Are you sure of that?—Yes, I had 30*l.* which I returned.

28,178. What were you to have that for, was that in 1862?—Yes.

28,179. You had 30*l.* which you returned, who had given that?—Evens.

28,180. Was that given to you to vote for Mr. Dent?—Yes.

28,181. Then why did you return it?—I thought it would be wrong to vote against my master.

28,182. What did he say to you about it?—He told me to vote which way I pleased.

28,183. Did you not go to the other party and say I have got 30*l.* to vote for Mr. Dent?—No.

28,184. Then how came you to take it?—They came there pestering me and I took it.

28,185. You took it just for the sake of peace, I suppose?—Yes.

28,186. How long before the election had you taken this 30*l.*?—It might have been a week.

28,187. And how long did you keep it?—I had it a week, I gave it up the night before the election.

28,188. Had anyone been to you on the other side in the meantime?—Mr. Seymour came.

28,189. Did not Mr. Parnell come?—No.

28,190. Or Mr. Webber?—No.

28,191. Or any of the Mr. Michelmores?—No.

28,192. Or Mr. Windeatt?—No.

28,193. Was the 30*l.* given to you or given to your wife?—I had 10*l.* first; they brought 20*l.* afterwards.

28,194. Was that left with your wife?—Yes.

28,195. Was that by Mr. Frederick Evens?—Yes.

28,196. And the night before the election you gave it back to him?—My wife took it back.

28,197. Who did she take it back to?—She took it to the "Stars," and she gave it up to Mr. Edmonds or put it down on the table.

28,198. She gave it to Mr. Edmonds himself?—Yes.

28,199. Were you offered nothing on the Liberal side?—No.

28,200. You did not vote at all at that time?—No.

28,201. Or get any money?—No.

28,202. Before you returned the 30*l.* had you not been promised you would be made all right on the other side?—Mrs. Webber told my wife about that, not me.

28,203. Before you returned the 30*l.* did not Mrs. Webber say you would be all right if you did return it?—My wife told her that I had had some money on the other side, and then Mrs. Webber asked her if I would not have some money on that side.

28,204. What did Mrs. Webber say to your wife?—She told my wife that if we wanted a little on their side she had no doubt she could get her some.

28,205. And did she get it?—Yes.

28,206. How much was it?—50*l.*

28,207. You said just now you got nothing?—I had not got it then.

28,208. Your wife told Mrs. Webber you had got something on the Conservative side?—No.

28,209. When Dent and Pender stood you were given 30*l.* to vote for the Conservatives?—Not the first time; I had nothing then. This was the second time.

28,210. You had nothing in 1862 from either party?—No.

28,211. In 1863 your wife got 30*l.* from Evens, and then she talked to Mrs. Webber and you returned the 30*l.*, and got 60*l.* from Mrs. Webber instead?—It was only 50*l.* altogether.

28,212. You returned the 30*l.* and got 50*l.*?—Yes.

28,213. You made a tolerably good thing of it by that transaction?—Yes.

28,214. At the last election you got 60*l.*?—No; I never had anything.

28,215. You said just now you got 60*l.* at one election, which was that?—At Seymour's; I never voted more than once.

28,216. Was it 50*l.* or 60*l.*?—It was 50*l.*

28,217. Did your wife get 10*l.*?—No.

28,218. What did you get altogether?—Only 50*l.*

28,219. In 1865 had you a vote?—No.

28,220. Admiral Mitchell brought you into his house instead of the cottage, and you lost your vote?—Yes.

28,221. You got no present in 1865?—No.

28,222. You had no grateful remembrance?—Nothing at all.

28,223. All your vote has been worth to you is 50*l.*?—That is all.

28,224. Did Mr. Webber give it you himself?—He never spoke to me.

28,225. Who gave the money to your wife?—My wife went there and they said there was a parcel on the table.

28,226. Were you employed at the last election?—No.

28,227. When was it that Webber had you locked up?—That was at the election of 1863.

28,228. Did he not say it was necessary to keep you there?—He said I might sleep there if I liked.

28,229. Who bargained with Webber as to your having something?—My wife.

28,230. Is Webber dead?—Yes.

28,231. Is your wife alive?—Yes.

28,232. Do you know anyone else whom Webber bargained with?—No.

28,233. When did you tell the Admiral you had got the 50*l.*?—Never.

28,234. He does not know now, I suppose?—No.

28,235. Who else was at Webber's that night?—No one else.

28,836. What was he at that time?—A draper.

WILLIAM ELLIS sworn and examined.

W. Ellis.

28,237. (*Mr. Longe.*) What is your occupation?—I keep a dairy.

28,238. What do you vote for?—My house.

28,239. How long have you had a vote?—The first time I had a vote was in 1859.

28,240. Who did you vote for in 1859?—Dunn and Lord Gifford.

28,241. You split your votes?—Yes.

28,242. Were you under an obligation to both parties?—I rented my ground under the duke.

28,243. He would have all or none?—He seemed to think so at that time, but they did not turn me out then.

28,244. Had you any warning given you?—Not at that time.

28,245. The next election was in 1862?—Then I voted for Mr. Pender.

28,246. You could not vote for both that time?—I thought if I did not vote for them I should get out of the ground. Others had been turned out before me.

28,247. Who canvassed you for Mr. Pender?—Mr. Pender himself.

28,248. Had you any message from Mr. Michelmore?—No.

28,249. And no notice given you?—No. I think

TWENTY-FIRST DAY.

W. Ellis.

18 Sept. 1866.

Mr. Jeffery Michelmore asked me if I was going to vote for Mr. Pender.

28,250. How long was that before the election?—I think the day before.

28,251. What did you tell him?—I do not recollect.

28,252. What do you hold under the duke?—About 10 acres of land.

28,253. Where is that?—I have two fields in Dartington.

28,254. Has any other person besides you a vote on the land?—No other.

28,255. How long have you held the land?—Some years.

28,256. When you took the land did you understand on what terms you would hold it?—I was given to understand I was to pay so much rent; there was nothing said about voting.

28,257. In 1863 how did you vote?—Then I voted one and one.

28,258. What led you to change sides?—I voted one and one the first time; I thought that would make it even the second time.

28,259. Who canvassed you?—Mr. Dent himself.

28,260. What did you tell him when he called?—I promised him directly he came.

28,261. You knew the consequences?—I did not know what might be; however I risked it. I had an opportunity of getting some ground on the other side.

28,262. Did anyone else call on you besides Mr. Dent for your vote?—There was some person came whom I did not know about some ground which I was to have on the other side if they turned me out.

28,263. (*Mr. Coleridge.*) Did anyone ever offer you 40*l.* for your vote?—I had 40*l.*

28,264. At what election did you get the 40*l.*; you did not tell us that?—You did not ask me the question. I had 40*l.* the first time.

28,265. In what year was that?—In 1859.

28,266. Who gave you the 40*l.*?—I think it was Robert Pige.

28,267. Who was Mr. Pige?—He was living here at that time.

28,268. What was he?—I do not know what he was.

28,269. Is he alive now?—Yes; that is the gentleman over there.

28,270. Did he tell you what it was for?—For me to vote for Mr. Dunn.

28,271. When were you next paid?—I think I voted for Mr. Dent. I got 50*l.* more; I did not ask for it; it was brought to me and I did not refuse it.

28,272. Who gave you the 50*l.*?—George Heath.

28,273. Where did he give it to you?—In my own house.

28,274. Then in 1863?—That was the last time Mr. Dent stood.

28,275. What did you get for voting then?—Nothing.

28,276. How was that?—I did not ask for anything.

28,277. Did your wife get anything?—No.

28,278. Was any present offered you?—No.

28,279. You did not receive anything?—No.

28,280. Did it not occur to you to go to Mr. Heath or Mr. Parnell?—No, I never wanted it at any time; it was very handy, however, when it came.

28,281. How came you not to go and see about it on the last occasion?—I never went.

28,282. Did they not come and see you?—No one came.

28,283. Will you swear that you got nothing for your vote on the last occasion?—Nothing.

28,284. Was any arrangement made about some meadows?—No.

28,285. Did you not get some land rather cheap?—No; it was rather dear than cheap.

28,286. When were you turned out of the duke's land?—After I voted for Mr. Dent.

28,287. What land do you rent now?—Some land belonging to Mr. Dent.

28,288. Did George Heath let you the land?—He did.

28,289. How much did you give for that?—4*l.* an acre.

28,290. That is pretty cheap, is it not?—It is quite money enough for it.

28,291. Do you know at what Mr. Pige values it?—At 1*l.* or 2*l.* for the whole.

28,292. Which Mr. Pige gave you the money in 1859?—Robert Pige.

28,293. Is he a valuer?—No; it is his father who values the land.

28,294. Where did you get the 50*l.* from in 1863?—George Heath brought it to me.

28,295. Down to your house?—Yes.

28,296. What was it in?—In gold.

28,297. In 1865 did Mr. Heath ever come to you at all?—Not in regard to any money.

28,298. Did he come to see you?—Not about voting.

28,299. Just think whether anyone of the Mr. Heaths came and asked you about your vote?—No; as soon as the gentleman came and asked me about my vote I promised it him directly.

28,300. Did Captain Pim come?—Yes.

28,301. Did John Heath come with him?—I think he did.

28,302. Did Mr. Heath stay longer in your house than Captain Pim?—No, not a moment.

28,303. Did he not say you would have something if you voted for Captain Pim?—No, nothing was mentioned.

28,304. You heard of others having money?—Yes; I heard of it.

28,305. Why did you not ask for some?—I never asked for any.

28,306. Did you see Frederick Evens?—No.

28,307. Or have any money from him?—No.

28,308. Or from Screach?—No.

28,309. What were you promised in 1862, when Mr. Dent retired?—Nothing at all.

28,310. When did you pay your rent last?—At midsummer.

28,311. Are you quite sure of that?—Yes.

28,312. Who was it paid to?—To Mr. Bryett.

28,313. When did you last pay your rent before that?—The Christmas before.

28,314. Have you paid your rent regularly since you have held Mr. Dent's land?—Yes.

28,315. When Mr. Harris was the agent, did you pay him?—I did.

28,316. What sort of land is it that you have got?—Decent land; grazing land.

28,317. In what part of the district is it; is it towards Follaton?—It is down in the bottom, on this side of Follaton, on the Dartington side of the railway; it joins the railway in the valley.

28,318. Is it just below where Mr. Bryett has built a house?—Yes.

28,319. The fields on the other side of the road?—Yes.

28,320. On the river side of the road?—No; on the other side of the old road.

28,321. Were you not rather disappointed that you held out too long for your vote?—No.

28,322. What did you expect?—Nothing.

28,323. But you held out too long?—If there had been anything for me I should have had it.

28,324. You held out till there was nothing?—No.

28,325. What did you expect for your vote?—Nothing.

28,326. How much did you put as the value of it last time?—Nothing.

28,327. How much were you offered for it?—Nothing.

28,328. You wanted more than they would give you; how came you to stand out so long?—They never offered me anything.

28,329. But you voted very late at the election?—Yes, it was late.

28,330. What made you vote so late?—Nothing in particular.

28,331. Were not your friends who held out with you likewise too late?—That I do not know.

28,332. Was not Marks one of them?—I do not know.

28,333. What did you two together expect to get?—I do not know what I might have had.

28,334. Supposing you had taken something moderate?—If they had given me anything I should have accepted it.

28,335. Were you looking out for them to make the offer?—I did not know anything about it.

28,336. Had you been talked to about your vote?—Not by anyone.

28,337. Had none of the Mr. Heaths said anything to you about the value of your vote?—No.

28,338. Your avocation, when keeping a dairy, would make you get up pretty early in the morning?—Yes.

28,339. After 10 o'clock, towards the middle of the day, would be idle time with you?—I fancy so, sometimes.

28,340. What time did you vote?—I do not know.

28,341. Was it near 3 o'clock?—I dare say it was handy 3 o'clock.

28,342. What made you wait until so late?—I was not particular about voting.

28,343. You had never voted so late before?—Yes, I had.

28,344. When had you voted so late as that?—I cannot tell.

28,345. When Mr. Page gave you the 40*l.* did you not vote earlier?—Yes, I did.

28,346. In 1863, when you had the 60*l.*, you voted much earlier?—I do not know that.

28,347. As soon as you collared your money you voted on that occasion, what made you wait in 1863?—I did not do so.

28,348. You were open to conviction at the last moment?—No; I should have voted, whether I had had anything or not.

28,349. Why should you have done so?—Because I had promised them both when they came.

28,350. You mean Dawkins and Pim?—Yes.

28,351. What did the Liberals offer you at that time?—Nothing.

28,352. Who came to you?—No one.

28,353. Did no one come to you to tempt you on the other side?—No one at all.

28,354. You are sure of that?—Quite sure.

28,355. If it has been said they did it is a mistake?—I never saw any person.

28,356. Did no person come to make you any offer on that occasion on the Liberal side?—No; I do not remember that I saw anyone.

28,357. Do you know whether your wife saw any one?—I fancy that she would have told me if she had seen anyone.

28,358. Did she tell you that she had been offered any money?—No.

28,359. You are one of the unfortunates who did not get anything?—I did not get anything.

ELIZA WESTAWAY sworn and examined.

Eliza Westaway.

28,360. (*Mr. Coleridge.*) Who was that gentleman in the crowd who whispered to you when you were coming through?—I do not remember it.

28,361. It may not have been a gentleman, but who was it that whispered to you?—I saw three or four.

28,362. Who spoke to you?—I think William Dart.

28,363. What did he say to you?—He said "You are come," or "You are fetched."

28,364. Did he tell you what had taken place here?—No.

28,365. (*Mr. Bere.*) You are the wife of John Westaway?—If you please.

28,366. Mrs. Webber paid you a sum of money for his vote?—There was a sum of money on the table.

28,367. Where was that?—On Mrs. Webber's work-table.

28,368. Did she send for you?—I went there to work.

28,369. What did she say?—She said "There is a parcel for you," and I took it.

28,370. Did you know what it was?—Not till I returned and saw.

28,371. Did not your husband tell you what it was?—No.

28,372. After you brought the parcel back, what did you do?—I found some gold and some notes.

28,373. How much?—50*l.*

28,374. Had Mrs. Webber and you had any talk before?—The evening before she sent for me, and she said, "Who is your husband going to vote for?" and I said, "I believe Mr. Seymour;" and she said, "I am glad;" but I said, "The Tories have been there, and left some money there;" and she said, "If you want some money, no doubt you can get some on the other side;" and she said, "What amount would you require?" I said, "50*l.* or 60*l.*" "Very well," she said, and that is all that passed.

28,375. What next did you do; did you go down?—No; it was two or three months after.

28,376. Had you not met her during the time?—Yes.

28,377. You did not ask any questions?—No.

28,378. Did you return the money you got from the "Stars?"—Yes.

28,379. You took it and gave it to Mr. John Heath?—I gave it to Mr. Edmonds.

28,380. Did Mrs. Webber state that you might have to wait?—No.

28,381. (*Mr. Coleridge.*) You must have almost despaired of the money?—I did not think there would be any for me; I did not think much of it.

28,382. After saying you would want 50*l.* or 60*l.*, how came you not to think about it?—It was merely speaking two or three minutes.

28,383. You knew you could get it?—I did not think.

28,384. You trusted Mrs. Webber?—I knew she was a nice lady. I was working for her.

28,385. (*Mr. Bere.*) How much did your husband get the last time?—He never voted but once.

ROBERT PIGE sworn and examined.

R. Pige.

28,386. (*Mr. Bere.*) Are you a native of Totnes?—I was residing in Totnes then.

28,387. Where do you live now?—Two miles from here.

28,388. What are you doing now, a farmer?—No.

28,389. Is not there a land valuer of your name?—My father.

28,390. Did you ever help him in his business?—Merely as a clerk.

28,391. Have you ever had a vote for the borough of Totnes?—In 1859 I had a vote.

28,392. Did you vote for Dunn then?—Yes.

28,393. What did you get?—Nothing.

28,394. Were you not employed on the Conservative side to canvas?—No, I employed myself.

28,395. Who did you employ yourself to see?—A few voters, I met Mr. Ellis.

28,396. How much did you give him?—30*l.*

28,397. Any other?—William Knapman.

28,398. Where did you meet with him?—I think I saw him at his house.

28,399. How much did you give him?—I think 50*l.*

28,400. Anyone else?—No one.

28,401. Only those two?—That is all.

TWENTY-FIRST DAY.

R. Pige.

18 Sept. 1866.

28,402. Were they particular friends of yours?—No.

28,403. Where did you get the money?—From the "Seven Stars" No. 9.

28,404. From a man that you knew?—No, I should not know him again.

28,405. Did he know your name?—I do not know, I went the night before the election.

28,406. Had you promised the men a sum of money?—Yes, but they had voted before they had the money.

28,407. Did you take any?—Not the least.

28,408. When you went to look after the money, whom did you see at the "Seven Stars"?—I think I saw Mr. Edmonds and he referred me to Mr. Cameron, and then I think he ordered me to No. 9.

28,409. Where did you see Mr. Cameron?—I think on the stairs.

28,410. In the lobby?—I think on the stairs.

28,411. Then you went to No. 9?—Yes, and I knocked at the door.

28,412. Did you give your name to this stranger?—I think the voters.

28,413. And you got the 30*l.* and 50*l.*?—Yes.

28,414. Did you get it in gold or notes?—Gold.

28,415. Had you made a bargain before?—Yes.

28,416. Where did you see Ellis?—I think I saw him going into the house; I knocked at the door and I asked how it was, and I knew that he was poor, and he said, "I have been trying the other party but cannot get anything, they won't give me anything that will suit me," and I said, "I will if they won't."

28,417. (*Mr. Coleridge.*) Did he say who tried him on the other side?—No.

28,418. (*Mr. Bere.*) What is his christian name?—William.

28,419. Is that the only election you have had to do with?—Yes, I was so disgusted with it.

28,420. Do you know how much money was going?—No.

28,421. You only dealt with those two persons?—Yes.

28,422. (*Mr. Coleridge.*) Who sent you to deal with those?—I merely set my mind to help a little.

28,423. A stranger would not give you money unless you were accredited?—I do not know.

28,424. Had you been shown to the stranger?—No, I went to No. 9.

28,425. Who ordered you to No. 9?—Mr. Cameron.

28,426. Who is Mr. Cameron?—He was down from London.

28,427. Had you known Mr. Cameron?—By sight.

28,428. When you came in, with whom did you communicate that you wanted the money?—With Mr. Edmonds I think.

28,429. You told Mr. Edmonds that you wanted the money, did you tell him how much?—No. I said I wanted the money for the voters.

28,430. Had you told him the voters that you were going to pay?—Yes. He knew that I had bargained with them.

28,431. Those two particular ones?—Yes.

28,432. Had he told you to go to No. 9?—Yes.

28,433. Is No. 9 a bedroom or a sitting room?—It is the opposite side of the house.

28,434. Do you recollect whether it is a bedroom or a sitting room?—I think a sitting room.

28,435. Had you offered money to any other voters?—No.

28,436. Had you tried any voters unsuccessfully?—No, I would not try any more.

28,437. Were these people that you knew particularly well?—No.

28,438. The election was conducted in that sort of careless manner and no petition?—No.

28,439. (*Mr. Longe.*) Mr. Cameron showed you No. 9?—He did not show me, he said go to No. 9.

28,440. What conversation had you with Mr. Cameron himself?—Nothing more.

28,441. He knew what you had come for?—Yes.

28,442. Who told him?—I suppose Mr. Edmonds told him.

28,443. And you met Mr. Cameron?—Yes, I saw him there. I did not wish the men to vote unless I got the money for them.

28,444. You said to Cameron that you wanted the money?—Yes, and he showed me to No. 9.

28,445. (*Mr. Coleridge.*) Do you know if money was going on the other side at that election?—I did not know anything except hearsay. I was disgusted with it afterwards.

28,446. Had they told you that they had been offered sums of money on the other side?—Not those two.

28,447. Who did?—None that I know of.

W. Earle.

WILLIAM EARLE sworn and examined.

28,448. (*Mr. Bere.*) How long have you had a vote for Totnes?—I cannot exactly say.

28,449. Twenty years?—Oh no, sir.

28,450. Whom did you vote for first?—I think Mr. Dent.

28,451. That was in 1863?—You gentlemen know better than I do.

28,452. Had you not a vote last time?—I had a vote, but I did not vote.

28,453. Why did not you vote? What were your reasons?—I will tell you the reason. Mr. Bedford Pim came to my house the night previous the election, and I asked him whether he would have a drop of cyder, and he said, he had had such fatigue that he would be glad, and I went to fetch it, and there was a young slippery gentleman like a wire-dancer came to me and said, "If you will come to-morrow I will give you 40*l.*;" but when I went next day the ship was all gone to wreck. The Conservative cause all gone.

28,454. You did not get the 40*l.*?—No, that was all over, but they behaved gentleman-like; two or three men said, if I would come to vote for Bedford Pim and Colonel Dawkins they would give me 5*l.* and pay expenses; I thought to myself I will not go in the face of one against the other, and I will not vote at all.

28,455. Who was the gentleman who offered you 40*l.*?—I do not know. The last man was Mr. Niner, he came and asked me if I would take 5*l.*

28,456. What time of the day was that?—I cannot say.

28,457. Late, one?—Somewhere about the middle of the day.

28,458. 5*l.* and pay expenses?—Yes.

28,459. Is that the man that offered you the 40*l.* (*referring to Mr. Narramore*)?—I do not think it was, I do not know.

28,460. Was it James Heath?—I do not know.

28,461. What time was it?—Towards the evening.

28,462. That is all you got in 1865. What did you get for voting for Mr. Dent?—30*l.*

28,463. Who gave you that?—I did not receive the money at all.

28,464. Who did?—I have got a brother with me.

28,465. What is your brother's name?—Nicholas Earle.

28,466. Where is he now?—He is at my house.

28,467. How was the money paid to you?—I do not know; my sister or housekeeper took it.

28,468. And Nicholas Earle brought it?—I went home with him.

28,469. Who made the bargain for the 30*l.*?—I think John Heath.

28,470. At the "Seven Stars"?—Yes.

28,471. Had you gone to see what was going on?—I was there in the evening.

28,472. And then John Heath came and talked to you?—He did not say anything to me in particular.

28,473. He talked to Nicholas Earle?—Yes, and he and my brother settled it. My brother came to me the next day, and my brother says, "Come with

me," and I went, and Mr. Dent gave me thanks for it.

28,474. What Mr. Niner was it, Mr. Arthur Niner?—He ran into the room where I was; I was offered 5*l.* by three different men, the last was in the smoking room. I was drinking a pint of beer, or a glass or two of beer, and smoking a pipe, and he ran in and said, "Will you come and vote?" "No," I said, "I won't." I went over the Plains and I met with Mr. Jeffery Michelmore, and he said "Run and vote for Mr. Seymour." I pointed with my hand over to the fields and said, "If you will let me have "those fields I will go and vote for you for nothing." He said, "I can't." Then I met a man, Mr. Watson of Dorsley the magistrate, he said, "Have you voted," and I said, "No." And he said, "Go and vote "according to your wish." And I said, "I won't "vote in the face of one against the other."

28,475. (*Mr. Coleridge.*) Unless you got the fields?—I said I would have voted if I got the fields at a rent.

28,476. You would have voted for the Liberals if you got the fields, and the Conservatives if you got the 40*l.*?—Yes; I am neither one side nor the other.

28,477. (*Mr. Longe.*) Which Mr. Niner was it, the old gentleman or the young one?—The old gentleman.

28,478. Was 1863 the first time you ever voted?—Yes.

28,479. Did not the other side come and ask you for your vote?—No, I think not.

28,480. None of them?—I do not want to tell any lies; my landlord came.

28,481. Who was your landlord?—Mr. Amery; he did not come to me but he sent a note to me, and said he wished me to vote for Mr. Pender as he was a man well fit to take the office.

28,482. (*Mr. Coleridge.*) Do you recollect in 1865 going down to the "Stars" and seeing Mr. Arthur Niner, and several other gentlemen in a room there?—At Dent's election?

28,483. No, Dawkins and Pim's?—I was not there at all.

28,484. The time you were offered the 40*l.*?—On the same day of the election I went there.

28,485. Do you recollect saying, "I be come;" and their saying, "Go down and vote;" and your saying, "That requires a little consideration"?—I cannot say whether I did or not.

28,486. Do you recollect telling them that you had been disappointed in 40*l.*?—I daresay I told them; but it was no use going down the street.

28,487. The bank was shut?—Yes.

28,488. Did the Liberals offer you anything instead of those fields to vote?—No.

28,489. Did not they offer you any money?—No. Mr. Jeffery Michelmore went on towards the "Seymour" hotel.

28,490. Then you got nothing last time?—No, I did not vote.

28,491. Did you get anything for not voting?—No.

28,492. All your vote has been worth has been 30*l.*?—Yes.

28,493. Had you not a vote in Dunn's election in 1859?—No. Mr. Tucker of Ashburton has been to me about my vote.

28,494. In Dent's first election, when Pender was elected, were you promised anything if Dent had gone to the poll, neither by Pender's party or Dent's party?—No.

28,495. Whom did you ask for the 40*l.* at the "Stars"?—I did not ask, I knew it was no use. I saw men coming up and they said it was over. There were 24 men who went to the poll that they expected were going for Dawkins and Pim, and they went the other side.

28,496. (*Mr. Bere.*) After you voted for Mr. Dent in 1863 did Mr. Amery turn you out of the land?—Yes.

28,497. For voting?—Yes.

28,498. How much did you rent?—About 12*l.* a year; and then Mr. Harris let me into some fields.

28,499. How much did you give him for them?—He did not ask me for anything and I did not pay him anything. I pay him his rent and he is a good landlord.

28,500. Have you paid him any rent?—Yes; you may reckon: I shall have the field three years next Lady Day and I have paid Mr. Harris up to midsummer.

28,501. How many acres?—About an acre and a half.

28,502. How much do you give him?—10*l.* 8*l.* an acre. I ought to have come in here and had a 1,000*l.*

28,503. (*Mr. Coleridge.*) Is that what you vote upon?—Yes, now; before Mr. Dent came here I had another field.

28,504. Do you pay the whole 10*l.* every year to Mr. Harris?—Yes.

28,505. Does he give you anything back?—He will take care of that, but it is right before the Union.

28,506. (*Mr. Bere.*) It is worth a great deal more? He knows about that.

28,507. (*Mr. Bere.*) You must send your brother in to-morrow.

W. Farley.

William Farley, jun., sworn and examined.

28,508. (*Mr. Coleridge.*) When did you vote?—In 1852.

28,509. Whom did you vote for in 1852?—For Mills and Seymour.

28,510. What had you to do with the election of 1852?—Nothing more than recording my vote.

28,511. Did you have to do with any of the voters?—None whatever.

28,512. Pay any money to them?—None whatever.

28,513. Did you receive any?—I received 50*l.* for myself.

28,514. Where did you get that from?—It was left by a party with my father and I had it from him.

28,515. Who left it with your father?—I have heard the name of Coombes.

28,516. What is his christian name?—Joseph.

28,517. Is he alive?—I believe he is.

28,518. What is he?—A retired gentleman.

28,519. Where is he?—About the town.

28,520. Is he Mr. Holman's father-in-law?—I believe some relative.

28,521. Do you know where he got it?—I do not know.

28,522. When was the next election?—I voted for Dunn.

28,523. There was the 1857 election?—I did not vote.

28,524. Why not?—I did not feel inclined.

28,525. Were you paid anything?—No.

28,526. In 1859 how did you vote?—For Dunn.

28,527. You changed your politics?—I came this side of the bridge, and I thought it better to adhere to the Conservative party.

28,528. What did you get for voting for Dunn?—50*l.*

28,529. Who paid you that?—Some stranger I do not know.

28,530. Did he call at your house?—He did.

28,531. Was there anything given you on the other side?—No.

28,532. Was there any suggestion made?—No.

28,533. Was there money going?—I heard so.

28,534. Did Mr. Parnell offer you none?—No.

28,535. In 1859 did you do anything in the way of giving money to voters?—No; I never took any active part.

28,536. In 1862, Dent's first election?—No contest.

TWENTY-FIRST DAY.

W. Farley.

18 Sept. 1866.

28,537. Were you promised anything if there had been?—No.

28,538. Did not Frederick Evens come to you?—No.

28,539. How would you have voted if there had been a contest?—I think I should have voted for Dent; it depends upon circumstances.

28,540. In 1863 did you vote for Dent?—I did.

28,541. What did you get?—50*l.*

28,542. What did they pay you in?—In gold.

28,543. Did you do anything at that election except receiving the 50*l.*?—I recorded my vote.

28,544. Were you offered anything by Seymour's side?—Nothing whatever.

28,545. In 1863 did you live next to a man called Stone?—No.

28,546. What Farley is it that lives next to William Stone?—I do not know; that is another Farley.

28,547. Stone never offered you 100*l.*?—No.

28,548. In 1865 how did you vote?—For Dawkins and Pender.

28,549. A sudden conversion to the Liberals?—Yes.

28,550. How came you to do that?—I considered Mr. Pender a man to be supported; he had done a great deal for the borough.

28,551. What did he give you?—Nothing.

28,552. Did you have nothing in 1865?—Nothing whatever.

28,553. Did not Mr. Parnell give you anything?—No.

28,554. Were you not offered 100*l.* at that time?—No.

28,555. By another party?—No.

28,556. You, being open to conviction, got nothing?—I do not know about that.

28,557. You began in 1852 with a Liberal, in 1859 a Tory, 1863 a Tory, and now you vote for one and one; what are you now?—It depends, I suppose.

28,558. What did you do at the last election?—Nothing.

28,559. Did you canvass at all?—No. As I said before, I never took any active part.

28,560. Did you see Mr. Searle?—Which Mr. Searle?

28,561. Thomas Jacob Searle?—I know there is such a man in existence.

28,562. Do you know him by sight?—Yes.

28,563. Did you see him at the last election?—No.

28,564. Have you had a talk with him about this Commission sitting?—No.

28,565. Not talked about it?—To nobody.

28,566. What do you say your vote has been worth?—150*l.*

28,567. Did you get nothing at the last election?—No.

28,568. No present?—No; and no anticipation.

28,569. No promise of a situation?—No.

28,570. It was principle that made you vote at the last election?—I simply thought I should like to see those men members of Parliament. Colonel Dawkins and Mr. Pender.

28,571. You were not aware that the reason you liked Colonel Dawkins in preference to Captain Pim was, that Colonel Dawkins was spending a lot of money?—No. Having signed a requisition, I thought I would vote.

28,572. Having signed the requisition, you thought it right to vote against the Conservatives?—I did not.

28,573. You voted for Pender?—Yes.

28,574. Why not for Captain Pim?—I did not think anything about Captain Pim.

28,575. (*Mr. Longe.*) Can you tell us about the "Lapstone Club"?—I do not understand your question.

28,576. In 1852?—I know nothing about it.

28,577. Did you know John Sandford Screach?—I knew him at that time.

28,578. Had you not some electioneering dealings with him?—No.

28,579. Did you never hear of the "Lapstone Club" before?—I know nothing of its existence; I might have heard of it.

28,580. When did you hear of it?—Some years ago.

28,581. You knew that there were a number of persons associated together, and Mr. Screach was the manager?—I did not know anything of the kind.

28,582. (*Mr. Bere.*) When did you first see Mr. Pender before the last election?—Do you mean to canvass me?

28,583. Yes?—He canvassed me when I was on an excursion, and he left his card.

28,584. Whom did he see?—I do not know anybody but the servant.

28,585. How long before you came home?—The day that I came home in the evening.

28,586. When did you see him?—He never called afterwards; he left his card soliciting my vote and interest.

28,587. When did you let Mr. Pender know that you were going to vote for him?—I do not know.

28,588. Were you not down to the "Seven Stars" on the Friday before the election?—No.

28,589. Did you go to the meeting at the "Seven Stars"?—I might have done.

28,590. And made a speech?—No.

28,591. Take care. Did not you in that speech urge the Conservatives not to split their votes?—No.

28,592. There are persons here who remember it?—I will face any person that will come and swear that.

28,593. Do you recollect going to the "Seven Stars"?—I remember being there.

28,594. What particular days before the election?—I remember being there one day at a meeting.

28,595. Was that when Captain Pim was proposed?—Captain Pim was there.

28,596. Did Captain Pim speak?—I do not know.

28,597. Did you make a speech at all during that election?—Not that I am aware of.

28,598. You know whether you made a speech?—I did not make a public speech at that election, before or after.

28,599. Did you give any private recommendation to anyone?—None whatever.

28,600. Did you talk to your friends about voting? I did not.

28,601. Did not you talk to some of your friends who were going to vote about splitting their votes?—No.

28,602. When did you first make up your mind to vote for Mr. Pender?—I do not know.

28,603. Where do you live?—In Fore Street.

28,604. Who are your neighbours?—Mr. Gill, the chemist, and Pengilley.

28,605. What Pengilley is that?—Richard.

28,606. Is that Robert Gill, the chemist?—Yes.

28,607. He is a Conservative?—I do not know his politics.

28,608. Did not you ever go and converse with him about how you were going to vote?—No.

28,609. Did not you with anyone?—No.

28,610. Did not you go to your father's while the election was going on?—I may have gone to my father like any son would go to his father's house.

28,611. Did not you go there at that time, and did not you have a conversation about election matters?—No, I do not recollect it.

28,612. Did your father ask you how you were going to vote?—No.

28,613. And you never told him?—No.

28,614. Who was the first person on the Liberal side that knew you were going to vote for Mr. Pender?—I do not know that either of the party knew it.

28,615. Did you see Mr. Charles Frederick Michelmore at all?—No.

28,616. You say you never told any human being which way you were going to vote?—No.

28,617. You went to the poll and voted without having told any person?—Yes.

28,618. Never said how you were going to poll?—Just so.

28,619. Did Captain Pim call upon you?—Yes; he canvassed me for my vote.

28,620. What did you say to him?—I told him I could not promise him.

28,621. Did you tell him why?—No, I did not; he did not ask any reason. He was rather in a hurry, but he suggested that I should just come into the Guildhall to hear him make a political speech.

28,622. You did go?—I did; in this hall.

28,623. You heard the speech?—Yes, I did; or rather a narrative of his past life.

28,624. Afterwards did you go down to the "Seven Stars"?—No.

28,625. Did you think it was a good speech?—If I had been asked at that time I should have been able to give a better opinion.

28,626. Did you not go down with those who supported Captain Pim after the speech was made?—No, not that I am aware of.

28,627. You must remember that?—I do not remember it. That is all I know about 1865.

GEORGE ROBINS STONE recalled and examined.

G. R. Stone.

28,628. You heard the last witness examined; were you present at a meeting at the "Seven Stars" when Mr. Farley made a speech?—I was.

28,629. Do you know what time it was before the election?—Two days before the election.

28,630. In the evening?—It was.

28,631. On the same evening that Captain Pim made a speech up here?—It was.

28,632. Did you see Mr. Farley at the time Captain Pim was making his speech?—I cannot recollect.

28,633. Did you find him down at the "Seven Stars" at last?—I saw him there that evening.

28,634. And he made a speech?—Yes.

28,635. What did he say?—He put it to them; and he urged upon the electors not to split their votes for the Liberals, but to support both the Conservatives. I was very much surprised to find that he had voted for the Liberals after making that speech, and Mr. Narramore heard him as well.

WILLIAM DANIEL NARRAMORE recalled and examined.

W. D. Narramore.

28,636. (*Mr. Bere.*) Did you hear it?—I recollect seeing him there, but I do not recollect his making a speech.

WILLIAM SATCHWELL recalled and examined.

W. Satchwell.

28,637. (*Mr. Coleridge.*) Have you been thinking over what occurred between you and Mr. Parnell?—I have.

28,638. Is that your handwriting (*showing a paper to the witness*)?—Yes.

28,639. Have you read over what has been written down here?—It was read out.

28,640. Is it true?—Yes.

28,641. Did you go on Friday about a letter to Mr. Parnell?—I expected one from a man from Stonehouse, and I went up to see about it.

28,642. You went up about it?—Yes.

28,643. What did Mr. Parnell tell you about this Commission?—Ask him if he could recollect what money he gave me. I do not know.

28,644. You told us that before; did he tell you it would never come out if you kept your own counsel?—I believe he did.

28,645. Did he not do so, on your oath?—I asked him if he had got anything out against me.

28,646. Did he not answer it?—He did not say whether he had or had not.

28,647. Did he not say it will never come out if you keep your own counsel? Will you not swear that?—To the best of my judgment.

28,648. On your oath did he not tell you it would never come out if you kept your own counsel?—I believe he did.

28,649. Did he or did he not, on your oath?—Yes, he did.

28,650. Did he not also say something about it never being found out if you held your tongue?—I went for the express purpose to him.

28,651. Did he not also add that we should never find it out if you held your tongue about it?—Yes.

28,652. Why did you not tell us this before?—I could not recollect myself at all about it.

28,653. You have told us you got 25*l.* in 1859, do you know that your wife got 10*l.* too?—No.

28,654. She never told you?—She never told me My object was in going up to Mr. Parnell to ask him.

28,655. She did not tell you what she got?—No.

28,656. You did not tell her what you got?—No.

28,657. (*Mr. Bere.*) Is your daughter a waitress at the "Seymour" hotel?—Yes.

28,658. Do you know when Mr. Harrington died?—Yes.

28,659. How long after his death did she go away?—Some time after.

28,660. Where did she go?—Up to Frome.

28,661. Whose inn did she go to?—Mr. Shepheard's. She had gone on a visit, and they got her, in a word, to live with them.

28,662. Do you know what made her come down to the election of 1865?—She came down for a fortnight's holiday.

28,663. Do you know that Mr. Pender had ordered her to be sent for?—No.

28,664. You say that she came down for a fortnight's holiday; did she go to enter into service at the "Seymour" hotel?—She went over to the "Seymour" hotel and happened to meet Mr. Pender in the passage; he said he would engage her for the time he was there. I said I had no objection, and she has remained there ever since.

28,665. Did you know what she was to have? Did she ever tell you? Do you know what she gave your wife at the last election?—I never got a halfpenny.

28,666. (*Mr. Longe.*) When Mr. Parnell told you this about it, that it would not come out if you kept your own counsel, had he reminded you of the several sums you received from him?—I could not recollect what it was.

28,667. Had you mentioned the sums you had received?—No, I did not know. That is what I wanted to know.

ARTHUR NINER sworn and examined.

A. Niner.

28,668. (*Mr. Bere.*) Have you got a vote in Totnes?—I have not at present; I had.

28,669. Had you in 1862?—No.

28,670. In 1865?—Yes.

28,671. What qualification did you vote on?—I am oneof the British farmers.

28,672. What did you qualify on?—A certain meadow.

28,673. A meadow belonging to Mr. Dent?—I believe it was.

28,674. You vote in Mr. Harris's company?—Yes.

28,675. You have heard Mr. Farley say, he never made a speech at the "Seven Stars?"—Yes.

28,676. Were you present?—I was.

28,677. What was the purport?—I thought it was very fair. I believe he was the gentleman who asked

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me to take the chair. I told him that he knew more about political matters than I did. At that time we had an electoral company.

28,678. Who were the electoral gentlemen?—He made a very glowing speech, and a few of us imagined we were shorthand writers, and hired to take it down, but it never went into print.

28,679. What was the speech?—Strongly in favour of Conservatism.

28,680. Did he recommend his brother Conservatives not to split their votes—Yes.

28,681. What did you have to do with the election of 1865?—I had nothing. I can give you three little instances: the first was, I was smoking a pipe outside the door one evening, and George Heath came up and asked me if I would take a walk with him, I said, "Certainly;" we went up the street and met Searle. George said, "I think he had better be watched." We amused Mr. Searle for about an hour, and drove him to the "Commercial." The next was the morning of the election. I rose rather early, and I went to the "Stars;" young John Heath was there having a cup of coffee at the bar, and he asked me to take a ride; we had a gig, and he drove me to the top of the hill, and he kept me waiting for him an hour while he went to see a voter.

28,682. Who was the voter?—Chamings, I have understood since. From there we drove back and waited some time, and then he went down and saw the voter to the poll.

28,683. Was it Ruby?—Yes.

28,684. There is the third?—No.

28,685. Did you not offer a man 200*l.*?—Never in my life.

28,686. Nor any sum of money?—Never in my life.

28,687. Do you know a man called Dennern?—Yes.

28,688. Did you offer him any money?—I never spoke to him in my life.

28,689. Is there anybody else of your name?—My father, Philip Kelland Niner.

28,690. Do you know whether you had any money?—I can tell you I never offered any voter. I never canvassed a voter. I never paid a farthing, and I never offered a farthing in my life.

28,691. Were you ever offered anything?—No, I was afraid of being turned out. We had a little share at that time in a field, and I was one of the farmers, and I was fearful I should be turned out.

28,692. What was the amount of it?—I never could make that out; we have a couple of bullocks or yearlings, but I never saw them.

28,693. How many were the two bullocks held amongst?—About 12.

28,694. You did not keep a cow and divide the milk?—No.

28,695. Who made up the accounts?—Mr. Harris. They were properly managed, always squared to the farthing, and there was a nice dinner on the settling day.

28,696. Who was the actual occupier of the land?—I do not know. I think it was the two yearlings.

28,697. They were not the only occupiers?—Yes, I think they were.

28,698. You did get something out of it?—I do not know. If you ask me my real opinion, it was like all the other linhay votes that were made on purpose, but never occupied by the parties.

28,699. We have heard that a person did actually take the occupation of the land, and accounted for so many head of cattle a week, and it was divided among several voters. You do not know how yours is managed?—I do not know.

28,700. Did you not see the accounts?—No.

28,701. (*Mr. Coleridge.*) What did you swear to before the revising barrister to get your vote?—I never had the pleasure of going to tell the truth.

28,702. Were you not objected to?—No, I was not, the manager was examined; that was agreed to by both parties.

28,703. Your oath was vicariously taken?—Mr. Harris was the only one examined. I did not take the oath at all.

28,704. Do you know a man called John Venn?—I know him.

28,705. Had you anything to do with him at the last election?—No. I never spoke to him in my life.

28,706. You were never sent to canvass him?—Never.

28,707. Can you tell us anything more about Searle after running him to ground?—He was rather waxey, I told him he would not hurt me. He is rather a fine man.

J. Fitzpatrick.

JAMES FITZPATRICK sworn and examined.

28,708. (*Mr. Bere.*) What is your occupation?—A wine merchant.

28,709. How long have you had a vote for the borough?—I had a vote in 1862.

28,710. For those two elections that came together?—Yes.

28,711. In 1862 whom did you vote for?—Mr. Pender.

28,712. In 1863 who for?—Mr. Dent.

28,713. 1865?—I was not residing here then.

28,714. At the election in 1863 did you receive any offer from the other side?—No.

28,715. Had you any dealings with Mr. Pender about that time as a wine merchant?—No, at that time I was out of business.

28,716. In 1863 you voted for Mr. Dent?—Yes.

28,717. What was the cause of your changing your side?—I had 50*l.* for voting for Dent.

28,718. Whom did you get it from?—From young Mr. Heath, the dark one of the younger ones.

28,719. When was this promised?—I had no arrangement with the party. Narramore arranged everything.

28,720. You gave him leave to arrange for you?—He said he could get me something. I said, "All right, if you do, I will give you something."

28,721. What did you give him?—A fortnight or a month after I invited him over to Torquay, and he and his wife came there and spent the day with me. When they left I gave them a sovereign each, and a set of china.

28,722. A valuable set of china?—A very good one.

28,723. Was it a tea set?—Yes, and coffee set.

28,724. Did Narramore tempt you in the first instance. Did he suggest to you the notion of this sum?—Previous to this we had been on very friendly terms.

28,725. Had you some conversation with him as to getting money?—Yes, many times; that is the only time I ever received anything.

28,726. Did you have any offer from the other side?—When I promised Pender that I would vote for him, he never offered me anything, and I never received it, directly or indirectly.

28,727. In 1863 were you canvassed by Mr. Seymour?—He called on me at Torquay, and Mr. Chaster with him; he asked me to vote for him, and I said I could not, as I had promised to vote for Mr. Dent.

28,728. Had you an interview with any one else on the Liberal side?—No. I told Mr. Seymour I had promised to vote for Mr. Dent, and that I had signed the requisition for him to come down. Mr. Harris brought the requisition to me, and I signed it before he came down the second time.

28,729. Had you any conversation with Narramore before you signed the requisition?—I used to see him every day.

28,730. And you had arranged to get something before that?—I cannot exactly recollect. I signed the requisition, and I had conversations with him many times.

28,731. You would not have pledged yourself to one side when there was a possibility of voting against them ?—That is all that passed. It had nothing to do with electioneering.

28,732. What was the message which you sent to Mrs. Baker through Narramore ?—That was about paying the rent.

28,733. Who is Mrs. Baker ?—A tenant of mine here.

28,734. Was it not something about your own rent ?—Either something about paying the rent, or for her to pay some bill down at the house. Nothing in connection with the election.

28,735. You knew of the requisition ?—Yes. Mr. Harris brought it to me.

28,736. Had you had any conversation with Narramore about it ?—I think not.

28,737. Was anything given to you or promised to you for signing that requisition ?—No.

28,738. He knew you had signed it ?—Yes.

NICHOLAS NORRISH sworn and examined. *N. Norrish.*

28,739. (*Mr, Bere.*) Where do you live ?—In Fore Street, Totnes.

28,740. What are you ?—A labouring man.

28,741. What do you work at ?—At excavating ground, and such like.

28,742. Are you a contractor ?—I am sometimes.

28,743. How long have you had a vote ?—About 10 years.

28,744. Whom did you vote for first ?—Baldwin and Mills.

28,745. You voted for Mr. Baldwin ?—Yes.

28,746. What did you get for that ?—25*l.*

28,747. Who gave you that ?—The man is dead. I do not like to say anything about the dead.

28,748. What was his name ?—James Pendle.

28,749. Where did he give it to you ?—He gave it to my wife in my own house.

27,750. Did anybody offer you any money on the other side ?—Yes. A man of the name of Pulling, who lived in Fore Street at that time.

28,751. Where does he live now, do you know ?—He has left the town.

28,752. What did he offer you then ?—He offered me 40*l.*

28,753. Who was that to vote for ?—That was to vote for Mills, but he was on the wrong side.

28,754. Had you got the 25*l.* when you were offered the 40*l.* ?—No.

28,755. Did you go and see this person. Mr. Pendle ?—No. I had no occasion to go and see him ; we were neighbours.

28,756. Was he the person who had managed matters at the election on Mr. Baldwin's side ?—Yes.

28,757. In 1857, what did you do then, when Mackenzie and Gregory stood ?—I had not a vote then.

28,758. Had your vote been struck off the register ?—Yes.

28,759. What for ?—Because of the change of the landlord.

28,760. Had you a vote in 1859 ?—I voted for Mr. Dent twice.

28,761. Did you vote at the time of Mr. Dunn's election ?—Yes.

28,762. How much did you get for voting then ?—I think I must have made a mistake. I do not think I voted for Mr. Dunn ; it must have been Mr. Dent.

28,763. Do you know a man of the name of George Evens ?—Yes.

28,764. In 1859 did you not go to a place called Deane with George Evens ?—No, I did not.

28,765. Have you a brother of the name of Richard ?—Yes, I have.

28,766. Do you know whether he was taken away at the time of Dunn's election ?—That I do not know anything about.

28,767. But you had no vote in 1859 ?—No, I had not.

28,768. When did you get a vote again ?—At Mr. Dent's election.

28,769. And whom did you vote for then ?—For Mr. Dent.

28,770. What were you paid for that ?—30*l.*

28,771. Who paid you then ?—I went away with Evens and in my absence the money was paid before I came back.

28,772. You went away with Evens or Willis to Stokenteignhead ?—Yes.

28,773. To Mr. Soper's place ?—Yes.

28,774. How much had you been promised before you went away ?—They were to do something for me ; they had promised me that.

28,775. Who had promised you that ; can you say ?—Mr. Parnell.

28,776. How long was it before the election that you were taken away ?—Three or four days.

28,777. How much did Mr. Parnell promise you ?—40*l.*, I think.

28,778. Where ?—I met him in the morning, and he said anybody who would vote would be well paid, or something of that sort.

28,779. And you said 40*l.* ?—Yes.

28,780. And they got hold of you and took you to Stokenteignhead ?—They came after me one night when I was in bed, and wished me to go with a friend.

28,781. Was it Mogridge or Stoyle ?—Stoyle.

28,782. You went away with him and stayed at Mr. Soper's till the election ?—Yes.

28,783. Do you remember some people coming to Mr. Soper's on the other side, Mr. Finch and Mr. somebody else ; who was it ?—Mr. Bourne, and Mr. Finch, and a gentleman from Newton.

28,784. Do you know the name of the gentleman from Newton ?—No.

28,785. Was it Mr. Beale ?—I do not know.

28,786. Were you playing at cards at that time ?—I believe I was.

28,787. What happened when they came in ?—I saw them go across the window and I said, "Here they come," and they came round to the back door and came in upon us.

28,788. What did they say when they came in upon you ?—He said, "Here the gentlemen are." I asked Mr. Bourne what he would please to have. Mr. Bourne said, "I want to speak to you," or something of that sort ; he expected to see another man there called Hannaford, but he did not happen to be there, though he was not far away.

28,789. Where was he ?—A little way down.

28,790. At another house in Stokenteignhead ?—Yes.

28,791. Where ?—He went out rabbiting and we left him behind.

28,792. What did Mr. Bourne offer you to go back to Totnes ?—He never offered me anything.

28,793. How much did he offer Mogridge ?—I cannot say.

28,794. Did not you hear what passed between them ?—No.

28,795. Was there any man called James Smith there ? There were four of them, were not there, James Smith, Bourne, Finch, and this gentleman from Newton ?—Perhaps there might be.

28,796. Did you not hear them say anything about money ?—I did not go outside the door with them, but Mogridge did. They stopped a quarter of an hour or more perhaps, I cannot say.

28,797. Was there a great disturbance in the inn ?—It was not an inn, it was a farm house.

28,798. Was there a good deal of disturbance ?—We shut them out there and the folks laughed at them, and they went away in their traps.

28,799. Did you go in the morning to vote ?—I am not certain whether we separated or not.

28,800. Did you go to the "Stars" when you came in ?—Yes.

28,801. The same morning ?—Yes.

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28,802. You had your breakfast there and were taken up to the poll?—Yes.

28,803. Did you see any of the friends who came to look after you on the Liberal side before you voted?—No.

28,804. Besides Mr. Parnell's had you any other offer made you on the Liberal side?—I do not think I did.

28,805. Are you certain?—Quite certain, because I was taken away.

28,806. Your wife had the money while you were away?—Yes.

28,807. How much?—30*l.*

28,808. Who paid it?—Evens.

28,809. In gold?—Yes, as far as I know; I am not certain.

28,810. Had you a vote in 1865?—No.

28,811. What happened then?—I had changed houses and did not take my claim up in time.

28,812. The overseers did not put you on?—No.

28,813. Have you a vote now?—Yes.

28,814. What do you think it is worth?—I do not think it is worth much now.

28,815. Have you ever voted without being paid?—Only twice I have voted.

28,816. You were both times paid?—Yes.

28,817. (*Mr. Coleridge.*) Were you ever paid on both sides?—No.

W. Farley.

WILLIAM FARLEY recalled.

28,818. (*Mr. Bere.*) Have you anything to explain?—There is the evidence of two witnesses which has been given respecting me and the meeting on Friday; I do not remember it. I might have been there. I remember being there on Monday night. They swear it is Friday. It may be; but the only thing I had to say there was simply to propose a chairman. I found no chairman there and I simply proposed that Dr. Owen should take the chair, to go in and organise the room, whether to sing or for political speeches I cannot say. Somebody seconded the chairman I proposed, and that is all I remember with respect to the meeting.

28,819. Can you tell us anything about the election of 1863, when your father offered you some money, or you offered your father some?—I do not remember having offered my father money.

28,820. What did you offer?—I might have said to my father, "Here, you have always been a Liberal and I suppose that you would not change your principles for 200*l.*" and he says, "Not for a thousand."

28,821. (*Mr. Coleridge.*) He is not so accommodating as you are in changing?—No.

28,822. (*Mr. Longe.*) In 1852 what was the case then. You know the facts. There were some persons with Screach as a sort of leader, and Mr. Coombes gave him some money?—No, as far as I can remember in 1857, some time after Mr. Mackenzie's election, there was something said about the Lapstone Club, rumoured about, just as you may hear at election times, but what it was or anything about it I do not know.

28,823. Do not you know at either the election of 1852 or the back elections Joseph Coombes having 150*l.* to be distributed amongst some four or five persons and that your father had some and you?—My father never had any money to vote himself; but all I know is that there was 50*l.* handed over. One of the party the first time I ever spoke to him told me there would be 50*l.*

28,824. Who was that told you?—A man named Hardin, who is now dead.

28,825. You were told by Hardin that money would be given; who was it gave it to your father?—So I have been told; that is all I know, that he gave the money.

28,826. How long before you gave the vote?—I never gave my vote before I had that money. It was after the election times and I had voted.

28,827. (*Mr. Bere.*) You knew it was coming?—Yes, decidedly.

Adjourned to half-past 10 o'clock to morrow morning.

TWENTY-SECOND DAY.

TWENTY-SECOND DAY.

Totnes, 19th September 1866.

R. Harris.

19 Sept. 1866.

(*Mr. Robert Harris.*) Will you allow me to add a fact which has occurred to me since I gave my evidence, with reference to Mr. Henry Danby Seymour, Sir Henry Rawlinson, and Baron Rothschild? They were here in 1863 with Mr. Seymour, and in the evening or the afternoon of the election, Mr. Seymour went down to Mr. Bowden's, and he got into a terrible tear, saying that they had deceived him as regards money matters, and that he had spent all the money he brought, as he stated here. Then there is a report which has got into circulation yesterday that I wish to remark upon. Mr. Coleridge brought my name in with reference to Satchwell, but it was the man called Higgins who gave him the money. The stranger gave him the money.

28,828. (*Mr. Coleridge.*) The 25*l.*?—Yes.

28,829. Was that at your house?—Yes; but the stranger gave it to him.

28,830. Did you see it?—No; he came there and went and saw him himself.

28,831. Had you had a conversation and told him before?—Yes.

28,832. And you told him there was some one there?—Yes, but I did not see him give him the money.

W. Ellis.

WILLIAM ELLIS recalled and examined.

28,833. (*Mr. Coleridge.*) Have you been thinking over what you stated yesterday?—There is one thing I was wrong in.

28,834. What is that?—It did not come to my recollection at that time, but I think you asked me if I received anything from the Liberal party?

28,835. I did, and you said you did not?—I said, no, I could not recollect; but afterwards I did, but it was not at electioneering time.

28,836. When was it?—About a month or six weeks after Pender was here the first time.

28,837. What was it that you received?—14*l.*

28,838. Who brought it you?—I really forget his name.

TWENTY-SECOND DAY.

W. Ellis.

19 Sept. 1866.

28,839. Was it at the gas house?—Yes; it is the man who keeps the post-office.

28,840. Has Mr. Parnell told you to tell that to-day?—No; I have not seen Mr. Parnell.

28,841. How came you to recollect it?—I did not recollect it till I got home.

28,842. I asked you about ten times and you denied it?—Because I did not recollect it.

28,843. Who told you, your wife?—Yes.

28,844. If you recollect anything more you must come and tell us; your memory is getting better?—It was in 1862 that I received this.

28,845. The first time that Mr. Pender came here?—Yes.

28,846. When Dent withdrew?—Yes.

28,847. What did you receive from the Liberal party in 1865?—Nothing at all.

George Penny recalled and examined.

G. Penny.

28,848. (*Mr. Bere.*) When were you examined?—Last week.

28,849. Your recollection was not as bright as it might be?—It was the same as it is now.

28,850. Then what do you wish to add now?—I knew that there was an agreement with me and Mr. Michelmore in the year 1862.

28,851. Which Mr. Michelmore?—Charles Frederick. In the year 1862, a month after the election, I asked Mr. Michelmore if he could manage to raise me 50*l.*, to be secured on a property that I had bought, and he said that he would see about it. Consequently about a month after Mr. Michelmore met me again, and he paid me 50*l.*, and out of that he deducted 10*l.*, which he charged me for the conveyance of the property. Some time after that, I should think three or four months, one of his clerks brought a paper for me to sign. I said, "Leave it for me and I will look at it and send it up or sign it." He said, "I cannot leave it." "Then I will call up." Consequently that has never been signed by me.

28,852. You have never been called upon to sign it?—No; but I did not know of it. As soon as I went from the court I went to Mr. Michelmore, and I said, "Have you got a deed against me?" He said, "You will never be called upon." I said, "Then I will go to the court and state it all."

28,853. Is that the sum that you owed Mr. Huxham?—I owed him more than that, but paid him since in the regular way, every farthing.

28,854. When did this happen?—About a month after Mr. Pender's election.

28,855. What did you get in 1865?—I got nothing.

28,856. Was there any transaction about a mortgage on your house?—No.

28,857. Nothing at all of the kind?—No.

28,858. (*Mr. Coleridge.*) Is your name George?—Yes.

28,859. You told us that in 1865 Mr. Narramore offered you 350*l.*?—That was only in the street, and I did not think you would take any notice of that, because it was absurd.

28,860. (*Mr. Bere.*) How much did you owe Mr. Huxham in July 1865?—I cannot tell; I should think perhaps 90*l.*; I can show you his account.

28,861. When did you pay it?—I paid it off regularly.

28,862. When was the last payment made?—Every week.

28,863. So much a week?—Yes, according as the accounts stand.

28,864. What do you mean? Did you pay a particular sum every week, or only what you made?—In my way there is a pass-book in which the goods are put down as they are had.

28,865. The goods supplied to you by Mr. Huxham?—Yes.

28,866. Had not Mr. Huxham a mortgage on your house?—He had not.

28,867. Had not somebody else besides Michelmore?—Mr. George Mitchell.

28,868. The currier?—Yes.

28,869. When did you pay that off?—About four months ago.

28,870. Where did you get the money to pay it off?—From Mr. Huxham.

28,871. Had Mr. Huxham promised you the money before the election of 1865?—No, I owe him the money now.

28,872. When did Mitchell first press you to pay the money?—He did not press me; I gave him notice to pay him off.

28,873. Why?—There was no reason for it.

28,874. What interest were you giving Mitchell?—I do not give him anything now.

28,875. What interest were you giving him?—Five per cent.

28,876. What interest do you pay Mr. Huxham?—Five per cent.

28,877. When did Mr. Huxham get you the money?—He paid it through Mr. Michelmore at Newton.

28,878. When did he pay that?—About four months ago.

28,879. Had you seen Henry Michelmore before the election of 1865?—I had not. I never spoke to him politically.

28,880. Who has the title-deeds of your house?—Mr. Huxham.

28,881. Has there been any transfer of the mortgage?—Of course.

28,882. Have you signed it?—Yes.

28,883. When?—Four months ago.

28,884. You owe Mr. Huxham 350*l.* besides the current account?—Yes, and there is property for it. I should not like to sell it for that.

28,885. Is that all you wish to state?—Yes.

Thomas Smith sworn and examined.

T. Smith.

28,886. (*Mr. Bere.*) How long have you been a railway inspector?—Two years.

28,887. And always a railway inspector here?—No.

28,888. Where previously?—Newton Abbot before.

28,889. How long have you been on the line?—About 19 years.

28,890. How long have you had a vote for Totnes?—1863, I suppose.

28,891. How did you manage to get a vote here when you were living at Newton Abbot?—I have a house here.

28,892. But you lived at Newton Abbot two years ago, more than seven miles off; how did you get your vote?—I had a wife and family here.

28,893. Did your wife and family live here?—Yes.

28,894. When did you first vote?—In 1863, I suppose, for Mr. Dent.

28,895. Do you remember when Mr. Dent and Mr. Pender were standing?—Yes.

28,896. Did you vote then?—No.

28,897. Who came to see you then on the part of the Conservatives?—Frederick Evens.

28,898. What did he offer you?—100*l.*

28,899. How much did you get?—Nothing at all.

28,900. Not at that time?—No.

28,901. Who did you vote for in 1863?—Mr. Dent.

28,902. How much did you get then?—30*l.*

28,903. Who paid you?—Frederick Evens.

28,904. Who came to you on the other side?—No one.

28,905. In Mr. Pender's time who came to you?—No one.

TWENTY-SECOND DAY.

T. Smith.

19 Sept. 1866.

28,906. You had not been a voter before ?—No.

28,907. Did you receive any communication from any of the railway authorities ?—No ; simply from Mr. James.

28,908. He is your station-master ?—Yes.

28,909. What did he say ?—That we were at liberty to vote for whom we chose, but were not to take any money.

28,910. But you did take some ?—I will tell you.

28,911. I suppose it is on the same principle as railway porters are not to accept fees ?—When I have finished my story perhaps you will see. The money was offered to me by Frederick Evens at the "South Devon Inn" and I refused it. I told him I had a situation worth more than he would offer me.

28,912. How much did he offer you ?—30*l.* He left me there and went to my house and left the money there, and he came in again and told me, and I told him I would much rather he would go and fetch it again, I did not want it.

28,913. I suppose Mrs. Smith kept it ?—Yes, of course I had the money ultimately. I supposed it was customary to insist upon your taking a sum.

28,914. Whether you liked it or not ?—Yes, whether you liked it or not.

28,915. (*Mr. Coleridge.*) Did you ever think of returning it to Mr. Evens ?—No.

28,916. (*Mr. Bere.*) Did you tell Mr. James that you had that ?—No.

28,917. Did he ever ask you ?—I do not think he ever did.

28,918. Which side did Mr. James vote himself ?—The Liberal.

28,919. And you the other ?—Yes.

28,920. Did not he ask how you came to vote for the Conservatives ?—I do not think he did.

28,921. Are you quite sure about that ?—I would not be positive about that.

28,922. Did not he ask you how you came to vote for the Conservatives ?—I do not think he did.

28,923. Come, I am sure he did ?—Well, we must have talked a great deal together about different things.

28,924. And about electioneering at electioneering times did not you ?—I am sure I cannot tell a quarter of what passed between me and Mr. James.

28,925. Did not he ask you how it was that you came to vote for the Conservatives ?—Well, I do not think he did. I do not remember his ever doing so not in them words.

28,926. Not in those words ?—Or anything like it.

28,927. Where did you go from to vote, the station ?—No, from my home at 9 in the morning.

28,928. Did Mr. James live near you or down at the station ?—Near.

28,929. Did he go with you ?—No.

28,930. In 1865 what did you get ?—45*l.*

28,931. From whom ?—Frederick Evens.

28,932. Whom did you vote for ?—No one.

28,933. Where did Evens give you that ?—He left it at my house.

28,934. On the table or the chimney-piece ?—On the table I believe.

28,935. Was it in a bag ?—I believe it was.

28,936. Did Mrs. Smith find it ?—The parcel was put down I suppose and left in the usual way.

28,937. Was she at home when it was brought in ?—Yes.

28,938. Where were you ?—At Newton.

28,939. And when you came back you found 45*l.* ?—My wife told me.

28,940. Did you keep that ?—Yes.

28,941. Why did not you vote ?—Because he left the money.

28,942. Take care ?—It was because he left the money, nothing more.

28,943. Why did not you pay the money back again ?—I would not take the trouble. If people will bring money and leave it at my house it is their look out.

28,944. Where did you put it ?—We put it in the trade.

28,945. Did your wife keep a shop then ?—Yes.

28,946. Where did you go to on the day of the election of 1865 ?—Ivy Bridge.

28,947. How came you to go there ?—Because I would not be bothered.

28,948. Take care ! How came you to go to Ivy Bridge. Where were your duties ?—At Newton.

28,949. How came you to go ?—Because I would not be bothered about the election.

28,950. Who took you there ?—No one.

28,951. Who went with you ?—My wife.

28,952. Who else ?—No one.

28,953. Take care ! Did not Mrs. Jenkins go with you ?—No.

28,954. What had she to do with your going to Ivy Bridge ?—Nothing.

28,955. Take care about what you are saying or you will have to stay here till your recollection is refreshed. Had you seen Mrs. Jenkins before the election ?—No, Mr. Jenkins.

28,956. Had he been to see you ?—Yes.

28,957. What for ?—To ask me to vote for Pender.

28,958. What did you say ?—I told him I should not.

28,959. When was that ?—Perhaps a week before the election.

28,960. Was that before Fred Evens had left the money at your house ?—Yes.

28,961. Did you know he was going to leave some money at your house when Mr. Jenkins spoke ?—No.

28,962. What made you tell him you were not going to vote for Mr. Pender ?—Because I had made up my mind if I voted at all to vote that side, but to take any money I would not.

28,963. What did he say ?—He asked me to vote for Mr. Pender, nothing more.

28,964. Did he say what you could get on that side ?—He said nothing was to be had on that side.

28,965. How came you to choose that pretty place, Ivy Bridge, to go to on the day of the election. Had you ever been there before ?—Never.

28,966. You went to see the scenery ?—Yes, and well worth seeing it is.

28,967. What train did you go by ?—The mail train, quarter-past 11.

28,968. In the morning ?—Yes.

28,969. What train did you come back by ?—I think it was the express.

28,970. Which express ?—I did not get out, I went on to Newton.

28,971. What express train stops at Ivy Bridge ?—The 3.20 from Plymouth.

28,972. You came back by that ?—Yes.

28,973. Was it past 4 when you got here ?—Yes.

28,974. And the poll was over ?—Yes.

28,975. Why did not you get out ?—My duties called me to Newton.

28,976. Had you asked leave to go away that day ?—From the station-master at Newton.

28,977. What reason had you given him ?—That I was coming to vote.

28,978. That you were going to Totnes ?—Yes.

28,979. That was not true ?—It was true.

28,980. It was not true because you did not go ?—I did not go because there was money in the way. When I came down and found that they had left this money, and I said I would have nothing to do with the election.

28,981. So I understand you that you came to vote and because you found money at your house you went on to Ivy Bridge ?—That is it.

28,982. (*Mr. Longe.*) Why did not you serve them in the same way at the election before ?—I had promised then. I said, "If Mr. Dent comes here I will give him a vote, and the money was left at my house after I had promised my word, but this time I had not promised.

28,983. (*Mr. Bere.*) Had not you been promised anything by anybody on the Conservative side?—No.

28,984. Nobody at all?—No.

28,985. How did Mr. James vote on that occasion?—I suppose for Mr. Pender, I am not certain.

28,986. Do not you know?—No.

28,987. What train did you come down by in the morning?—7.25.

28,988. When you got home you found that 45*l.* had been left for you?—Yes.

28,989. Whom did you see between the station and your own house?—No one at all.

28,990. Whom did you find at your house?—No one but my wife and family.

28,991. How far does Mr. Jenkins live from you?—The best part of a mile.

28,992. Had he been to your house that morning?—No.

28,993. Nor the night before?—No.

28,994. Had he been there a short time before?—No.

28,995. When you got home what did your wife tell you?—She said that Evens had been there again and had left 45*l.* for me. I said that I should not vote; that I should go out of the town.

28,996. Did they not offer you any money on the other side?—Not a farthing.

28,997. Had not Mr. Parnell been to see you?—No.

28,998. Nor Searle?—No.

28,999. (*Mr. Longe.*) When you asked the station-master's leave to go away did you tell him for whom you were going to vote?—No, I did not.

29,000. (*Mr. Bere.*) You have said you were not canvassed for the Conservatives, had you not seen Mr. Harris at Newton?—No.

29,001. Are you quite sure of that?—I am sure.

29,002. Had you not told him that you were going to vote for Dawkins and Pim?—I do not remember that I did.

29,003. Did not you see Mr. Harris at Newton station?—I do not think I did.

29,004. Just think about it. You will have to stay here until you do remember?—I cannot remember it at present.

29,005. When did you see Mr. Jenkins last?—Perhaps a week ago.

29,006. What did he talk to you about?—I do not know.

29,007. Did he not talk to you about the evidence which you were going to give here to-day?—Not a word, neither him nor anyone else has ever spoken to me about it.

29,008. Has he said anything to you about the evidence which has been given here?—Not a word.

29,009. Has he not talked to you about the evidence which has been given in this Court?—No.

29,010. Not about what has been said here at all?—No.

29,011. What did Mr. Jenkins talk to you about?—It was just a shake of the hand, how do you do? and away again.

29,012. Where was that?—At the Newton station.

29,013. Did he say anything to you about a little trip to Ivy Bridge?—No.

29,014. Nothing at all?—No.

29,015. Is your wife at home at present?—Yes.

Mr. T. H. Edmonds recalled and further examined.

Mr. T. H. Edmonds.

29,016. (*Mr. Coleridge.*) Do you know whether Mr. Daw of Exeter was here during the last election?—I did not see him.

29,017. Was Mr. Hockin of Dartmouth here at that time?—I did not see him.

Samuel Reeve sworn and examined.

S. Reeve.

29,018. (*Mr. Coleridge.*) How long have you been a voter?—Since 1862.

29,019. Whom did you then vote for?—Mr. Pender.

29,020. What were you promised for your vote?—Nothing.

29,021. Nothing if there had been a contest?—No.

29,022. Try and recollect?—I never had a farthing in my life.

29,023. Whom did you vote for in 1863?—Mr. Pender.

29,024. What did you get then?—Nothing.

22,025. Not after the election?—No.

29,026. Was no present made to you?—No.

29,027. Nothing of any sort or kind?—Not a farthing.

29,028. Neither before or after?—No.

29,029. Had there been no talking to you about money?—Never.

29,030. Did not anyone talk to you about it?—No.

29,031. Did you not see Mr. Parnell?—No.

29,032. Or Thomas Jacob Searle?—No.

29,033. Or Mr. Elliott?—No.

29,034. Or Mr. Michelmore?—I saw Mr. Michelmore, but not then; in 1865 I did.

29,035. Who canvassed you, what made you vote for Mr. Pender?—No one canvassed me at all.

29,036. Or came to you asking you about your vote?—No one.

29,037. Did not Mr. Pender himself come?—No.

29,038. In 1865 who did you vote for?—For Pender and Seymour.

29,039. What did you get then?—Nothing.

29,040. Did you receive no present after the election?—No.

29,041. Then you have thrown away your vote three times for nothing?—I never had a farthing in my life.

29,042. (*Mr. Bere.*) What did you do with the three 20*l.* notes which your son's wife gave you?—I was to let him have them again.

29,043. What did you do with them after the election of 1865?—I was to let him have them again.

29,044. What did you do with the notes themselves?—I changed the notes.

29,045. Where did you change the first?—I think at the "Plymouth Inn."

29,046. Did you put your name at the back?—I do not recollect.

29,047. Are you pretty well known there?—Yes; I did not put my name at the back.

29,048. When did you change that note?—I cannot tell exactly, I am in the habit of changing notes every week.

29,049. How came your son's wife to bring you the three 20*l.* notes?—She brought them to me and asked me to keep them for her.

29,050. Had you a strong box?—No.

29,051. Where did you keep them?—In my desk.

29,052. Had you other money of your own there?—Yes.

29,053. When did you change the first 20*l.* note?—I cannot recollect.

29,054. (*Mr. Coleridge.*) When have you changed a 20*l.* note before this?—I have changed many.

29,055. When did you change one before this one?—I do not recollect.

29,056. When before this instance did you ever change a 20*l.* note in your life?—I have changed a 20*l.* note at the "Plymouth Inn" before.

29,057. Had you changed a 20*l.* note for some months before?—I cannot recollect.

29,058. Had you the same year?—I do not believe I had.

29,059. Will you swear you had for a year before?—I cannot say that I had.

TWENTY-SECOND DAY.

S. Reeve.

19 Sept. 1866.

29,060. When did you ever change a 20*l.* note before the one you have spoken of?—I have changed several.

29,061. When have you done so?—Not that year or the year before.

29,062. Is it ten years ago?—No.

29,063. Is it five years ago?—Perhaps it is.

29,064. You have not changed a 20*l.* note for five years, and you do not recollect when you changed this first one?—I cannot recollect.

29,065. How long might it be after the election?—That I cannot recollect, it might be a fortnight after the election.

29,066. Was it a week after the election or a fortnight?—I cannot say.

29,067. What are you?—A carpenter.

29,068. It may have been a week after the election that you changed this note?—It might have been.

29,069. What did you do with it?—Paid my workmen.

29,070. You did not give it back to your son?—I gave my son money as he wanted it.

29,071. The whole of the 20*l.*?—I paid it out of other money in hand.

29,072. When did you change the next note, how long after the first one?—About three weeks.

29,073. Where did you change it?—I do not remember.

29,074. Where did you change the second?—I do not recollect.

29,075. Where did you change the first?—At the "Plymouth Inn."

29,076. Where the second one?—I do not know.

29,077. Was it at the "Plymouth Inn?"—The "Plymouth Inn."

29,078. Was it?—I will not say it was.

29,079. Perhaps it was. Now was it not?—I cannot say.

29,080. When did you change the third one?—I cannot say.

29,081. How long after the second one?—I do not know.

29,082. How much, a month?—I cannot say.

29,083. When did you change the third one?—I do not recollect.

29,084. When the second one?—I cannot recollect the second.

29,085. You must know where you changed the second?—I cannot recollect.

29,086. You are not in the habit of changing 20*l.* notes, you must have changed it somewhere, and where you will pretty well know. Where did you change it?—I am sure I cannot recollect.

29,087. You must stay here till you do recollect. Did you give your son the whole 60*l.*?—Yes.

29,088. When did he have the last of it?—About a month agone.

29,089. How much did you keep back for your labour?—Nothing.

29,090. You gave him the whole 60*l.*?—Yes; he works for me.

29,091. Does he work much for you?—Constantly.

29,092. You pay this to him in addition to his work?—Yes.

29,093. You never had a single farthing for yourself?—No.

29,094. What had you for yourself?—Nothing at all.

29,095. Do you do all the Duke's carpentry?—No.

29,096. You did the school work?—I put a roof to the school.

29,097. What were you paid for that?—150*l.*

29,098. That is a goodish job, is it not?—Yes.

29,099. Have you been paid for it?—I have been paid part.

29,100. Who paid you?—Mr. Chaster.

29,101. How much is owing now?—Half the money.

29,102. Have you sent in a bill to him?—I have sent in a bill.

29,103. The bill for the whole, and he has paid you half the amount?—Yes.

29,104. Now try and recollect where you changed the second note?—I cannot recollect.

29,105. Did Mr. Chaster advance you any money?—Yes.

29,106. When?—I cannot say.

29,107. Come now, when; you know he will have to tell us so that you may as well tell the truth at once, when was it?—Three weeks agone.

29,108. I mean before the election time did he advance you any?—No.

29,109. What did he advance you three weeks ago? 50*l.*

29,110. What for?—Money for the school; he said he would advance one on his own account.

29,111. Did you give him an I.O.U. or a note for it?—Yes.

29,112. Which was it?—A note of hand.

29,113. You signed your name to something?—I signed my name to a note of hand.

29,114. Was it in the form of "I promise to pay?"—Yes.

29,115. "I promise to pay Mr. Chaster 50*l.* on demand?—Yes.

29,116. Was any interest to be paid on it?—No.

29,117. Are you going to pay him back?—Yes, I told him I would pay him.

29,118. You had a little conversation with him about this commission?—No, not a word, it was never mentioned.

29,119. (*Mr. Bere.*) Was your son living with you in 1865?—No, not living with me.

29,120. Where was he living?—Down the street.

29,121. How far from you?—I do not know how far, half way down below the arch.

29,122. How had he voted in 1863?—I think he voted for Mr. Dent.

29,123. You know he did?—Yes.

29,124. You know he got some money for it, do you know that?—I heard him say that.

29,125. When did you go to him about that 1865 election?—I went the day before the election.

29,126. Who sent you?—No one.

29,127. Who sent you, come?—No one.

29,128. Where had you been before you went down to your son's house?—I had got business at Dartmouth.

29,129. You rode down to Dartmouth?—Yes.

29,130. What business had you gone about?—To see Mr. Moore.

29,131. What business had you gone about?—About some timber.

29,132. Who is Mr. Moore?—A shipbuilder.

29,133. Where does he live?—At Higher Sand Quay, Dartmouth.

29,134. How was it you came to go a day or to before the election?—I heard that he was going down, and I went to take a ride.

29,135. Who sent the trap down?—I cannot tell.

29,136. Where did it come from?—The "Seymour."

29,137. Who drove it?—A person of the name of Elliott.

29,138. A man who lives at Bridgetown?—Yes.

29,139. Did he come to you and ask you to go down to see your son?—No.

29,140. How did you know anybody was going to be sent down to your son; who told you?—Thomas Worthy.

29,141. Where did he tell you?—I met him in the street.

29,142. Who began this conversation?—He told me the trap was going down to Dartmouth for my son.

29,143. Did you ask him why?—I did not ask him why.

29,144. Why did you not?—I don't know.

29,145. Why was he going for him two or three days before the election?—I cannot say.

22,146. What did you think of his being sent for?—I cannot tell.

29,147. What did you think of people being sent down to your son, what for?—To see if they could get his vote.

29,148. Did you not go with John Elliott to canvass your son for his vote?—No I did not.

29,149. Did you go down with John Elliott to try to get your son's vote for the Liberals?—I asked him to vote.

29,150. Where did you see him?—In the work shop.

29,151. How far from Mr. Moore's yard?—Close by.

29,152. Where did you go first, to the timber-yard or the shop?—I went to the timber-yard.

29,153. How long did you stay there?—Not long.

29,154. What business had you got with him?—I was going to see him about some timber.

29,155. Did you buy any?—He bought of me.

29,156. When had he bought of you before?—Several times.

29,157. When before?—I cannot say.

29,158. You keep books?—Yes. It was at different times.

29,159. When had he last bought timber from you?—He last bought of me two months agone. I mean before the election.

29,160. What passed between you and Mr. Moore about the timber?—I did not see him.

29,161. You had not made an appointment with him?—No.

29,162. Did you and John Elliott go to your son together?—No.

29,163. Who went first?—I went.

29,164. What did you say to your son. We shall have your son's account?—I said Elliott was come down for him.

29,165. What did he say?—"Then," he said, "I suppose I must go home."

29,166. Did he say anybody had been to him on the other side?—He said "people had been there."

29,167. Did he tell you whom?—Bowden.

29,168. Did he tell you what he had been offered?—No.

29,169. Now come, just remember that?—No.

29,170. Did not he tell you that Bowden had offered him 110*l*?—No, he did not.

29,171. Did not you tell him that he was to vote for the Liberals, and that it would be all right?—I told him he was to vote for the Liberals.

29,172. And it would be all right?—I did not tell him about that.

29,173. What did you tell him?—That he had better go home and vote.

29,174. And that it would be all right?—I did not say it would be all right.

29,175. When did you first agree with Mr. Michelmore and with Mr. Lorimer, that he was to have 60*l*.?—I cannot say.

29,176. When did you and Lorimer agree that your son was to have 60*l*.?—I never mentioned it, and I was never aware that my son had the money.

29,177. Not before you had the three 20*l*. notes?—No.

29,178. (*Mr. Coleridge.*) What other money had you in your desk besides those three 20*l*. notes?—I cannot say.

29,179. Now come. What other money had you when you put in the three 20*l*. notes?—I had not much.

29,180. Any other?—I do not know.

29,181. Do you know whether you had any or not? I had not.

29,182. Why cannot you say at once. What had you there?—I had some gold.

29,183. How much?—9*l*. or 10*l*.

29,184. Try and recollect where you changed the second 20*l*. note?—I do not know.

29,185. Where did you change the third?—I can not recollect.

29,186. (*Mr. Bere.*) Do you know that your son was summoned as a witness to London?—I know that he went to London.

29,187. Did you talk to your son about what he was to say when he got to London?—No, never mentioned a word about it.

29,188. Did he tell you what he was going to say?—No.

29,189. Was he working for you at that time?—Yes.

29,190. And you did not talk to him about it?—I talked, but I did not know what he was going to say.

29,191. You took no interest?—No; I knew nothing about it.

29,192. (*Mr. Coleridge.*) Did your son's wife tell you where she got the three 20*l*. notes from?—No.

29,193. Did she tell you that you were to go and get something yourself?—No.

29,194. Did not she tell you that you might as well get some, as money was going?—No.

29,195. What did she say?—She did not say it.

29,196. Your son was a working man, and you knew that he could not have three 20*l*. notes honestly. Where did she say she got them from?—Got them for voting, but she did not say where.

29,197. Did she tell you why she brought them to you?—To take care of them.

29,198. Did not she tell you why she did not give them to her husband?—She did not.

29,199. Did not she tell you, as you had got a like sum, you might as well put them together?—I never had a farthing.

29,200. When did you first have money after the election?—What money.

29,201. From Mr. Chaster?—About twelve months.

29,202. What did you have then?—80*l*.

29,203. What for?—For the schools.

29,204. What is the first money that you had advanced to you after the election by anybody?—That 80*l*.

29,205. Nothing before that?—No.

29,206. Nothing by anybody?—Nothing before it.

29,207. You had nothing for your vote in 1865 or 1863?—Never a farthing in my life.

29,208. And were never offered any?—Never offered any by the Liberals.

29,209. What were you offered by the Conservatives?—100*l*. to vote for Dent.

29,210. That was in 1863?—Yes.

29,211. How did you vote?—For Mr. Pender.

29,212. Did you tell anybody that you ought to have the same for voting for them, as you had been offered for Mr. Dent?—No.

29,213. Did you get anything?—No, not a farthing.

29,214. Did you not know that money was going on Pender's side?—I never got any.

29,215. Did you ever ask anybody for any?—No; never in my life.

29,216. Did anybody offer you any?—Never on the Liberal side.

29,217. Did you ever find money left at your house that you could not account for?—No.

29,218. Never had anything for voting at all?—Never a farthing.

29,219. (*Mr. Bere.*) Do you know Mr. Tucker, the attorney at Ashburton?—Yes.

29,220. Do you remember his coming here to get up evidence on behalf of Pender and Seymour?—I know nothing about him, and I never spoke to him.

29,221. Take care! Did you not go about with Mr. Tucker to get up evidence for Mr. Pender and Mr. Seymour?—I never spoke to him in my life.

29,222. Did you not go to the "Seymour Hotel," and see Mr. Tucker?—I did not see him there.

29,223. Where did you see him?—I never saw him to speak to him in my life.

29,224. Do you mean to say you did not go to a room at the "Seymour Hotel," and see Mr. Tucker there?—I did not.

29,225. Did you not go with your son?—No.

29,226. Did you go to the door of the "Seymour Hotel" with your son?—I did.

29,227. You let your son go in?—My son went in.

29,228. Did he see Mr. Tucker?—I cannot tell you.

29,229. Did not he tell you he had been to see a gentleman in the "Seymour Hotel," and that he had taken down what he was going to say in London?—He might have said so.

TWENTY-SECOND DAY.

S. Reeve.

9 Sept. 1866.

29,230. What made you go with your son to the "Seymour Hotel?"—I was asked where my son was.

29,231. Who asked you that?—I think Mr. Jeffery Michelmore.

29,232. Where did he ask you that?—At the "Seymour."

29,233. How did you come to be down at the "Seymour?"—I went with Mr Cuming.

29,234. Mr. Brooking Cuming?—No, Mr. Samuel Cuming.

29,235. Where had you met Samuel Cuming?—In the street.

29,236. Had he not been to your house?—No.

29,237. Who began the conversation; you or Mr. Cuming?—I had no conversation at all.

29,238. What did he say?—He asked me where I was going, and I said I was going to the "Seymour."

29,239. What were you going to the "Seymour" for?—To have a glass of beer.

29,240. What time of the day was it?—About the middle of the day; I cannot say.

29,241. Before dinner?—No, not before dinner.

29,242. After dinner was it?—Yes.

29,243. How late in the afternoon?—2 or 3 o'clock.

29,244. Where had you been to work that day?—I cannot tell what day it was. I think it might be Good Friday.

29,245. Was that the day Mr. Tucker was here collecting evidence?—I do not know I am sure.

29,246. You had better take care what you are saying. You have told me that you went down with your son to the door of the "Seymour Hotel," and that he went in, and came out afterwards, and said he had seen a gentleman, who had taken down what he was going to say. Then I asked you, who told you that, and you said that you saw Mr. Cuming. Now what did he tell you?—He did not tell me anything.

29,247. You saw Mr. Michelmore?—Yes.

29,248. Where did you see him?—I saw him in the room, on the left-hand side.

29,249. You were in the "Seymour?"—I was in the "Seymour."

29,250. The front room?—Yes.

29,251. On the left-hand side?—Yes.

29,252. Who else was there?—I cannot recollect.

29,253. Was Sloggett there?—No.

29,254. Worthy there?—No.

29,255. Fox Green?—No.

29,256. Elliott?—I did not see any of those, but I saw Mr. Jeffery Michelmore.

29,257. What did he tell you about your son?—He asked me where my son was, and if I could find him, and I said I would go and try to find him, and he did not say anything more to me.

29,258. Did not he tell you what he wanted with your son?—No.

29,259. Did you not ask what he wanted with him?—No.

29,260. Did you go and fetch your son on such uncertain messages?—He wanted to see him, and I said I would go and fetch him.

29,261. Where did you find him?—I think at my house.

29,262. Did Jeffery Michelmore say what it was about?—No.

29,263. Did not he say it was about the 20*l.* notes that your son had had?—No.

29,264. Did not he ask you what had become of them?—No.

29,265. As you came down the street, what did you talk about?—My son asked me what he was wanted there for, but I did not know.

29,266. Do you mean to say that you did not know?—I did not know what he was going to do.

29,267. How long had you been at the "Seymour" before Jeffery Michelmore spoke to you?—Perhaps 10 minutes.

29,268. What had you been talking about?—That is all he said to me.

29,269. But before he spoke to you, what had you been talking about?—I do not know.

29,270. The people who were there were witnesses going to be examined, and did you not talk about that?—I do not know anything about it.

29,271. Was there no talk about they were going to say to Mr. Tucker while in the "Seymour?"—I never heard anything about it.

29,272. You pretend to say you did not know what your son was going there for?—No, I did not.

(*Mr. Bere.*) Then you must stay in Court till you do.

(*Mr. Coleridge.*) And you must stay till you can recollect where you changed the other 20*l.* notes.

Mrs. Jane Smith sworn and examined.

Mrs. J. Smith.

29,273. (*Mr. Bere.*) Are you the wife of James Smith, the railway inspector?—Yes.

29,274. We have heard, in the election of 1863, that you got 30*l.*?—Yes.

29,275. Who left that?—Frederick Evens.

29,276. Were you present when he left it?—Yes.

29,277. You took the money, did you?—He put it down, and I took it up afterwards.

29,278. Was it in gold or notes?—Gold.

29,279. What did he say?—"I have got something for you." I said, "I shall have nothing to do with it," and he said, "Nonsense, do not be such a fool." That was his expression, and he placed it on the table under a cover, and he said, "Take it up."

29,280. And you did take it up?—Yes.

29,281. What did you do with it?—Put it into my pocket.

29,282. And afterwards put it into your business?—Yes.

29,283. What is your business?—Millinery.

29,284. And it became useful?—Very.

29,285. Did you see anybody on the other side?—No.

29,286. No other parcel left?—No.

29,287. Had your husband voted when Mr. Pender and Mr. Dent stood?—Yes.

29,288. Did you have an envelope with 5*l.* in it for services rendered?—No.

29,289. Never found anything in the boxes that you sent out with your millinery?—No.

29,290. Is Mrs. Jenkins a good customer of yours?—No.

29,291. How long have you been established as a milliner?—25 years.

29,292. (*Mr. Coleridge.*) You do not mean to say that you yourself have been a milliner 25 years?—I have; I have never been out of the town.

29,293. (*Mr. Bere.*) Does it require much capital to begin with?—No.

29,294. Have you never had anything from anybody?—No; I only get my accounts. There is Harris I should be glad to be settled. They have been on my books a long time, and Mr. Evens is in my books too.

29,295. Fred Evens?—Yes.

29,296. He did not consider this as a payment of his debt?—No.

29,297. Has Mr. Jenkins ever paid you any money?—No.

29,298. Is he a friend of yours?—I know him.

29,299. In 1865, did he come to see you about the election?—He never talked to me about the election.

29,300. Neither he nor Mrs. Jenkins?—No.

29,301. Nor any person from them?—No.

29,302. Any person on their side?—No.

29,303. How much money did you get at the last election?—About 35*l.*

29,304. Are you sure it was not 45*l.*?—Yes.

29,305. How did you get that?—Evens brought it in a paper bag.

29,306. Where did he put it?—He gave it to me.

29,307. When?—At the side-door, before the election.

29,308. Did you put it into your pocket?—Yes.

29,309. Did you count the money?—Not at that time. I had a great many customers in the shop.

29,310. Did Fred Evens come and call you out?—He came to the side-door and knocked.

29,311. Did you arrange with him?—I told him I would have nothing to do with him, but I did not refuse it when it was brought.

29,312. Who had you seen on the other side?—I had no offer on the other side.

29,313. How long after Fred Evens had given you the money did you count it?—It may be an hour or two; it was in the evening.

29,314. Was it in gold or notes?—Gold.

29,315. Did you make a mistake about how much it was?—I believe it was 35*l.*

29,316. Are you sure it was not 45*l.*?—I am sure.

29,317. (*Mr. Coleridge.*) Did you expect 45*l.* and only get 35*l.*?—He said, "I have got something for you," and I said, "I do not want it."

29,318. What did he say?—He said, "There is 40*l.* or 45*l.*;" but I think he was not quite right at that time. I think he had been tasting some of their own liquor of "all nations."

29,319. Did he tell you it was 40*l.* or 45*l.*?—He said either 40*l.* or 45*l.*

29,320. You were disappointed?—No; I did not care about it.

29,321. How did you get the other 10*l.*?—I did not.

29,322. Who gave it to your husband?—He did not have it.

29,323. You put that into you business?—Yes.

29,324. (*Mr. Longe.*) That was not the first time that you saw Fred Evens?—He had called several times.

29,325. And seen you?—Yes.

29,326. About the elections?—Yes.

29,327. Was it not understood that your husband should vote for the Conservatives?—I believe my husband votes for the Liberals.

29,328. Did not you give him to understand that your husband would vote for the Conservatives?—No; I did not give him to understand anything. He knew that I was a Liberal, and I told Mr. Harris so when he called about signing the requisition. I said I would not influence my husband. He said, "Oh, sign the requisition; you need not vote. It is only to get them down here."

29,329. Did Evens give you 40*l.*, knowing you were a Liberal?—Yes.

29,330. And trusted you?—He came to talk to me.

29,331. And you talked about your husband's vote?—Yes. I said to him from the first, "I shall not influence him: if he chooses to go your side, very well; but ours is a Conservative landlord."

29,332. Who is your landlord?—The Fosters.

29,333. After these conversations, you expected Evens to call with the money?—I believed he would call.

29,334. The result of your conversation was, that you expected him to call with the money?—I believed he would call.

29,335. Did you tell your husband that you expected him to call?—No.

29,336. (*Mr. Bere.*) When had you last seen him before the election?—I think the Sunday.

29,337. Had you talked to him about it?—Yes; I had said the gentleman canvassing had called.

29,338. Fred Evens had not left the money then?—No.

29,339. You thought he was going to do so?—He said he would.

29,340. Did you tell your husband that you thought he was going to leave some money?—My husband said he would have nothing to do with it if they left money. He said, "I will have nothing to do with it."

29,341. When did you see your husband?—On the morning of the election he came with the train.

29,342. Who was at your house?—Only my own family.

29,343. Did you see Mrs. Jenkins?—No.

29,344. What passed between you and your husband? Did you tell your husband about the money?—Yes; I said Evens had been there; and he said, "I will not vote," and I was pleased to hear it. He said, "I will not vote, I value my situation more than anything else."

29,345. Now, what did you do that day?—We went down the line.

29,346. What made you do that?—My husband gets a holiday once a year, and said, "We will not waste this day," and we went to Ivybridge.

29,347. Had you been to Ivybridge before?—Not many times.

29,348. You knew it pretty well?—I passed over it when the line was opened.

29,349. Did you stay at Ivybridge that day?—No, we went up above.

29,350. What train did you go back by?—I think, by the 4 o'clock train.

29,351. (*Mr Coleridge.*) Who canvassed you on the Liberal side?—Mr. Pender called, and Mr. Seymour.

29,352. Did Mr. Parnell call?—Yes, Parnell called.

29,353. What did Parnell say?—We had a little conversation, as we frequently had, and he said, "Can you get your husband to our side?" and I said, "I will not try."

29,354. Did he say anything about money?—No.

29,355. Did he suggest he might call at you house?—No.

29,356. Or you?—No. He said, "Will you try to influence him?" and I said, "I shall not."

29,357. Did Mr. Thomas Jacob Searle call?—No.

29,358. Mr. Elliott?—I do not know Mr. Elliott.

29,359. Is Mr. Parnell a customer of yours?—No. He calls occasionally, he is the gas agent.

29,360. He did not say anything about money?—No.

29,361. Did he say he could help your husband on the line?—No; he has no influence.

29,362. Had your husband any communication from Mr. Woolcombe?—No; I think not.

29,363. From Mr. James?—No; they are gentlemen both, and would not do so.

29,364. Did Mr. James talk to you about it?—No; I never heard Mr. James speak about electioneering matters.

29,365. (*Mr. Longe.*) You, being a Liberal, thought you would be serving your party by swindling the Conservative party out of 35*l.*?—I did not.

29,366. It seems very like it. You led him to believe that you would get your husband to vote?—No.

29,367. (*Mr. Coleridge.*) Do you know what became of the difference between the 35*l.* you received and the 40*l.* or 45*l.* which you ought to have received?—It went into Evens's pocket, I should think.

29,368. (*Mr. Bere.*) I advise you to pay that back to Colonel Dawkins?—I have not got it.

JOHN PARNELL sworn and examined.

J. Parnell.

29,369. (*Mr. Coleridge.*) What relation are you to the other Parnell?—None at all.

29,370. What are you?—I am a nurseryman.

29,371. And does Mr. Bryett employ you sometimes?—Yes.

29,372. Does he employ you sometimes in other work besides gardening?—No; I laid out a place for him.

29,373. Did not he send you to see a voter?—No, nothing like that.

29,374. Did you go to see Henry Crawford?—No; I went there, but not by Mr. Bryett's directions.

29,375. Did not you tell Crawford that Mr. Bryett had sent you?—No.

29,376. Take care?—I did not.

29,377. Have not you met Crawford since, in the street, and did not you say, you were not going to say anything about Mr. Bryett's name?—No.

29,378. Did you know that Crawford was coming here to speak the truth, the whole truth, and nothing but the truth?—He said he was.

29,379. What did you say to him?—I hoped he would not say anything about that vote I asked him for.

29,380. What did you mean by saying, you hoped he would not say anything about your going to him about his vote?—I heard of it from the men working up at Mr. Bryett's what he had said.

29,381. What did you hear?—That he mentioned my name and Mr. Bryett's name.

29,382. You did go to him?—Yes, I went to him.

29,383. And about his vote?—In 1863.

29,384. Where did you go to him?—His house.

29,385. What made you go?—I just called in before the election. I saw him washing a trap down, up at Mill Hill. He said, "I have not taken anything for my vote." And I said, "Crawford, I shall come up and see you about your vote."

29,386. You thought you would find out whether he was true or not?—Yes; he says, "I never take anything for my vote," and I said, I should talk to him about his vote.

29,387. What did you say to Crawford about his vote?—I did offer him some money.

29,388. What?—I think 50*l.* or 60*l.* to the best of my recollection. He told me it was no good; he had many called on him before.

29,389. What did you say to him about his vote?—I asked him how he was going to vote, and he said, he did not know.

29,390. Did you say you could get some money for him?—I asked him if he would take any money, and he said, no.

29,391. Did not you offer him 100*l.*?—I offered 50*l.* or 60*l.*

29,392. Who authorized you to offer that?—No one; it was the only time I ever did.

29,393. Whom were you working for at that time?—Myself.

29,394. Where did you come from to go to Crawford's house?—From my own house; I beg your pardon, not my own house, from a man's which is under the arch.

29,395. How long is it since you laid out Mr. Bryett's grounds for him?—Since last year.

29,396. Were not you working for Mr. Bryett at that time?—No.

29,397. Upon your oath, had not you seen Mr. Bryett about that?—Upon my oath, I did not.

29,398. Did not you tell Mr. Crawford not to mention Mr. Bryett's name?—I did not.

29,399. On the day before yesterday?—The day before yesterday.

29,400. Or the Saturday?—I did not.

29,401. Did not you meet Crawford in the street, and was not there a man called Thomas Searle present?—No; I never mentioned Mr. Bryett's name.

29,402. Did you meet Crawford in the street, and in the presence of a man named Thomas Searle tell Crawford not to mention Mr. Bryett's name?—I did not.

29,403. Did you tell Crawford not to mention Mr. Bryett's name?—No; I never mentioned his name.

29,404. What did you do after you had spoken to Crawford about his vote?—I went home.

29,405. Whom did you see of the Conservative party?—No one.

29,406. Did you go to the "Seven Stars?"—No.

29,407. Do you expect us to believe such a story as that?—I did not.

29,408. (*Mr. Coleridge.*) Did you get Crawford any money?—No.

29,409. Where were you going to get the money from?—I do not know.

29,410. You did not offer him that without knowing where to get it?—I told him at that time.

29,411. Who told you they would give you the money to pay him?—No one. I went on my own account.

29,412. Had you any talk with Mr. Edmonds?—No.

29,413. What was it that Mr. Bryett had said to you?—Nothing.

29,414. Did not Mr. Bryett ask you to canvass him?—No; Mr. Bryett had nothing to do with the election.

29,415. Who was it who told you to go and offer this money?—No one.

29,416. How did you vote yourself?—Mr. Dent.

29,417. What did you get for your vote?—Nothing; never a farthing in my life.

29,418. Were you promised anything?—No; I never got a farthing in my life.

29,419. Were not you to get the money for your own vote, and the money for Crawford at the same time, at the "Seven Stars?"—No.

29,420. What did Mr. John Heath tell you you could have at the "Stars" for Crawford?—Nothing at all; I never saw Mr. John Heath.

29,421. You have been offered money for your vote?—Yes; I was in the nursery, a gentleman came to me in the nursery.

29,422. When was that?—1863.

29,423. Was that a gentleman with a white hat?—Yes; he offered me 200*l.* for my vote.

29,424. Do you know who that gentleman was?—No.

29,425. Are you sure about 1863, that you were offered 200*l.*?—In 1863; it was at Dent's election.

29,426. But was not it the time when Mr. Dent retired and Mr. Pender stood?—I do not think it was. I know it was Mr. Dent's election.

29,427. Was it Mr. Dent's first or second?—I think it was the second election.

29,428. At that time what sort of man was it offered you the money?—A man about middlish size, with a white hat.

29,429. What did he say?—He came and said, "Here is an election going on; would you like to have 200*l.*?" and I said, "No, I have promised."

29,430. Have you seen him since that?—No.

29,431. Had you seen him before?—No.

29,432. Did you get any of it?—No.

29,433. Did you get anything in 1865?—I never voted.

29,434. Why did not you vote?—Because I had friends on both sides.

29,435. Do you mean friends who paid you on both sides?—No, friends I supplied.

29,436. But had not the friends you supplied on both sides canvassed you in 1863?—Yes.

29,437. What was the difference?—I do not know any difference.

29,438. Why not give one and one?—I had made up my mind not to vote at all.

29,439. Had you found it a bad thing that you voted for Mr. Dent?—I never found the good of it.

29,440. Had you found any harm? Did you lose any customers?—Very likely I did.

29,441. Whom did you lose?—I do not know.

29,442. Whom did you lose by voting for Mr. Dent?—I do not know anyone particularly.

29,443. Did you lose anyone?—Very likely not.

29,444. Did you, or not, lose any customers by voting for Mr. Dent?—I may not have.

29,445. Did you or not, on your oath?—I did not.

29,446. What did you mean by telling us that the reason you did not vote in 1865 was because you had customers on both sides?—Because I did not wish to displease anyone.

29,447. You did not care about displeasing them in 1863 when you voted for Mr. Dent?—No.

29,448. What did you get them to compensate you for voting for Mr. Dent?—Nothing.

29,449. And you lost no customers, and you say you

thought you would lose customers in 1865 if you voted either way?—I thought it best to leave it alone.

29,450. What did you get for leaving it alone?—Nothing.

29,451. Not a present after the election?—No, never anything.

29,452. Who was it sent you to Crawford?—No one.

29,453. You were not a very active politician?—No.

29,454. Had you canvassed anybody else?—No.

29,455. Offered any money?—No.

29,456. Or attended committee-rooms?—No.

29,457. Then what gave you the sudden inspiration to see Crawford?—Well, I thought I would go down to him.

29,458. But you were not working the election or anything of that sort?—No.

29,459. This was your own single act?—Yes.

29,460. Who was it sent you?—No one.

29,461. Who was it told you that a good many people had been to Crawford before?—I do not know who it was.

29,462. Who told you?—I do not know.

29,463. Was it Mr. Bryett?—No, Mr. Bryett never mentioned his name. I am sure he did not.

29,464. What made you take it into your head to go to Crawford?—My own head.

29,465. Did you mean to pay the 60*l.* out of your own pocket?—No, it is not likely.

29,466. If he had taken the 60*l.* where did you mean to go and get it? You were friendly with Crawford and did not mean to deceive him?—Because he told me that he never took a bribe in his life.

29,467. If he had said, "Very well" when you offered him that, where should you have gone?—I do not know.

29,468. Do not you know you would have gone to the "Seven Stars?"—No.

29,469. Where?—I would not have had it. It was just to try.

29,470. Then it was a lie altogether; you did not mean to give it at all?—I did not mean to give it at all, because he told me he had never got a farthing.

29,471. When did he tell you that?—Before I went to him.

29,472. How came you to talk to him about that?—I met him in the road. And I asked him how he was going to vote next time and I said, "I will come up to you to see whether you will give us a vote."

29,473. How long after that was it you went up to him?—I do not know how long it was; it was not long afterwards.

29,474. Whom did you tell you should go and have a talk to Crawford about his vote?—No one.

29,475. Whom had you been talking to about the election?—No one.

29,476. Who canvassed you in 1863?—Mr. Dent.

29,477. Who else?—No one that I recollect.

29,478. Do you know a friend of Mr. Dent's, Mr. Mitchell?—I was not at home when they called.

29,479. Do you know Mr. Mitchell?—No.

29,480. Have you a wife?—No.

29,481. Had you at that time?—Yes, she is dead now.

29,482. Do you know whether she got anything?—No.

29,483. You do not know?—I do not think she did get anything in her life.

29,484. Did you get any fresh customers after voting for Mr. Dent?—I do not know but what I found myself something better.

29,485. Who were the new Conservative customers you got?—New ones? I don't know particularly Conservative.

29,486. Who were the new ones you got after the last election?—(*No answer.*)

29,487. (*Mr. Bere.*) Do you keep books?—Yes.

(*Mr. Coleridge.*) Bring your books for 1862, 1863, 1864, and 1865—your order books.

29,488. Do you mean to say you never had this conversation a few days since in the presence of a man called Thomas Searle who was with Crawford going down the street?—Very likely some one was with him.

29,489. Do you know Thomas Searle?—Yes.

29,490. Was he with him?—I cannot say I saw Crawford.

29,491. Did you see Thomas Searle somewhere about that time?—I do not know.

29,492. When did you last see Searle?—Yesterday, here.

29,493. When did you see him last before that, not Thomas Jacob Searle, but Thomas Searle, a man who was walking with Mr. Crawford in the street?—You do not mean the man who was here yesterday.

29,494. I do not mean Mr. Thomas Jacob Searle?—I do not know any other Searle.

29,495. Was there a man walking with Crawford?—I think there was someone.

29,496. You are quite sure you did not say anything about Mr. Bryett?—I will be on my oath that I did not mention Mr. Bryett's name at the time—positive.

29,497. What made you say when you came up to Crawford in the street, "I never mentioned Mr. Bryett's name to you when I came to you about your vote?"—I never said anything to Crawford in the street about it.

29,498. What did you say to him about it?—Mr. Bryett came to me and said, "You have been bringing up my name," and I said I never did, and he said "Come down along with me to Mr. Harris," where Crawford was working.

29,499. You and Mr. Bryett went together?—Yes.

29,500. What took place?—He brought out Crawford and then he asked Crawford whether I said she had sent me and he said I did and I said I did not.

29,501. Crawford told you then that you had told him that Mr. Bryett had sent you?—Yes.

29,502. You mean Crawford is wrong in that?—Yes; and then he swore before me and Mr. Bryett and Mr. Harris that he never received a farthing in his life.

29,503. Then Mr. Bryett had him up and examined him?—Yes.

29,504. When was that?—A fortnight ago.

29,505. It was after Crawford's examination here was not it?—Before I think; it must have been a fortnight ago.

29,506. Was not it after Crawford had been examined here?—Before that.

29,507. Then Mr. Crawford did not tell you anything about the Seymour fly then?—He swore he had never received a farthing in his life.

29,508. Did he still maintain that you said when you came to offer him money that you came from Mr. Bryett?—Yes.

29,509. And he also stuck to his never having had any money?—Yes.

29,510. And you know he sticks to that now?—I do not know whether he sticks to that now.

29,511. (*Mr. Bere.*) Is that the only time you have seen Crawford since this Commission has been sitting?—Not since that.

29,512. Do you mean to say on your oath that it was not after Crawford had given his evidence here?—No.

29,513. Just think a moment?—I am sure it was not.

22,514. How could Mr. Bryett know what Crawford was going to say?—I do not know, I think you will find it was right, because he swore it there before me and Mr. Bryett.

29,515. (*Mr. Coleridge.*) But he swore that here two or three days ago?—I will be on my oath that Mr. Bryett never sent me.

29,516. How do you mean you have not seen him since you told us you met him in the street, two or three days ago?—No, I swear I have never seen him

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since—I have seen him here, but not spoken to him since we met down at Mr. Harris's.

29,517. Did not you see him two or three days ago with a man called Thomas Searle?—No, it was before that.

29,518. How long was it. Was it this day week?—That was before when I went with Mr. Bryett.

29,519. Where did this examination of Crawford by Mr. Bryett take place?—In Mr. Harris's shop.

29,520. Who was there?—Mr. Bryett and Mr. Harris.

29,521. What Mr. Harris?—He is a painter.

29,522. Was there another working man called Searle present?—No.

29,523. Then is that the only conversation you had with Mr. Crawford about this matter?—I mean to say Crawford was not examined then.

29,524. When was he examined?—Last week.

29,525. I do not mean here, but he was examined by Mr. Bryett at that time as to your going to see him?—Yes, and Harris was there and he brought me up.

29,526. What did Mr. Bryett say to him when he said what he was going to swear to?—He did not believe it, and he said he did not believe when Crawford said he never received the money.

29,527. Did he say he knew better or something of that sort.

(*Mr. Bere.*) Where did Mr. Bryett say he had heard Crawford was going to tell a story about him?—I do not know.

29,528. Had you been talking about it?—No; not a word about it before we went up there.

T. Searle.

THOMAS SEARLE sworn and examined.

29,529. (*Mr. Bere.*) What are you?—A shoemaker.

29,530. Did you happen to be present at the conversation that took place between Mr. Parnell the gardener and Crawford?—Yes.

29,531. When was that?—On Sunday morning before this Commission opened.

29,532. Where?—They were coming down the street.

29,533. What passed? Parnell called after Mr. Crawford, sung out in that manner, and Crawford stopped and went back, I should think half-a-dozen paces. I remained where I was. They walked on together and we went down Castle Street, and in going down there Mr. Parnell says, "Do not say any-" thing that passed between me and you back at the " last election." " Well," Crawford says, " That is dead now, or I forget"—I will not say those words, but words to that effect, and Mr. Parnell directly made answer and said, " I would not have Mr. Bryett's name mentioned."

H. Crawford.

HENRY CRAWFORD recalled and further examined.

29,534. (*Mr. Coleridge*). What did Mr. Parnell say to you on the Sunday morning in the street?—He called me as I was passing along the street on the Sunday morning before the Commission opened. He said "Crawford," and I turned round, and Mr. Parnell spoke to me and said, "Don't say anything of " what occurred between you and me at the election; " I would not have it known for ever so much, for " God's sake don't say a word concerning this; don't " bring up Mr. Bryett's name."

29,535. How long after that was it that Mr. Bryett and you had been in Harris's, the painter's shop?—I think it was the Thursday after Harris's evidence; I spoke of it to Mr. Mitchell and he mentioned it to me.

29,536. Who was present when Mr. Bryett examined you?—Mr. Parnell, myself, Mr. Bryett, and Mr. Harris—four of us together.

29,537. What did Mr. Bryett then say to you?—Mr. Bryett asked me what I had to say about the election, and I stated before Mr. Parnell and Mr. Harris what I have stated here.

29,538. What did you say to Mr. Bryett?—That Mr. Parnell should say "Don't make use of my name."

29,539. And you still stick to that?—I do and nothing else.

29,540. When Mr. Parnell came to you about the election of 1863, did he say where he came from?—He said he could get money from Mr. Bryett.

29,541. You are quite certain of that?—Yes, he repeated that at different times; I could go through the same thing over again.

29,542. What did Mr. Bryett say to you after you had made the statement in Harris's shop?—He did not seem to credit me.

29,543. Did he not say he did not believe a word that you said?—I think something to that effect.

29,544. That he did not believe you?—I will not be positive of that—it was something in that way.

29,545. Did Mr. Parnell, when he came to you in 1863, show you any money?—No, he never showed me a penny.

29,546. When you had this conversation in the shop with Mr. Bryett, what did Mr. Bryett say about his share in it?—Mr. Bryett said he had not sent him, but I told him that I could state that before I don't know how many Commissioners with a clear conscience.

29,547. That Parnell had said he had come from Mr. Bryett in the election of 1863?—Yes, he said he was instructed by Mr. Bryett to make me that offer—to give me the 200*l.*

29,548. When Mr. Bryett denied this what did you say?—I said it was the truth.

29,549. What did Mr. Parnell say?—He denied the charge—he said I was telling an untruth.

29,550. As to so much as related to Mr. Bryett, he denied it, but he acknowledged the rest?—He did; he acknowledged the rest, except as to Mr. Bryett's name. I could bring witnesses that he did make use of Mr. Bryett's name in another way.

29,551. (*Mr. Longe.*) Was there any dispute carried on between you?—When he said, "Don't say anything," I said, "It is all right," and walked on.

29,552. They both denied it, and nothing further took place?—No.

29,553. You did not repeat the assertion that it was Mr. Bryett?—I said, "It is all right," and walked away where I was going to.

J. Parnell.

JOHN PARNELL recalled and further examined.

29,554. (*Mr. Coleridge.*) You know what perjury is, I suppose?—Yes. I will be on my oath that I never mentioned Mr. Bryett's name. I mentioned what the man had said, not Mr. Bryett's name.

29,555. You mean that you did not mention his name in the street?—I never mentioned his name.

29,556. Be careful what you say, because this is a matter on which perjury may be assigned. You never stated in the street that you would not for the world Mr. Bryett's name was mentioned?—Not Mr. Bryett's name.

29,557. Whose name was it?—No one's name. I never mentioned Mr. Bryett's name.

29,558. Whose name was it you did not wish

nentioned—was Mr. Bryett's name mistaken for that f some one else whose name you did not wish nentioned?—I did not say whose name it was.

29,559. Two persons have sworn that you mentioned Mr. Bryett by name?—If you mentioned some one lse's name whose name you would rather not have nentioned for the world, whose name was it?—I ave sworn that I never mentioned it.

29,560. You have heard what this man has said on is oath, and what Searle has said on his oath, do you till maintain that you never mentioned Mr. Bryett's ame?—I do.

29,561. May it not have been this—that you heard vhat had been said, and do not you think you said "I vill not have Mr. Bryett's name mentioned?"—No, I hink not.

29,562. May it not have been that you thought it vas foolish to mention Mr. Bryett's name, and you autioned him about not doing so. Was it not so?—No.

29,563. You swear that you never said you would ot have Mr. Bryett's name dragged into it for anyhing?—I will swear that.

29,564. And that you did not say you were instructed by Mr. Bryett?—No.

29,565. Did you mention Mr. Bryett's name ncidentally?—No.

29,566. Did you mention anything about having talked with Mr. Bryett?—No, I had no talk with him.

29,567. Did you mention anything about any work which you anticipated having from Mr. Bryett?—No, I did not.

29,568. You say that you never mentioned Mr. Bryett's name in 1863, when you went to Crawford?—Yes, I do.

29,569. And that you did not mention his name when this conversation took place in the street?—I swear it.

29,570. (*Mr. Bere*). It is fit you should know that the position which you are in is this. Here are two witnesses swearing to a conversation which you deny, and they have given their testimony on their oath. That is a matter upon which you may be tried for perjury. The statement which has been made to-day will be submitted to the Law Officers of the Crown, and it will be for them to determine whether you will be prosecuted or not. If before the Commission is over your memory is more clear, and your recollection better, you may be recalled.

(*The Witness.*) I will swear that I never mentioned Mr. Bryett's name to anyone.

WILLIAM KNAPMAN sworn and examined. *W. Knapmad.*

29,571. (*Mr. Longe.*) How long have you had a ote?—I voted first for Dunn, in 1859.

29,572. Did you vote in 1862?—No.

29,573. Or in 1863?—No.

29,574. Did you at the last election in 1865?—I endered my vote.

29,575. Who did you tender it for?—For Dawkins nd Pim.

29,576. At the first election when you voted for Dunn, did you receive anything before or after the lection?—Yes.

29,577. How much?—50*l.*

29,578. Who gave it to you?—Robert Paige.

29,579. Where did he give it to you?—In my ouse at Bourton.

29,580. Did he call before the election?—Yes, bout a week before.

29,581. And struck a bargain with you?—He sked me whether 50*l.* would be of any service to ne; I said I should like to have it; he said nothing nore and went away.

29,582. There was an understanding between you hat you should vote for Dunn and get 50*l.*?—He aid if I voted for Dunn he would get 50*l.* for me.

29,583. Was any offer made you by the Liberals?—No.

29,584. Where you canvassed?—Yes, by Mr. Mills and by him only.

29,585. No offer was made to you?—No.

29,586. Who was your landlord at that time?—The Duke of Somerset.

29,587. After you voted for Mr. Dunn, were you turned out?—Yes.

29,588. How soon after?—I should say about a year and a half.

29,589. Did you understand what was the reason assigned?—Mr. Michelmore gave me to understand that if I did not vote for Gifford and Mills, I should have to leave the house. Mr. Thomas Michelmore.

29,590. When did he tell you that?—I think the day before the election.

29,591. Did he call at your house?—No, he called upon me where I was at work.

29,592. What were the words that he used,—had you any long conversation at that time?—No; he asked me who I was going to vote for, and I said I had not yet made up my mind.

29,593. That was after the conversation you had with Mr. Paige?—Yes.

29,594. Then what was it that he said to you?—He said to me, "You must vote for Gifford and Mills; I insist upon it."

JOHN CALLARD sworn and examined. *J. Callar.*

29,595. (*Mr. Bere.*) Are you clerk to Mr. Jeffery Michelmore?—Yes.

29,596. How many other clerks have you in your office?—Only one.

29,597. What is his name?—George Fitze.

29,598. Is that George Fitze the younger?—Yes.

29,599. How long has Mr. Prout left Mr. Michelmore's employment?—In March last.

29,600. Were you in the office when Cross was here?—Yes.

29,601. How long is it since he left?—He left in 862.

29,602. Where is Mr. Michelmore to-day; do you know?—He is gone to Stoke Fleming.

29,603. You must be good enough to go down and bring up all your books from the year 1860 to the present time,—all the books relating to the Duke of Somerset's affairs; you must bring them up at once?—I do not know what books may be required.

29,604. You understand that you must bring up all the books relating to the Duke of Somerset's affairs since the year 1860? They must be brought here without delay?—I will do so.

WILLIAM KNAPMAN recalled and examined. *W. Knapman.*

29,605. What did you say?—I suppose he was utting the screw on rather tight. I always said would vote for the Duke's interest before I took the ouse.

29,606. You said, "I promise you I will vote for the Duke's interest before you build me the house," did you?—I always considered that the Duke's interest was the Earl of Gifford's, as he took the seat of Lord Seymour, and he says you must vote for the both.

29,607. When you took the house it was understood

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you were under a promise?—That I would support the Duke's interest.

29,608. You had made a promise?—Yes.

29,609. When you took the house what did you do; how did you make the arrangement; was it in writing?—No writing.

29,610. How long before the election?—Before I had taken the house at all.

29,611. How long before the election was it that you took the house; how long had you had the house before the election of 1859?—About three or four years; I cannot be certain.

29,612. There had been another election before that?—I think there was one.

22,613. You said you promised to vote for the duke's interest?—Yes.

29,614. What did he say?—He did not say anything more about that. When I said "I suppose if I support the Duke's interest I am at liberty to vote for the second man if I like," he did not say anything more about it.

29,615. At this election, when you spoke to him, you said you would vote for the Duke?—Yes.

29,616. He wanted both?—Yes.

29,617. What did you say to that?—I said, "You are putting the screw on rather tight."

29,618. Tell us the conversation?—He left then, and said, "You will see me again in the morning."

29,619. Did he call in the morning?—No.

29,620. At that time it seems you voted for Dunn?—I voted for Earl Gifford and Dunn.

29,621. After that you had this notice to quit?—Yes.

29,622. But you did not leave, did you?—No.

29,623. Was there anything wrong?—Because the notice was served wrong. Mr. Michelmore, when I went to pay the rent asked me when I took the house; I told him, and then he says, "The notice is of no good."

29,624. There was something wrong about the time of serving the notice?—Yes.

29,625. Afterwards you were evicted?—Yes.

29,626. By another notice?—Oh no; they still made the notice good, and summoned me to the county court.

29,627. Were you cast?—I was summoned for double rent. I went up to pay the rent up to the quarter-day, and Mr. Jeffery Michelmore refused it. Then I went down to John Gillham, to take a house that he had got the letting of belonging to the Duke of Somerset. When Mr. Michelmore heard of it, he went and told Mr. Gillham that he was not to let me the house.

29,628. He had a lease of it?—No; he rents the house. He has got the back and a shop underneath; he lets off the kitchen and the bedrooms.

29,629. Mr. Michelmore went to him, and told him he was not to let you the house?—Yes. As I was coming from Mr. Gillhams I met Mr. Jeffery Michelmore and old Mr. Michelmore coming down over the hill. He says, "I shall summon you to the county court;" I said, "You may do as you please about that;" then he summoned me to the county court to know the reason I did not leave. He sued me for double rent; the judge would not grant him double rent, but insisted on my leaving the house at such a time.

29,630. It was arranged that you should leave at a particular time?—Yes.

29,631. And you did leave?—Yes.

29,632. After that where did you get a house to live in?—I went into four rooms belonging to Mr. Samuel Heath. I could not get any house after he refused.

29,633. Were you lodging or living there when you tendered your vote at the last election?—No; I was living in a house at Warland. At the time I lived at Samuel Heath's, I was living there weekly.

29,634. You had a house at the last election; who was your landlord then?—Mr. Harris was the agent.

29,635. It was a Conservative's house?—Yes.

29,636. You tendered your vote for Dawkins and Pim?—Yes.

29,637. How much did you get at the last election?—Nothing.

29,638. You were promised something?—Yes.

29,639. Nothing before the election?—No, sir; on my oath.

29,640. Were you canvassed on the other side?—No; not by either one of them.

29,641. Is that all you ever received?—That is all.

29,642. (*Mr. Bere.*) You mean to say that no person came to see you about your vote at the last election?—No, no one whatever.

29,643. Where were you?—Living at Warland.

29,644. Were you asked to tender your vote?—Yes.

29,645. Who asked you?—Mr. Harris.

29,646. Did you not understand you would get something?—No; I never asked the question, and he never offered me any.

29,647. (*Mr. Coleridge.*) Was anything left at your house afterwards?—No.

29,648. No present at all?—No.

29,649. Did your wife get anything?—Nothing whatever.

29,650. What did Frederick Evens say to you at the last election?—I never saw him.

29,651. You voted for the Conservatives?—Yes.

29,652. Did you see Screach?—No one whatever.

29,653. Had you been down to the "Seven Stars" at all during the election?—No, sir; on my oath.

29,654. You are a friend of Mr. Harris?—I am a friend to all, I hope.

29,655. Did he not tell you of the good things that were going at the "Seven Stars?—No; I never had a glass of drink.

29,656. They never let you into the good things going on?—Never in my life.

29,657. They told you nothing about the money?—No.

29,658. Did you ask?—No.

29,659. What made you such an abstemious man about money the last time?—Mr. Harris asked me to tender my vote, and I did so.

29,660. Did he not tell you there would be something for you after?—No.

29,661. Did he not tell you to go and see Mr. Heath?—No; on my oath.

29,662. (*Mr. Longe.*) Why was not your vote good, what was the doubt about it?—I rent a house and a field.

29,663. You tendered your vote?—Yes.

29,664. Why was it refused; what was the question about it?—Nothing more,

29,665. Did you believe it to be a good vote?—Not altogether. I rent a field; I paid the rent, and Mr. Waymouth used to pay me the money.

29,666. Who is he?—A butcher.

29,667. How many others voted for the field besides you?—No one.

29,668. (*Mr. Coleridge.*) How much is the house rented at by itself?—4*l.* 10*s.*

29,669. The house and field are 10*l.*?—12*l.*

29,670. You pay the rent on your house yourself?—I used to pay all the rent, but Mr. Waymouth used to pay me again.

29,671. He used to pay you 7*l.* 10*s.* back?—He used to pay me 12*l.* for the field.

29,672. He occupies the field?—Yes, he occupies the field.

J. Light.

JOHN LIGHT sworn and examined.

29,673. (*Mr. Bere.*) Are you a schoolmaster, living at Bovey Tracey?—Yes.

29,674. How long have you been a schoolmaster?—Three Years.

29,675. Were you here in the election of 1862?—No; I went out in October—three years come October.

29,676. You were living here at the time of the election of 1863?—Yes.

29,677. Whom did you vote for when Dent and Seymour stood?—A single election, was it?

29,678. Yes?—I do not think I voted at a single contest.

29,679. Why did you not vote?—I had a reason for it.

29,680. What was your reason?—I had got a son in the yard, and I asked the favour of Mr. Michelmore to get him retained on the establishment; at that time they were discharging men.

29,681. Is that your son Walter?—Yes; he promised me, and never performed it. They drove close to the time; almost the last batch had come out. I wrote to him, and said, "If you cannot get it done for me I shall have no chance of getting it," there seemed so many young men gone already. I wrote immediately to Earl Gifford, and asked the favour of him; but I never had any answer from his Lordship until the 31st of March, so as that it should come into our hands on the 1st of April (I have the note in my pocket). Then I made up my mind from that that I would not vote for him again at the next election if he came to my door.

29,682. You did not vote?—I did not.

29,683. Why did you not vote for Mr. Dent?—I always voted on one side.

29,684. Did not anybody come to you on Mr. Dent's behalf at that time?—Yes; Mr. Dent canvassed me himself.

29,685. Did Mr. Mitchell come to you, his friend?—I do not know him.

29,686. Where were you at the time of that election?—At Exeter.

29,687. What made you go to Exeter?—To see my daughter.

29,688. Did you get some money for going to see your daughter?—There was a gentleman who came to me at my house, and put down 25*l.* on the table. I did not ask for it.

29,689. What did this gentleman ask you to do for the 25*l.*?—Nothing: he did it to make surety doubly sure, because he knew my sentiments.

29,690. Who was the gentleman?—Young Mr. John Heath.

29,691. Was it 25*l.*?—25*l.*

29,692. Are you quite sure about that? was it not 40*l.*?—Oh, no.

29,693. What was done?—He made a present to my daughter-in-law.

29,694. Who is your daughter-in-law, Mrs. Stillman?—No, Mrs. Light.

29,695. Have you not got a son-in-law, Mr. George Stillman?—Yes.

29,696. Did you get it through him?—No.

29,697. Did you get any money through him?—5*l.*

29,698. You had only 25*l.* and 5*l.*?—That is all.

29,699. You went to Exeter, and did not vote?—I went to Exeter on the polling day, in the morning.

29,700. At what time did you go?—At 7 o'clock.

29,701. Who went with you?—My wife: we went to Shaldon.

29,702. When did you go to Shaldon?—I went to my wife's sister.

29,703. When did you go?—On the Sunday morning.

29,704. Who had gone with you?—No one but my wife.

29,705. Who told you to go to Shaldon?—No one.

29,706. Was it before the 25*l.* was left or after?—Before.

29,707. Just think; it must have been before you went away?—It was to pay my expenses.

29,708. When did you go to Shaldon, before you got the money or after?—After.

29,709. When was it paid to you before, how long before?—A couple or three days; I cannot be certain.

29,710. Did Mr. John Heath say to you that he wanted you to go away?—I never saw him myself.

29,711. Did he see your wife?—My wife and my daughter.

29,712. Did he tell your wife he wanted you to go away?—He told my wife he did not want me to vote. We then agreed to go away because I made up my mind. When Mr. Dent canvassed me I told him, "I cannot promise you;" he said, "I hope you will not vote against me." I said "That is another thing."

29,713. You had 25*l.* for not voting, and 5*l.* afterwards?—Yes.

29,714. Are you sure that it is not 40*l.* and 10*l.*?—Oh, yes.

29,715. Quite sure of that?—Yes.

29,716. Was that all you got in 1863? Did you not get something from the other side in 1863?—Yes.

29,717. What did you get from them?—30*l.*

29,718. Who gave it you?—Worthy brought it.

29,719. In 1863, the same election that you are talking about?—Yes.

29,720. Where did he bring it to you?—At my house.

29,721. Is Thomas Worthy your half-brother?—Yes.

29,722. Where did he get it from, do you know?—I suppose from Mr. Parnell.

29,723. What was it in, gold?—Gold; sovereigns and half-sovereigns.

29,724. Was it before you went or after?—I must be wrong, it was before that I had it.

29,725. When was it, in 1862? Have you got a note of it?—I have of the dates.

29,726. When did you put them down?—To correct my memory.

29,727. Where did you take the dates from?—From my memory.

29,728. Do you not keep a memorandum-book?—No.

29,729. Do you keep a diary?—No.

29,730. An account-book?—Only my school affairs. In 1863, that I believe you are speaking about, I had 25*l.*, and 5*l.* from Stillman. I had nothing from the other side. Of course they were annoyed.

29,731. (*Mr. Coleridge.*) Nothing from Mr. Parnell?—Not at that time.

29,732. Did you have anything in 1862 from Mr. Parnell?—When there was no contest I had 30*l.*; that is the time I alluded to.

22,733. It is in 1862 you had the 30*l.*, when there was no contest?—It was given to me as a present after.

29,734. Did he tell you it came from Mr. Pender?—No.

29,735. Was it a present from your half-brother?—He brought it to me, and said it was a present.

29,736. Did he say where he got it from?—He did not say. I expect it came from Mr. Parnell.

29,737. You did pretty well then, 30*l.* from the Liberals in 1862; and 25*l.* and 5*l.* (that is 30*l.*) from the Conservatives in 1863, and you did not vote?—No, I did not.

29,738. Did not the Liberals offer you some money to vote at that time?—What time?

29,739. In 1863?—They sent up for me.

29,740. Who did they send up?—My son.

29,741. Walter?—No.

29,742. Which son?—John.

29,743. What did they send him up to tell you?—He came to me to vote.

29,744. Did he tell you what you would have if you did come to vote?—No.

29,745. Did they not tell him to offer you something?—No.

29,746. Are you sure about that?—Yes.

29,747. Where does he live?—In my house?

29,748. Is he up here now?—He is working in the town.

TWENTY-SECOND DAY.

J. Light.

19 Sept. 1866.

29,749. Is he at home now ?—I do not know.

29,750. That is the money you had in 1862 and 1863. What did you have before, at the other elections ? What did you get at Dunn's election ?—What year was that ?

29,751. 1859 ; how much did you have in 1859 ?—30*l.*

29,752. Where did you get it from ?—Worthy.

29,753. Where did he get it ?—From Mr. Parnell.

29,754. You voted for Mills and Gifford ?—Yes.

29,755. Had you any money in 1857 ?—5*l.*

29,756. 5*l.* only ?—That is all.

29,757. Who brought it you ?—My son.

29,758. Which son ?—John.

29,759. Where did he get it from ?—Mr. Parnell, I expect.

29,760. Did you have money before that, in 1852 ?—Yes.

29,761. How much then ?—20*l.*

29,762. Who did you get it from ?—Worthy.

29,763. Did he get it from Mr. Parnell, as the other ?—I expect so.

29,764. How did you vote in 1852 ?—Mills and Lord Seymour, I think.

29,765. Were you promised anything in 1855, when Lord Gifford stood ?—No.

29,766. You did not go to the poll when Sir John Yard Buller was down with Mr. Mackenzie ?—No, I had nothing at that time.

29,767. Have you told us of all the money you have got from either side, up to 1863 ?—Yes.

29,768. What did you have last year, 1865—Dawkins and Pim ?—I did not vote for them.

29,769. What did you have for the election of 1865 ?—John Screach came over and saw you at Bovey ?—He did.

29,770. What did he offer you ?—50*l.*

29,771. It was a good deal bigger than that ?—60*l.*

29,772. Did it not get up as high as 150*l.* ?—No. Next morning, in my garden, he came and offered me 60*l.*, and I refused it.

29,773. Was that the highest offer he made ?—That is the highest offer he made.

29,774. You came back to Totnes after you had seen him at Bovey ?—I said I did not know there was going to be any contest until the Friday, and the election took place the Tuesday after.

29,775. You had signed the requisition, had you not, to Mr. Macleay ?—No, I did not ; I was against it ; I opposed it.

29,776. Did not you say you would allow your wife to sign it for you ?—No.

29,777. Whose writing is that (*referring to the requisition*) ?—My wife's.

29,778. Did you know that she had signed it for you ?—No.

29,779. Do you mean that she never told you ?—She told me she had done it after.

29,780. What did you say ?—I said she had done very wrong.

29,781. Did you see Thomas Worthy before you voted in 1865 ?—It was upon the nomination day.

29,782. What did he say to you on the nomination day about your vote ?—Nothing at all.

29,783. Did you have any money for your vote before you voted ?—No.

29,784. A short time after the election did you meet Mr. Windeatt ?—Yes, in the Plymouth Road.

29,785. Did he shake hands with you and thank you for the honest vote you had given ?—Yes.

29,786. Did he intimate that the honesty would be rewarded ?—No.

29,787. What did he say ?—I had acted as an honest man. "Now cannot you leave the town till some one calls upon you ? "

29,788. Somebody did call upon you ?—Yes.

29,789. Thomas Worthy ?—Yes.

29,790. How much was the reward of your honesty ?—45*l.*

29,791. Where was it paid ?—In the "Town Arms."

29,792. (*Mr. Coleridge.*) He is the clerk at the Independent chapel, is he not ?—He is not the clerk.

29,793. What is he, the sexton ?—Yes.

29,794. (*Mr. Bere.*) Did you take this home to your wife ?—She was very glad to have it.

29,795. With it you had a trip to the north of England ?—I went to see my children.

29,796. (*Mr. Coleridge.*) Is that all you got in 1865 ?—That is all. I am on my oath.

29,797. How often have you voted for the Council ? I cannot tell you.

29,798. What is the price generally, has it gone as high as 4*l.* ?—No, never.

29,799. What is the last Council election you ever had ?—Three years ago, I think.

29,800. What did you get then ?—I came down to vote. The contest was running pretty smart. I met Mr. George Heath, and he says "You had better go up with me and vote for our man."

29,801. Who was that man ?—I cannot tell you now. He says "I will give you 3*l.*"

29,802. Did you go and vote for his man ?—I said I did not like to sell my vote in that way.

29,803. What made you so tender about the votes you did not want to sell after the others ; is it that you thought that you were getting an old man, and that you ought to mend your ways ?—Perhaps it was that. I got 3*l.* 10*s.*

29,804. From Mr. Heath ?—Yes, and he gave me his list, and I went up and polled.

29,805. How often have you been paid ; when were you paid before that for voting for the council ?—I do not know.

29,806. Had you ever got as much as 1*l.* before ?—No.

29,807. Used it to be 1*s.* or 30*s.* ?—I have known half-a-crown, and I have seen it as high as 5*s.* ; not on every occasion.

29,808. Excepting at that time have you ever received more than 5*s.* ?—I do not think I ever had.

22,809. Did you ever vote without receiving something in your life ?—Yes, in a single-handed contest, I never had any money.

29,810. Who for ?—Bowden and Heath ; they took me up to vote.

29,811. And never gave you anything ?—No.

29,812. Did not Mr. Heath give you something afterwards ?—I voted against him, I could not expect anything.

29,813. Which way do you generally vote for the Council, Conservative or Liberal ?—Sometimes if I see a good man, and a neighbour, I would not mind voting for him.

29,814. Did you ever give to Heath a vote at any time ?—Yes.

29,815. What did he give you for that ?—He was one of the batch that I voted for at that time.

29,816. In the 3*l.* 10*s.* lot ?—I think he was ; I will not be certain.

29,817. Now just look at your bit of paper, and tell me how much your vote has been worth to you ever since you have had one. When is the first time that you ever received any money for voting at parliamentary election ?—1852.

29,818. Did you ever receive anything earlier than that ?—The first time I voted was for Lord Seymour.

29,819. How long had you had a vote ?—Soon after Mr. Ricardo's election, because then I had not a vote. At the next election I was a voter, and I think the Duke of Somerset, then Lord Seymour, was a candidate.

29,820. Before you had a vote, used you to assist at the elections, and get paid ?—No, I did not have anything.

29,821. Have you ever got paid on both sides at any election ?—No.

29,822. Are you sure about that ; try and recollect it ; you are not sure ?—Quite, sir.

29,823. Quite sure you were paid by both sides at any election?—Not that I know of; I always went one way.

29,824. My question is whether you ever went one way, and was paid the other,—do you ever recollect being paid?—I was put on my own oath, and I voted honestly.

The Court adjourned for a short time.

JOHN LIGHT, junior, sworn and examined.

29,825. (*Mr. Bere.*) Are you a son of John Light, the schoolmaster?—Yes.

29,826. Do you remember his going to Exeter in 1863?—He went away from Totnes, but I do not know where he went.

29,827. Take care! You went to see him?—I can tell you all about it.

29,828. Then let us have it?—He went away from Totnes on the Sunday, I believe, before the election. I did not know where he went, but I found he went to Shaldon on the nomination evening. I was on the Plains, and Mr. Parnell came up and asked me if my father was at home, and I said "No;" and he asked me where he was, and said "I do not know." He said "Do you think you can find him," and I said "Perhaps I can; I do not know where he is?" He said, "Will you go and see," I said "Yes; if you will pay me my expenses I will go." And he told me to go to the "Seymour Hotel," and I went, and a man named Thomas Worthy gave me 2*l.*, and he said "Go and see if you can find your father, and ask him to come and vote for Mr. Seymour."

29,829. Did not he authorize you to offer your father anything?—No, not a farthing. He never said a word about money.

29,830. Are you a voter yourself?—No.

29,831. Have you been a voter?—Yes, I voted once.

29,832. When did you vote?—In 1859.

29,833. For whom?—Thomas Mills and Lord Gifford.

29,834. What did you get?—Nothing.

28,835. What did your father get?—Stop a minute. Some weeks after the election, Thomas Worthy gave me 25*l.*

29,836. Where did he give you that?—I cannot tell you where it was; whether in the street or in my own house.

29,837. Is that the only time you ever voted?—I voted for the town council.

29,838. Have you lost the qualification?—I lost the house I was living in, and I have not had one since.

29,839. You paid your father money once?—I think I did.

29,840. When was that?—I cannot tell you now.

29,841. In 1852, was it not?—That was in Mill's election. I think I did pay my father 20*l.*

29,842. Where did you get the money?—The money came from Mr. Parnell.

29,843. Did he give it to you yourself?—I think I had something to do with it.

29,844. What had you to do with it?—He handed it to me, and I handed it to my father.

29,845. Who handed it?—Mr. Parnell.

29,846. Where did you get the money in 1859?—Thomas Worthy gave that to me.

29,847. Did he give you anything for your father?—No; not a farthing.

29,848. (*Mr. Coleridge.*) Did Worthy tell you where the money came from?—I do not know; he gave it to me.

29,849. (*Mr. Bere.*) You were glad to get the money?—I refused it at first.

29,850. But you took it?—Yes; I was a poor man.

27,851. Anything on the other side?—A young man named Daniel Coombes offered me 80*l.*

29,852. Is he alive?—Yes. He lives at Staverton Bridge Mill.

29,853. You would not take that?—Certainly not.

29,854. Did you tell Thomas Worthy that you had been offered 80*l.*?—I cannot tell.

29,855. It is very likely you did?—I do not think I did. I think he came and offered it to my wife.

29,856. Did not you tell Thomas Worthy that your wife had been offered 80*l.*?—No, I did not. If I had been minded to go for money, I might have gone in and got a great deal.

29,857. Was that the only time you had a vote at all?—Yes.

29,858. That was only worth 25*l.*?—A voter like me in Totnes, if I had got a vote at the last election, it would command a large sum.

29,859. What do you think you would have got?—Perhaps I might have got 200*l.* The Seymour interest would have no influence over me, nor the Tories. A poor man like me generally gets the most money if he likes to go in for it.

29,860. When you went to see your father at Exeter, what did you tell him?—I asked him if he would go and vote for Mr. Seymour.

29,861. Did not you say he would very likely get something good?—No, I was not authorized to offer it.

29,862. Did not you expect he would get something?—If I tell you the truth, perhaps he would be paid something; but they did not tell me.

29,863. Did not they look as if they meant it?—It was dark.

29,864. You had not the least doubt, that if he came back he would be paid?—I daresay he would.

29,865. (*Mr. Coleridge.*) You voted for the Council?—Yes.

29,866. What did you get?—Nothing at all. I voted for the Liberals.

29,867. Did not you get some when Mr. Heath stood, when your father got 3*l.* 10*s.*?—I had no vote then.

29,868. You got the ordinary breakfast and half-a-crown?—I never had a breakfast or a half-crown.

29,869. But did they pay you differently from the others?—It is a falsehood. My father could have had 200*l.* at the last election if he had voted for the Tories.

29,870. Who offered him 200*l.*?—Mr. John Heath, the young one, came to my house on the Monday before the election, and offered my wife 100*l.*, and 30*l.* for herself, if she would get my father to vote for the Tories; but she refused, and said he was pledged to vote for Pender, and would not.

29,871. Did they spring anything?—Afterwards. John Heath said, "I will give you any sum in reason."

29,872. I suppose she went and consulted with your father?—No, she did not. She had not seen him for a month.

29,873. Did she consult with you?—She told me.

29,874. What did you say?—She said the same as me, that he had promised to vote for Pender, and would not accept it.

29,875. Does your father live with you?—I live at his house.

29,876. And your wife keeps house for him?—No; he has rooms for himself.

TWENTY-SECOND DAY.

J. Barter.

19 Sept. 1866.

JAMES BARTER sworn and examined.

29,877. (*Mr. Coleridge.*) How long have you been a voter?—I should think about 10 years.

29,878. Did you vote in 1857?—No.

29,879. In 1859, in Dunn's election?—In 1859.

29,880. How did you vote then?—For the Conservatives; always voted for the Conservatives.

29,881. You voted for Dunn?—Yes.

29,882. How much did you get?—30*l.*

29,883. Who gave it to you?—There was nothing in Dunn's election.

29,884. Nothing at all?—No.

29,885. On either side?—No.

29,886. Did Frederick Evens give you anything?—No.

29,887. That was the first time you had a vote?—Yes.

29,888. You did not know what a good thing it was?—No.

29,889. In 1862, when Dent retired, what were you promised if Dent came to the poll?—If he stood I should have voted for him.

29,890. Was anything offered?—No.

29,891. Had not Frederick Evens told you what would be given?—No.

29,892. In 1863 you got 30*l.* from Mr. Woodley?—Yes; unasked for.

29,893. (*Mr. Bere.*) What is the peculiar expression that a Totnes voter has in his face when he wants money and does not ask for it?—I never asked for any.

29,894. (*Mr. Coleridge.*) When was it that Mr Woodley asked you?—I think on the Saturday night before the election.

29,895. Did he come to your house?—He was at my house.

29,896. Did he tell you where he was going to get the money from?—No; he asked me if I had money for voting, and I said, "I never asked for it;" and he said, "There is a present for you."

29,897. That is before the election?—Yes.

29,898. Who was that to vote for?—He did not say.

29,899. You knew on which side he was?—I was canvassed by both parties.

29,900. But Woodley knew which way you would vote?—Yes; he thought which way I would vote.

29,901. Was that all that you got at that election?—That was all.

29,902. Did they not give you anything afterwards?—No.

29,903. In 1865 whom did you vote for?—For Colonel Dawkins and Captain Pim.

29,904. What did you get then?—Nothing at all.

29,905. Did not Mr. Woodley come to you at that time?—No; not that I know by.

29,906. What did your wife get?—Nothing.

29,907. No present after the election?—No; nor any before.

28,908. No you mean to say that you got nothing to vote at the 1865 election?—Nothing.

29,909. You voted for Colonel Dawkins and Captain Pim?—Yes.

29,910. Were you much at the "Seven Stars" during the election?—I used to go there during the time.

29,911. You heard that money was going?—Yes.

29,912. You knew it was?—No.

29,913. Having got the 30*l.* as a present in 1863, how was it that you did not look for any in 1865?—I did not ask, nor did I look for any.

29,914. Did not the Heaths give you any money?—No; nor any one belonging to them.

29,915. Nor Frederick Evens?—No.

29,916. Nor Screach?—No.

29,917. What did Screach say to you?—Nothing. He never asked me which way I was going to vote.

29,918. Who canvassed you?—Both parties canvassed me.

29,919. But on the Conservative side?—Colonel Dawkins and Captain Pim called.

29,920. When Captain Pim called was one of the young Heaths with him?—James Heath, I think.

29,921. What did James Heath say your vote would be worth?—Nothing at all. He said he called to solicit my vote; and I promised him.

29,922. Now did the Liberals try you at all?—No, never in all my life.

29,923. Did Parnell come and see you?—No.

29,924. Mr. Thomas Jacob Searle?—Neither he nor anyone else.

29,925. Do you mean you have only had 30*l.* for your vote?—Yes? and that was unasked for.

29,926. Did you ever have any money unasked for in the municipal elections?—No; I never asked for any.

29,927. Some time after the election in 1865 did you not get something?—No.

29,928. Do you recollect any money ever being left at the house?—No; none put in the chimney, nor anywhere else.

29,929. It may be there still, and you have not found it?—It may be.

29,930. Do you mean really that in 1865 you got nothing for your vote?—Nothing whatever.

29,931. No promise?—No.

29,932. What are you?—A baker and confectioner.

29,933. What do you vote upon, your house?—Yes.

29,934. Had you not a bill paid at the election time?—No.

29,935. Did not you supply any?—No; I have nothing but what comes out of my work, and I work hard.

29,936. (*Mr. Bere.*) How was it you worked hard when you heard that money was going; it was not shame that prevented you asking for some?—I did not say that I heard that money was going.

29,937. But you did know?—I might.

29,938. Did not you hear that your neighbours were getting money?—Not particularly.

29,939. Did you hear that somewhere?—I heard that money was going.

29,940. You heard of money before?—Is that the last time?

29,941. Yes; why did not you go the last time?—I did not want it.

29,942. You waited till they came?—I should not wait till they came. When the candidates came I gave them an answer, and never gave them the trouble of calling a second time.

29,943. When you heard that money was going, why did you not go and see what your share might be?—I did not go.

29,944. How far do you live from the "Seven Stars?"—Not far.

29,945. A very short distance from the "Stars," and you did not go and see what happened?—It is not further from the "Stars" than from the "Stars" to the "Seymour."

29,946. You did not go to the "Seymour?"—No.

29,947. Are you sure you did not go?—I might have been.

29,948. Were you not there in the election of 1865? No.

29,949. Just think again?—I think I was, on the Saturday or the Saturday week.

29,950. Whom did you see?—Mr. Page.

29,951. What did he say to you?—I went in to pay him a bill.

29,952. Is he a miller?—No; a farmer.

29,953. What bill did you have?—I paid him 16*s.* 8*d.* for a load of straw.

29,954. What did he say about the election?—Nothing.

29,955. Nothing at all?—No; he gave me a glass of brandy and water, and I left the house. I did not go about the election.

29,956. Was that taken out of the bill?—Yes; and

he asked me if I would take a glass of brandy and water, and I did.

29,957. He did not ask you about the election at all?—No, not a word.

28,958. (*Mr. Coleridge.*) Did you borrow any money at the election?—I might have borrowed such a thing as a sovereign from my father-in-law.

29,959. Who is your father-in-law?—Mr. Woodley.

29,960. That is the man that brought you the money?—Yes.

29,961. You had no conversation with him about money?—No.

29,962. Did he say there was no money for you?—No; and I never asked him, and he never told me a word about it.

29,963. Did not Mr. Woodley speak to you about your vote at the last election?—Yes; I think he asked me about 2 o'clock in the afternoon, when I was going to vote.

29,964. What time did you vote?—About 2 or 3. I generally go after dinner, when I finish my work, then I do what I think proper.

29,965. What made you vote so late?—I never vote in the morning.

29,966. Why?—I have got other things to do.

29,967. Do you think that you are better paid if you vote then?—I am not paid at all.

29,968. What did Mr. Woodley say?—He asked me about my vote, and I said "Presently." Then Mr. Harris came and asked me, and I said, "Mr. Harris, I do not think I shall go at all, do not trouble me." He says, "Do you mean that?" and I said "Yes, I do not think I shall go," but I came out at the back door and went and voted, and they thought I was not going to vote at all.

29,969. Had you seen Mr. Harris?—I had seen him.

29,970. Did Mr. Harris say there was a little money to be had?—No.

29,971. This was the election day?—Yes.

29,972. Had you not seen Mr. Harris before that?—Respecting election and bribery.

29,973. Had you not seen Mr. Harris, and talked to him about the election?—No.

29,974. Do you supply Mr. Harris with bread?—Yes, once a week.

29,975. Only once a week?—Twice if they like.

29,976. Did you have some talk with him about the election?—No.

29,977. Perhaps you were not very well then?—I think I was pretty well.

ROBERT LAKE sworn and examined.

R. Lake.

29,978. (*Mr. Longe.*) What are you?—A miller.

29,979. Where are you now living?—At Dartington parish.

29,980. When did you have a vote?—In 1862 and 1863.

29,981. They were two elections together?—Yes, in one month I think.

29,982. Whom did you vote for when you did vote?—Mr. Pender first.

29,983. You voted twice?—Yes, at the two elections.

29,984. At the second election whom did you vote for?—For Mr. Dent.

29,985. Were those the only two elections at which you had a vote?—Yes.

29,986. Had you a vote before?—No.

29,987. You have not had a vote since?—No, not since.

29,988. When you voted for Pender, was anything given to you to vote?—I was promised 30*l.*

29,989. Who by?—Mr. Jeffrey Michelmore.

29,990. When did he promise you 30*l.*?—Before the election.

29,991. Do you remember how long before?—A day or two before.

29,992. Was he at your house? Did he call upon you?—He came to my house. He called two or three times, but I had not made up my mind.

29,993. Who was your landlord at that time?—The Duke of Somerset.

39,994. What did you rent under the Duke of Somerset?—50*l.* a year, mill and land.

29,995. Mr. Michelmore called and asked you for your vote?—Yes.

29,996. Did you promise it?—Pender and Michelmore called together, and I told them I would think of it.

29,997. At that time nothing was said about 50*l.*?—No, not then.

29,998. Was anything said about any obligation to vote one way or the other?—Mr. Michelmore said, after they canvassed me, I told him that I was thinking about supporting Mr. Dent; I do not know whether anybody was passing at that time, I was a stranger in the place, but I heard money was about, and I thought I would like to have some as well as the rest.

29,999. You lived at Fleet mill?—Yes.

30,000. How long had you been living there before the election?—The vote was only good a month or two before the election?—The vote was only good a month or two before the election.

30,001. Mr. Michelmore spoke to you, and you said you would vote for Mr. Dent. Then what did he say?—He said, if I did, it would be bad for me; he pitied my wife and children, and I would not allow that that should be so; and I thought it was hard, but I thought I could live before, and I could live after him, and I would not vote for him a second time.

30,002. Let us have the conversation. He said "It would be bad for your wife and children?"—Yes.

30,003. What did he mean by that?—He said I would get turned out.

30,004. Who would turn you out?—He said I should get turned out.

30,005. If you voted for Dent?—Yes.

30,006. When was the promise made of the 50*l.*—It was 30*l.* I was paying 50*l.* a year rent, and 30*l.* was promised.

30,007. When was the promise made?—At Pender's election.

30,008. We are speaking of the 1862 election, the first election, when you first had a vote?—That was the time he promised me.

30,009. That was the time of his first threatening to turn you out if you did not vote?—Yes.

30,010. After he had threatened you, there was another day when he promised you this 30*l.*?—He promised me 30*l.* a day or two before the election.

30,011. When he told you it would be a bad thing for your wife and children if you did not vote for Mr. Pender, what did you tell him then?—I told him it was a hard case, because I understood you could vote as you pleased if authorized by the franchise.

30,012. When you took the mill was any intimation given to you that you would have to vote for the Duke's candidate?—No, he did not say anything. When I took the land he did not mention it.

30,013. When you took the mill, you did not know it would be so?—No. I had the mill one year before I had the land.

30,014. The field gave you the vote?—Yes.

30,015. At that election you voted for Pender?—Yes.

30,016. Was the money paid you?—No.

30,017. In any way was it made up to you?—I owed Mr. Michelmore at that time 50*l.*, being the rent. I carried 30*l.*, and I said, "If you please, we entered into a little agreement the other day." The rent day was the day after. Mr. Pender had left. Mr. Pender was gone away after the election was over. The rent day was put off through the means of the election, and then, a few days after Mr. Pender was

gone, our rent day was, and I said, "Sir, if you please, we entered into a little agreement the other day." Mr. Pront was there, and he sent him out of the room, and I had got 30*l.* I owed 50*l.*, and I expected to carry home 10*l.* So he said, "How is it that you have not brought more than 30*l.*; you owe 50*l.*," I said, "We entered into an agreement the other day," and I said, "I suppose you can make it all right?" Mr. Michelmore said, "We will straighten it with you this time, but do not leave it like this again."

30,018. At that time did you have 30*l.* off the rent?—No, 20*l.*

30,019. (*Mr. Coleridge.*) They did not give you 10*l.* besides?—No.

30,020. Did they give you a receipt for the 50*l*?—I carried the 30*l.*, and they gave me a receipt that the whole was paid.

30,021. (*Mr. Bere.*) Have you that receipt?—Yes.

30,022. You have not got it here?—Yes, I have. (*The following receipts were handed in:*) "Berry, "6th November, 1862. Received of Mr. Robert Lake "the sum of 10*l.* 0*s.* 0*d.*, being a half-year's rent due "to his Grace the Duke of Somerset, due Michaelmas, "1862.—JEFFY MICHELMORE.

"Rent - - -	£10 0*s.* 0*d.*
"Less property tax -	— — —
	£ "

"Berry, 12th December 1862. Received of Mr. "Robert Lake the sum of 38*l.* 19*s.* 0*d.*, being a half-"year's rent due to his Grace the Duke of Somerset, "due Michaelmas, 1862.—JEFFY. MICHELMORE.

"Rent - - -	£38 19*s.* 0*d.*
"Less property tax -	— — —
	£38 19*s.* 0*d.*"

30,023. (*Mr. Longe.*) Mr. Prout was sent out of the room?—Yes.

30,024. (*Mr. Coleridge.*) They offered you something on the other side during that election?—Yes.

30,025. Who was it?—John Heath.

30,026. He offered you 100*l.*?—Yes.

30,027. Did he tell you where it was coming from?—I said I would rather stand on my own side, knowing what it would be.

30,028. You took the 100*l.*?—No, not the first time.

30,029. (*Mr. Bere.*) Is that the receipt he gave you, (*referring,*) and were they both paid at the same time?—I paid 30*l.*, and the other was to be put straight.

30,030. (*Mr. Longe.*) At any election in 1862, was an offer made to you to vote for the Conservatives?—Yes, by John Heath.

30,031. What did he offer you?—First 50*l.*; and I said "50*l.* is no use, you know what will be done." I said "If you like to go to 100*l.* or 150*l.*, I will try what I can do, but" I said, "You know what I shall be done to."

30,032. After that, did he offer you 150*l.*?—I voted for Pender the first time.

30,033. Did you get anything from the Conservatives the first time?—Not a farthing.

30,034. At the next election?—I would not give Mr. Michelmore my vote, because he had not paid what he promised.

30,035. Did he send anyone?—He sent his clerk, and I said, an agreement was an agreement, and I had not got it, and I would not vote.

30,036. (*Mr. Coleridge.*) It was 10*l.*?—Yes; because he had said Mr. Michelmore would make it all straight.

30,037. (*Mr. Longe.*) Who was it that came to you from Mr. Michelmore?—Mr. Prout I think, and I think the other of his clerks.

30,038. They asked you to vote for Mr. Seymour?—Yes.

30,039. What did you say?—I had not made up my mind.

30,040. What did they say?—"You come, and you will be served better," and I said, "My word is my bond."

30,041. They said, you would be "served better." Did they put it into any definite form?—They only said I would be served better.

30,042. You did not promise?—No.

30,043. Did the Conservatives come to you the next time?—The young Mr. John Heath came.

30,044, What did he say?—He said, "What are you going to do? And I said "How much are you going to give me?" And he said, "I think 50*l.* is very well." I said, "No, I will have a 100*l.* and a bottle of wine to crack over it if I come to you."

30,045. What was the bargain?—He said, "That is too much, I will give you 70*l.*" I said, "I will not, unless I get 100*l.* You know the consequences." After a long time, he went away that night, and he came to my house again, and he said, "Have you come to any other conclusion?" and I said, "No, I will have a 100*l.* and a bottle of wine to crack over it;" and he said "Give us your hand;" and that was a bargain.

30,046. Was that 100*l.* and the bottle of wine paid?—Yes.

30,047. And you voted for Dent?—Yes.

30,048. Who paid you the money?—Young John Heath.

30,049. Where did he get it?—Upstairs.

30,050. Did he pay you when he struck the bargain?—He paid me 20*l.* on the Sunday evening. He asked me if I would have a glass of grog; and then the election morning they came and told me, and I went and had a good breakfast, and he said, "Are you going to poll?" and I said, "Do what you said first, and I will go to poll;" and then he paid me the remainder, and I went to poll.

30,051. That is the 80*l.*?—Yes.

30,052. (*Mr. Bere.*) Where did he get that from?—The same room.

30,053. No 9?—I do not know.

30,054. On the left going upstairs?—Yes.

30,055. (*Mr. Longe.*) After that election you got notice to quit?—Yes.

20,056. The mill?—Only the land.

30,057. What was the land?—Five acres.

30,058. Are you still living there at the mills?—No.

30,059. Did you leave the mills, or have you been evicted?—I left the mills of my own accord.

30,060. You are only turned out of the land?—Yes.

30,061. (*Mr. Coleridge.*) Your vote was on the land?—Yes.

30,062. (*Mr. Longe.*) They only turned you out of the land that gave you the vote?—Yes.

30,063. Were there any other votes upon the five acre field?—No.

30,064. Are you sure when you took the land, you were not given to understand that you must be a good Liberal?—No. Where I came from, from Crediton, we did not mind that.

30,065. Who were you under there?—Under Mr. Bullar.

30,066. (*Mr. Bere.*) Did you vote for North Devon in 1857?—No, I was not a voter.

30,067. They brought an action against you in the county court?—Yes, I wanted to have my 30*l.*

30,068. (*Mr. Coleridge.*) You had 20*l.*?—Yes, there was the mill and the field, and I wanted to get something off that, because they did not pay me anything for the manure.

30,069. Then they brought an action against you?—Yes, I owed a half-year's rent when I left, and I was considering that the one should be thrown against the other.

30,070. How was your rent made up; there are two receipts here. Was it for the mill so much, and for the land so much?—10*l.* a year for the field, and 40*l.* for the mill.

30,071. Why is this 17*l.* one half-year's rent?—After I had been there 2 years and a half, Mr. Michelmore reduced the mill to 35*l.* a year.

30,072. The rent was first 50*l.* a year, and then 45*l.* ?—Yes.

30,073. (*Mr. Coleridge.*) When you went away there was a half-year's rent owing ?—Yes, but they would not let me off that.

30,074. They would not let you set that off ?—I tried to set that off, but they could not let me do it.

30,075. Did you plead a set off ?—No, I told Mr. Carter about it, but they would not have it.

30,076. Where you a voter as long as you occupied the field under the Duke of Somerset ?—I took the field in 1860, and I had it till July, and had the vote.

30,077. Did not they object to your vote at one time ?—Yes.

30,078. When was that ?—They objected to my vote at the next registration after I voted.

30,079. Had they got young Gillham to grow some potatoes on your field ?—Yes.

30,080. Then they said you were not in full occupation ?—He had a few rows, and kept coming to me.

30,081. Then the Liberals objected to your vote, and said you had not full occupation ?—Yes.

30,082. Although it was the same occupation as you had when you first went ?—Yes.

30,083. What did you allow Gillham ?—He kept coming to me, and seemed to be a friend ; and knowing that he was one of Michelmore's tenants—but I found out afterwards when too late, what he had done.

30,084. (*Mr. Longe.*) That he had been put up to this. Did you understand who had put him up to it ?—I suppose the clerks, they were about at electioneering times.

30,085. (*Mr. Coleridge.*) You had valuable consideration for your vote, 100*l.* ?—If Mr. Michelmore had paid me the 30*l.* I would not have voted.

30,086. Did you see the duke himself ?—No, I saw the young lord.

30,087. Never talked to him ?—No.

30,088. Did you think of writing to the duke ? one of those things were done ?—No, I was afraid.

30,089. Did you hear of any of the tenants writing to the duke ?—I do not know anything about that.

30,090. They call Mr. Jeffery Michelmore the "Duke of Berry," do not they ?—He duked me very well, and ruined me in the end of it.

JOHN CALLARD recalled and further examined. *J. Callard.*

30,091. (*Mr. Bere.*) Have you brought all the books relating to these affairs ?—All that I can get.

30,092. What others are there ?—There are only the books I cannot get at.

30,093. What are they ?—Letters.

30,094. Are they in Jeffery Michelmore's custody ?—Yes.

30,095. Has any alteration been made in the books since the sitting of this commission ?—No.

30,096. Nor any attempts ?—No.

30,097. Have any extracts been made ?—No.

30,098. Are there any other books in the office relating to the Duke of Somerset's affairs ?—No.

30,099. Are these the original books that have been in the office since 1860 ?—Yes.

30,100. You have been in the office since then and upon your oath those are the originals ?—Yes.

30,101. Those are not copies ?—No.

30,102. The original books ?—Yes.

30,103. Have any copies been made ?—Not more than we have sent to the duke.

30,104. Have any copies been made recently ?—No.

30,105. We must have Mr. Michelmore's letter book ; he must produce it to morrow morning ?—I cannot get that.

30,106. Do you keep a day book ?—There is the day book.

30,107. Is not there an expenditure book and a receipt book ?—There it is all there.

30,108. (*Mr. Coleridge.*) In the cash book there ?—Yes.

30,109. (*Mr. Bere.*) As you receive money do not you put it down ?—At the rent audits.

30,110. Supposing a man has not paid his rent and goes and pays it to Mr. Michelmore, does not that go down in your book ?—It is in the day-book but when we receive the rent audits——

30,111. I do not want that; from day to day do not you put down the monies you receive ?—Yes, that is in the day-book.

30,112. Let me look at the day-book. Have you got another book in which the rent items are put ?—That is put on slips of paper.

30,113. Where are they ?—They are in the office.

30,113*a*. (*Mr. Bere*). Those are the things which we want. Go and fetch them ; they are in your power.

WILLIAM WILLIS sworn and examined. *W. Willis.*

30,114. (*Mr. Bere.*) Where do you live ?—In the Plymouth Road.

30,115. Have you always lived there ?—No.

30,116. Did you live in Bridgetown at any time ?—Never.

30,117. Have you land from the Duke of Somerset ?—Never.

30,118. Where did you live before you lived in the Plymouth Road ?—I first lived in the Plymouth Road, then I left it, and I came back to the Plymouth Road again.

30,119. When did you have a vote ?—The first time that I had a vote was in 1847.

30,120. Whom did you vote for then ?—Ricardo and Lord Seymour.

30,121. Did you get any money ?—No.

30,122. There was money going about ?—I do not know.

30,123. When did you vote again ?—In 1852.

30,124. Whom did you vote for then ?—Lord Seymour and Mr. Mills.

30,125. Did you get anything ?—No.

30,126. Did you vote in 1857 ?—No, I was off the register.

30,127. When did you come back ?—1859. I voted for Mills and Dunn.

30,128. How did that conversion take place ? What was the reason ?—Lord Seymour was then gone to the upper house.

30,129. Then Lord Gifford was here ; why not vote for Lord Gifford ?—I did not.

30,130. Had not Mr. Edward Woodley something to do with it ?—Yes, a little.

30,131. What was that little ? 30*l.* ?—Yes.

30,132. Where did he pay you ?—In my own house.

30,133. Had you bargained ?—No. I understood that I was to be paid something.

30,134. Who gave you to understand that ?—Mr. Woodley.

30,135. You were ill then ?—Yes.

30,136. Were you ill at the time that you made the bargain ?—We never made any bargain.

30,137. He told you, if you voted for Dunn, you should have something for your vote ?—Yes.

30,138. Did he give it you in the bedroom ?—He left it upstairs. He did not give it to me.

30,139. When did he pay it ?—Two days after.

30,140. What did he pay it in ?—In notes.

30,141. Was that all you had at that time ?—Yes.

30,142. Did nobody come on the other side ?—No.

30,143. Nobody spoke to you ?—No.

30,144. After you voted against them were not the Liberals angry ?—They never showed any anger.

TWENTY-SECOND DAY.

W. Willis.

19 Sept. 1866.

30,145. Did not they talk to you about it?—No.

30,146. In 1862 had you a vote?—Yes.

30,147. Whom did you vote for?—If Dent had stood, I should have voted.

30,148. How would you have voted then?—For Dent.

30,149. Were you promised money?—No.

30,150. Was it money that made you change round from the Liberals to the Conservatives?—No. Not only that, I had some good friends Conservatives.

30,151. What are you?—A carpenter.

30,152. Have you good contracts for the Conservatives?—No. Some of them.

30,153. Who are your principal customers?—I had always very little to do on that side, and no particular customers on that side.

30,154. What made you say you voted for the Conservatives because you had customers?—I expected some.

30,155. What made you anticipate? Gratitude?—I suppose so.

30,156. Who did you vote for in 1863?—For Mr. Dent.

30,157. What did you get for that?—Not a farthing.

30,158. Had anyone talked to you in 1863?—In 1863 there was Mr. Dent and Mr. Edmonds with him at the time.

30,159. Did you promise your vote on each occasion?—I did immediately.

30,160. Had you anything given to you after that election?—Nothing.

30,161. Have you a wife?—Yes.

30,162. Did she get anything?—No.

30,163. Not a handsome bracelet?—No.

30,164. Or a silk dress?—No.

30,165. In 1865 who did you vote for then?—Dawkins and Pim.

30,166. Did you get nothing for that?—Nothing; I only got 30*l.* and that was 30*l.* too much.

30,167. Then why did you not return it?—I did not return it.

30,168. Are you the father of William John Willis?—No; his uncle.

30,169. Did he not come to see you and to influence your vote?—Never.

30,170. The only time you had money was from Woodley in 1859?—It was.

W. Marks.

William Marks sworn and examined.

30,171. (*Mr. Coleridge.*) How long have you had a vote?—Since 1859.

30,172. Who did you vote for?—For Dunn.

30,173. What did you get for your vote?—Nothing at all.

30,174. Were you offered anything?—No.

30,175. Did you vote in 1862?—No.

30,176. Did you promise Mr. Dent?—No.

30,177. Or Mr. Pender?—No.

30,178. Did Mr. Pender offer you anything for your vote?—I was never offered anything in my life.

30,179. Is your name William Marks, Fore Street?—Yes.

30,180. In 1863 how did you vote?—I voted for Mr. Dent.

30,181. What did you get for that?—I had a present of 20*l.*

30,182. Where did you get that from?—From Mr. George Heath.

30,183. Was it not 25*l.*?—No.

30,184. When was it given to you?—I think on the day of nomination.

30,185. Where did he give it to you?—In the office.

30,186. Was that No. 1. at the "Stars?"—It might be.

30,187. Was it not 25*l.* and you gave him 5*l.* for himself?—No; I wanted 5*l.* more and he did not get it for me.

30,188. Did you give him nothing for himself?—No. I kept the whole.

30,189. Were you offered anything on the other side?—No.

30,190. Were you not offered 100*l.*?—No.

30,191. In 1865 how did you vote?—I did not vote at all.

30,192. Had you lost your vote?—John Heath asked me what figure he should put down and I told him.

30,193. And what was that?—The figure was 30*l.* I did not get paid. I did not vote.

30,194. What did Mr. Michelmore say to you about your vote on the last election?—Nothing in particular.

30,195. What was it?—He asked me if I had made up my mind.

30,196. Did he talk to you about the figure?—No, not a word.

30,197. What did you say to Mr. Heath, that you would vote for Pim and Dawkins if you got 30*l.*?—I did.

30,198. They did not give you the 30*l.*?—They did not.

30,199. And you did not vote at all?—No.

30,200. What were you offered on Mr. Pender's side?—Nothing.

30,201. If you had voted for them would you not have had something handsome?—No.

30,202. Had you had any conversation with Mr. Parnell?—No.

30,203. Nor with Mr. Michelmore?—No.

30,204. Nor with Thomas Jacob Searle?—No.

30,205. Are you a Dartington tenant?—No.

30,206. What are you?—A jobbing gardener and I keep a greengrocer's shop.

30,207. Did they try to bring you to the poll in 1865?—No.

30,208. When they saw you were not voting and that the election was running close did not George Heath come after you?—The election did not run close at all, the trap was down by 9 o'clock in the morning.

30,209. And the trap being down they did not give you your money?—No.

30,210. When did they promise it to you?—The day before the nomination.

30,211. Then why did you not get it before then; were you standing out for a little more?—No.

30,212. You had bargained with George Heath for 30*l.*?—I had.

30,213. And you never asked him for it at all?—I did not; it was all over, the affair had passed; Mr. Heath saw me outside the door the night before the nomination in the crowd and he asked me what figure he should put down for me, and I told him 30*l.* On the night of the nomination I went to the "Stars" to see if I could get it.

30,214. Whom did you ask for?—No one at all. I saw Mr. Kellock in the hall and there were some runners there, and he advised them to go home and go to bed; and I thought I might as well do the same, the election was then over.

30,215. Did you not ask Mr. Kellock for it?—No.

30,216. And you got nothing?—No.

30,217. Then it was not a profitable matter to you at all?—Not at all.

30,218. You did not vote?—No.

30,219. (*Mr. Bere.*) Although you never received any money for your vote, have you ever offered money to anyone else?—Never.

30,220. Did you see a man of the name of Edward Angel?—I see him often. I never offered him any money, and was never empowered to do anything of the kind.

30,221. Have you not spoken to him about his vote?—No.

30,222. Are you sure of that ?—I am.

30,223. Are you quite sure that you never offered him anything at any time ?—I am.

30,224. Do you remember hearing any conversation between Edward Angel and some one else about his vote ?—Never.

30,225. Are you quite sure about that ?—I am.

30,226. You have never talked to Angel about his vote at any time ?—Never.

30,227. What is Edward Angel ?—He is a tailor.

30,228. Do not you employ him ?—I have not for years ; he has made garments for me some years ago.

30,229. Are you on familiar terms with him ?—Yes.

30,230. Do you go to his shop and have a talk with him ?—I do sometimes.

30,231. Have you not done so mostly at election times ?—Not particularly then.

30,232. Have you not often talked about what has happened in the town ?—I daresay we might.

30,233. Totnes is not such a very lively place but that the election has generally produced some excitement ?—Exactly so.

30,234. And do not you remember, in 1862, talking to Edward Angel about it ?—No.

30,235. And do not you remember his talking to you about it ?—No.

30,236. And asking you whether you could not get him some money ?—He never did so in his life.

30,237. And did he not say there were five or six of them who might be had ?—No.

30,238. Are you quite certain of that ?—I never spoke to him on the subject in my life.

30,239. Have you not ever talked about Edward Angel's vote ?—No, I have not.

30,240. Have you ever talked to him about anyone's vote except your own ?—I believe not.

30,241. Had you not better think a moment ? Have you any people working for you ?—I have one man now ; he is a stranger in the town.

30,242. In 1859, 1862, 1863, and 1865, had you not people working for you ?—Occasionally.

30,243. Were they not voters ?—No ; the only person who ever worked for me who was a voter was a man of the name of John Phillips.

30,244. When was he a voter ?—I think at the last two elections.

30,245. Have you talked to him about his vote ?—Never.

30,246. Have you any house property ?—Yes.

30,247. Who are your tenants ?—They are six small cottages which I have.

30,248. Do they give a vote ?—Only at municipal elections.

30,249. Have you ever talked to your tenants at the time when municipal elections were going on ?—I never asked one of my tenants in my life for a vote.

30,250. Has any one of your tenants a vote for the borough in respect of any other qualification ?—One of them, I think, may be a voter now.

30,251. What is his name ?—Hutchings.

30,252. Edward Angel has never been a tenant of yours ?—Never.

30,253. Have you a brother named Edward ?—Yes.

30,254. Does he live near you ?—He lives near me, but in a house of his own.

30,255. Is he the father of John Willis ?—No, his father is another brother of mine.

30,256. What is Edward Willis ?—He is an innkeeper.

THOMAS MITCHELL sworn and examined.

T. Mitchell.

30,257. (*Mr. Bere.*) How long have you lived in Totnes ?—For two years and a half.

30,258. Where used you to live before ?—In Seymour Place, Bridgetown.

30,259. That was in a house belonging to the duke ?—Yes.

30,260. From which you were turned out ?—Yes, I was.

30,261. Who was it who turned you out ?—Mr. Michelmore.

30,262. Did he give you notice ?—He did.

30,263. Who delivered the notice ?—I think it was Mr. Prout, one of the clerks.

30,264. Did you have any conversation with him about why you had got that notice ; I suppose you knew pretty well ?—He gave me notice at first and I thought it was an illegal notice when I received it. I went into the house at Michaelmas and he gave me notice at Michaelmas to quit at Lady-day. He ought to have given me notice half a year previously.

30,265. You were quite right. Did you tell him it was an illegal notice ?—I did.

30,266. What did he say to that ?—He said he had searched the books, and found out the date, and that it was a legal notice ; that I went in at Lady-day, which I did not.

30,267. What did you do then ?—The way in which I confirmed that was by my payment of the first half-year's rent.

30,268. Did you pay that at Lady-day ?—Yes ; I went in about 1840. These are my receipts :—

" Bridgetown, May 13th, 1841.—Received of Mr. " Thomas Mitchell the sum of 5*l.*, being a half-year's " rent due to his Grace the Duke of Somerset, Lady-" day last, for house and shop ; also 10*s.* for half-" year's rent for warehouse behind, &c. THOS. " MICHELMORE.

" £5	0	0	house and shop
0	10	0	warehouse
5	10	0."	

30,269. When Mr. Prout gave you notice, did he say why he did so ?—No, he did not mention anything.

30,270. Did you see Mr. Michelmore about it afterwards ?—No, I did not see anyone, otherwise than when I voted against Mr. Michelmore's interest he told me or my wife that I should have notice to quit my house.

30,271. Which Mr. Michelmore told you that ?—Thomas Michelmore ; that is now past away.

30,272. You had been in your house since 1840 ; when did you vote against Mr. Michelmore's interest ?—In 1863.

30,273. You voted for Dent against Seymour ?—I did.

30,274. How came you to vote for Mr. Dent ; had you good reasons for doing so ?—Yes.

30,275. What were your reasons for doing so ; how much did they amount to ?—I had an inducement held out to me being a working man ; I never sought it.

30,276. How much did you get ?—I got 50*l.*

30,277. Who gave it to you ?—Young Screach.

30.278. Had he been to tempt you before you got the 50*l.* ?—I had been asked about it.

30,279. Had he or anyone else been to you ?—He asked me. I do not know that there was any other person. I was never asked on the Liberal side.

30,280. They thought you were pretty safe ?—I had always voted previously for the Duke's interest.

30,281. Did you ever get anything for doing so ?—Yes.

30,282. When did you get anything ?—In 1852.

30,283. Who gave it to you ?—Old Screach.

30,284. How much did he give you ?—50*l.*

30,285. Where did he get that from ; do you know ?—He had it from the Liberal party.

30,286. That was from Mr. Mills's agent, I suppose, to vote for Mills and Seymour ?—To vote for them. There was an agent then who is now dead ; his name was Thomas Hardin. He was the person who made an application to me and some others for the purpose of gaining the votes for Mills and Seymour.

30,287. Did he say if you voted for those two you would have something for doing so ?—He did.

30,288. Did he mention the figure ?—He did mention a higher figure.

TWENTY-SECOND DAY.

T. Mitchell.

19 Sept. 1866.

30,289. How much did he mention?—My name was set down then for 100*l.* and others as well.

30,290. And they only gave you 50*l.*?—That is all.

30,291. Were your friends better off than you were?—I think not.

30,292. Did the money run short?—I do not know that it did; the market fell, as you may say.

30,293. Where was this money paid you?—It was paid in my house in 1852 by Screach the elder.

30,294. Was that the commencement of the formation of the Lapstone Club which we have heard of?—I know there was a political squib like that going round, but as for forming a club, I never heard of that.

30,295. Were you a shoemaker?—I was.

30,296. Were all the members of the confederation shoemakers also?—They were not.

30,297. Was old Farley one of them?—No.

30,298. Was not some of the money paid at Farley's?—I understood that was for his son and another person.

30,299. Who was the other person?—Thomas Blackler.

30,300. Did he get 50*l.* too?—I believe he did. I did not see the money paid.

30,301. In 1863 you voted for Dent, and got this money. Did you vote in 1865?—No.

30,302. How was it you did not vote?—I was turned out of my house; I had no vote.

30,303. You have a house now?—I have part of a house. After I was dislodged from Seymour Place, where I had been a tenant for 24 years, I did not know where to get a house.

30,304. Did not the charitable Mr. John Heath find you a house?—I made application to him as he was letting houses to get some new place for me, when he was in the Plains.

30,305. Did he not accommodate you?—He did not. When I found I could not get a house to suit me, I went with my daughter and son-in-law.

30,306. Who are they?—Joseph Hannaford, a baker and confectioner; he lives opposite the "Town Arms."

30,307. Who is living in the house you left at Bridgetown?—John Tozer, a shoemaker.

30,308. Did he vote at the last election?—I believe he did.

30,309. For Pender and Seymour?—I really do not know.

30,310. Did you not get something after the election of 1862, when Dent did not go to the poll, some present from the Liberals?—No, nothing.

30,311. Did not Mr. Michelmore talk to you about that?—No.

30,312. Did not Mr. Pender come and canvass you in 1862?—I think he did.

30,313. What was the value of your house?—I gave 10*l.* a year for it.

30,314. Did not Mr. Michelmore always give you back 10*s.*?—He did.

30,315. So that you only paid 9*l.* 10*s.*?—10*l.* 10*s.* was the value.

30,316. Was not your rent 10*l.*?—Yes.

30,317. And Mr. Michelmore gave you back half a sovereign?—If you allow me I will tell you how it was managed.

30,318. That is what we want to know?—When I first took the house I took it at 10*l.* a year. After I had taken it Mr. Michelmore considered whether it might not be an objection to my vote, in consequence of there being a detached cellar that led from my house into a curtilage. That being so, Mr. Michelmore said, "You had better give me 10*s.* or half a sovereign, and then you can say that you pay 11*l.* a year."

30,319. As soon as you voted the Conservatives offered an objection to your vote?—They did. In 1859 it was objected to by Mr. Brooking Cuming; there was not any coalition then.

30,320. That was before Mr. Erskine, the then revising barrister?—Yes.

30,321. And you appeared and swore you paid 11*l.* a year for your house?—Yes.

30,322. Which you did not do?—There was an agreement as to my paying the 10*s.* to Mr. Michelmore.

30,323. Did anyone ask you whether you got 10*s.* back?—No; not at that time.

30,324. You had that peculiar agreement which was not then known?—It was not scrutinized then.

30,325. When you voted for Dent in 1863 did not Mr. Michelmore take an objection to your vote?—He did; there were three objections.

30,326. And had your name struck off?—He did.

30,327. On the ground that you had paid back 10*s.*? That was not it. They objected that I only paid a certain sum, and that the detachment cut off my vote.

30,328. When you voted against them they objected to you on the same qualification upon which they had made you a vote?—Exactly; there was no alteration whatever. Mr. Tucker, of Ashburton, who was then acting as the solicitor, called on Mr. Michelmore to prove that I had not paid the money; and Mr. Michelmore did not make any answer to it. I took out the half-year's receipt, similar to the one I have handed in, and seven other years, which showed that I could substantiate what I have previously said, and that this court should not be led astray, or think I had asserted anything which was wrong.

30,329. What did Mr. Michelmore say when you showed him the receipt?—I handed it over to the barrister, and when Mr. Tucker called on Mr. Michelmore, who was then present, as evidence against me, Mr. Michelmore shook his head; he saw his own name there written to the 5*l.* 10*s.*

30,330. Did you get anything for your vote in 1859? I did.

30,331. What did you get for that?—30*l.*

30,332. Who from?—From a stranger. I do not know his name. I was sent for to go down to the "Stars." I did not know much about the house; but I was ordered up to No. 9, I think.

30,333. Who did you vote for then?—For Dunn and Seymour.

30,334. They did not turn you out at that time?—No.

30,335. Why not?—There was no coalition then; they coalesced after that.

30,336. What did you do in 1857?—I was disqualified then.

30,337. How was that?—I was constable for the borough.

30,338. Did you use your influence?—I did not.

30,339. You got nothing at that election?—No.

30,340. Did you get anything from the Liberals in 1859?—No; nothing was offered.

30,341. (*Mr. Coleridge.*) Your want of a vote has been a considerable pecuniary loss to you?—I am getting old, and I must do as well as I can.

30,342. What would your vote have been worth in 1865?—I daresay it would have been arranged in the same way as the generality of the others. I have tried to answer the questions you have put in a straightforward way.

30,343. Have you voted for the council?—I have.

30,344. Did you ever get anything for that?—I have.

30,345. What is the most you ever got?—I think the most I had was 3*l.*

30,346. Was that when John Heath stood?—No. I generally used to divide my votes between the Conservatives and the Liberals.

30,347. Who gave you this 3*l.*?—Frederick Evens.

30,348. Was that to vote for the Conservatives?—Yes.

30,349. How long ago is that?—I should think four or five years.

30,350. How often have you been paid for voting for the council?—Two or three times, not more.

30,351. What did you get at other times?—I think I got 15*s.* one time.

30,352. And what did you get the other time? Did you get 30s.?—No; I think it was 2*l.*

30,353. Did you ever get paid on both sides at the same election when you divided your vote?—Never.

30,354. (*Mr. Longe.*) There is a little bit of history here which perhaps you will be able to explain as regards this club. Who was "Tommy Chainey?"—That might allude to me; I was a short man, and much stouter then.

30,355. Who was the "Immortal Tom?"—I think that meant the late Thomas Welch.

30,356. Who was "Tommy Stoner?"—I don't know.

30,357. Who was "Billy Broadcloth?"—I think that was William Farleigh the younger.

30,358. Who was "Joey Gingerpop?"—My son-in-law, Joseph Hannaford.

30,359. Who was "Pen Dilly?—I do not know.

30,360. Probably one of the Pengilleys?—Perhaps it might be.

30,361. Which of the Pengilleys were there when you had a meeting?—I do not know.

30,362. Who was the secretary of the Lapstone Club at that time?—We had no secretary, and I am not aware that there was any club.

30,363. Who was "Billy Scraper?"—That might allude to a man who was a scavenger in the town.

30,364. What was his proper name?—William Bindon.

30,365. Your regular pay was 50*l.* at each election?—I do not know about that. It could not have been regular, because I have told you that I got 30*l.*

WILLIAM FARLEY, jun., recalled and further examined.

W. Farley, jun.

30,366. (*Mr. Bere.*) Who is your father-in-law?—Thomas Blackler.

30,367. In 1865 was Thomas Jacob Searle in your house?—He has never been in my house. I only know his person; I never had any conversation with him.

30,368. Was he in your father-in-law's house?—No.

30,369. Were you not there?—No; I have never been there while he was there.

30,370. Did you talk to your father-in-law about how he was going to vote?—No.

30,371. Did you know how he voted?—I did on the day of election.

30,372. After he voted or before?—Before he voted.

30,373. Who told you so?—He told me so himself. He told me he should vote for Dawkins and Pender.

30,374. Did he do so?—Yes.

30,375. Did that influence you to vote for them?—No; it did not influence me.

30,376. Did he tell you what he was going to get for voting?—No; he told me he should have nothing for voting. He knew I should have nothing for voting.

30,377. You would get something afterwards?—No; we never expected it; I did not calculate upon it. We were not solicited by any one of the Liberal interest for our votes, as I swore yesterday. I have given you the whole truth, and nothing but the truth.

30,378. Did you see a man named George Robins Stone when the petition was set on foot?—I must have seen him at different times.

30,379. Did he not speak to you about it?—I do not remember any conversation with him.

30,380. Did he not say you had been very active for the Conservatives, and proposed as chairman of Captain Pim's committee?—I do not remember that.

30,381. Will you swear that such a conversation did not take place?—It might have done.

30,382. Did you not say to him, "Between ourselves, I got nothing from the Conservatives, and I did what I could for myself on the other side?"—I do not remember any conversation of that sort.

30,383. Did you say anything like that?—I did not.

30,384. That you did what you could for yourself on the other side?—I will swear I did not use those words.

30,385. Or anything like it?—No.

30,386. Did you say anything about getting money on the other side?—Not a syllable.

30,387. Or intimate that there was money going?—I did not know that money was going on the other side.

GEORGE ROBINS STONE recalled and further examined.

G. R. Stone.

30,388. (*Mr. Bere.*) Did you have any conversation with Mr. Farley junior after the petition was set on foot?—Yes.

30,389. What passed between you and him?—We had various chats at different times.

30,390. Did you say to him you were active for the Conservative party, and proposed as chairman of Captain Pim's committee?—I think the conversation at one time turned in this way; that he said he was summoned to attend before the committee, and had been served with a Speaker's warrant. Then I think he said he could not think what they wanted him for, as he voted straightforward. I said, "It always looks "suspicious when a man stands up in a public room "and makes a speech, saying he will support both "the Conservative candidates, and then turns round "and splits his vote."

30,391. What did he say to that?—As near as I can recollect, to this effect; that he could not get anything out of the Conservatives, and that he did the best he could for himself.

30,392. That he was obliged to go to the other side?—I do not think he said he was obliged to go to the other side.

30,393. Did you not understand that he had had money from the other side?—I understood him so; he did not say so.

30,394. That he could not get anything from the Conservatives, but that he got what he could from the Liberals?—Yes, so I understood him.

GEORGE SERCOMBE sworn and examined.

G. Sercombe.

30,395. (*Mr. Coleridge.*) How long have you been a voter?—Since 1859.

30,396. For whom did you vote then?—Lord Gifford and Mr. Dunn.

30,397. What did you get at that election?—15*l.*

30,398. Who gave it to you?—Frederick Evens.

30,399. Where did he give it you?—Down at the "Seven Stars."

30,400. Did not you get some more than that afterwards?—No; they promised me more.

30,401. What did he promise you?—He promised me 50*l.*

30,402. How was it you only got 15*l.*?—He said he had not got any more.

30,403. When did he pay it to you?—About 1 or 2 on the day of the election.

30,404. Had you been at him before for it?—Yes.

30,405. Did he keep on putting you off?—He did not pay me.

TWENTY-SECOND DAY.

G. Sercombe.

19 Sept. 1866.

30,406. What were you offered on the other side?—Nothing.

30,407. That was all you got?—Yes.

30,408. Did you pay any voter for him?—No.

30,409. Did you ever carry any voter away?—No.

30,410. Did you vote again in 1862 for Mr. Pender and Mr. Dent?—No.

30,411. How were you going to vote?—I should have voted for Mr. Dent.

30,412. What were you promised?—Nothing.

30,413. Did not Evens tell you there would be something for you if you went to the poll?—He did not say anything.

30,414. But you had no vote in 1862?—Had not a vote?

30,415. No?—Then I did not vote.

30,416. In 1863 you voted for Mr. Dent?—Yes.

30,417. How much did you get?—50*l.*

30,418. Who from?—Evens.

30,419. Where?—By his own house.

30,420. You took care to have the whole 50*l.* that time?—Yes.

30,421. Did you remind him of his having done you out of 35*l.* before?—I may have said something.

30,422. Did he pay you in gold?—Yes.

30,423. Did he take a receipt for it?—No.

30,424. You were carried off at that election somewhere?—I went off for a holiday.

30,425. Where did you go?—Kingsbridge.

30,426. How long did you stay there?—I stopped away one night.

30,427. Where did you go from there then?—Back to the "Seven Stars."

30,428. Were you locked up at the "Seven Stars?"—No.

30,429. You slept there, I suppose?—I might have lain down there an hour.

30,430. Were you offered anything from the other side at that time?—No.

30,431. Now, in 1865, how did you vote?—I did not vote at all. I was off then and have not voted since.

30,432. Were you employed at the last election?—No.

30,433. You did not get anything?—No.

30,434. What election was it that Mr. Heath offered you something?—I do not recollect that he offered me anything.

30,435. Did Mr. Heath arrange with you about that Frederick Evens afterwards paid you?—No, I do not recollect.

30,436. Had you anything to do with any of the Heaths about the election?—I do not recollect that they said anything about it.

30,437. Those sums are all you had for your vote?—Yes.

30,438. Have you voted for the council?—I have, many years gone.

30,439. What have you had for that?—The most I ever got was half-a-crown for a day's work.

30,440. You never got 3*l.* or any of those lucky sums?—No, I never asked for it.

30,441. You have only voted twice?—No.

30,442. And you got 15*l.* on the second occasion?—Yes.

30,443. What was the qualification you voted upon?—I was an innkeeper at Bridgetown.

30,444. What did you pay for your house?—16*l.* the rent of the house, and the ground I had got there was about 13*l.* a year.

30,445. After you voted for Dent were you turned out?—Yes.

30,446. Who gave you notice?—Mr. Michelmore.

30,447. Did he tell you what for?—Yes, I was asked to the "Seymour Hotel."

30,448. What did he say?—He said, I did not vote for Mills and Seymour, and was turned out.

30,449. Not Mills and Seymour. It was in 1859 when you were turned out?—Yes, 1859.

30,450. Where did you get your next qualification?—Up Totnes-down-Hill, where I have been residing seven or eight years.

30,451. What do you rent there?—Land, 10 acres.

30,452. What is it worth?—About 30*l.* a-year.

30,453. How many other voters are there on it?—No other than me.

30,454. Not nine other men on that field?—No.

30,455. How have you lost your qualification now?—I voted last time for Mr. Dent.

30,456. That is the duke's too, is not it?—Mr. Amery of Ashburton.

30,457. And he has turned you out, has he?—They did amongst them. Mr. Michelmore took that away.

30,458. Where are you living now?—Harberton.

30,459. You have no qualification?—No.

H. Martin.

HENRY MARTIN sworn and examined.

30,460. (*Mr. Bere.*) Do you live at Plymouth?—Yes.

30,461. 33, York Street, Plymouth?—Yes.

30,462. Were you up here at the election of 1863?—I was.

30,463. And staying with William Pengilley?—Yes.

30,464. Did you know Mr. Jeffery Michelmore?—Yes.

30,465. Did you go down to see Mr. Jeffery Michelmore about Pengilley's vote?—Yes, I did.

30,466. What bargain did you make with him?—He told me that he was going to vote for the Tories, and I tried to persuade him to go the Liberal side.

30,467. You are a Liberal?—I have been a Liberal always. I could not succeed with him, and I was commissioned by Mr. Michelmore to offer him 80*l.*

30,468. Did you go down to Mr. Michelmore and see him in his office?—I was there in the evening.

30,469. Where?—At the "Seymour."

30,470. And you talked to him about Pengilley's vote?—He sent for me and called me out.

30,471. Had you known Mr. Michelmore before?—Yes.

30,472. Did you happen to meet him in the street in Totnes?—No.

30,473. How did he know you were in Totnes?—Mr. Latimer came to me. I think Mr. Michelmore sent one of his clerks.

30,474. Do you mean Mr. Jeffery Michelmore?—Yes.

30,475. Which clerk did he send?—I do not know.

30,476. Was it the one who was here just now?—I do not know if I saw him.

30,477. Did you know his name?—No.

30,478. He sent his clerk to you?—Yes, to Plymouth before the election; he said, he was afraid Pengilley was going to the wrong side; but I was coming here else.

30,479. He sent one of his clerks specially down to you?—I do not know that. I know Mr. Latimer introduced him to me.

30,480. Was it Mr. Latimer, the editor of the "Western Daily Mercury?"—Yes.

30,481. Had not you known Mr. Michelmore before that?—Yes, for years.

30,482. And the clerk came down and told you that Pengilley was going wrong?—He was afraid.

30,483. And you came up to set him all right?—Yes, to try all I could.

30,484. You did not succeed by argument, and you went down to see whether you could not get some gold?—I knew I could have that before I put the question.

30,485. Who told you?—Mr. Michelmore.

30,486. 80*l.*?—Yes, to offer him that.

30,487. And Pengilley would not take it?—No, he was too far gone then.

30,488. He had committed himself with the other side?—That is it.

30,489. Have you been living in Totnes ever?—I am a native of Totnes.

30,490. Did you ever vote?—At Plymouth, not here.

30,491. Are you generally up here at the time of the elections?—Yes.

30,492. And busy upon the Liberal side?—I never asked any person before or since.

30,493. Is Pengilley any relation of yours?—No.

30,494. Only a friend?—No.

30,495. You do not get much practice of that kind at Plymouth, do you?—No, we know better there.

30,496. Have you ever offered anybody else any money?—No, never.

30,497. Or acted as go-between between Mr. Michelmore and anybody else?—No.

30,498. Did you offer Pengilley any money last time?—No.

30,499. Did you see him?—I was not up last time.

30,500. Did you write to him?—No, he was down at Plymouth. He was all right that time.

30,501. How did you manage to make him all right?—I had nothing to do with it. He was sorry ever to have gone the other side.

30,502. Did he tell you how he was made all right?—No, I did not find that out; I did not want to.

30,503. You were so glad to find him all right that you did not trouble about the reason?—I did not.

30,504. (*Mr. Coleridge.*) Have you had anything to do with any other election?—No.

30,505. This was the first time you went astray?—Yes.

30,506. (*Mr. Bere.*) Did Mr. Jeffery Michelmore give you any money for Pengilley?—No.

30,507. You had not the means of tempting him by the actual offer?—No.

30,508. Was any reason given about coming down to see him about Pengilley's vote?—Never had a word until he asked me if I would try what I could do with him, and I promised I would.

30,509. You must have tried to do something with him before, or they never would have known your influence over him?—I did not want to, because he had voted on my side before.

30,510. But you must have been here and interested yourself about elections?—I am often here.

30,511. How did they know that Mr. Pengilley was to be influenced by you?—They knew we were friendly I suppose.

30,512. Had you always stayed at Pengilley's house when you were at Totnes?—No.

30,513. Where?—Sometimes one place and sometimes another. I have an aunt or two here. I have got relations.

30,514. What are you?—A baker and confectioner.

30,515. Have you any dealings with Mr. Jeffery Michelmore?—No.

30,516. At any time?—No.

30,517. Are you quite sure about that?—Yes.

30,518. Was any money advanced by him?—No. Pengilley was in difficulties once, and I lent him, to go through the court, a few pounds.

30,519. When was that?—Some time ago.

30,520. Was that before 1863?—Yes, some years.

30,521. Was it your own money you lent?—Yes.

30,522. You did not get it from Mr. Michelmore?—No, I did not see Mr. Michelmore then.

30,523. Though you could not get Pengilley over did not Mr. Michelmore make you a present for your services?—He did.

30,524. What was that?—A sovereign. He asked me what my expenses would be, and I said I daresay it cost me a sovereign. I never expected anything because I was coming else.

30,525. You say you saw Mr. Jeffery Michelmore at the "Seymour." What room did you see him in?—The large room at the end of the passage.

30,526. Who was there besides?—There were several in and out.

30,527. Do you know the names?—Yes.

30,528. Who were they?—I saw Mr. Seymour once or twice.

30,529. Was he there during the conversation?—Nobody but me and Mr. Michelmore had the conversation about Pengilley.

30,530. Where was that conversation?—In this large room.

30,531. Was anybody else there?—Yes, Thomas Holman came in once, but I did not change any words with anybody at all but Mr. Michelmore.

30,532. Were you standing up or sitting down?—I stood, and I went and had a glass of grog in another room afterwards.

30,533. What room was that?—A large room.

30,534. Did not you see Mr. Michelmore in the first large room?—There are two large rooms.

30,535. There is the large ball-room, is that the one you mean?—Yes.

30,536. Is that the one you saw him in?—No, the other room.

30,537. The room at the end of the passage at the right-hand side?—Yes, straight in.

30,538. Then it was in the smaller room of the two that you had the talk about Pengilley, and then you went to the larger room and had a glass of grog?—I did not stop; I went out for a walk, and I was over there in the evening for an hour or two.

30,539. What time at the last election did he come down to see you at Plymouth?—He is often there.

30,540. But the last election?—I do not know how long it was before.

30,541. How long was it before?—I cannot say.

30,542. Was it a week or a fortnight?—I think he was down at the Exhibition.

30,543. Was there an Exhibition before the election?—Yes.

30,544. Who came down with him?—No one. He generally sleeps at my house when he comes to Plymouth.

30,545. You are quite sure that nobody came with him to take care of him?—Quite sure.

30,546. Did John Elliott come down with him?—No.

30,547. Are you quite sure about that?—He is a cousin of mine, and he never came at all.

30,548. Did not anybody come down with Pengilley?—No, Pengilley came down and stayed with me.

30,549. And you talked to him about his vote?—He said he should never go that side again; he was always sorry for it that he had ever voted for the Tories, for he was always Liberal.

30,550. Did you see John Fox Green at the last election?—No; I know him very well.

30,551. Did you see him down at Plymouth?—Yes; not at the election.

30,552. Just about the election time?—Yes, I think I did.

30,553. Did you see him with John Elliott?—No.

30,554. Do you know John Elliott took him down there?—No.

30,555. And brought him back again to vote?—No; I have seen Green and spoken to him.

30,556. Where?—In the street, and I shook hands with him.

30,557. What did he tell you he was down at Plymouth about?—A holiday.

30,558. Did not you ask why he was not at Totnes, where he had a vote?—No.

30,559. Did it not strike you as curious that a man should be away, or is it the usual way of doing things?—No.

30,560. Who was with Green?—No one.

30,561. Was he walking by himself?—Yes, coming up York Street.

TWENTY-SECOND DAY.

J. Corney.

9 Sept. 1866.

JOHN CORNEY sworn and examined.

30,562. (*Mr. Longe.*) What is your occupation?—A boot and shoe maker.

30,563. How long have you had a vote for this borough?—The first time I voted was at Mr. Mill's and Mr. Baldwin's election, I think in 1852.

30,564. Have you a vote now?—No.

30,565. When did you cease to be a voter?—I ceased to be a voter previous to Mr. Dent coming here.

30,566. Then you voted in 1852?—Perhaps so.

30,567. And in 1857 and 1859?—Yes.

30,568. Those three elections?—Yes.

30,569. Whom did you vote for in 1852?—For Lord Seymour and Mr. Mills.

30,570. In 1857 whom did you vote for?—Mr. Mills and—who is the other candidate?

30,571. Lord Gifford?—Lord Gifford.

30,572. In 1859 who did you vote for?—In 1859 I did not vote at all.

30,573. The third; you had three elections?—Yes, but I did not vote at the 1859 election. In 1859 was the election of Mr. Dunn; I did not vote then.

30,574. The first election, when you voted for Mr. Mills and Lord Seymour, was any present made to you on that occasion, or any offer made to you?—No.

30,575. By either side?—By either side.

30,576. Did you ask for any money on either side?—No.

30,577. Neither?—No.

30,578. Before or after the election you received nothing?—No.

30,579. In 1857, the second election, was any offer of money made to you then?—No.

30,580. Not by either side?—Not by either side; in fact, I always promised my vote to the Liberal party.

30,581. But you were canvassed by the other side?—Quite so.

30,582. Who called on you on the part of the Conservatives?—At that election of 1857?

30,583. Yes; Mackenzie and Gregory were the two candidates?—I think it was. Mackenzie was here more than once.

30,584. Yes, in 1855, but he withdrew in 1855?—Well, he called on me on one occasion, and I think it was Mr. Bryett who was with him, to the best of my recollection.

30,585. Did no one else call upon you for the Conservatives?—No.

30,586. Now in 1859 who canvassed you for the Conservatives then—for Mr. Dunn?—Mr. Dunn and Mr. Bryett. I am hardly sure about 1857; it was Mr. Bryett in 1859.

30,587. Mr. Bryett called with Mr. Dunn?—Yes.

30,588. And asked you to vote?—Yes.

30,589. What did you tell them?—I told them I was not going to vote at all at that election.

30,590. What reason did you give?—I had a slight reason for it.

30,591. What was the reason?—However, the Liberals had called on me previous.

30,592. The Liberals called on you first?—Yes.

30,593. What did you tell them?—I told them the same.

30,594. For what reason?—I had made an application to Mr. Brooking Cuming for a situation for a son of mine, and it went on so long that I despaired of getting it, and I thought it was a thing not exactly right, and I resolved then to retaliate when the election came on, and I made up my mind not to vote or support either party.

30,595. Why not vote on the other side?—Because I did not feel disposed to do so. I never did that.

30,596. After Mr. Bryett another person called on you from the Conservatives?—Well, I think Mr. John Heath was the first to call on me.

30,597. How long before the election did he call?—He called, I think, only the day before the election. I think I am right when I say so.

30,598. Did he have only one interview with you?—That is all.

30,599. What did he come about?—He came to solicit my vote on the Conservative side.

30,600. What did you tell him?—I declined to give him my vote.

30,601. Did you positively decline?—Yes, I did.

30,602. Did not he offer you a sum of money?—He did.

30,603. How much?—70*l.*

30,604. Was no part of that money paid you?—No.

30,605. Was not that offer made for you not to vote?—No, that offer was made for me to vote.

30,606. Did not you see Frederick Evens; did not he call on you at all?—No; I suppose you mean Evan Evens. I met him in the evening, he never called on me.

30,607. When was it you saw Evan Evens?—The night before the nomination.

30,608. Which election?—The 1859 election.

30,609. That election is the one at which you voted for Mr. Mills and Lord Gifford?—No, that is the election I declined to vote.

30,610. 1859 you voted?—I think not.

30,611. You voted for Mills and Gifford?—That was the next election? 1862 was not it? Who were the candidates then?

30,612. 1859 you voted; that was the occasion when Evan Evens—did not he give you 30*l.*?—No.

30,613. (*Mr. Bere.*) He gave it to your daughter?—No.; I must beg your pardon. He gave me 25*l.*, or he left it with my daughter; he did not give me 30*l.*, as he stated; it was 25*l.*

30,614. (*Mr. Longe.*) When did he call on you?—After that?

30,615. No, at that time. Did not you promise him your vote?—No.

30,616. When did he leave the money, before or after the election?—Before the election.

30,617. At that time what took place between you; did not you promise him you would vote for Mr. Dunn?—No.

30,618. What did he leave the money for?—Not to vote at all.

30,619. But you did vote for Mills and Gifford?—I did.

30,620. What led you to break your promise?—I made a promise not to vote at all, but I afterwards took a second consideration of it, and I thought it was wrong to take this 25*l.*, and I returned it.

(*Mr. Bere.*) Do not be in such a hurry to say you returned it; you had better be careful about the words you use.

30,621. (*Mr. Longe.*) Just tell us what you did with it. You took the money and you did vote for the other side?—Yes.

30,622. And after the election what then?—The following morning, after he called at my house and left the 25*l.* in five 5*l.* notes inclosed in an envelope, I called at his house to return him the money, but he was out.

30,623. Did you take the money with you?—Yes, I took the money with me and I brought it back again and left it with my daughter, and went and voted for the Liberal party, which I always have done. I told her when I left if Mr. Evens came for the money she was to give it to him.

30,624. Mr. Evens never did get the money?—Yes, he did come for it and he had it.

30,624*a*. (*Mr. Bere.*) Did not you tell Mr. Evens "If I think proper to vote I can get a very handsome sum on the other side of the bridge?"—No.

30,625. Will you swear you did not?—Yes.

30,626. I will read you what Mr. Evens has sworn "here?—*A.* Then there was another man, John Corney. "*Q.* What did you give him?—*A.* I should tell you I "was in the 'Seven Stars' and very near his own "house. I met him in the room and asked him whether "he would oblige us by voting for Mr. Dunn. He said "'Mr. Evens, I do not wish to vote at all.' I said, 'If "you can oblige us by voting for Mr. Dunn I have no "doubt I can get you a present.' He said, 'I really must "repeat the desire I have of not voting.' I said, 'Well "if you think proper to keep your word, I will make "you a present of 30*l.*' He said, 'Mr. Evens, if I think "proper of voting I can get a very handsome sum on "the other side of the bridge'—*Q.* Is John Corney "alive now?—*A.* Yes. *Q.* If he thought proper he "could got a handsome present on the other side of the "bridge, you know what he meant by that?—*A.* Yes, "the 'Seymour Hotel' of course. *Q.* Did he vote?—"*A.* Well, I should say I paid in the evening—left "30*l.* with his daughter at his house. The next morn-"ing, the first thing I heard when I arrived at the "committee-room was that John Corney had been and "voted against us; I immediately put my hat on my "head and went over and demanded the money of the "daughter, and succeeded in getting it."

30,627. Did not you tell Mr. Evens you could have a handsome sum the other side of the bridge?—No.

30,628. When did you make up your mind to vote for the Liberals?—The evening previous to the election.

30,629. Whom had you seen just before you made up your mind?—No person.

30,630. Where had you been?—No place at all—Yes, I called in at the "Seymour Hotel" in the evening.

30,631. Whom did you see at the "Seymour?"—The room was full.

30,632. Whom did you talk to there?—When I went I saw Mr. Brooking Cuming, the first I saw, and I told him I had come to promise him my vote.

30,633. How much did you get for doing it?—Nothing at all. I am on my oath, and I say I got nothing.

30,634. Do you mean you got nothing for Mr. Mills or Gifford at that election?—I do mean it.

30,635. Neither before or after?—No.

30,636. No promise?—No promise of any sort.

30,637. When did your son get the situation in the post-office?—Some years ago, 12 or 13.

30,638. After or before this election?—Before this election.

30,639. You told us the reason you were not going to vote at the election of 1859 was because there were particular circumtances with regard to Mr. Brooking Cuming, that you had made an application for a situation for your son, and that you waited so long; you did not think it right and you determined to retaliate. In 1859 you had not got the situation?—That is not the same son.

30,640. Did the son for whom you asked the situation get it?—No.

30,641. What is he doing now?—He is working his trade now.

30,642. What is his trade?—A shoemaker.

30,643. What did Brooking Cuming say when you promised your vote?—I can scarcely say; he thanked me.

30,644. Who was there?—Several in and out of the passage of the hotel, but I cannot particularly name any one individual.

30,645. (*Mr. Coleridge.*) Did you go to Mr. Parnell's house that night?—No. If you will allow me to state a little circumstance connected with that—at the time of pressing me to vote for the Conservative party he offered me 40*l.* instead of what he has already told you, and I told him in answer to that, if I were inclined to vote for the Conservative party I could have a much larger sum than that, as I have told you what Mr. Heath's offer was. That is what I alluded to in that case, nothing about on the other side of the water.

30,646. What did Mr. Cuming promise you?—Nothing at all.

30,647. Did you get a present after the election?—No, I have not had anything at all.

30,648. (*Mr. Bere.*) Where you at that time parish clerk?—Yes.

30,649. Of this church?—Yes.

30,650. (*Mr. Longe.*) When was it you had the vote and did not vote. You told us at some election you did not vote—you were a voter but did not vote?—I made a mistake there and I told you I did not, but you will find I did go and vote afterwards.

30,651. That is a great difference; were you parish clerk at that time?—Yes.

30,652. (*Mr. Bere.*) What salary did you get for that?—None.

30,653. Nothing but the fees?—No.

30,654. Then you are not the parish clerk to whom this placard alludes:—"A parish clerk of a small "borough between Exeter and Plymouth was so struck "about the bribe he received for voting for Mr. Mills, "that he was unable for some time to proceed with his "duties at church." Are you that parish clerk?—I suppose so, but still I think I did fulfil my duties.

30,655. Did you get a bribe from Mr. Mills?—No, I did not.

30,656. How long did you stay at the "Seymour" that night?—Till between 11 and 12.

30,657. What time did you go down?—Between 8 and 9.

30,658. You stayed there two or three hours?—Yes.

30,659. During that time did you talk with some of the voters about their votes?—No, I never took any active part.

30,660. (*Mr. Longe.*) Mr. Barter is a brother-in-law of yours?—Not this Mr. Barter here.

30,661. You have a brother-in-law of the name of Barter?—Yes.

30,662. What are his politics?—Liberal.

30,663. Was he in Totnes at the election of 1859?—No, not to my recollection he was not; I never saw him at any election.

30,664. Are you sure that he was not here at that election?—That I would not swear to, I might be mistaken about it.

30,665. Will you swear that you had no money at that election?—Yes I will, I can on my oath and I will swear I never had a penny except the 25*l.*

30,666. (*Mr. Coleridge.*) What did your daughter get to console her for the 25*l.* returned?—Nothing.

30,667. Did she tell you she stuck to it as long as she could?—I was not at home.

30,668. You knew it was there?—Yes.

30,669. Your daughter had shown it to you?—Yes.

30,670. You told us you had sent it back—did you tell her to send it back?—You do not understand me, I was absent when the money was brought.

30,671. You had seen it?—Yes.

30,672. Evens called in your absence and demanded the money when he knew you voted the wrong way?—The following morning.

30,673. You had not given instructions to your daughter to return the money?—Yes.

30,674. What did you tell her?—If Evens came for it to give it back.

30,675. But if he did not come, to keep it?—I took it back.

30,676. Evens has sworn he went and got it from your daughter?—Evens was not at home when I went to his house.

30,677. You took the money, and not finding him at home brought it back and gave it to your daughter?—Yes.

TWENTY-SECOND DAY.

J. Corney.

19 Sept. 1866.

30,678. Why did you give it to your daughter?—I went to vote and I told her to give it to Evens if he came back.

30,679. Did you tell Evens anything about it?—I had not seen him.

30,680. Evens came without instructions from your daughter, and your daughter gave it to him?—Yes.

30,681. You swear that you took it the night before and found him out?—The same morning.

30,682. (*Mr. Bere.*) Mr. Evens called at your house and got the money?—So he did.

30,683. (*Mr. Longe.*) When you went to Evens did you see anyone?—I saw the servant.

30,684. Did you see anyone you could have spoken to?—No, I did not.

30,685. Where did your daughter get the money from when Evens came?—She had it with her.

30,686. (*Mr. Coleridge.*) How was the 25*l.* made up on the other side?—Not at all.

30,687. Did you tell the other side that you had returned that?—I did not know it was sent.

30,688. To whom did you tell that you had to give the 25*l.* back?—I do not know.

30,689. Did you tell Mr. Brooking Cuming?—No.

30,690. Mr. Parnell?—No.

30,691. Whom was it you told?—I do not know.

30,692. Who was your confessor to whom you confessed your intended delinquencies?—I did not tell.

30,693. Do you mean you did not tell them that you intended to vote for the Conservative side but changed your mind?—I might.

30,694. Was it Mr. Brooking Cuming?—No.

30,695. Who was it then?—I do not know.

30,696. Who was more likely? To whom did you talk at the "Seymour?"—Several persons.

30,697. Was Mr. Parnell one?—No, I think not.

30,698. Whom did you speak to—Mr. Thomas Jacob Searle?—No.

30,699. Mr. Huxham?—No, I think not.

30,700. Mr. Jeffery Michelmore?—I do not know.

30,701. You say it was not Mr. Parnell; how do you know it was not him?—I do not recollect seeing him.

30,702. If you recollect the persons you did not see, surely you can recollect the persons you did see?—There was several sitting.

30,703. Who were they?—I can recollect one person, Mr. Bennett, the watchmaker.

30,704. Did you tell him of your intended abstinence from voting?—He knew that before.

30,705. He knew that you had 25*l.* from the other side?—No.

30,706. What did he know?—He came past my house when Evens took the money in there, and he saw a person enter my house directly after Mr. Evens—Mrs. Thomas; she had no very great liking towards Mr. Evens, and she abused him for coming in and tampering with me, and when she got Evens out she ascertained from my daughter the contents of this.

30,707. Mrs. Thomas came and cross-examined your daughter?—I do not know about that.

30,708. You were not in the house?—No.

30,709. Your daughter told Mrs. Thomas that she had got a bribe from the Conservative side?—She knew nothing about that.

30,710. What was it for?—She had no idea.

30,711. How old is your daughter?—About 23.

30,712. What did Mr. Evens tell her the money was for?—Evens told her it was for her father, and she was to give it to him when he came home.

30,713. She knew what Mr. Evens was?—I do not know.

30,714. Mrs. Thomas came and wormed the secret out?—Yes, I think so.

30,715. Was that the reason you went to the "Seymour," because it got known?—No, not at all.

30,716. What was the conviction that came over your mind that made you determine not to take the 25*l.*—I thought I had been wrong by agreeing to take the 25*l.*

30,717. How long did it take you to think about that?—The following day.

30,718. What had occurred to make you change your mind?—Nothing.

30,719. Whom had you talked to about it?—No person.

30,720. Had Mrs. Thomas talked to you?—No.

30,721. Had Mr. Bennett said it was a shabby trick?—No.

30,722. What did he say?—He came past the house and saw Mrs. Thomas go in.

30,723. Did Mr. Bennett come and tell you that he knew about it?—Yes; he said there was a row at my home; that Evens had been and left some money, but he did not know the amount.

30,724. What else?—I do not know.

30,725. What did you say?—I forget.

30,726. I suppose you were ignorant about it and did not pretend to know that it was coming?—I did know.

30,727. But you did not tell Bennett?—Yes, I think so.

30,728. In the "Seymour Arms?"—Yes, I knew it was coming, and I had no hesitation in saying so.

30,729. Do you mean to say you took this money and went and blurted out all about it in the opposite camp directly?—No.

30,730. What occurred between the time you saw Bennett and the returning of the money to make you change your mind?—Nothing but pure conviction.

30,731. Conceive the position of the thing. You go straight to the "Seymour Arms," after the money has been paid to your daughter, and at that time you had not made up your mind to vote for the Liberals?—I went to the "Seymour Arms" before.

30,732. Was it not there that Bennett came and told you about the row?—He came afterwards.

30,733. You went to the "Seymour Arms," knowing that money was going to your house to prevent your voting for the Liberals?—I went to promise my vote as usual.

30,734. But you say that you had gone there before the money was paid?—I had.

30,735. You were expecting to be paid before you received the change of mind?—I scarcely thought that Evens would have left it without seeing me, and if I had seen him I would have declined.

30,736. (*Mr. Bere.*) Supposing the 25*l.* had been paid by Evens, and it had been kept in the dark, would you have voted at all?—I should.

30,737. Was it not the discovery made by Mrs. Thomas that made you vote?—I made up my mind.

30,738. Before Mrs. Thomas knew?—Yes.

30,739. You did not know it was so till Mrs. Thomas told you?—I knew it was coming at that time.

30,740. How much did you owe Mr. Mitchell for leather?—About 70*l.*

30,741. Did not you pay that after the election?—No, he has never been paid.

30,742. Did you pay any party at that time?—No.

30,743. He let you off because you voted?—No.

30,744. (*Mr. Longe.*) Had you no conversation with Mr. Mitchell about it?—No.

30,745. Was he there?—I did not see him.

30,746. (*Mr. Coleridge.*) Did you not know that he was there?—No.

30,747. How long have you owed him that money?—It was a running account.

30,748. (*Mr. Bere.*) You owed that 70*l.* over seven years?—It was a running account for 20 years.

30,749. How much did you pay off? Do you owe him 70*l.* now?—No.

30,750. How much did you pay him?—The fact was, I became unfortunate in the way of rent.

30,751. Have you ever paid one farthing of the 70*l.*?—Yes.

30,752. When?—I think he has had about 10*l.*

30,753. Have you a receipt for it?—No, it was left in Mr. Kellock's hands.

30,754. The 10*l.* he had and the 60*l.* was forgiven you for voting for the Liberals?—No.

30,755. Do you know if Mr. Mitchell has been paid for it by anyone else?—No.

30,756. Has he pressed you for that sum?—No.

30,757. Don't you know that Mr. Mitchell has been paid by someone else?—No.

30,758. Has he never told you that someone has wiped off the book?—No.

30,759. Do you expect to pay him?—I do not suppose that I shall have it in my power.

30,760. When did you become unfortunate?—Three or four years ago.

30,761. Then three or four years before you were unfortunate this money was still owing?—Yes.

30,762. Did he ask you to pay it in the interval?—No.

30,763. You know that Mr. Mitchell has been paid the money?—I do not; I am on my oath, and I do not know.

30,764. Do you believe if he had not been paid the money, or received security for the money, that he would not have asked you for it during the three years?—I will tell you. The fact was that at the time that I became unfortunate and was sold out for rent, knowing that it was not in my power to pay, he agreed to take 10*l.* for the whole debt.

30,765–6. Did he tell you how much he received of the debt before he got the 10*l.*?—No.

30,767. During the three years between the debt accruing and your being unfortunate he never asked you for the money?—I was continually dealing with him and paying him money from time to time.

30,768. (*Mr. Longe.*) Do you know Mr. John Reed Fogwill?—Yes.

30,769. He is a Liberal?—Yes.

30,770. At that election of 1859 did not he pay you to vote for the Liberals?—No.

30,771. Will you swear that?—I can swear that I never had a penny in my life.

30,772. Did he not speak to you at that election about your vote?—I do not think he ever did.

30,773. (*Mr. Coleridge.*) Was that George Mitchell, the currier?—Yes.

30,774. (*Mr. Longe.*) Did he not speak to you about your vote at the election?—Do you mean previously to the election?

30,775. Yes?—No, he never did.

30,776. Did not you deal with Mr. Andrews?—I do now.

30,777. You get leather from Mr. Andrews?—Yes.

30,778. What are his politics?—I believe they are Liberal.

30,779. During the 1859 election did not you owe Mr. Andrews a large sum of money for leather?—I did not deal with him.

30,780. Did you not owe him a large sum of money?—No.

30,781. (*Mr. Bere.*) Is your daughter alive?—No.

30,782. Did your daughter tell you what Mrs. Thomas said to her?—I really do not recollect.

30,783. Yes you do; just try?—I cannot recollect, but I do not know that she said anything particular.

30,784. Did John Reed Fogwill live near you?—Not far from me.

30,785. Were you intimate with him?—No.

30,786. Had you to go occasionally to his house?—Never, except on business.

30,787. Were you ever there on business?—Yes, I have been.

30,788. Did you get money paid on business?—I might have paid him money or he might have paid me money.

30,789. How much did he ever pay you?—It was a simple transaction between me and him, it would not amount to 3*l.* in the year.

30,790. How much did he have at one account?—I do not know.

30,791. Was it not a much larger balance than 3*l.*—No, not 3*s.* I think.

30,792. Did not you get a sum of money once from him through a door?—No.

30,793. Quite sure about that?—Yes, I am quite; I never had it from anybody.

30,794. I do not mean that you saw the hand that gave it to you, but did you go to John Reed Fogwill's house on business?—No.

30,795. Nor at his office. He had an office on the Plains?—No, I think not.

30,796. At a house belonging to a Mrs. Gill?—I did not know that he had an office.

30,797. Did you know that Mrs. Gill lived on the Plains?—I did know.

30,798. And that John Reed Fogwill occupied a room in her house?—Not to my knowledge.

30,799. Did you see John Reed Fogwill there?—Not to my knowledge.

30,800. You must remember?—I may say that I never did.

30,801. Did you ever get money at Mrs. Gill's?—No.

30,802. Was she a customer?—Yes.

30,803. Did you go to get the bill paid?—It was never paid to this day.

30,804. Was it a large bill?—No, about 11*l.*

30,805. Did you go and talk about the bill?—Yes, I think I have been down, but not at election times.

30,806. At other times on business at all?—I have made application for the money.

30,807. Did you not once get paid some money?—Not to my knowledge. I might have received some money on account of the bill when I have called.

30,808. Did you not receive money on account?—I do not recollect.

30,809. Is it that you do not, or will not?—I do not. I would tell you if I could recollect the fact.

30,810. You never got money at Mrs. Gill's house at any time?—No.

30,811. That you swear?—I might have received money on account as I did from year to year.

30,812. How much might you have received, 10*l.*?—I never received so much.

30,813. Do you remember receiving 5*l.*?—No, in fact I do not think I ever received money from there.

30,814. From whom did you get it?—What money?

30,815. The money you got at Mrs. Gill's?—I never got any.

30,816. You said you did?—I might have received money at her house, or she might have called at my shop and paid it.

30,817. The money that you might have received, how much was that?—I cannot at all tell you.

30,818. Do you think you can remember by to-morrow morning what Mrs. Thomas said to your daughter, but don't talk to Mrs. Thomas about it?—If I had my daughter living I might be able to tell you.

30,819. Did Mrs. Gill have the same house as Mr. Smale?—Yes.

30,820. You won't tell us any more?—I have told you the whole truth.

30,821. There is something at the bottom?—Then you might find it out. You find it out of others.

30,822. (*Mr. Longe.*) Were you at Mrs. Gill's house during the election?—Yes, I daresay I was.

30,823. What were you there for?—Merely as an acquaintance.

TWENTY-SECOND DAY.

J. Corney.

9 Sept. 1866.

30,824. What did you go for?—I do not know.

30,825. Whom did you go and see?—There were plenty in and out.

30,826. There was a great deal going on?—Yes.

30,827. Who were those people there?—I do not know.

30,828. Yes, you do?—I do not know.

30,829. What do you mean by saying there were a great many people in and out?—She had a variety of friends.

30,830. Whose house was it at that time?—I really do not know who was the owner.

30,831. Who occupied it?—Mrs. Gill rented the house.

30,832. What was she at that time?—I could not say a widow, but she was living there with her family, and her husband was abroad.

30,833. A private person?—Yes.

30,834. Then what do you mean by saying there were a great many persons in and out?—There is at electioneering times.

30,835. Do you mean that the people were merely friends?—I do not know.

30,836. Do you not know that there was a committee-room for the Liberals there?—There might have been, I do not know. I know there was a committee-room during Mr. Smale's residence.

30,837. But at that time did you not know that people went in and out on election business?—No, I assure you I do not. I do not know anybody that did, and I do not think it was a committee-room. I think the committee at that time was at John Fogwill's house.

30,838. Was not John Fogwill at Mrs. Gill's house?—That I cannot say.

30,839. You knew Mr. John Fogwill?—Yes, and I think you will find that the committee-room was at John Fogwill's house, or at Mr. Bowden's.

30,840. Did you meet Mr. John Fogwill at Mrs. Gill's?—No.

30,841. Do you know whether John Fogwill was one of the persons that went in and out?—I do not know. I do not recollect seeing Mr. John Fogwill there at all.

30,842. (*Mr. Coleridge.*) Did you get any money from Mr. John Fogwill after the election?—No, I never got a penny.

30,843. (*Mr. Longe.*) You got some consideration? Did not your daughter get something from Mrs. Thomas?—No.

N. Manning.

NICHOLAS MANNING sworn and examined.

30,844. (*Mr. Coleridge.*) I believe you rejoice in a nick-name in this place?—I do not rejoice in it.

30,845. Are you the gentleman we have heard of as two yards of bad stuff?—I am beyond six foot.

30,846. How long have you been a voter?—The first time I voted in this borough was just after the passing of the Reform Bill.

30,847. In 1852 you voted?—Who were then the members?

30,848. Baldwin and Mills.—When Baldwin was thrown out I had no vote.

30,849. In 1852 do you recollect getting 50*l.* for your vote?—Never.

30,850. Did you vote in 1857?—Who were the candidates.

30,851. Mackenzie, Gregory, Lord Gifford, and Mills.—I think I did.

30,852. What did you get for your vote?—I never got a shilling, and never asked for anything.

30,853. Did you get money for your brother?—Never.

30,854. Something that Mr. Yabbicom had to do with?—I do not know.

30,855. What was the transaction?—I do not know.

30,856. It is not true that you got a sum of money for your brother?—Certainly not; I deny it.

30,857. Did you know that your brother was having it?—I did not.

30,858. In 1859 how did you vote?—Who were the candidates?

30,859. At Dunn's election?—Yes.

30,860. How did you vote?—I voted for Dunn.

30,861. What did you get?—Nothing. I never got a shilling.

30,862. In 1862. Dent's election, were you on Dent's committee?—I was.

30,863. There was a great deal of money going then?—I dare say there was.

30,864. You could not be on the committee without knowing that there was money?—I never paid it or received it.

30,865. As a committeeman, what sum of money do you know that he was prepared to pay?—I think a couple of thousand pounds.

30,866. Did not you know it was 3,000*l.*?—No.

30,867. Did Mr. Mitchell?—I do not know.

30,868. You were on the committee, can you tell us when it was that Mr. Dent determined not to go to the poll?—I suppose when he saw there was no chance that was up to 3 o'clock.

30,869. You were present and an active committee-man, what were the reports brought you by the divers Evenses and Screaches and these people as to the chance at last?—It was up to the last day we thought we had a chance; but there were some parties that promised to vote for Mr. Dent and altered their minds.

30,870. How many persons had you been told you would be required to pay on Mr. Dent's side to carry the election?—I cannot tell you.

30,871. About how many?—Perhaps ten or a dozen.

30,872. Altogether?—That expected to be paid do you mean?

30,873. Yes?—We know full well in all those elections there are parties who will not vote.

30,874. You were assisting as a committee man; how many were reported to you as requiring money?—Many, I cannot tell you the number.

30,875. Were you told there were 100 people who would require money to make Mr. Dent's election safe?—I do not think there were 60.

30,876. To carry the election?—Yes.

30,877. What was reported to you as the current price that would be required?—I never heard the sum I have heard it by report that such and such an one had got so much, but I knew no more in reality.

30,878. Do you mean by reports from Evens and Screach and various people?—Various reports we used to hear, that such a man would not vote unless he got so and so. I never was told that by the members.

30,879. You were one of the members of the committee employing a certain lot of people to bribe, what did you hear from them as the price at which votes were going?—I never took a minute account of it. I never went in to know the exact amount that each man would require; that was on the Liberal side.

30,880. From what you heard from the reports of people employed by you, what was the price generally of votes then?—I heard some had 50*l.*, and some asked 60*l.* and others expected 150*l.*; that was through the reports.

30,881. From these reports that were brought to you from time to time, what did you advise Mr. Dent was the requisite sum of money for him to spend?—I

recollect his saying "I will not spend any more money whether I am elected or not."

30,882. What had he spent when you gave your advice ?—I cannot tell what. It was so evident there was such a strong party against us that we could not compete.

30,883. What did he tell you he had spent ?—I cannot charge my recollection with that.

30,884. As far as you can recollect, will you tell me what it was he said he had spent at the time when he was advised to spend no more ?—I think he had spent upwards of 2,000*l.*

30,885. That he had spent upwards of that, or that there were some promises up to that amount ?—I do not suppose they were all paid.

30,886. On a calculation of what was to be paid, 2,000*l.* would go a very little way on your own showing. I merely want to know this, do you mean that Mr. Dent actually had spent 2,000*l.* in 1862 ?—I considered he did ; I am not certain.

30,887. Separate in your own mind these two things, not what he had undertaken to pay, but what the election of 1862 really cost him ; do you believe it cost him 2,000*l.* ?—I daresay it did ; I am not positive, I have not gone into the figures with those parties I was assisting who would understand those things and enter more minutely into the question than I did.

30,888. Did you ever hear from Mr. Dent that he had asked Mr. Pender for 2,000*l.* as the price of his withdrawal after he found it hopeless ?—I never heard such a thing.

30,889. Was it never discussed in the committee-room ?—I never heard it discussed there.

30,890. Did you ever hear it mentioned by Mr. Dent or Mr. Mitchell that if he withdrew then and allowed Mr. Pender to win it would not have exceeded 2,000*l.* ?—It was never brought before me.

30,891. In 1863 were you again on Mr. Dent's committee ?—I was a member then.

30,892. Dent and Seymour ?—Yes I was.

30,893. What money did he spend at that time ?—I cannot possibly tell you now.

30,894. You knew at the time ?—Yes, I knew at the time.

30,895. Was it 10,000*l.* ?—There was plenty of money.

30,896. Was it 10,000*l.* ?—I should not fancy any such sum.

30,897. Was it something between that and 5,000*l.* ?—I should not fancy it was 5,000*l.* I cannot go into the figures to swear to it.

30,898. You heard of the thing at the time ; what was it Mr. Dent said that he had spent at the election ?—I do not know that I have heard him name the sum.

30,899. Did you ever hear Mr. Mitchell excessively angry and say he had been swindled out of such and such a sum ?—I know he went away very much displeased, and I do not wonder at it.

30,900. Did he tell you what it was the election cost Mr. Dent ?—I do not think he told me.

30,901. Did not either Mr. Mitchell or Mr. Dent tell you between the 1862 and 1863 elections Mr. Dent had spent 10,000*l.* ?—I never heard that amount.

30,902. You acted twice on Mr. Dent's committee ; were you paid ?—Never, I never had a 6*d.* in my life on it.

30,903. What arrangement was made as to the payments to Screach and Evens and others who went out ?—I do not know.

30,904. Was it not arranged by the committee ?—I suppose so, I have no recollection of what they had.

30,905. What were they to have ?—They were not to have anything ; they were pressing to be employed.

30,906. People were employed by Mr. Dent to go and circulate money besides Frederick Evens and Screach ?—I do not know of anyone person. Persons have done it.

30,907. Was there not a stranger ?—I never saw him.

30,908. Were you told of it ?—I never saw him. I did not hear there was a stranger down.

30,909. Do you not know who was employed in addition to Screach and Evens in this distribution of money if there was not a stranger ?—I do not know at all, there are many parties who take active parts as well as Screach and Evens.

30,910. After the election, did Mr. Dent make you any present for your services ?—Not a farthing, I never asked any.

30,911. Nor Mr. Mitchell ?—I was not placed in a position to ask such a question.

30,912. Did he not make you any present ?—Not to the amount of 6*d.*

30,913. What part in the election of 1865 did you take ?—Nothing more than voted for them. I had nothing ; I passed people, and by way of a joke I hoped they would support Mr. Dent.

30,914. (*Mr. Bere.*) How many tenants have you ?—Five or six.

30,915. Who are they ?—Farley was one, he is not now, he has removed.

30,916. What is his christian name ?—William Farley.

30,917. The elder ?—No, the younger.

30,918. Who else ?—Behind him is Charles Pitts, and at the bottom of the garden again there is John Briggs ; that is three. Then of course there are two up at Bridgetown.

30,919. Who are they ?—Mr. Kelland, the schoolmaster, and Mrs. Manley.

30,920. Had you a tenant of the name of Veasey ?—I had.

30,921. How long has he ceased to be a tenant ?—I think three or four years.

30,922. Did you give him notice to quit ?—I did.

30,923. What did he rent under you ?—I think he had but part of a tenement, and now Briggs has got the whole.

30,924. How much was the rent ?—Not above 7*l.* or 8*l.* a year.

30,925. Did not he vote ?—I know he did vote.

30,926. Which way did he vote ?—I think on the Liberal side ; I really cannot tell you, I think it was on the Liberal side.

30,927. Did you not turn him out because of that ?—No, I did not.

30,928. How long after that had he the notice ?—We had had other unpleasantnesses before he quitted.

30,929. How long after he voted for the Liberals did you give him notice to quit ?—I cannot tell you.

30,930. Was it Lady-day tenancy ?—Lady-day or Christmas, I cannot tell which.

30,931. When did you give the notice ?—Six months from the time that he took possession.

30,932. When was it that you gave the notice ?—Whether it was Christmas or Lady-day I cannot tell you now.

30,933. Whom did you give it to to serve ?—I sent it by a boy ; John, the schoolmaster's son.

30,934. Are you sure it was not Mr. Robert Harris who served it ?—I cannot say for certain. I will not swear who it was, my memory is not sufficient.

30,935. How many tenants have you ever turned out ?—Never but one ; Mr. Farley gave me notice to quit.

30,936. Was he the only one that ever voted against you ?—I do not know ; I never asked him to vote ; they vote for whom they please.

30,937. I ask you, was not Veasey the only tenant you ever had who voted against you ?—Mr. Kelland always voted against me.

TWENTY-SECOND DAY.

N. Manning.

19 Sept. 1866.

30,938. When?—At the free election.

30,939. What lease has he got?—He is a yearly tenant.

30,940. Is it your own house at Bridgetown?—It is.

30,941. Not a leasehold house?—A leasehold house.

30,942. Your own life?—No, so many years.

30,943. From the duke?—Yes, from the duke; and Mr. Manley is the same. I have two houses also on the Plains.

30,944. Who are your tenants there?—One is an excise officer.

30,945. Has not every one of your tenants been bribed?—I do not know at all.

30,946. Do you not know that every one of your tenants has been bribed?—I never asked them the question.

30,947. Do you not know that every single one of your tenants has been bribed?—No doubt; I have heard it from other people; perhaps they have been so.

30,948. You took care never to ask them?—I never asked them; they vote for whom they please.

30,949. You say you never intimated to the persons who had the distribution of the money at the elections that your tenants must be remembered?—Never; I should never have thought of such a thing, I never went to introduce them, nothing of the kind. They asked, "who were tenants of mine—would I go with them," I said, "No; some one will show you to them."

30,950. (*Mr. Longe.*) In 1863 did you not tell Mr. Mitchell about your tenants; did you not have some conversation with him about your tenants?—Do you mean the Mr. Mitchell who came down with Mr. Dent.

30,951. Yes?—I daresay I might say I had such and such tenants, and so on, and he went to them to solicit their votes.

30,952. Did you go with him?—No.

30,953. Did you not tell Mr. Mitchell what your tenants required?—I never thought of such a thing.

30,954. Did you tell Mr. Mitchell that you and all your tenants would require 500*l.*?—I never asked him; I never named 500*l.* in my life.

30,955. Did you tell Mr. Mitchell that you and all your tenants would require 500*l.*?—I never asked him; I never named 500*l.* in my life.

30,955*a*. Did you tell Mr. Mitchell that your tenants would require some money?—I never asked such a thing, I never named such a thing; I am on my oath. I never thought of such a thing; I have heard the same story before, and I do not take the trouble to contradict it.

30,956. (*Mr. Coleridge.*) Did you ever send anything to Mr. Pengiley?—Not a farthing, I am not in the habit of talking to him. Which Pengiley do you allude to.

30,957. Which of the Pengileys is it you have been in the habit of talking to?—Neither of them.

30,958. (*Mr. Bere.*) Did they ever send any money to you as a bribe?—Never a 6*d.* in my life.

30,959. For your services?—No, I never asked it.

30,960. You did not ask, were you asked?—I never received it, and that answers both questions.

30,961. Did you ever have any money paid you for your services?—Never a farthing in any shape whatever; no remuneration, no fee, no place, no pension, nothing of the kind.

30,962. Or for your brother's services?—Never.

30,963. (*Mr. Coleridge.*) Have you got a brother?—I had.

30,964. Did you and he have a fall out by his saying he had not got any of the money you got?—Never.

30,965. (*Mr. Bere.*) Did you return to him any of the 50*l.*?—I never had any to return.

30,966. Did your brother have any?—I do not know, I cannot answer for my brother.

30,967. Was there not a quarrel between you and your brother about whether you had not received 50*l.* and only paid him 20*l.*?—I had a quarrel about other affairs.

30,968. Had you a quarrel about that?—Never.

30,969. Any about a payment of money?—Never.

30,970. Do you mean quarrels about money matters?—Yes, he had scores of pounds of me that I never got back.

30,971. Was it you received 50*l.* for him?—Nothing. Alluding to that, the money I had actually paid for him I never got; his circumstances were such that he had scores, and I do say I am hundreds out of pocket by him; but he was my brother and I did it for his good, I was not alluding to him at all.

30,972. Was it not that your brother accused you of having received some sums for him which you kept fast?—Never.

30,973. Did he accuse you of it?—Never in his life.

30,974. What was the quarrel?—He had a deal of money of my father; I was my father's executor.

30,975. Do you know the Rev.—Brough?—I do, he is in court now.

30,976. (*Mr. Longe.*) You went up to London in 1839 to the scrutiny?—Yes, I did.

30,977. What did you go up for?—I do not know more than you; they never asked me a question; he investigated the matter and it was settled.

Adjourned till to-morrow at half-past 10 o'clock.

TWENTY-THIRD DAY.

Thursday, 20th September 1866.

TWENTY-THIRD DAY.

JOHN PARNELL recalled and examined. *J. Parnell.*

20 Sept. 1866.

30,978. (*Mr. Bere.*) How came you to go to Crawford at all?—I do not know.

30,979. Who was it sent you?—I told you at first that no one sent me, and I had told him two months before that I should come. What I tell you is the truth; I do not want to tell a lie about it if I know it, and if anybody sent me I would tell you.

30,980. It is rather an odd thing that you should be induced to go and canvass a man of whom you knew but little?—He had worked on my place.

30,981. How many years had you known him?—20 years.

30,982. Had you employed him?—Yes, in my place.

30,983. Did you happen to owe him any money at the time?—No.

30,984. Nor he you?—No.

(*Mr. Bere.*) Circumstances have come to our knowledge which make it doubtful whether your account of the transaction is the true one, or the account of two other witnesses; therefore, we shall consider at the end of the Commission whether we shall report what happened yesterday. At present you are discharged from attendance here.

JOHN PEARCE recalled and examined. *J. Pearce.*

30,985. (*Mr. Bere.*) Where do you live?—At Totnes.

30,986. What part?—Behind the walls.

30,987. What are you?—Cowkeeper and dairyman.

30,988. You were examined on Saturday?—Yes.

30,989. Did you tell us all that you knew about the elections then?—Not all

30,990. Will you tell us now what you remember?—Yes.

30,991. What is it?—I brought to my recollection at the time that Pender put up, I did not say that I had 20*l.* at the time, and that my mistress received 10*l.*

30,992. When Pender and Dent stood?—Yes.

30,993. Then you had 20*l.*?—Yes; and my mistress received it from Mr. Parnell, and he came again and brought 10*l.*

30,994. Then your mistress had 30*l.*?—Yes. That is all I can say.

30,995. Had you 25*l.* in 1859?—Who was it then?

30,996. Dunn?—No.

30,997. Take care?—I explained it the other day, and I will explain it again.

30,998. When did you first remember that you had this money from Pender?—When I went home, my mistress said I had not said right, because I was confused, and I got a little warm, and I thought it was rather hard that I should be said to have what I had never had, and I can bring proof of it.

30,999. You voted in 1865?—Who was that?

31,000. Pender and Seymour?—I always voted that side.

31,001. What did you get for voting the last time?—Nothing, not a farthing. I have come to tell the truth.

31,002. So you told us the last time, and you did not tell us the truth?—I acknowledge that I was rather hasty about being condemned wrongfully; but when I came home my mistress told me.

31,003. Is your wife at home?—Yes.

31,004. (*Mr. Coleridge.*) What did your wife get in 1865, at Pender and Seymour's election?—Nothing.

31,005. Did you get a present after the election?—No.

31,006. Did she?—No.

31,007. Who asked you for your vote?—Mr. Pender came and asked me for my vote.

31,008. Did you not see Mr. Parnell?—No.

31,009. He had paid you before, and he never came and called upon you?—No.

31,010. Did you not go to him?—No.

31,011. Your wife?—No.

31,012. Thomas Jacob Searle, did he come to you?—No.

31,013. Did you go to him?—No.

31,014. Did you meet him?—No.

31,015. Never had anything to say to him?—No, never in my life.

31,016. Mr. Michelmore?—No.

31,017. Did you know that money was going about?—Yes. If they like to give me anything they may, but I leave them alone.

31,018. How often have you been paid for your vote?—Three times.

31,019. 1859, 1862, and 1863?—Two, Mr. Mills, and one, Mr. Pender; that is three.

31,020. In 1860 you got this 30*l.*, and in 1862 you were paid?—Yes; that was the first time.

31,021. In 1863, did you get nothing from Mr. Seymour at all?—Nothing.

31,022. They struck you off the list?—Yes.

31,023. Nothing in 1863, and nothing in 1865?—No.

31,024. How was that?—I did not look for it.

31,025. The payment in 1862, without the contest, you thought equivalent to paying you in 1863?—I did not think about it.

31,026. When money was going, why did you not think about there being any share for you?—I did not.

31,027. Did not you make inquiries?—No. Mr. Pender came, and I said I would give him my vote, and he said, "I wish I could meet with all such men "as you."

31,028. Did not you promise Mr. Seymour your vote?—Yes.

31,029. Did you get nothing?—No. If I had, I knew I should be found out in a lie.

31,030. Were you offered anything?—Not a farthing.

31,031. Did the Conservatives try you?—I do not know whether Evens did not.

31,032. What did Evens offer you?—He talked to my mistress about 200*l.* He merely called.

31,033. That is Fred. Evens?—Yes.

31,034. When Evens offered that to your mistress, did not your mistress say she could have it from the other side?—No. He only came from Mrs. Deane's.

31,035. Was that where he saw your missis?—No, she lives on the opposite side, and he said, "I will go "over and see."

31,036. What had he been at Mrs. Deane's doing?—I do not know.

31,037. Did Mrs. Deane tell you what he had given her?—No.

31,038. Did you hear of anybody getting money at that election?—I do not interfere at all.

31,039. You knew that money was going about?—There might be.

31,040. Who told you that?—I do not know. There is always money in electioneering times.

TWENTY-THIRD DAY.

J. Pearce.

20 Sept. 1866.

31,041. You did not try to get any ?—No. That is the truth. I should have it against me if I had.

31,042. All you have come to add to your evidence is that you got 10*l.* in addition to the 20*l.* ?—Yes.

31,043. Was there an election of Mills at which you got money ?—I mentioned that.

31,044. How much was it ?—Two twenties.

31,045. Two twenties and a thirty ?—No.

31,046. At Pender's election you got thirty, and two twenties at Mills' ?—Yes.

31,047. (*Mr. Coleridge.*) Did you ever get anything for voting for the council ?—Not a farthing. I have always voted that side. I believe I did give Mr. Bovey a vote for the council. He was a good customer of ours ; and he asked me for my vote and I gave it to him.

N. Earle.

NICHOLAS EARLE sworn and examined.

31,048. (*Mr. Bere.*) Are you the brother of Wm. Earle ?—Yes.

31,049. Do you live with him ?—Yes.

31,050. Where is that ?—Brent.

31,051. Do you remember bringing your brother some money once ?—I was here with him once, and I had the money from John Heath.

31,052. Where did you get it ? — The "Seven Stars."

31,053. Were you and your brother together then ?—Yes, we were together, and Mr. Heath offered 30*l.*, and I went in and took the money.

31,054. What did you do with it ?—Carried it home.

31,055. And put it on the table ?—Yes.

31,056. And then his housekeeper took it ?—No, my brother took it up ; what he did with it after that I never inquired.

31,057. Are you in partnership with him ?—Yes, we are partners at home, but not about the country.

31,058. Is he a dealer as well as a farmer ?—Well, if we see anything we like to buy.

31,059. And you farm as well ?—Yes, and we take land about the country as well.

31,060. Have you a vote ?—No, never in my life.

31,061. Was that the only time you ever had any money for your brother ?—The only time I ever had any money for my brother ; he never voted for anyone, not to my knowledge.

31,062. How was the money paid to you, in gold ?—In gold.

31,063. Where was it paid, in a room at the "Seven Stars" ?—Yes, in a room to the right, down-stairs somewhere or other. Mr. Heath told me to go in and stop till he came.

31,064. Is it the smoking-room ?—No, further out in front somewhere.

31,065. A little room by the bar ?—I do not know where the bar is ; I turned round to the right.

31,066. On the ground floor ?—On the ground floor.

31,067. Who paid it ?—John Heath.

31,068. Was there anybody else in the room ?—No.

31,069. Was it in a bag or loose ?—He brought it to me and I told it over.

31,070. 30*l.* ?—30*l.*

31,071. You had made the bargain, you had not ?—We were both there, and Mr. Heath gave me 30*l.*, and I said I may as well take the money and have no more bother about it, and I went in and received the money.

31,072. What day of the week was it ?—Monday before the election.

31,073. Before the election on Wednesday ?—Tuesday, I think; the election was the next morning.

31,074. The nomination was the next morning, it was the last time ?—No, the time before, Mr. Dent's.

31,075. You do not know anything about the 40*l.* ?—No, nothing about any 40*l.*

31,076. That he was offered the last time by a young slippery gentleman, like a wire dancer ?—No.

31,077. Were not you at home when they came ?—No, I was out, I know nothing about that.

J. Stanning.

JOHN STANNING sworn and examined.

31,078. (*Mr. Coleridge.*) What are you ?—A farmer.

31,079. Where do you live ?—At Cott, Dartington.

31,080. Is that on Mr. Champernowne's estate ?—No.

31,081. Have you a vote for this place ?—Yes.

31,082. How long have you had it ?—About six years.

31,083. Are you a tenant of Mr. Carey ?—Yes.

31,084. Did you vote in 1859, at Dunn's election ?—No ; the first I voted for was Mr. Pender.

31,085. How did you vote then ?—For Mr. Pender.

31,086. Were you engaged about the election at that time ?—No.

31,087. Did you see any voters about it ?—No.

31,088. Who canvassed you ?—Mr. Pender.

31,089. Did you see Mr. Parnell ?—No.

31,090. Did you get anything for your vote in 1862 ?—No ; I never had anything.

31,091. Did you give any voter anything in 1862 ?—No.

31,092. Do you know a man called Marks ?—Yes.

31,093. Did you ever give anything for his vote ?—No, I never said a word about voting, never that I am aware of.

31,094. Have you a brother called Richard ?—Yes.

31,095. Do you know whether he had anything to do with Marks ?—No.

31,096. Is he a voter ?—No, I expect it must be my son.

31,097. Had your son something to do with Marks ?—No; Harris came one time and accused me of bribing Marks, and offering 200*l*, but it was no such thing.

31,098. When did Harris accuse you ?—Since he came from London.

31,099. Since this Commission ?—No, before; since he returned from London.

31,100. Where did he accuse you ?—At the "Plymouth Inn."

31,101. You met him there ?—Yes.

31,102. Did you deny it ?—Yes.

31,103. You had words about it ?—Yes, we did get rather crooked about it. I did not like it.

31,104. What did he tell you you had done ?—That I had offered him 200*l.*

31,105. Which election, 1865 ?—No ; I think it must be in 1863.

31,106. Seymour and Dent's ?—That must be it.

31,107. Did you offer that ?—No.

31,108. Did you offer any sum ?—No.

31,109. Did you offer to lend him any money ?—No.

31,110. Did he ever ask you to lend him any money ?—No.

31,111. How did you vote yourself in 1863, Seymour and Dent's, the one after ?—Then I voted for Seymour and Pender.

31,112. No, you voted for Pender in 1862 when Mr. Dent withdrew, and then about six weeks afterwards came another election, how did you vote then ?—Mr. Seymour.

31,113. Did you get anything for your vote that time ?—No.

31,114. Did you give anybody anything ?—No.

31,115. In 1865 I suppose you voted for Seymour and Pender ?—Yes.

31,116. And you got nothing then ?—No.

31,117. And you gave nobody anything ?—No, I did not require anything.

31,118. Then this story about Marks is not true ?—No, it is not true.

31,119. Had you any conversation with Marks that might account for this story getting about ?—Not that I am aware of.

31,120. Or with his wife?—No.

31,121. Or anybody else?—No, I know him very well, and saw him every day.

31,122. You cannot at all elucidate the foundation of this story?—No, I cannot; I know nothing about it.

31,123. (*Mr. Bere.*) Have you been talking to Mr. Carey about coming here to give your evidence?—Well, I might; I think I told him that I had to come in.

31,124. What did you tell him besides?—I do not know, but that they would find out that they had called one too much.

31,125. Did not you say to him you supposed you would be obliged to tell the truth?—Yes.

31,126. Have you told us all the truth?—Yes.

31,127. What is the size of your farm?—The one I live in is 23 or 24 acres; then I have other land.

31,128. How much altogether?—40 acres, I should think.

31,129. What is the rent of it?—Above 100*l.* a year.

31,130. Is your brother in partnership with you?—No.

31,131. What does he rent?—It is my son.

31,132. Is Richard your son?—Yes.

31,133. The voter is?—Yes.

31,134. How does he get a vote?—He has got some land at Gerston.

31,135. He is one of the Gerston men?—Yes.

31,136. Was he one of the 11 who voted for one field?—I do not know.

31,137. There were 9 or 10 who voted for one field?—That I am not aware of.

31,138. Has he ever had any cattle of his own to put on that field?—I am not aware of that, I think there were some stock there.

31,139. Does he not live with you?—Yes.

31,140. And works for you?—Yes.

31,141. (*Mr. Coleridge.*) Did you ever give him any money to buy stock?—He has had money to buy stock.

31,142. How many head of cattle has he got?—None at present.

31,143. I do not suppose that he pays any rent for the field?—I believe the rent is paid.

31,144. Who by, Mr. Michelmore?—No, there is a person appointed to take the rent.

GEORGE MITCHELL recalled and further examined.

G. Mitchell.

31,145. (*Mr. Bere.*) Used you to supply Corney with leather?—Yes.

31,146. At the time of the election in 1863 did he owe you a bill amounting to about 70*l.*?—It was rather over that.

31,147. How long had that bill been running?—Twenty years, I suppose.

31,148. How much has he ever paid you off that?—He paid me from time to time, I cannot tell you any more.

31,149. Had it ever been over 70*l.*?—Yes, it had.

31,150. How much above 70*l.*?—It is several years ago, I cannot recollect.

31,151. It is not so very many years ago, only four or five; was it ever as much as 100*l.*?—I do not think it was as much as that.

31,152. Was it not larger just before the election of 1863 than it ever had been?—No, I do not think it was, I am not aware of it.

31,153. (*Mr. Coleridge.*) When was it that he got into trouble?—Somewhere about 1863 I suppose, or 1862.

31,154. How much of that have you ever received?—I have received about 5*l.* and some few shillings, 5*l.* 2*s.* 6*d.*

31,155. Do you ever expect to get any more?—No, I do not.

31,156. Did you let him off the rest after that election?—I do not know anything about the election, it has nothing to do with my business.

31,157. Did you let him off that debt after the election of 1863?—Certainly not, it had nothing to do with the election.

31,158. As to the time when was it that you let him off the rest of the debt?—I let him off when I found I could not get anything.

31,159. When did you try to get anything?—I have been always trying to get what I could.

31,160. From 1860, when this debt began to accrue, to 1863 when he was unfortunate, how often had you pressed him for the money?—I called on him many times, he was in my debt for 20 years, I was glad to get what I could.

31,161. What time of the year was it when he was unfortunate, was it late or early?—I cannot tell you that.

31,162. Was it at the beginning of the year or the end?—I cannot tell you that.

31,163. You can get your books and find out?—I cannot find out by that.

31,164. Why cannot you?—He had not dealt with me for some time before that.

31,165. You can find out by your books when he stopped dealing with you, and when you received this 5*l.* odd for the debt?—I cannot tell you that.

31,166. When did you get the 5*l.*?—Last April.

31,167. He was bankrupt in 1863, and it has taken up to last April before you got the 5*l.* 2*s.* 6*d.*?—I think it was 5*l.* 3*s.* I had nothing from that time up to last April.

31,168. Had you been trying to get it?—I wanted to get it.

31,169. Did you ever ask him for it?—I asked him why he did not collect in what was on his books.

31,170. On your oath did you ever ask him for that debt between the time of his being unfortunate and the time of your getting the 5*l.*?—I had not to ask him.

31,171. Then who were you to ask?—Mr. Frederick Kellock.

31,172. His affairs were in Mr. Kellock's hands?—Certainly.

31,173. Shortly after the election of 1863 he was unfortunate, and became bankrupt, and put his affairs into Mr. Kellock's hands?—I suppose it was about that time.

31,174. How often have you asked Mr. Kellock about the money?—Many times.

31,175. Since 1863?—Yes.

31,176. What used Mr. Kellock to tell you about it?—That he could not get the money in.

31,177. What was the amount of his debts?—It was a very trifling affair, I believe, he did not behave well to me, though I never upbraided him with it since.

31,178. Was yours the only debt?—No.

31,179. Who were the others?—Mr. Quick, of Exeter.

31,180. What was his debt?—30s. or 2*l.*

31,181. Who was the other?—A Mr. East, another Exeter person.

31,182. How much was that?—About the same amount.

31,183. Then did he become bankrupt for his debt to you and two others of about 30s. or 3*l.*?—He was not bankrupt.

31,184. What was he?—He gave up his books.

31,185. He might not have gone through the Court, but to all intents and purposes he was a bankrupt?—I am not aware that he owed anything more.

31,186. Has any body else ever paid you the money which he owed you?—Certainly not.

31,187. Has Mr. Michelmore ever paid you?—Which Mr. Michelmore?

31,188. Any Mr. Michelmore?—Certainly not.

31,189. Have you received the amount from any person?—From no one.

31,190. Has any person given you a guarantee for it?—No; no guarantee.

31,191. Or any note of hand?—No note of hand.

TWENTY-THIRD DAY.

C. Mitchell.

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31,192. You mean that amount of money has yet to be paid?—I do.

31,193. That has never been recouped you by any one else?—Never. I never said a word to Corney about it, or asked him how he was going to vote.

31,194. (*Mr. Bere*). Did you happen to hear how he was going to vote?—No; I never interfered in it.

31,195. Did you hear how he was going to vote?—He has not had a vote since 1859.

31,196. Did you know at the time of the election in 1859 that he did not intend to vote at all?—I never knew anything about his voting, or how he was going to vote.

31,197. Did you ever hear that he had changed his mind, and voted for the Liberals?—After he had voted of course I did.

31,198. Did you not at first hear that he intended not to vote at all?—Certainly; I heard there was money left at his house to prevent him from voting.

31,199. When did you hear that?—After the election.

31,200. How long after the election?—A day or two after.

31,201. Will you swear it was not before the election?—It might have been before.

31,202. Will you swear you did not hear at the "Seymour Hotel," before the election, that the money had been left at his house?—I cannot swear when I heard it.

31,203. Did you ever threaten him, or press him for the money that he owed you, unless he voted for the Liberals in 1859?—Never in my life.

31,204. Nothing of the sort?—Never.

31,205. Did you supply him with any leather after the election in 1859?—Yes; I sold him things.

31,206. To what amount?—It may be 4*l.* or 5*l.* at a time. When he paid me money, I let him have other things.

31,207. How much money has he paid you since 1859?—Not very much.

31,208. You can tell that from your books?—I could tell from my books.

31,209. Then you must go and get them, and let us see your books, from 1857 down to the present time?—Well, if I must do it, I suppose I must.

Rev. J. Powning.

The Rev. James Powning sworn and examined.

31,210. (*Mr. Bere.*) Where do you live?—At Dart Villas.

31,211. How long have you lived there?—Ten years.

31,212. Have you been a voter during that time?—I first voted in 1859.

31,213. Have you voted for the Conservatives ever since?—Yes.

31,214. Are you a brother-in-law of Mr. Edmonds, the solicitor?—Yes.

31,215. Did you take a great deal of interest on the Conservative side?—Yes; a great deal.

31,216. Did you canvass any persons?—No.

31,217. Then how did you show your interest?—I do not know that I ever manifested any interest; I felt an interest, certainly.

31,218. Did you not manifest your interest rather strongly in the case of a man named Hannaford?—Certainly not.

31,219. What is the interest, if any, attaching to that case?—My neighbour, Captain Gill, has a son named Arthur Gill, who is a private tutor to some nobleman; he was down here at the time of Dent's election, and used frequently to go out shooting and fishing with Hannaford.

31,220. Was Hannaford Mr. Durant's gamekeeper?—No; he lives at the lodge near to the town.

31,221. Is that Mr. Durant's property?—Yes; he paid Mr. Durant for it.

31,222. He was a tenant of Mr. Durant's?—Exactly so.

31,223. In 1863, when Arthur Gill was down here, did he talk to you about Hannaford?—He had been out shooting with Hannaford, and he happened to join me when I was walking up the hill towards my house, and he said to me, "Hannaford declares he will not "vote for Seymour; if he stays at home, the Sharpham "party will oblige him to vote, and he wishes to go "away." Arthur Gill said nothing further to me.

31,224. What did you then do in the matter?—Nothing at all.

31,225. Did you speak to Mr. Edmonds?—No; Arthur Gill did.

31,226. Do you know where Mr. Gill is now?—No.

31,227. Is he a clergyman?—No; he was a private tutor to some nobleman; and when I last heard of him he was a classical tutor at some military college.

31,228. You heard from Mr. Gill afterwards, that Hannaford had had some money?—I did not hear it from Mr. Gill.

31,229. Whom did you hear it from?—I heard from Mr. Edmonds that he had money.

31,230. He is a pretty good authority; how much did he tell you that this man had?—That he had 200*l.*

31,231. And that he had gone away?—Mr. Edmond mentioned this to me some time subsequent to the election.

31,232. Did Mr. Edmonds tell you who had given it to him?—No.

31,233. After the election, did you meet Arthur Gill?—I ought to tell you that it was subsequent to the election. When Hannaford did not vote for the Conservatives, Mr. Edmonds spoke of him as being a very ungrateful fellow, for that he had received this amount and had not remembered the kindness which had been shown to him.

31,234. After Dent's election did you meet Arthur Gill, and did he tell you that he and Hannaford had been out shooting on the day of the election?—After Dent's election he gave me the whole account of where they had been, and all the circumstances.

31,235. Where had they been?—First of all to Cornworthy, where they remained a short time; and from thence to the Brixham Road station.

31,236. How far off is Cornworthy?—Four miles from here.

31,237. Did they stay at Cornworthy that night?—Yes; then they went to Torquay; and from Torquay they went to Teignmouth, where there was a professional bowler living, who was an old friend of Arthur Gill's; I do not know his name.

31,238. Was it Bentley?—I do not know his name; but whatever his name was he took charge of Hannaford, and on the day of the election Hannaford returned home and voted.

31,239. Which way did he vote?—He voted for Dent.

31,240. Did you see Hannaford on the day that he voted?—I saw him from the window of the "Stars," when he was going to vote

31,241. Did you see in what condition he was?—No; I heard he was in a state of intoxication, but that was clearly wrong, according to what I afterwards heard from two or three gentlemen whom I spoke to.

31,242. Did you speak to him yourself?—No.

31,243. Do you know how came his friend the bowler to let him go?—I think that Arthur Gill came over here with the bowler, and brought him here in his company.

31,244. Did you say anything to Mr. Edmonds about Hannaford before the election of 1865?—Not a word.

31,245. Had you known Hannaford yourself?—Previous to this occurrence he had occasionally worked for me in the garden; he used to do work of that sort I believe for every one in the same row where I live; there are only four houses, and he was a sort of handy man there.

31,246. Did you ever have any conversation with

Hannaford about it yourself at the time?—Not at all; I never mentioned the subject to him.

31,247. You had talked to Mr. Edmonds about it?—Subsequently.

31,248. Did not Mr. Durant turn him out?—He threatened to turn him out at the time, and I believe his wife was very indignant that besides the 200*l.* a house was not taken for them in the town, and furnished, in order that they might take in lodgers—I believe the house that Mr. Harris now lives in. They thought that the Conservatives were very ungrateful.

31,249. The Liberal party had been taken in by the Conservatives, but they went to Mr. Durant, and asked him to let the man stay; do you happen to know whether that was the case?—I have heard something about it; I think that Mr. Pender himself very generously wrote to Mr. Durant, and asked him to forgive the man. I believe Mr. Durant told me so himself.

31,250. Do you know anything about the correspondence between Mr. Harris and Mr. Pender?—I saw it in the paper.

31,251. Did not you see the letters before they were sent?—No, not one.

31,252. Did not Mr. Harris consult you about it?—No, neither of them did he consult me about.

31,253. About none of the letters?—No, I never saw either of the letters till after they appeared in the papers.

31,254. (*Mr. Coleridge.*) Did he ask you whether he should write or not?—No.

31,255. (*Mr. Bere.*) What happened between you and Mr. Harris as to the letters?—The only letter I know anything at all about was when he came with a letter of Mr. Pender's headed "Totnes Royal Com-" mission," a letter that appeared in the paper, and he asked me to read it over. I read it, and he said, "What do you think about it?" I said, "I think it "is a very unwise letter; I think it is a very foolish "thing to have written such a letter." I read the letter down, and I said, "For anyone that is at all "sarcastic, he has laid himself open to criticism." I merely went through the various points of the letter, criticising it, nothing more; and I never saw any answer, nor any copy, nor anything of the kind; in fact, I never saw it till the letter appeared in print.

31,256. Did you find that Harris had taken advantage of your sarcastic suggestion?—I do not know.

31,257. Did you find a great many things that you hinted at were taken up and used?—I dare say many of the expressions were identical.

31,258. (*Mr. Coleridge.*) Did he make notes of your observations?—He must have made mental notes.

31,259. Did he make notes?—No, I think not.

31,260. Are you acquainted with Mr. Dent at all?—Yes; a general acquaintanceship.

31,261. Did you know him before he came here?—No.

31,262. Did you know Mr. Mitchell before he came down?—No.

31,263. Are you aware of the letter written by Mr. Mitchell to the Duke of Somerset after the election of 1863?—No; I read the letter that was written during the election of 1863.

31,264. Was that written by Mr. Mitchell to the Duke of Somerset?—I always considered that it was written by him.

31,265. Did you see it?—After it was printed.

31,266. Who signed it?—I think it was signed "Scrutator."

31,267. Was it published in the form of a placard?—In the form of a handbill.

31,268. (*Mr. Harris.*) I had a copy of it?—(*The Witness.*) There were two or three letters published at that time, and one bore the signature of Mr. Robert Harris.

31,269. Do you know the letter of Mr. Dent that was published in the "Standard"?—Not from Mr. Dent, I think.

31,270. I want to find it out. Was it not answered by the Duke of Somerset?—I think not. I never saw any answer.

31,271. (*Mr. Coleridge.*) Do you know of Mr. Mitchell writing with his own signature, and getting an answer back upon the subject of the influencing?—No.

31,272. Nor Mr. Dent?—No; neither of them.

31,273. Is there anything you know more?—Nothing more; but I ought to say, with regard to those letters that you are asking about, as soon as the letter appeared it was criticised in one of the Plymouth papers, the "Plymouth Mercury," and there was a strong suggestion thrown out that it came from a clerical pen, and I understood who it was, and I am happy to have this opportunity of saying that I had nothing to do with it, and never knew about its being published until the letter was put into my hands; and there was another letter that I had credit for, which was a letter from Mr. Harris to Mr. Seymour. Mr. Seymour was in this hall, and he spoke rather disparagingly of Mr. Harris's personal appearance, and there was rather a strong letter published at the time. It was said that I was the author of that letter, but I was not.

31,274. (*Mr. Coleridge.*) Had Mr. Harris the advantage of taking mental notes on that occasion?—No.

31,275. When you saw the letter and answer to Mr. Pender, you thought it was your own production?—No, I did not indeed.

31,276. You said there were identical expressions in this which you had suggested to Mr. Harris?—Not that I had suggested to him.

31,277. The observations that you had made to him in his presence?—Exactly.

31,278. Which he had carried away?—No. I think if you saw the letter you would find that there are many expressions that I would not like to father.

31,279. And some that you would be obliged to father?—Some, no doubt, I made use of.

31,280. Only on that occasion you assisted him?—Yes; I was not aware that he had written any more letters.

31,281. What made Hannaford go against the Conservatives next?—He had been freely forgiven by Mr. Durant, and I am told he shed a great many tears, and expressed great penitence, and Mr. Durant told him that if he would follow the bidding of the Sharpham party in future he should not be turned out.

31,282. In the election time, had he anything given to him to furnish his house with that he was so anxious to take?—I do not know.

WILLIAM HANNAFORD sworn and examined. *W. Hannaford.*

31,283. (*Mr. Coleridge.*) What are you?—A gardener.

31,284. You live in the house of Mr. Durant?—Yes.

31,285. How long have you lived there?—Sixteen years.

31,286. How long have you had a vote?—I voted at four elections.

31,287. Did you vote in 1857 at Mackenzie's election?—No.

31,288. The first time you voted was at Dunn's election, Mills, Gifford, and Dunn?—Yes.

31,289. How did you vote at that election?—Always voted for the Liberal side, except once.

31,290. You voted for Mills and Gifford?—Yes.

31,291. What did you get for voting?—Nothing. I am not electioneerer.

31,292. Do not be in too great a hurry to say that

TWENTY-THIRD DAY.

W. Hannaford.

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you did not get anything. Did not Mr. Charles Michelmore give you something in 1859?—No.

31,293. Did you get a present afterwards?—No.

31,294. Did you vote for nothing?—Yes. I am not that sort of person. I do not care.

31,295. Did your wife get anything?—No, never.

31,296. What did Mr. Durant say to you about voting at that time? Did he canvass you?—No; he never canvassed me in his life.

31,297. Who canvassed you in 1859 when you voted for Mills and Gifford?—Mr. Mills.

31,298. Who came with him?—I was not at home.

31,299. Did Mr. Parnell canvass you?—No; not to my recollection.

31,300. Did not Mr. Parnell have something to do with you in the election of of 1859?—No.

31,301. Who had to do with you?—Nobody; only Mr. Mills. He came, and I promised him.

31,302. Did he promise you anything?—No.

31,303. In 1862, when Pender and Dent stood, did you vote for Pender when Dent withdrew?—I voted for Pender.

31,304. What did you get that time?—Nothing.

31,305. There were good times in store. In 1863, which way did you vote?—That was rather a curious case. I voted for Dent then.

31,306. You changed your politics?—I did not wish to do that.

31,307. You wished to be taken away and not vote at all?—I did not know. I had no wish to be taken away.

31,308. You were taken away?—That was when I voted for Dent.

31,309. Was it for your getting 200*l.*?—If they choose to give it to me after getting me into trouble.

31,310. Who gave you the 200*l.*?—Mr. Arthur Gill.

31,311. Where did he give it to you?—In my house.

31,312. When?—Not more than a month after.

31,313. When did he promise it?—Afterwards.

31,314. Before they took you away?—It was not promised at all.

31,315. Do you mean to say that you went away not intending to get anything?—The same as if you were to come to me.

31,316. And you were to get nothing for it?—I did not know that I was to have anything.

31,317. You knew that you were to have something?—Upon my honour I did not.

31,318. You are upon your oath; you went to a friend of yours, Mr. Bentley, a bowler?—I do not know where I was.

31,319. Were you so drunk at that time?—I was rather tight.

31,320. How long before the election?—I cannot say.

31,321. You were so two or three days?—He came to me to go for a day's work, and promised to come back.

31,322. You went to the Brixham Road?—Yes.

31,323. You went to Cornworthy the first time?—Yes.

31,324. Were you drunk all the time that you were at Cornworthy?—I drunk rather freely.

31,325. Did you sleep at Cornworthy?—I cannot say.

31,326. You were too drunk to say?—I do not know.

31,327. Do you recollect going to the Brixham Road the next day?—I do not recollect.

31,328. Do you recollect being taken to Torquay?—They told me I was, but I do not recollect it.

31,329. Do you recollect turning up somewhere near Teignmouth?—No; I am not much of a traveller.

31,330. Did you go to a professional bowler's at Teignmouth?—No.

31,331. To Charles Bentley's?—No.

31,332. When were you sufficiently sober that you recollect coming back to vote for Dent?—I do not recollect it.

31,333. Do you recollect voting at all, or were you too drunk; did you not know what you were about?—I did not know.

31,334. Who kept on prompting you to say the word "Dent"?—I do not know.

31,335. Mr. Gill looked after you pretty sharply, I suppose?—I do not know.

31,336. After having got sober enough to say the word "Dent" you got 200*l.*?—I do not know.

31,337. When did you get sober enough to know that you voted for Dent?—About a week after they told me that I had voted for Dent.

31,338. (*Mr. Bere.*) When did Durant tell you you had voted for Dent?—He never told me.

31,339. But he gave you notice to quit?—Yes.

31,340. How long after that?—I do not know.

31,341. Were you sober then?—Yes.

31,342. (*Mr. Coleridge.*) How long after the election did he give you notice?—I was to leave at Lady-Day.

31,343. How long after the election did he give you notice?—A month after; I do not exactly know.

31,344. Did he give you notice before you received the 200*l.*, or was it after you received the 200*l.*?—That I cannot tell.

31,345. You must know?—Upon my honour I do not know.

31,346. You do not often get 200*l.* or receive notice to quit?—I do not recollect it.

31,347. Where was that 200*l.* given to you?—In my house.

31,348. In gold?—In notes.

31,349. Small or large notes?—Small notes.

31,350. You have some of the money left now, have not you; did you put it into the bank?—I do not know.

31,351. Did you put it into the bank or keep it?—I do not know.

31,352. You must know, and you must answer; did you put that money into the bank, or did you keep it in the house?—I cannot recollect.

31,353. Did you keep a banking account?—No.

31,354. Then, if you put it into a bank, it would be into a savings bank?—Yes, I believe it was.

31,355. Who put it there?—My missus's brother.

31,356. Who is he?—Mr. Crossman, of Paignton.

31,357. What is his christian name?—John.

31,358. Was the whole of it put into the bank?—What I had to pay, I paid.

31,359. What amount did you pay?—I did not owe very much money.

31,360. Was it nearly all put into the bank?—I believe it was.

31,361. Where at?—Mr. Kitson's bank, I think.

31,362. That is not a savings bank?—It was not a savings bank.

31,363. You opened an account there?—I do not know.

31,364. Did your brother-in-law?—He had it.

31,365. Then he knows all about it?—He did then.

31,366. Where is he?—He lives at Torquay.

31,367. After Mr. Durant gave you notice to quit, did you go and try and beg to stay?—My missis went to him and asked.

31,368. Did you not go and shed a good many tears?—I did not see him.

31,369. Mr. Pender wrote a letter to him for you, and you were allowed to stay?—Yes, I believe so.

31,370. And you were allowed to stay on conditions?—No; I do not know that.

31,371. What did he say about voting right for the future?—I do not know.

31,372. What did he say about voting for the Sharpham party?—If I work for a master I ought to obey him.

31,373. What did Mr. Durant say about the conditions on which you were allowed to stay?—He never said any conditions.

31,374. Did not he say that you should stay on condition that you voted for the Liberal party in future?—No.

31,375. Or voted as he wished you?—No.

31,376. Why did he say you might stay after you got notice to quit?—I do not know.

31,377. He will come and tell us, and you may as well tell us?—Yes, he may.

31,378. What was the reason for his changing his mind?—It was not my fault; Mr. Gill wrote to him and said it was all his fault that I voted the wrong side.

31,379. And did not Mr. Durant say that if you voted right for the future you might stay?—No.

31,380. Did Mr. Gill?—I did not see him.

31,381. When did Mr. Durant canvass you at the last election?—He did not canvass me.

31,382. When did he send to you?—He did not send. I am a poor man and under a master, and ought to obey him.

31,383. Your rent was not a very oppressive matter?—No; but I can show the receipts.

31,384. You have always got it back?—No.

31,385. A great many years you lived rent free?—Yes.

31,386. When did you begin to pay rent?—I think 12 years ago.

31,387. When did you pay rent?—All that time.

31,388. You said you lived rent free at first?—Yes, but I have been there 15 years.

31,389. How long have you paid rent?—12 years.

31,390. Then you paid rent as soon as you got your vote, in 1859?—Yes.

31,391. Whom do you pay the rent to?—To the steward, Mr. Finch.

31,392. Does he throw you something back for luck?—No; and I have got all the receipts at home.

31,393. Did Mr. Finch tell you that you must take care how you voted if you were allowed to stay?—I do not know. He said I was very wrong.

31,394. He knew about the 200*l.*?—I cannot tell.

31,395. He said, "You are very wrong and very "foolish, and must do differently for the future"?—I do not know.

31,396. Did not he say so?—Upon my honour I do not know.

31,397. When did you last pay any rent to him?—Lady-day.

31,398. Have you the receipt here?—No.

31,399. Let us understand this; what was the alteration made in your position when you were told to pay rent?—I said, "I should like to have a vote," and he said, I might rent it if I liked.

31,400. You preferred to pay 10*l.* a year in preference to living rent free?—I thought I should like to rent the house.

31,401. You thought it would be better to have a vote?—No.

31,402. Do you mean to make us believe that you preferred to pay 10*l.* to living rent free?—No.

31,403. You did not pay rent before?—No.

31,404. Is it not returned to you now?—No. I pay the same as any man.

31,405. Have you paid your rent always?—Yes.

31,406. How much have you had back?—None.

31,407. Have you any land?—Two gardens.

31,408. Used you to have those rent free when you had your house rent free?—Yes.

31,409. Have you got any meadows?—No.

31,410. What have you got to compensate you for the 10*l.* rent instead of living rent free?—There are three rooms in the house.

31,411. But what have you got to compensate you for paying 10*l.* a year instead of living rent free?—I do not understand you.

31,412. You lived rent free at first?—Yes.

31,413. Who suggested to you to pay 10*l.* a year?—Nobody.

31,414. Did you go to Mr. Finch?—Yes, and I asked him to let me rent it.

31,415. Was he going to turn you out?—No.

31,416. You might have lived rent free?—Yes.

31,417. Who wished you to rent it?—Mr. Finch.

31,418. I want you to tell the story. I know the arrangement?—I do not know.

31,419. Do you mean to say you pay 10*l.* a year willingly for the house, and get nothing in compensation for it?—No, I do not get anything.

31,420. Be careful. When you lived rent free in the house had not you to keep the path in order?—Yes.

31,421. Since you paid 10*l.* a year have you not got 4*s.* a week for it?—I get 6*s.* a week.

31,422. When you lived rent free you got nothing?—They pay me.

31,423. Not when you lived rent free?—No.

31,424. When you lived rent free you got nothing and now you pay 10*l.* and get 6*s.* a week?—I pay my rent.

31,425. And you get 6*s.* a week?—I get something.

31,426. What did you mean by telling us you got nothing in compensation for not living rent free. You know perfectly well you paid them 10*l.* at their request in order to have a vote?—I do not know.

31,427. You used to live rent free and do the work for nothing?—I do not know.

31,428. When was it that Mr. Finch told you that he would rather you would pay 10*l.* and that you should have a vote?—I cannot say.

31,429. It was Mr. Finch who told you that you had better pay rent?—I do not know.

31,430. Who was it told you that renting the house would give you a vote?—No one.

31,431. It was your request?—Yes.

31,432. Did you say, "If I pay you rent for the "house you must pay me for my work"?—Certainly.

31,433. Was it Mr. Finch or Mr. Durant suggested to you paying for your house and being paid for your work or your own idea?—My own idea.

31,434. Do you mean to swear that?—Yes.

31,435. Be careful?—I do not want to swear to anything untrue.

31,436. You are swearing. You did not tell us about paying for your house and getting 6*s.* a week. You have been shuffling all through?—I have not.

31,437. (*Mr. Longe.*) You got a profit of 5*l.*?—I pay 10*l.* a year, and I have so much a week.

31,438. You get 5*l.* clear and a vote into the bargain?—I do not wish to tell you any falsehoods about it.

31,439. You voted right in 1865 and voted for the two Liberals in 1865?—Yes.

31,440. What did you get for that?—Nothing.

31,441. Were you not paid afterwards?—No.

31,442. (*Mr. Bere.*) You have forgotten to tell us something else; what is it you got in 1859?—Nothing.

31,443. Who gave you some money after the election?—No one.

31,444. Or before?—No.

31,445. Or your wife?—Never.

31,446. Nor in 1865, the last election?—No; I never had anything.

31,447. What did your wife get after the last election?—Nothing.

31,448. Was anything left at your house?—Nothing at all.

31,449. Have you received no money whatever for voting last time?—No, nothing.

31,450. If you are marked off in the poll book as having been paid, is that a mistake?—What, the last time?

31,451. 1859, the first time you voted?—I never had anything.

31,452. Who had?—Not me.

31,453. That is a mistake?—Yes.

31,454. Who had it for you?—No one.

31,455. Not your wife?—Never.

31,456. Are you quite certain?—I am quite certain she never had; she would have told me.

31,457. Did you tell her about the 200*l.*?—Yes.

31,458. What did you have the last time?—Nothing.

31,459. What did she have?—Nothing.

31,460. Will you swear that?—Yes; I never had anything.

31,461. Had she?—No.

TWENTY-THIRD DAY

Sarah Pearce.

20 Sept. 1866.

SARAH PEARCE sworn and examined.

31,462. (*Mr. Bere.*) Are you the wife of John Pearce?—Yes.

31,463. Do you remember the election of 1859, when Mr. Dunn stood?—Really I cannot particularly explain the dates.

31,464. Do you remember Mr. Robert Harris coming to you and Mr. Smith, and some money being left at your house?—There was a gentleman came.

31,465. Do you know who he was?—He told me he was sent by Mr. Harris.

31,466. How long before the election did he come?—The day before the polling.

31,467. Who was in the room?—I think my husband was in the kitchen, and I think he said his business was with Mrs. Pearce.

31,468. And did your husband walk out of the room?—I took him into a private room.

31,469. What took place there?—The stranger put his hand in his pocket, and took out a handfull of sovereigns, at least I believe they were; I never had it. He said "I have 40 sovereigns for you." I said, "My husband does not vote that side"; but he said, "Oh, you must take it."

31,470. Had he told you what side your husband was to vote for it?—No, he did not say what side, only that Mr. Harris sent him.

31,471. Then when you knew that Mr. Harris sent him you knew what side he wanted your husband to vote?—Yes, certainly.

31,472. What did he say upon that?—He said if that would not do he would bring 10*l.* more in the evening.

31,473. What did you say to that?—I went and told my husband about it.

31,474. What did he say?—He said the best way to decide matters would be to shut up the doors and go to bed.

31,475. Did you do so?—Yes, we did so; we went to bed, and we heard a knock at the door.

31,476. What time did you go to bed?—About 9 o'clock.

31,477. What became of the 40*l.*?—I do not know; he never put it out of his hand in my house.

31,478. Are you quite sure about that?—Yes, quite certain.

31,479. He did not put it out of his hand at all?—No, held it in his hand, as that might be (*describing*).

31,480. What did he say?—He said, "There is 40 "sovereigns for you."

31,481. What did you say?—I said, "My husband "does not vote on that side;" and he said, "Oh, but "you must take it;" but I did not. He never put it out of his hand.

31,482. When did you go to bed?—Nine in the evening.

31,483. Who came to you before you got up the next morning?—No one in the morning; but I looked at the window and there were two men at the door.

31,484. When was that?—Just after nine.

31,485. Was there a knock at the door?—Yes.

31,486. Who were the two men?—I cannot say. I supposed it might be the man who was there with the money who had promised to come.

31,487. What did the two men say?—They did not say anything. I never opened the window.

31,488. Did not they call out to you?—No, they knocked at the door and lifted the latch.

31,489. The door was locked?—Oh, yes; we never go to bed without locking the door.

31,490. Is that all you know about the 40 sovereigns at that election?—Yes, until the following day after the polling.

31,491. What happened then?—Mr. Sampson came there, which I never saw the man before, and he said he came to demand the 40 sovereigns which had been left the day before, and I said there was nothing left there, and he said there must have been. I said, "Is "the man in the town who said he left it?" and he said, "Yes," and I said, "That is the man to bring "to me."

31,492. You said he had not left any?—Yes.

31,493. Had anybody left any money at that time?—No.

31,494. When did they first begin to leave money at your husband's house?—I do not know, I am sure.

31,495. You do, because you have refreshed his memory since he was here before, and he says that you remembered more than he did?—I believe he did not put in before another 10*l.*, and I said, "Why did "not you do so?" and he said it was so long after that I did not say anything about that.

31,496. When did you get the money from Mr. Parnell he told us about?—I went to Mrs. Parnell for the milk bill, and she said "Come in," and she gave me a parcel in an envelope with 20 sovereigns, and she says, "Here is a present for you."

31,497. Where did you get the 10*l.*?—From Mr. Parnell.

31,498. Where did you get it?—In my kitchen.

31,499. Did he come up to you on purpose?—Yes.

31,500. Had you been to ask him for it or anything at all?—No.

31,501. Had you seen Mr. Parnell before you got the 20*l.* from his wife, to talk to him about the election?—I think he called at our house to know whether he was going to vote for him.

31,502. What did you tell him?—I told him he must do what he could for master; that is all. I got no sum; he must see what he could do, and he must pay what he pleased.

31,503. Then he paid you 20*l.* and then 10*l.*?—Yes, a long time afterwards.

31,504. Did you look at the money in the envelope?—Not till I came home.

31,505. Were you disappointed or pleased?—I did not feel disappointed; we never looked for a certain sum. I was very thankful.

31,506. Did you not go down to Mr. Parnell and say it was not enough?—No.

31,507. Did you not let your dissatisfaction reach his ears somehow or other?—No, I did not say that; I had got a little bargain.

31,508. Now, about the two sums of 20*l.* in Mills' time?—Twice in Mills' time.

31,509. Do you remember what time it was that you got it?—I cannot.

31,510. Did you get them at both the elections?—I got them at both times.

31,511. Who from; Mr. Parnell?—From Mr. Parnell.

31,512. At his house?—I never had any connexion with him at his house or anyone.

31,513. Did he bring it to you?—He brought it to me.

31,514. Was it in gold?—Yes.

31,515. What did you get last time?—Three twenties and a ten I had; that was all we had at those elections.

31,516. None at the last time?—Not a farthing.

31,517. How was that?—We never looked for it.

31,518. Did you find it without looking for it?—No.

31,519. Did you see Mr. Parnell about it?—No; I was rather surprised that I had not been spoken to.

31,520. Did he call on you?—No, never but once.

31,521. Did you hear that a good many people got money last time?—Yes.

31,522. How is it that you did not get it?—Bad luck, I suppose.

31,523. (*Mr. Longe.*) When this stranger came in 1859 who was in your house?—No one but me and my husband.

31,524. Were you in a room together?—We were sitting down at dinner; the stranger came, rapped at the door, and said, "My business is with you; are you "Mrs. Pearce?"

31,525. Whom did he ask for?—Mrs. Pearce. I said,

" I am the person." He said, " My business is with " you."

31,526. Your husband was present ?—Yes, but not with us ; he was in the other room.

31,527. Whom did he first address ?—I went to the door.

31,528. He asked you what your name was ?—He asked me if I was Mrs. Pearce; I told him, " Yes." He said, " My business is with you."

31,529. Did you not ask him what his business was when your husband was present ?—I took him into the other room, as we were at dinner.

31,530. Your husband knew what the business was about ?—No, not till after.

31,531. You say when this gentleman came, the stranger, you turned your husband out of the house and took him into a private room ?—No; he stopped at his dinner.

31,532. You said your husband went away ?—No; he still continued at his dinner.

31,533. While your husband was at his dinner you were having this conversation with the stranger ?—Yes.

31,534. (*Mr. Bere.*) Have you seen Mr. Parnell at all since this Commission has been sitting ?—No, I have not.

31,535. Has he called at your house ?—No.

31,536. Or have you gone down to him ?—No.

31,537. Not even to the post-office ?—No.

31,538. (*Mr. Longe.*) Did the stranger give you any reason for speaking to you, and not your husband ?—He said his business was with me.

31,539. It was more a matter for your husband than you ?—No, it was not; that was how it was.

31,540. It was his vote, not yours ?—I told him my husband did not vote on that side ; he never did.

31,541. Did your husband tell him so ?—He did not speak to him.

31,542. It would have been more satisfactory if he had spoken to your husband ; there would have been no doubt about it ?—I knew he would not do it.

31,543. (*Mr. Bere.*) Have you been a Conservative ?—No.

31,544. Were you a Liberal previous to that time ?—I never had anything to do with elections till we came to Totnes.

31,545. Where did you live before ?—In Cornwall.

31,546. Where ?—St. Germains.

31,547. (*Mr. Longe.*) Had you not seen any one calling upon you about your husband's votes ?—I thought we had been passed over. I remember that, as no one came round to our house, he says, "It is " because I am a straightforward man."

31,548. Did not Mr. Harris call upon you about your husband's votes ?—I did see him at my house about some parish business.

31,549. Did you not tell Mr. Harris that you could get your husband's vote ?—No ; I was certain that he would not vote for Mr. Harris ; he did not like him so well.

31,550. Did he ask you whether you could get your husband's vote ?—Yes, he did.

31,551. When was it Mr. Harris asked you to get your husband's vote ?—I do not know when it was ; he came in about some parish business.

31,552. Shortly before or since ?—It must have been about the time.

31,553. What did you tell Mr. Harris ?—I told him he would not vote that side.

31,554. You say that on your oath ?—He says, " He will if you have a sum of money." I said, " No, he will not."

31,555. (*Mr. Coleridge.*) At the time of the election were you supplying Mrs. Parnell with milk ; I mean the last election ?—No.

31,556. When did you cease to supply her with milk ?—I have not served her for many years.

31,557. You served her at the election of 1863 ?—I served her at the time Mr. Pearce came first.

31,558. In 1859 ?—Yes; I did not long after that ; I was rather out of the way.

31,559. Had you a quarrel with them ?—No. My daughter was at school at the time.

31,560. You thought he behaved ill in not sending up to you ?—I wondered he had not called.

31,561. You looked forward again to something at the election that is gone, of course ?—Well, sir, I did. I had none.

RICHARD ANDREWS sworn and examined.

31,562. (*Mr. Longe.*) What are you ?—A currier.

31,563. How long have you had a vote for the borough ?—About 20 years.

31,564. How did you vote in 1859 ?—I always voted for the Liberals.

31,565. Always, at every election ?—At every election.

31,566. Have you ever been canvassed by the Conservatives ?—Yes, always, I believe.

31,567. In 1852, when Barry Baldwin was the Conservative candidate, who canvassed you at that election ?—I really cannot tell. I dare say Mr. Baldwin did.

31,568. You remember if you told Mr. Baldwin whether he could have your vote when he called ?—No, I do not. I have always, in fact, told them that I should not vote for them invariably.

31,569. When he called did you tell him that ?—I have always invariably told them so. I cannot recollect the words I said to Mr. Baldwin. I will not swear that he did call ; most likely he did.

31,570. Had you not a visit from some one on behalf of the Conservatives after Mr. Baldwin left ?—No.

31,571. Did not Robert Armstrong call upon you ?—No.

31,572. What relation of yours is Robert Armstrong ?—None.

31,573. Do you know him ?—Yes, I know him.

31,574. What are his politics ?—He is a Liberal, I believe.

31,575. When was the time that Robert Armstrong left some money at your house ?—Never.

31,576. Have you never had any present through Robert Armstrong from the Liberals ?—Never in my life.

31,577. At what election was it that Robert Armstrong had dealings with you about the election ?—None.

31,578. Something must have taken place between you ?—None ; he never spoke to me about the election in his life.

31,579. Have you a wife ?—I have.

31,579*. Was any money left at your house by Robert Armstrong ?—Never.

31,580. Or anyone else ?—Now I must tell you the truth. I am very sorry to say that at that election I had been very unfortunate, and I had found that I was rather hard up ; I had a present of 50*l.* ; that is the only money, so help me God, that I had then or at any other time.

31,581. That was in 1852 ?—It was at Barry Baldwin and Mills' election.

31,582. Who was it that made you that present ?—James Armstrong.

31,583. Is he a relation of yours ?—Well, I do not know.

31,584. (*Mr. Bere.*) A brother-in-law, is he not ?—No, he married my sister-in-law.

31,585. (*Mr. Longe.*) At this time you say you had 50*l.* ?—I had.

31,586. How was it left ?—Brought and given to me.

31,587. How long after or before the election ?—It was on the day after the election.

31,588. Did not you ask him for it before it was brought to you ?—No. I never expected a penny.

31,589. You said you were so unfortunate ?—I

should not have taken it if I had not been unfortunate in business. I solemnly swear I never took a penny or asked for a penny from either side since, but at that time I met with some heavy losses, and I thought that a 50*l.* would do me, and it did me, good when it was brought to me.

31,590. James Armstrong brought it?—Yes.

31,591. Where did he get it from?—I cannot tell you.

31,592. Did you not ask him about it?—No, I did not.

31,593. What did he tell you?—He merely asked me if I was in a mind to accept 50*l.* I told him I had no objection; it would do me good just then.

31,594. At the late elections have you not had communication with Mr. Charles Frederick Michelmore?—Never.

31,595. At the time of the elections?—No, never.

31,596. Has he ever come to you and canvassed you and talked about your vote?—He has never been to talk about my vote; he might have been with Mr. Mills, or Mr. Pender, or Mr. Seymour, I am sure I cannot say who; he very often goes about canvassing.

31,597. Has he never offered you a present?—Never, I swear.

31,598. Do you swear that no one has ever made you a present at any of these later elections?—No one.

31,599. Or your wife?—Nor my wife.

31,600. Have you never received a farthing?—Not a farthing, not in any shape.

31,601. Have you ever had an offer made on the Conservative side?—Never.

31,602. Have you ever paid any one or taken any part in getting any votes?—No, I never took an active part in it at all.

31,603. Have you seen Mr. Parnell lately?—Very often.

31,604. You have been to him several times since we have been sitting here?—No.

31,605. You have been to him within the last two or three days?—I dare say; I had business with him last week about a person who owes me some money that he has got something to do with.

31,606. When you were talking to Mr. Parnell about this, did you not speak to him about this 50*l.*?—I never did in my life. I never told any one about it till now.

31,607. Did you have no conversation with Mr. Parnell about what was going on in this court?—No, never.

31,608. Not during this last fortnight or three weeks?—No, not concerning myself, but in a general way.

31,609. Have you had any conversation about the bribery on the Liberal side?—No, I have not.

31,610. You swear that?—I do swear it.

31,611. Not about bribery on the Liberal side?—No.

31,612. What was the business you went to Mr. Parnell about?—There is a person indebted to me and also to him, that is in difficulties, and he had got the management of the affairs, that is all.

31,613. You say you have had some conversation about election matters since this Commission; what was it?—I do not know that I had any conversation at all about it.

31,614. You say you had some conversation about other persons, not yourself?—I have not mentioned a person's name about it.

31,615. Has he mentioned a person's name to you.—No.

31,616. (*Mr. Bere.*) Were you in business in 1852 as a currier?—Yes.

31,617. You have been in business since that time in the same way?—Yes.

31,618. Whom have you dealt with, whom have you supplied principally, Liberals or Conservatives?—My trade does not lie in Totnes.

31,619. Where does it lie then?—I do a great deal at Dartmouth, Torquay, Paignton, and Brixham.

31,620. You are in a large way of business now?—Middling; Kingsbridge, and Salcombe.

31,621. Had you anything to do with Mr. Corney at the time he was unfortunate?—No.

31,622. Did he owe you any money just before the election of 1859?—No, sir.

31,623. It has been said here that he did?—No, he did not.

31,624. Are you quite sure about that?—Quite sure.

31,625. Had you supplied him with any goods just before the election?—No.

31,626. Have you ever supplied him with goods?—I have within the last year or two.

31,627. Not before that?—No, I do not know; he dealt with me some 20 years ago or more. I think he had a little with me, but he never did a great deal with me.

31,628. Did you not go down to the "Seymour" hotel at the time of the election?—Yes, many times.

31,629. You went to see the Liberal committee there?—Never.

31,630. When used you to go?—If there was a meeting of an evening I have been there.

31,631. You went into the big room, where there was drinking going on and had a glass of grog?—Yes, I did.

31,632. Did you not talk about how you were going to vote?—No.

31,633. Never?—No, never.

31,634. Never said a word about it?—No.

31,635. Was it supposed from your going there to drink grog that you were going to vote for the Liberals?—I always did, and they always supposed I did.

31,636. Did you ever see Mr. Charles Frederick Michelmore at the "Seymour" hotel?—I cannot swear that I did.

31,637. Did you talk to him?—No, I never talked to him about it.

31,638. Are you a farmer as well as a currier?—No, I am not.

31,639. You buy the skins ready dressed?—No tanned, and I curry them.

31,640. Where is the principal market for tanned skins?—Different places. I deal a good deal with Vicary of Newton.

31,641. Do you buy them from him ready tanned?—Yes.

31,642. Did you have anything to do with Mr. Jeffery Michelmore in the way of buying things of him?—No.

31,643. Did you rent any land of him?—No.

31,644. Who is your landlord?—Myself.

31,645. How long have you been your own landlord?—Ever since I have been in the house.

31,646. Were you your landlord in 1852?—Yes.

31,647. When you were unfortunate?—Yes.

31,648. Is it a freehold?—Yes.

31,649. How long have you had it?—Ever since my father's death.

31,650. Are your workshops there?—Yes.

31,651. And yards, or do you hire them?—No, it is all my own.

31,652. You had nothing to do with Mr. Michelmore in any shape or way?—No, not at all, and no one else.

31,653. You solemnly swear that you never received a single 6*d.* except that 50*l.*?—I do.

31,654. Neither directly or indirectly?—Neither directly nor indirectly.

31,655. No daughter on your behalf?—No.

31,656. Or a son?—I have no son.

31,657. Nor a daughter?—No.

31,658. (*Mr. Coleridge.*) There was something about 50*l.* or 60*l.*, what was that?—I do not know.

31,659. Did Mr. Charles Michelmore say anything to you about it?—No.

31,660. Nor Mr. Parnell?—No.

31,661. Did you borrow any money in 1862?—No.

31,662. Did you ever borrow any money of Mr. Michelmore?—No.

31,663. Did you ever ask him to lend you any?—No.

31,664. Nor Mr. Parnell?—No.

31,665. Or anybody about the time of the election of 1863?—No, never; wherever you get your information from you have been very much misinformed.

31,666. (*Mr. Bere.*) Our information about you is rather singular; we have received information from both sides that you took bribes?—I can only say you are misinformed.

31,667. It is odd, to say the least of it?—I solemnly swear that that is the only sum I have mentioned.

31,668. What passed between you and Mr. Parnell?—Nothing.

31,669. There must have been something passed; you went up about business, and about somebody who owed you some money?—Yes.

31,670. Is the person who owed you the money a man who has been examined as a witness?—No, he never had a vote.

31,671. Has he not been examined as a witness?—Not that I know of.

31,672. Did you talk on another subject besides the business?—No.

31,673. Are you quite sure about that?—Quite.

31,674. How long were you there?—Not five minutes.

31,675. What had Mr. Parnell got to do with it?—This party owed him money as well.

31,676. Were you going to put a mutual pressure on him?—Mr. Parnell has got the business in his hands, and he told me some little time ago there would be about 5*s.* in the pound. If there would be I meant to take it.

31,677. Mr. Parnell has been arranging the compensation for this person, has he?—Yes.

SAMUEL GOODMAN sworn and examined. *S. Goodman.*

31,678. (*Mr. Bere.*) Is your name Samuel?—Yes.

31,679. Do you keep the "Oxford Arms"?—Yes.

31,680. How long have you kept it?—About six years.

31,681. That is a good Liberal house, is it not?—Yes.

31,682. Have you always had a committee room there?—It is not a Liberal house in one sense.

31,683. What is it, an illiberal house?—Every person must pay for what he has.

31,684. Liberals do come there a good deal?—Yes, they do come.

31,685. You are a Liberal, and you vote for the Liberals, do you not?—Yes.

31,686. And the Conservatives too?—No, I did not vote at all this last time.

31,687. You had not got a vote at the last time?—No.

31,688. Why did you not vote the last time?—Because I was rather too late.

31,689. Did you come down to the "Seven Stars" and find that the money box was shut?—Yes.

31,690. Did you ask Mr. Edmonds whether he could not get you 60*l.*?—Yes, I did.

31,691. That was it?—That was the truth of it.

31,692. When did you ask him that?—That very morning that the box was shut.

31,693. If you had asked him before you might have got it?—Perhaps I might.

31,694. How came you to ask him for the money that morning?—Because I thought it was high time, if I was going to have anything.

31,695. Had you heard there was money going about there then?—Yes, I had.

31,696. Had you intended to vote for the Conservatives?—No, I did not intend.

31,697. You intended to vote for the other side, did you not?—I intended to vote for the Liberals.

31,698. Did you talk to any one about it, how you were going to vote?—Yes, I did.

31,699. Whom did you talk to?—I talked to several people.

31,700. Give us the names of one or two?—I gave my word, because I sent a petition like up to get the members down.

31,701. You signed the requisition?—I did.

31,702. Therefore you thought you were bound to vote for one of the Conservatives?—Yes, I did.

31,703. You would not have done so without getting some money?—The rest had money, and I thought I might have some.

31,704. Who told you the money was going about?—Oh, several people.

31,705. Let us have somebody whose information you could depend on; did anybody show any money to you?—No; there was a poor old fellow who is dead, Mogridge, he told me he should take 50*l.*; he only had 25*l.* That is all I can give you; that is all I know about it.

31,706. Was he the only person that told you?—I do not recollect any person else.

31,707. When did he tell you that?—When he went down; after that he came up and was very well pleased.

31,708. Some of the people were paid in your house?—I think there was one party.

31,709. Dennis was paid?—I do not know how much he got.

31,710. You know he was paid?—Yes.

31,711. Who paid him?—Mr. Narramore.

31,712. In what room of your house?—In the back room.

31,713. Were you not in the house then?—I was about the house, but I never saw Mr. Narramore there.

31,714. Had you not told anybody on the Liberal side how you were going to vote?—They all knew of it; I had voted for the Conservatives, and I should vote that way.

31,715. The Liberals and the Conservatives too?—The Liberals had not got any hand with me at all.

31,716. Did they not come down and canvass you?—Yes, they did come; one did. I never saw them afterwards.

31,717. Who was that?—I think Mr. Pender.

31,718. Did he come by himself, or was somebody with him?—Some one came with him.

31,719. Mr. Michelmore?—No, I do not think Mr. Michelmore.

31,720. Was it Mr. Brooking Cuming or Mr. Windeatt?—I do not know.

31,721. Did you shake your head and say you could not give him a vote?—I did.

31,722. How had you voted when Mr. Dent was here?—I voted for Dent.

31,723. You thought it would be to your interest to vote for the Liberals?—The Conservatives.

31,724. How much did you get for voting for Mr. Dent?—60*l.*

31,725. Who gave you that?—Mr. Edmonds.

31,726. Where did he give it you?—In his office.

31,727. When, how long before the election, before or after?—I think it must be a week before the election.

31,728. Did you go up and ask for it?—He sent for me to come up to him.

31,729. Whom did he send down, Diggins, his clerk?—Some person. I had got word to come up. I never keep an account of such things.

31,730. You went up and got 60*l.* from Mr. Edmonds?—I did.

31,731. Where did he take it from, out of a chest?—Out of a desk.

31,732. In his office?—Yes.

31,733. Was it in gold or notes?—Gold.

31,734. You put it in your pocket and went home happy?—I did.

31,735. And voted for Dent?—I did.

TWENTY-THIRD DAY.

S. Goodman.

20 Sept. 1866.

31,736. What did you get in 1859 from Mr. Dunn?—I got 20*l.*

31,737. Who got it for you?—John Heath.

31,738. Were you paid it at the "Seven Stars," or where?—It was paid to my wife at our own house.

31,739. Your wife got it?—Yes.

31,740. Who paid her?—Mr. John Heath.

31,741. You voted for Dent in 1863 and got 60*l.* for doing it; did you not vote for Pender in 1862?—Yes, I did.

31,742. What made you do that?—Because there was no opposition. I was one of three that went down to give a vote.

31,743. Did you not get something for doing that?—No.

31,744. Not after the election?—Not a farthing.

31,745. Did not Mr. Parnell come to you then?—I never saw him in my life.

31,746. Nor Mr. Holman?—No, no one.

31,747. Did Mr. Holman ever see you about your vote?—No.

31,748. Nor Mr. Condy?—He never spoke about a vote to me in his life.

31,749. Thomas Sandford Screach, did he come to you?—No one came.

31,750. Did no one come to you on the Liberal side in 1863 when you voted for Mr. Dent?—There was one came to me, but not to pay me any money.

31,751. Who was it that came to you?—Lor a' mercy I cannot tell you, there were a many that came.

31,752. You were told you could get something?—They never told me that.

31,753. You know you could get something if you had gone on that side?—No.

31,754. Who told you that?—I think it was Mr. Michelmore; I think he came there one time and asked me to give him a favour, but I could not do it.

31,755. He would have done you a favour if you had done it?—I dare say he would.

31,756. Did he mention how much the favour would have been?—He never mentioned a word to me about money, not a single word. He was a great friend to my son.

31,757. Where is your son?—Living at Newton.

31,758. What is your son?—A 'bus and cab driver.

31,759. He is a great friend of yours is Mr. Henry Michelmore, did he come down during the time of the election?—He was here during the time of the election.

31,760. Did he try to get your vote for the Liberals in 1863?—He did not say much about it; he knew I was voting always for the Conservatives; he did not say much to me; he was a young man.

31,761. You say you voted always for the Conservatives, did you not always vote for Lord Seymour?—I never in my life did; I have not been here many years.

31,762. When did you come here first?—I voted for Dunn first; that was the first vote I had.

31,763. How did you vote in 1857?—Who were they?—Gifford, Mackenzie, and Gregory.—I was not here.

31,764. Yes you were, your name is Samuel Goodman?—I did not vote.

31,765. You live in Fore Street, Totnes?—Yes, but I had no vote.

31,766. Look at this and see if it will not refresh your memory; there is your name, you voted for Gifford and Mackenzie?—'Pon my soul I forget.

31,767. How much did you get for that?—Not a farthing; I never took a halfpenny from Mr. Dunn.

31,768. Were they Liberals or Conservatives?—I do not believe they are; I do not know the gentlemen.

31,769. Is there anybody else of your name in Totnes?—Yes, I have got a brother Henry.

31,770. Is there anybody called Samuel Goodman?—No, I never heard of him since I have been here.

31,771. When you voted for Mr. Dunn did not some one canvass you for Mills?—No.

31,772. Not at all?—Not at all.

31,773. (*Mr. Coleridge.*) Did you vote at a Liberal election?—Oh yes, I recollect Mr. Mills coming, but I forgot it till now.

31,774. Go on whilst you recollect it?—I voted for Dunn.

31,775. (*Mr. Bere.*) Mr. Mills came and talked to you about it?—Yes.

31,776. Who came with him?—I think Mr. Michelmore, or one of them.

31,777. Did he not say you might get something if you voted for Mr. Mills?—Not a word about it.

31,778. When did your wife get the 20*l.*, what time in the election?—Just before I voted.

31,779. Did you not get some one to go to the other side and tell them?—It was sent to the mistress for a present.

31,780. Do you think you would have got it if you had voted on the other side?—No, not for a certainty.

31,781. (*Mr. Coleridge.*) You might have had a present from the other parties?—I might.

31,782. If you had had a present from the other party, would you have given them one of your votes in 1857?—I never split my vote.

31,783. You did unless the poll book is wrong; the poll book says you voted for Gifford and Mackenzie?—It is not me; the first election I ever voted for was Dunn's.

31,784. What Samuel Goodman could it be?—I do not know.

31,785. Was there any other Samuel Goodman?—It must be the butcher; I know I never voted before Dunn's election.

31,786. (*Mr. Bere.*) When did you come to live here?—I have lived here about 13 years.

31,787. Have you always lived at the "Oxford Arms"?—No, six years; there is a change.

31,788. Where were you living nine years ago?—At the "Nelson."

31,789. At the "Lord Nelson"?—Yes.

31,790. What was the rent of the "Lord Nelson"?—20*l.* a year.

31,791. How long have you lived there?—Seven years.

31,792. Did you go to live at the Lord Nelson when you first came to Totnes?—Yes.

31,793. You must have had a vote immediately after you came?—Not unless it took so many years. I did not have a vote before Dunn's election; I never voted before Dunn came here.

31,794. Did you not vote for the elections previously for the council?—No, never.

31,795. Did you have your house kept open?—Yes I had.

31,796. Which way the last time?—Sometimes one way, sometimes the other; according to the way my friends were.

31,797. Which way were your friends last time?—If you ask me whether I voted I would tell you at once.

31,798. What did you get the last time?—Not a farthing.

31,799. You got the bill paid by Mr. Condy, did you not?—What, the last time?

31,800. Yes.—Not a farthing.

31,801. The time before that?—Not a farthing; I did not have a farthing's worth; I had a privilege, people coming and drinking a little, for which I got a profit.

31,802. You had a profit out of it the last time from the Liberal party?—It was nothing more than at another time about the electioneering.

31,803. Whom did you vote for in 1863?—I almost forget.

31,804. Did they not hold meetings of the Liberal party at your house, and pay you for the use of the room?—No, not in 1863.

31,805. At any time?—They did five or six years agone. I think it must be 1861; there was a party then that engaged my room, the large room.

31,806. And they used to hold a meeting in it?—I never saw them there but once.

31,807. What did they pay you for the use of the room?—Nothing at all; more than what they had to eat and drink.

31,808. You charged for the room?—No more than if you came eating and drinking, I should not charge you for the room.

31,809. Was that all the money you had?—That is all the money I had.

THEODORE BRYETT sworn and examined.

31,810. You are a solicitor practising at Totnes?—I am.

31,811. How long have you practised?—I have been here 24 years.

31,812. Did you succeed to Mr. Charles Edward's business?—I did.

31,813. You have a partner of the name of Hare?—Yes.

31,814. How long has he been a partner?—Since the first of January.

31,815. Was he a partner at the time of the last election?—That is to say he was with me for some time out of practice; in fact he had not been in practice from the time he was admitted for three years; he only came into my office for a short time preparatory to his entering into business on his own account.

31,816. There has been a statement made here that you sent Mr. Parnell, a gardener, to a voter named Crawford to offer him a sum of money for his vote, is that true?—No, certainly not.

31,817. Do you know Mr. Parnell?—I have known him the last 20 years.

31,818. Have you heard what he stated; did he see Crawford when he was working for you?—He has been for some time, for the last 12 months, employed by me.

31,819. Not before then?—Merely occasionally; he has supplied me since last November 12 months; before that I merely occasionally dealt with him.

31,820. Did you ever speak to Parnell about election matters?—Never; but in years gone by mere passing conversation as to the weather, and so on; I never had a conversation with him about a bribe in any way whatever.

31,821. Did you ever talk to him about his vote?—Never; I always knew him to be a Conservative, and therefore I never thought it necessary to ask him.

31,822. Did you know Mr. Crawford?—Only by repute in the town.

31,823. Did you not know him personally? did he ever have any work for you?—Not on his own account, but he has worked for Harris, the painter, and has worked at my house for him, but not on his own account.

31,824. (*Mr. Coleridge.*) Did you hear of the Seymour carriage?—I have heard of it.

31,825. Have you ever tried it?—Never.

31,826. Have you heard the report about Crawford saying Mr. Parnell had come to him and intimated he had been sent by you, and that then he went and saw Crawford?—Immediately I heard of it I saw Parnell, and I immediately called his attention to the report, and asked him whether he mentioned my name.

31,827. What did Mr. Parnell say?—He said, "Certainly not; how could I when I never spoke to him."

31,828. Did you go with Mr. Parnell to Harris's shop?—I requested him to go down to Harris's, and Crawford happened to be there. The subject was mentioned: Crawford persisted in saying he had mentioned my name; Parnell persisted that it was a great falsehood; but I see in the report in the papers it was stated he had been heard to say, going down Castle Street, he would not have my name mentioned. No such observation was made in my presence.

31,829. (*Mr. Coleridge.*) You went down on the bridge, was it in the presence of Searle?—Going down Castle Street.

31,830. That is when the man called Searle was present?—Yes.

31,831. Not when you were present at all?—That is the only election; I never interfered in any election, directly or indirectly.

JOHN FARLEY sworn and examined.

J. Farley.

31,832. (*Mr. Bere.*) Where do you live?—In New Passage.

31,833. What are you?—A quarryman and lime burner.

31,834. How long have you had a vote?—Ever since Mr. Dent's time.

31,835. Was that the first time you voted?—Yes.

31,836. Who did you vote for then?—Mr. Dent.

31,837. What did you get?—20*l.*

31,838. Who gave it you?—Mr. George Heath.

31,839. Where?—At my own house.

31,840. Had he seen you before?—No.

31,841. Did he walk up and bring 20*l.* with him and pay it to you without you knowing anything about it?—Yes.

31,842. Was that when Mr. Dent went to the poll, when he stood against Mr. Seymour?—Yes.

31,843. That was the first time you had a vote?—Yes.

31,844. Whom did you see on the other side?—No one.

31,845. Nobody came near you?—No.

31,846. Did not Mr. Seymour come and canvass you?—He may have, I was not at home.

31,847. Did he see your wife?—Yes.

31,848. What did he say to her?—Asked if I was at home, and she said no. He said, I wanted to ask him a favour; she said, It is no use, he will not vote your side.

31,849. What did he say to your wife then?—I do not know.

31,850. Did not your wife tell you?—No.

31,851. Did any one come and see your wife?—No one.

31,852. Mr. Dent?—No.

31,853. Mr. Pender?—I saw no one.

31,854. (*Mr. Bere.*) You got your 20*l.* which Mr. George Heath brought up?—Yes.

31,855. In sovereigns?—Yes.

31,856. Whom did you vote for in 1865?—Dawkins and Pim.

31,857. How much did you get?—10*l.*

31,858. Who gave you that?—Mr. John Heath.

31,859. Was that at the "Seven Stars"?—Yes.

31,860. (*Mr. Coleridge.*) You only got 10*l.*?—He promised my wife 40*l.*, and gave me 10*l.*

31,861. Did he pay the balance to your wife?—No.

31,862. Then you only got 10*l.*?—Yes, I only got 10*l.*

31,863. What became of the other 30*l.*?—I suppose they had it in their own pocket.

31,864. (*Mr. Longe.*) When did you get the 10*l.*?—On the polling day.

31,865. (*Mr. Bere.*) Did you take it yourself?—Yes; Mr. Heath called me in and gave me 10*l.*

31,866. Did not you say, "You promised me 40*l.*?"—He said, "there is more to come yet," I said, "I "know there is more to come, but I have never seen "it."

31,867. (*Mr. Bere.*) Is your wife at home?—She was when I came away.

31,868. Ask her to come up here. Did not you see any body on the Liberal side at the last election?—No.

TWENTY-THIRD DAY.

J. Farley.

20 Sept. 1866.

31,869. Whom do you work for?—I work for any person.

31,870. Where do you quarry generally?—I have been working at the Bridgetown buildings the last three or four years.

31,871. For the building society?—Yes.

31,872. Have you been taking stone out of a quarry?—Yes.

31,873. Who pays you?—They who take the buildings.

31,874. The people who contract for them?—Yes.

31,875. Has John Heath anything to do with paying you for quarrying the stone?—No.

31,876. You are out all day I suppose?—Yes.

31,877. And your wife stays at home?—Yes.

31,878. I suppose all persons who have called for your vote have seen her and talked to her?—At election times she always worked at the "Stars;" for 17 or 18 years she has.

31,879. What as?—Charing-woman.

31,880. (*Mr. Coleridge.*) It was rather hard that she should be done out of her 30*l.*?—Well, it was hard.

D. Coombes.

DANIEL COOMBES sworn and examined.

31,881. (*Mr. Coleridge.*) What are you?—A miller.

31,882. Where do you live?—Staverton Bridge.

31,883. What is your qualification?—I am no voter.

31,884. What are your politics?—Rather of Conservative.

31,885. Do you know how John Light, junior, was going to vote at the last election?—Yes, he told me he should vote for Mr. Mills.

31,886. What election was that?—1859.

31,887. You wanted him to vote the other way, did not you?—Yes, and I offered him 60*l.*

31,888. He told us 80*l.*?—I offered him 20*l.* after that.

31,889. You offered it to his wife, did not you?—Well, both, they being in company.

31,890. Did you mean to give it to him?—My instructions were from Mr. John Heath.

31,891. You were to give him first of all 60*l.*, and then 80*l.* if he would stay away or would vote for the Tories?—John Heath told me his vote was worth 60*l.*

31,892. Why did he send you?—I was in company at No. 1 with John Newland, and Light was a friend of mine; and he asked me to go up to him.

31,893. Before you went you went and got instructions from Mr. Heath?—Mr. Heath was there.

31,894. And he said his vote was worth 60*l.*?—Yes.

31,895. What did you ask him to do?—To vote for Mr. Dunn.

31,896. That you offered him 60*l.* for; what did he say?—He intended to vote for Mr. Mills, and no inducement would make him vote for any other.

31,897. When you could not do him at 60*l.*, did you go again there to offer 20*l.* more?—No, at the same time I said, "Will you take 80*l.*?"

31,898. Was his wife present?—I think so; I will not be certain.

31,899. Did you take any money to him?—No.

31,900. Were you to pay him the following day?—I do not know.

31,901. It was merely to try him?—It was merely to try him.

31,902. How long before the election?—Sunday night, and I think the election was on Wednesday.

31,903. How many other voters did you try?—No one else.

31,904. Did Mr. Heath never employ you on any other business?—No.

31,905. Did he in 1863 or 1865?—Nothing of the sort.

31,906. This was the only way you got mixed up with the matter?—That is all. Light was a friend of mine.

31,907. You had nothing to do with his going away?—No.

31,908. Had you anything to do with his father?—Nothing at all.

31,909. Did you say anything to young Light about if he would stay or not vote at all it would be something?—Not that I am aware of.

31,910. In fact you offered him the 80*l.* to vote for Dunn?—I did.

31,911. Do you know what he had from the other side?—I think he has been paid, but what he had I really cannot tell you.

31,912. Did he tell you what he was paid?—No.

31,913. Did he tell you more than 80*l.*?—No, I should not think he had that sum.

J. Fitzpatrick.

JAMES FITZPATRICK recalled.

31,914. (*Mr. Bere.*) Did you tell us about something that you did in 1863 with the poll book?—No, but I recollected that, and I have put it down since.

31,915. What was it that you did with the poll book in 1863?—I gave it to Mr. Pender.

31,916. Where did you get it from?—I got it from Mr. Narramore.

31,917. Out of Mr. Narramore's pocket?—No.

31,918. Had you been talking to Narramore about your vote?—Yes.

31,919. And did you make Narramore believe you were going to vote on his side?—Well, I believe he considered so.

31,920. And then he showed you his poll book?—Yes.

31,921. It was Mr. Kellock's poll book was not it?—No, I believe it was Mr. Harris's.

31,922. Are you quite sure it was not Mr. Kellock's?—I am not sure, but I understood at the time it was Mr. Harris's.

31,923. Did you take that down to the "Seymour Arms" and show it to Mr. Pender?—Yes.

31,924. And did he give you 25*l.* for the sight?—No.

31,925. How much did you get?—Not a farthing.

31,926. Who did give you the money?—No one, never a penny.

31,927. How much did you get afterwards?—Nothing at all.

31,928. What became of the book?—I do not know what became of the book, but I did not get it again.

31,929. You got something instead of it?—No.

31,930. From no one at all?—Not a single farthing.

31,931. Did you get nothing from either side at that election?—Not a halfpenny whatever, nor any promise to that effect.

31,932. Are you quite sure about that?—Quite sure.

31,933. [*Addressing Mr. Powming.*] Did not Mr. Pender tell you something about this?—About the poll book? Yes.

31,934. What was it?—Mr. Pender speaking of the great disgust that he had at Totnes with regard to certain proceedings, said the first thing that disgusted him was the presentation of the poll book to him of the other side.

31,935. Did he tell you what he had given?—No.

31,936. Did he tell you whether he gave anything?—No, he was merely speaking of his general feeling of disgust about how things had been conducted; he said, that had impressed him most unfavorably.

31,937. [To *Mr. Fitzpatrick.*] What day were you examined?—The day before yesterday; but I had

promised to vote for Mr. Pender previous to giving him this.

31,938. (*Mr. Coleridge.*) How did you get this from Mr. Narramore?—Well, we were speaking about the election, and he let me have the book to look at it.

31,939. And then you took it away without his leave?—No.

31,940. Did he let you keep it?—Yes.

31,941. Did he not ask you afterwards why you had not brought it back to him?—I do not remember his having asked me; he had a copy himself.

31,942. Then he never did ask you for this book back again?—I do not recollect his ever asking.

31,943. He did not know what you had done with it?—No.

31,944. (*Mr. Bere.*) Is there anything else you wish to tell us?—Yes. After I left here the other day I met Narramore, and in speaking about the election, what took place here that day, the 50*l.* which was paid——.

31,945. Which was given to you for voting for Mr. Dent?—Yes; but there was an understanding to this effect, that if the houses were bought by that party down there that 50*l.* was to be deducted.

31,946. The houses were not bought?—No.

31,947. Had you not offered those houses to the Liberal party at the election before?—Yes, I had tried to sell them for some time.

31,948. And you did not mind who bought them?—No.

31,949. And whoever bought them you would have voted for?—Very likely.

31,950. (*Mr. Coleridge.*) If they had given you the price?—There was only a fair price asked, even then.

31,951. (*Mr. Bere.*) How was it you came to be over here at the last election; you had not a vote?—I had just left.

31,952. You had not a vote at all?—I was living here in the place up to Christmas.

31,953. (*Mr. Longe.*) But you had not a vote?—No.

31,954. You did not vote?—Not this last time.

31,955. (*Mr. Bere.*) But it was this last time that you got this poll book, was not it?—No.

31,956. Was it when Pender stood against Dent?—Yes.

31,957. In 1862?—Yes.

31,958. (*Mr. Longe.*) And then you voted for Mr. Pender?—Yes.

TWENTY-THIRD DAY.

J. Fitzpatrick.

20 Sept. 1866.

Eliza Farley sworn and examined.

Eliza Farley.

31,959. (*Mr. Bere.*) Did Mr. Heath promise you 40*l.* at the last election, and did you get 10*l.*?—Yes.

31,960. What was it that occurred about it?—I was in the pantry at work when Mr. Heath came and said, "Eliza, what did you get at the last election?" I said, "My husband got 20*l.* and I had 10*l.*" "Very "well then," he said, "that is 30*l.*, and I will give "you 40*l.*;" but I never received any, and my husband received 10*l.*

31,961. Was that all that John Heath said to you?—Yes.

31,962. Have you never said anything to Mr. John Heath since?—No; I have never said anything to him since, because my husband said, when he gave him the 10*l.*, there was some more to come.

31,963. But no more has come?—No.

31,964. Have you not asked Mr. John Heath about it?—No.

31,965. Did not you ask Mr. John Heath whether he got it, and why he did not pay it?—No; I considered it, but I never asked him.

31,966. I should ask him about it?—I must not ask.

31,967. You must not! Is it a pretty good place as charwoman at the "Seven Stars"?—I said I might not ask. But I do not work for Mr. Heath; I work for the waiter.

31,968. I want to know whether you work for Mr. Heath as his servant?—I worked for Mr. Webb before, 10 years.

31,969. That is before Mr. Heath came?—Yes; and I have worked since under the waiter.

31,970. Cleaned the glasses up?—When he is busy I help him to attend the rooms, and assist him on Saturdays. That is my work.

31,971. Is it only Saturdays that you work there?—Unless it is races or fairs.

31,972. Or elections?—Yes.

31,973. How long before the last election was it hat Mr. Heath promised you the 40*l.*?—I think two days.

31,974. You never reminded him?—I think he ought to have reminded me.

31,975. You think he ought to?—He minded others; I think he ought to have minded me, being a slave to the house for many years.

31,976. You thought, I suppose, being at his house, that your husband ought to vote that way?—No; my husband always voted that way.

31,977. Have you ever gone to see whether you could get a little more from the other side?—No; no one ever offered me.

31,978. I did not ask you that. Have you not gone to say whether you could not get a little more?—No.

31,979. Are you quite certain about that?—Yes.

31,980. What did you get at the election before?—Before, my husband had 25*l.* and I had 10*l.*

31,981. Did George Heath pay you?—Yes. He came and offered me 30*l.*, and then he paid my husband 20*l.*, and I asked him for the other 10*l.*, and I had it.

31,982. Did you tell your husband about that?—Yes, I told him I had the 10*l.*

31,983. He did not tell us that he had more?—I had it.

31,984. Did you get it in gold?—Yes.

31,985. Did you get anything when Mr. Dunn was down here?—No.

31,986. Nothing at all?—Nothing more than the servants got. I had what they left. There was so much left. There was so much left for the servants.

31,987. What did they leave for the servants?—I do not know, but it was left.

31,988. In 1859?—I had nothing.

31,989. (*Mr. Longe.*) At this last election, what did you have for the servants?—I cannot tell.

31,990. Did not you hear something of Captain Pim's promises?—I cannot tell; there was money left, but I do not know.

31,991. You heard some conversation about what Captain Pim had left for you?—There was some money left for the servants, but I always go with the servants, but the servants have not had the money yet; they tell me so.

31,992. What did you understand that the servants were to get at the last election?—I do not know; we never knew it.

31,993. Who made the present?—I do not know. A gentleman, they said, would make it, and all the servants would have so much, but how much I do not think any of the servants understood; if they did, I did not.

31,994. (*Mr. Coleridge.*) You were down at the last election all the time?—Yes.

31,995. Do you recollect a strange gentleman?—There were so many I cannot recollect anything about it.

31,996. Wait a bit. You have recollected very well as yet; try and recollect a little more. Do you recollect any strange gentleman coming?—I cannot recollect one in particular.

31,997. Do you recollect Mr. Smith, in No. 13, a

TWENTY-THIRD DAY.

Eliza Farley.

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gentleman who was very unwell, and laid in his bed all sorts of odd times ?—I do not know.

31,998. Do you recollect the gentleman who was in No. 13 ?—I do not know who the gentleman was in 13, because I have nothing to do with those rooms.

31,999. Did not you go up there at all ?—I do not know that I did.

32,000. Did not you ? — I do not. My work does not lie there.

32,001. Do you recollect the stranger being there whom nobody ever saw, a mysterious sort of person about the house ?—I do not know.

32,002. You know all about it ?—I do not know anything particular.

32,003. You have a better memory than your husband ?—I cannot tell anything about that.

32,004. Was there anyone but Mr. John Heath, Screach, and Evens who went upstairs ? — That I cannot tell. I never saw Mr. Heath nor Mr. Screach over those stairs since I have been at work.

32,005. Or Mr. Frederick Evens ?—No ; I never saw him over the second landing.

32,006. Where did you see Mr. Evens ? — I have seen him in the passage, and I have seen him about the house, not near the bedrooms.

32,007. You know that Mr. John Heath, Mr. Edmonds, and Mr. Screach have told us that they were going to see a gentleman at 13 ?—I do not know about that.

32,008. Did you see them going ?—No.

32,009. Do you think that is wrong ?—I do not know.

32,010. Were you always about the house ?—Yes.

32,011. How long before the election were you there constantly ? a week ?—Not before the election.

32,012. How many days before the election were you in the house constantly ?—Never in the house constantly, except on Saturday.

32,013. The Saturday before the election were you there ?—Yes.

32,014. Were you there on the Friday before that Saturday ?—I do not know.

32,015. You can recollect Saturday was your usual day ? — Yes.

32,016. You would recollect any other day that you would be there ; were you there a whole week before the election ?—No.

32,017. The Wednesday before the election ?—No, I do not think I was.

32,018. Were you there on the Thursday ?—I do not think I was.

32,019. When were you there ? — I cannot be punctual to any day except Saturday.

32,020. You were there on the Saturday before the election ?—Yes.

32,021. What part of the house were you chiefly in ?—In the waiter's rooms.

32,022. You saw several people going about there ? —Yes ; but I did not know any person in particular.

32,023. Not Mr. Screach ?—I do not know whether I did see Mr. Screach that day.

32,024. Did you see him the next day ?—I did not see him on the Sunday, I know.

32,025. Did you see him on the Monday ?—I cannot tell.

32,026. You were there on the Monday ?—I was there during the week.

32,027. Did you see Screach about a great deal ?— I saw him in the house.

32,028. Did you see him going up those stairs towards the bedroom ?—I do not think I did.

32,029. Did you see Frederick Evens about ?—I saw him downstairs, but I never saw him up.

32,030. Never saw him in No. 8 ?—No.

32,031. Never saw him go there ?—No.

32,032. Did you see Mr. John Heath very often leaving the lower part of the house and going to the upper part ?—I saw John Heath going to No. 8, but I never saw him going any higher.

32,033. If he had gone up higher, would you be likely to see him ?—I might or I might not ; but if I had I should not take notice.

32,034. No recollection of seeing Screach and Evens going upstairs ?—I have seen him going in No. 8, but no further.

32,035. You know Colonel Dawkins and Captain Pim by sight ?—Yes, I knew them by sight.

32,036. And Colonel Dawkins' valet by sight, Marshall his name was ?—Yes.

32,037. Do you know Mr. Smith by sight, Colonel Dawkins' solicitor, who was down, a grey-haired man ?—Yes.

32,038. Do you know two of his clerks, Mr. Lind and Mr. Daw, one a young fair man, and the other a dark man ?—No.

32,039. What strangers whom you had not known as Totnes people did you see about the house, except those I have mentioned to you ?—I could not say. There were different parties coming in the house.

32,040. But at the election, the election week, a perfect stranger, whom you had never seen before ; did you see any such person about the house ?—I did not see any one in particular.

32,041. Was there any stranger that you had never seen before, who was constantly there during the election week ?—I do not know that.

32,042. Did you sleep in the house when you were charing there ?—No.

32,043. What time did you go away ?—It all depends. I have no regular time to leave.

32,044. What was the latest time that you ever left during the election week ?—I cannot say ; it might be one o'clock.

32,045. Was it ever as late as three o'clock ?—No.

32,046. When you went out at one o'clock, I suppose the house was still open ?—The front door would be shut ; but there would be parties in the room.

32,047. At those times do you recollect seeing a stranger that you had not known before ?—No ; I did take notice of one party more than another. Of course I did not know the names.

32,048. Did you ever carry anything to No. 13 ?— No.

32,049. What rooms do you carry anything into ?— The waiter's rooms.

32,050. Do you recollect two gentlemen being in No. 6, the one a young fair man, and the other a darkish man ?—I know there were two gentlemen there, but I do not know their names.

32,051. Was there a young fair man and a man about 30, a dark man ?—That I could not say.

32,052. You have no recollection of any particular strangers besides those two men and the persons that I have mentioned being at the house ?—No.

32,053. If I understand you, Colonel Dawkins and Captain Pim, and Colonel Dawkins' valet, and Mr. Smith, and those two men were the only six strangers down ?—There might be others.

32,054. Do you recollect any others ?—No.

32,055. You do not recollect any stranger about ?— No.

32,056. (*Mr. Longe.*) Have you only been at the "Seven Stars" on Saturdays lately ? Have you not been there other days besides Saturdays the last week or two ?—I have not been at the "Stars" since last Saturday ; but the week the waiter was ill I did his work.

32,057. When he was up here did you do his work ? —Yes.

32,058. At the "Seven Stars" you have had a great many laughs about Mr. Mum ?—Yes ; but we do not know him.

32,059. (*Mr Bere.*) You do not know who he was ? —No.

32,060. (*Mr. Longe.*) You and the servants have laughed about our trying to find him out ?—People would come in to have a glass of ale, and say, "Is this the room where Mr. Mum was ?" but we do not know.

32,061. And the waiter and you laughed about it ? —I do not say anything about it, except that strangers came in.

32,062. You have never heard any one suggest where Mr. Mum was yet ?—No.

Mr. JEFFERY MICHELMORE sworn and examined.

32,063. (*Mr. Bere.*) Are you agent to the Duke of Somerset?—Yes.

32,064. You succeeded your father?—Yes.

32,065. When did he die?—In May last.

32,066. Have you produced here all the books connected with the Duke of Somerset's affairs since 1862?—I have.

32,067. Since what date in 1862?—I think Lady day, 1862.

32,068. There is a cash book you keep?—Yes.

32,069. You have not produced that?—I have.

32,070. Are there any books in your office or anywhere else connected with those transactions except those?—No.

32,071. Have any alterations been made recently?—Not the slightest alteration whatever.

32,072. We are obliged to call for the production of the books, and obliged to keep them.—Could not you let me have some of them? I would let you have a copy of the rentals, that is all you would require.

32,073. What books do you want?—The estate book I want. The only book that can be of any service is the rental book.

32,074. Is there a private cash book between you and the Duke of Somerset?—No, nothing more than you have here.

32,075. When you remit tenants' rent how would that be done?—Carried in the deduction column, the rental.

32,076. What books are they you want?—I want the estate book, the day book, and the chapel rental and the tithe rental, and the rental of Michaelmas, 1865.

32,077. When do you send out your notices for the rent?—We generally send them out the fair-days before the audit, and the audit is generally the first Thursday after the market day in February.

32,078. You are only making up the accounts to Michaelmas?—I am making them up to the end of June last.

32,079. Are those rents to be collected in November?—No, the rents are collected, but I am making up the books to send to his Grace.

32,080. You do not want the books for the purpose of collecting the rents?—No.

32,081. You used them to make up your own accounts?—Yes.

32,082. When do you send them to the duke?—We intend to send them every day.

32,083. I dare say the duke will wait when you tell him we have the books?—There is nothing in the books.

32,084. That is for us to judge; we think there is a great deal. And you must produce the cash book and the private letter book?—The clerk has them.

32,085. I understand that those are all the books?—Yes.

HENRY BARTLETT recalled and further examined.

H. Bartlett.

32,086. (*Mr. Bere.*) You have said that you never received money at any election?—Never.

32,087. In 1852 did you attend a meeting at the "Bell Inn"?—Never.

32,088. Take care?—Never in my life.

32,089. Three persons have given us information to the contrary?—Then they are liars.

32,090. You know where the "Bell Inn" is?—Perfectly.

32,091. Who kept it then?—I do not know.

32,092. Who keeps it now?—I cannot tell you.

32,093. Did Thomas Gillham keep it?—Not that I know of.

32,094. Do you mean to say you do not know who kept it then?—I do not.

32,095. Nor who keeps it now?—I cannot tell you; I have just been insulted by a drunken lawyer about some election. I dare say that is where you have got it from. A drunken vagabond lawyer has insulted me very much indeed.

32,096. Such expressions as those are not becoming here. Do I understand you to swear, on your oath, that at the election of 1852 you never were at the "Bell Inn"?—Not to my recollection; I might be running about.

32,097. Did you go there and talk about the election?—Not to my recollection.

32,098. We will not have your recollection?—I do not know.

32,099. And then afterwards did you not go to the "Seymour"?—I do not recollect anything of the sort.

32,100. Are you quite sure of that?—Yes. I would not tell you a lie for the world, so help me God, I would not; that is my assertion.

32,101. We have heard many such assertions from persons who have told lies.—I would not do it.

32,102. Do you remember anything about the election of 1852?—I know I was out the same as other young men were, but I do not recollect particularly about it. I recollect going to the "Bay Horse" when Mr. Seymour's carriage was sent up after Norrish, and there being a hue and cry that they were going to take off Nicholas Norrish; I went there with half a dozen more; my brother-in-law, Pendle, was there. When I came up he said, "I will go in and get Norrish," and he went in and got him out, and they went down to the "Seven Stars."

32,103. Do you know that 75*l.* was had for Pendle, Norrish, and yourself?—Never. If any man swears that, I will swear that I never had any conversation about my vote as to money.

32,104. Perhaps the "Bell" is the wrong place; it was the "Bay Horse" where this conversation took place?—Perhaps so. I have been given to understand by a drunken lawyer that he would have me up purposely. I never had a farthing in my life, and I never gave authority to anyone to make use of my name. If they have done so it was unauthorized by me, and have had it themselves.

32,105. Have you a wife?—Yes, but my wife never received a sixpence or a farthing.

32,106. How do you know that?—I know it perfectly well; I can depend on her, and on my daughters and sons as well.

32,107. Do you mean to tell me you had no money when Pendle and Norrish were given money?—Never in my life.

32,108. Who got it for you?—No one. I had no conversation with anybody.

32,109. Was any money ever placed on the top of a cask at the "Bay Horse Inn"?—I never received any money from the top of a cask in that inn.

32,110. But money intended for other people?—I have been insulted by this lawyer saying so, but it is the biggest lie that was ever invented.

32,111. Assertions do not make one believe a person any more than a plain straightforward answer?—I never had anything of the sort.

32,112. Did you ever see any money placed on the top of a cask during the election?—Never.

32,113. Did you ever see any money at any time during the election?—I have seen money in my own house, not given to me.

32,114. I did not ask you that. What are you?—A mercer and tailor.

32,115. Used you not to do business during the election?—Never more than at other times.

32,116. Did you do any business?—Yes.

32,117. And money used to pass over your counter?—Not particularly more than at other times; no money was passed by any man in the world for electioneering purposes.

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H. Bartlett.

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32,118. Did money pass over your counter during the time of the election?—There might have been a bill settled.

32,119. Were there any bills settled during the election of 1852?—I cannot tell you.

32,120. Have you your books from that time?—I dare say I have; it is many years ago.

32,121. Did you keep a ledger then and a day book?—No, I do not think I did; I was in a little way of business then.

32,122. Where were you living then?—In my own house.

32,123. Is that a freehold house?—Yes. I never had a vote before I bought that house.

32,124. Where is that?—In the Plymouth Road.

32,125. Where are you living now?—Just below there.

32,126. Did you ever vote in the Town Council?—I always did.

32,127. How much did you get for that?—I never got anything.

32,128. Have you ever given anything?—Never. I never asked a man for his vote.

32,129. Did you vote for Mr. Bovey at the Council election?—I did not.

32,130. Who did you vote for?—Mr. Samuel Huxham.

32,131. Did Mr. Bovey canvass you?—He might have asked me for my vote, but I did not think he was capable of taking office.

32,132. Did you not promise him?—No.

32,133. That you swear?—Yes.

32,134. Do you know William Sawyer?—Yes.

32,135. Did he ever give you any money?—Never in his life.

32,136. Did he ever pay you a bill?—He never paid me a bill at election times. I always settled with him at Christmas.

32,137. Is not the election for the Town Council about the 2nd of November?—Yes.

32,138. Did he ever settle with you a little before Christmas?—Never in my life.

32,139. Between the 1st of November and Christmas?—No. I never gave a bill to anyone until Christmas.

32,140. Do you know Nicholas Manning?—Yes.

32,141. Did anything take place between you and him in 1847 at Baldwin's election?—No.

32,142. What time did you vote at that election?—I cannot tell. I always voted for the Conservative party.

32,143. Do you mean to say that you were never given 75*l.* to distribute between Pendle, Norrish, and yourself?—Never in my life.

32,144. Did you ever get any money at all?—Never.

32,145. Not for your own purposes but for other people?—Never.

32,146. What relation of yours was Pendle?—A brother-in-law.

32,147. How came you to be mixed up with them?—I was there when the other party were taking Norrish away; they said the best way would be to get Norrish away.

32,148. What were you doing?—I was assisting to see if he would come to our party as he promised.

32,149. Where did they take him to?—I think to the "Stars."

32,150. Did you go with him?—Yes.

32,151. Did you get nothing for assisting?—Not a farthing.

32,152. Where did they put him?—He was along with the rest.

32,153. Do you think we shall believe that a person who took the trouble to get him there did not take any interest in it?—It was my brother-in-law who took him, not me.

32,154. You say there were half a dozen other persons engaged in this?—I think Mr. Mitchell was there and Mr. Charles Frederick Michelmore.

32,155. They went with you?—Not with me; they were there when I went up to the "Bay Horse."

32,156. I thought you said he was taken to the "Seven Stars"?—That was my brother-in-law, not me; I went with the rest. I was at the "Bay Horse Inn" when Norrish was going to be taken away by the other party. My brother-in-law Pendle went and had him out, and went to the "Stars" with him.

32,157. You went to the "Bay Horse" to get Norrish out?—I did not go.

32,158. Then what did you go there for?—To see that it was rightly done, that was all.

J. Watson.

JOHN WATSON sworn and examined.

32,159. (*Mr. Bere.*) What do you know about this transaction between Bartlett and Norrish?—What I have heard my father-in-law say many times.

32,160. Who is your father-in-law?—Nicholas Norrish. He is dead and gone.

32,161. When did you hear him say this—what was it that he said?—He said that Mr. Michelmore gave Bartlett 20*l.* to take up to him which he never had. He has said that scores of times; that is all I know about it. If Mr. Michelmore did not pay Bartlett one of them must be in the wrong for certain.

32,162. (*Mr. Coleridge.*) You know nothing more of this than what your father-in-law told you—that he believed Mr. Michelmore had got this money and paid it to Bartlett?—That is all.

32,163. He did not say he had seen Mr. Michelmore pay it?—No.

32,164. It was only what he supposed Mr. Michelmore had done?—Mr. Michelmore told my father-in-law in my presence that he gave 20*l.* to Bartlett, which Norrish never had.

32,165. Was that Mr. Charles Frederick Michelmore?—Yes.

32,166. That he had given it to Bartlett?—Yes, and Norrish never had it.

32,167. Was Bartlett present then?—No, he was not.

C. F. Michelmore.

CHARLES FREDERICK MICHELMORE sworn and examined.

32,168. (*Mr. Bere.*) You have heard this statement as to the money which was paid. What is your account of it?—I was only reminded of it some two years ago, but I have no doubt it is correct, that I paid it.

32,169. Did you pay this money to Henry Bartlett?—I swear solemnly that I paid 75*l.* after an arrangement had been made at No. 1 in the "Seven Stars," for himself, Pendle, and Norrish. I have mentioned it to him several times since, and I have told him since this Commission has been opened that I intended to speak the truth about it.

32,170. What did he say to that?—And then for the first time he pooh-poohed me. I may also state that Bartlett came to the "Bell Inn," where we had what is commonly called a "free and easy," and we left the "Bell Inn" for the "Seymour Hotel." The parties present whom I can remember at the present moment who are capable of being examined are Mr. Chaster, Mr. George Roberts, Mr. Windeatt, and Mr. Brooking Cuming. I have spoken to Mr. Chaster on the subject within the last three or four days, and he perfectly remembers Bartlett's coming back with us to the "Seymour Hotel." There was a sofa in the room, and on that sofa George Roberts, Bartlett, and myself sat, the other parties in the room occupying chairs in different parts of the room. Roberts is what we term a journeyman tailor—Mr. Bartlett,

what he terms himself, a master tradesman. A little dispute arose between the two parties, and Bartlett said, "You damned little journeyman tailor, how dare "you speak to me who am a master tradesman." Roberts' reply was, "Bartlett, for the sake of the "cloth behave yourself." Roberts then turned round and said, "Bartlett, were you not bribed at the last "election? Be careful; Mr. Michelmore is present, "who knows all about it." Whereupon Bartlett turned round to me and asked the question whether I had bribed him, and my reply was this: "I never "tell tales out of school."

32,171. Was he bribed or not?—I swear that I paid him 75*l.* myself on a cask at the "Bay Horse Inn."

(*Henry Bartlett.*) That is a lie.

(*Mr. Bere.*) If you make use of such an expression as that again you will be committed to Exeter gaol for contempt of court.

(*The Witness.*) The money I put on the top of a cask at the "Bay Horse Inn," and it was taken up by Bartlett for himself, Pendle, and Norrish. I would beg to call your attention to the fact that according to the evidence already given Norrish admitted receiving the 25*l.*; and according to the evidence of the Town Clerk the common talk of the town was that fabulous prices had been given, and that the parties who received the money did not attempt to disguise it at all.

32,172. (*Mr. Longe.*) Did you go to Bartlett's shop?—Yes; some ten days ago.

32,173. What did you say when you went there?—I went there for the purpose of informing him that I intended to disguise nothing from the Commissioners.

32,174. Did you put it more specifically?—I went there and reminded him of this very circumstance.

32,175. Did you remind him of anything that had transpired at any election since?—I never had anything to do with him for this reason. In 1852 I had only been in practice 12 months. I had a retainer offered me by Mr. Baldwin's party, and ever since then I have been in the Liberal interest.

JOHN PERROTT sworn and examined. *J. Perrott.*

32,176. (*Mr. Bere.*) How long have you had a vote for Totnes?—I really do not know.

32,177. When did you last vote?—At Dunn's election.

32,178. Have you not had a vote since?—No.

32,179. How came you to lose your vote?—By shifting my residence.

32,180. Why did you not claim a vote or have yourself put on the register?—From the shifting of my residence I was not entitled to a vote.

32,181. Whom did you vote for in 1859?—I do not know the dates.

32,182. At Dunn's election?—I voted for Dunn and Lord Gifford.

32,183. How much did you get for that?—After I had promised my vote I went to the "Stars."

32,184. To whom had you first promised your vote?—To Mr. Dunn.

32,185. Then you went to the "Stars"?—Yes; and there I saw, I presume, Mr. Dunn, Mrs. Dunn, and Captain Phipps, as I was told afterwards; I believe he was the brother-in-law of Mr. Dunn; they were canvassing. I went to the front door and I held up my finger to Mr. Dunn to step out. He came into the kitchen and sat down. I said, "You "have not called on me; if you will accept of my "vote I will give it you freely." He asked me my name, and I told him; he took out his book and found it was correct. I had been exceedingly ill for a great length of time, and considering that my own friends had neglected me, or had not befriended me at all, I told him I would promise him my vote freely, and that he might rely on what I said, that I should vote for him.

32,186. After your having promised that, did he say anything to you?—He said, "If Mrs. Dunn or "Captain Phipps can be of any service or benefit to "you, they will be happy to do so."

32,187. Did you afterwards go to the "Stars"?—Some days after.

32,188. What did you get there?—I was told at the "Stars" that a gentleman upstairs wanted to speak to me, in a room upstairs on the left-hand side; that a gentleman would see me there. There was a strange gentleman there whom I had never seen before or seen since, and his wife and child, I think.

32,189. What did he give you?—He asked me my name; I told him, and that I had been very ill for a long time. He asked me how I was going to vote; I said I should give one vote to Lord Gifford, the other to Mr. Dunn. He says, why not plump for Mr. Dunn? I said, I could not do so, and that nothing would induce me to alter my opinion. He said, you had better do so: it will be more beneficial to you to plump for Mr. Dunn. I said nothing would induce me to alter my voting for Lord Gifford. After a little he said, what do you expect from me? I said, I am not aware that I expect anything; that I solemnly swear.

32,190. What did you get?—He says, Come with me, and he took me into a little room adjoining a bedroom, and he said, You had better vote a plumper for Mr. Dunn. I said, no, I will not alter my pledge. He pressed me very much for a plumper, and I said no. When he left that room I followed him, and he went into the room where he had been before with his wife. He then said, Did you not see anything in here; I said No, not that I am aware of. He said, Did you pick up a little parcel there? I said, No, I did not. He said, There was a little parcel on the dressing-table; did you not pick up anything? I said, No. He told me I had better come back with him. He then took me towards the table and said, Do you see anything now? I then saw a very small parcel wrapped up in brown paper; and he said, Do you see it now? Yes, I do, I did not like to take up anything which was in another person's house; he said, Pick it up, that is 20*l.*

32,191. What did you do with it?—I opened one end and saw that it was gold; I did not count it; I went into the room where we had come from. I said I was very sorry; that I had been very weak and ill for a long time, and I was very weak then; I said this will certainly do me a great deal of good, but by the time I have settled one thing and another it will not last very long. Then he said, Let me have it again. I gave it to him and he said, Sit down, I will see you again presently, and he took away the parcel.

32,192. Where did you go to?—I remained in the room with his wife; he brought up the same parcel again, and he said here is 5*l.* more; I hope you will take care of it. I said I would endeavour to do so, and then left me, and I have never seen him since that I am aware of.

32,193. When you opened the parcel did you not find 30*l.*?—No.

32,194. Where were you living then?—In Bridgetown; on my solemn oath it was no more.

32,195. How much was it?—25*l.*

32,196. Are you quite sure that it was a stranger that paid you?—Yes, decidedly.

32,197. Are you quite sure that it was not young John Heath?—No, I know him so well; it was a different looking man.

32,198. Did John Heath introduce you to the stranger's room?—No.

32,199. Did you see him there?—No.

32,200. John Heath has said that he paid you 30*l.*?—So I have heard.

32,201. He did not do so?—No.

32,202. You are quite sure it was only 25*l.* you had from the stranger?—Yes.

32,203. The Liberals had been your old friends,

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had they not?—I had been on the Liberal side, and always voted for them.

32,204. Had you voted at Ricardo's election?—Yes; I think I had voted at three elections.

32,205. Did any certain number of you voters wait upon Mr. Ricardo to ask him if he was going to bribe any of the electors?—No.

32,206. Do you know anything about George Mitchell at Ricardo's election?—Yes.

32,207. That is the man who is sitting below in the blue coat?—Yes.

32,208. What do you know about that?—George Mitchell met me on the bridge, and asked me if it was true what he had heard. I said, "What is that?" "That you will not be able to vote for Ricardo." I said, "Yes." He replied, "I wish to have it from "you, because I know I can place confidence in "you."

32,209. What did you say to that?—I said, "Yes, "I shall not be able to do so."

32,210. Why could you not do so?—I had not promised Mr. Ricardo, exactly; it was tantamount to that. Previous to the election Mr. Michelmore, of Berry, the old gentleman, called on me; he afterwards met me in the street, and said, "How are you "going to vote at this election?" I told him for Seymour and Ricardo; his answer was, "You cannot "do that. Why, I have had your objections with-"drawn and many others, upon an understanding "that not one of you should vote against Mr. "Baldwin." I then said "What am I to do?" He replied, "If you do so I shall put a man against you "to counteract your vote." I again told him I had all but promised Mr. Ricardo, and he said, "You cannot "do that." He said, "You may give the other vote "to Mr. Baldwin if you like." I said, "I would not "do that." When he withdrew I said, I would consider of it. There was another meeting.

32,211. Between you and Mr. Michelmore?—Yes.

32,212. What conclusion had you then come to?—I told him the conclusion I had come to. I said, "If "that is to be the case, if I cannot vote for Ricardo, "I do not want to see another person placed against "me. I must go from my promise rather than that "such a thing as that should be the case;" and having thought it over, I thought that would be the best thing I could do.

32,213. Did you tell George Mitchell all that had passed between you and Mr. Michelmore?—I did.

32,214. What did he say?—He said he had heard of it.

32,215. Did he say anything else? Did he say that he might do you a good turn if you did vote for Mr. Ricardo?—I am not aware that he did.

32,216. Is that all that passed between you and George Mitchell then?—He said if that was the case he himself would not vote for Seymour; he would speak to some friends of his to go in the same way as he did—to plump for Ricardo.

32,217. Did he say there was any other reason for his plumping for Ricardo besides his anger at the way in which you had been made to vote?—Not that I am aware of.

32,218. There were no good and substantial reasons given to you?—No.

32,219. Did he say anything about having had any money from Mr. Ricardo?—No.

32,220. Or of any money that was to be had from Mr. Ricardo?—No.

32,221. Do you know anyone else who voted for Seymour and Ricardo?—I cannot remember them now.

32,222. Did you hear that Mr. Ricardo had spent a good deal of money in this place?—I believe there has always been a great deal of money spent here.

32,223. Did you hear anyone say they had had money who voted for Mr. Ricardo on that occasion?—I understood there was very little money passed on that occasion; not so much as had been spent before or since.

32,224. What were you formerly when you were in business?—A shoemaker.

32,225. At that time did you work for a good many of the Seymour people?—I worked for the Mr. Michelmores, and for many of the duke's tenantry.

32,226. And for how long did you keep that work?—Until there was an alteration in my position.

32,227. Had that anything to do with electioneering matters?—No, nothing at all.

32,228. Did not Mr. Seymour himself in 1852 canvass you for Mr. Baldwin?—No.

32,229. It was only Mr. Michelmore?—Just so.

32,230. And did he say how he wished the other vote to be given?—Certainly not.

32,231. You were voting at that time upon a made vote?—I believe it was.

32,232. Put on by Mr. Michelmore himself?—I believe so.

32,233. Did you vote in 1857?—I think so.

32,234. Which way did you then vote?—For Gifford and Mills.

32,235. What did you get for that?—Nothing.

32,236. Did you see anyone on that side at all?—I cannot say.

32,237. Were you tempted at all on the other side?—No.

32,238. Where were you living then?—At Bridgetown.

32,239. Were you a tenant of the Duke of Somerset's?—No, not then.

32,240. Whose property were you living on then?—I was holding under a gentleman living in London.

32,241. Was that gentleman a Liberal?—That I do not know.

32,242. Was Mr. Michelmore his agent?—That I cannot tell.

32,243. Do you know who was his agent?—No, I do not.

32,244. Did he collect his rents himself?—No, he did not.

32,245. Used you to send your rent to him?—Yes.

32,246. Was there any complaint made if it was not paid punctually?—No.

32,247. Who was his agent? Do you remember?—A Mr. Samuel Cumming.

32,248. Any relation of the family of that name here?—No, none.

32,249. Have you talked to Mr. George Mitchell since this Commission has been sitting?—No.

32,250. Have you heard it suggested you could throw some light on Mr. Mitchell's history as a politician?—I have heard that Mr. Harris said so.

32,251. Did not Mr. George Mitchell come and talk to you?—Since the Commission has been opened I do not think I have spoken to him, although I have seen him.

32,252. As far as you recollect, is that all that passed between you about politics?—Yes. I may say that George Mitchell—and I declare it solemnly on my oath—never solicited me for a vote on any occasion in my life, nor I him.

32,253. Do you deal with him?—I have done so.

32,254. Are you in his debt now?—A little. I have been a large dealer with him.

32,255. Did he ever ask you for money due to him just before the election?—I do not think that he did then more than at another time.

32,256. Is he pretty frequently in, asking you for his money?—Yes.

32,257. Not a person likely to stand the loss of a large debt?—I do not know about his private transactions.

32,258. Is he a man who would ask you for money pretty frequently?—Yes.

32,259. What sort of credit did he give you?—Pretty good credit.

32,260. Seven or eight years?—No.

32,261. Five or six months?—We used to make up our accounts once a year; and I used to make him payments as I had money to part with.

32,262. What amount of business do you suppose

ou did with him?—Sometimes 100*l.*, sometimes 70*l.* r 80*l.*

32,263. Did you make boots and shoes for him?—never did a stitch for him in my life.

32,264. Though you did not talk to Mr. Mitchell bout this, have you ever talked to anybody else bout the evidence that Mitchell gave here?—Respecting me?

32,265. I do not know whether respecting you, or natters that you knew about?—What do you mean?

32,266. Did you read the evidence Mr. Mitchell ad given?—I heard him say it.

32,267. After you heard him say it, did you tell a erson in Totnes that Mr. Mitchell had told a great any lies?—No.

32,268. Did you tell any person in Totnes that Mr. Hitchell had made misstatements?—No.

32,269. Did you express any opinion about what Ir. Mitchell had said?—The opinion I stated was, nat it was a lot of useless hearsay evidence.

32,270. Did you not say that you were told a good eal about it, and that what Mitchell had said was ot quite correct?—No; most decidedly not.

32,271. Did you say that you could tell a great eal about it; about what Mitchell had said?—No, I ould not; because his was hearsay evidence, and all could have to say would be hearsay evidence.

32,272. Is the hearsay evidence contradictory to hat Mitchell gave? Had you heard stories conradictory to those that Mitchell had told?—No.

32,273. Did not you say it outside of the door of he "Seven Stars"? You were up here, and your ome is in Bridgetown?—Not now.

32,274. Where do you live now?—Opposite the Ashburton Road.

32,275. Were you walking down towards your house, and did you go towards the bridge?—No.

32,276. Are you quite sure about that?—Yes.

32,277. When were you last at the "Seven Stars," or at the door of the "Seven Stars"?—I have not been inside that for a great length of time.

32,278. But outside of the door did you see Robert Harris and talk to him about it?—No, not at the "Stars."

32,279. Where did you talk to him?—Opposite the Ashburton Road.

32,280. What did you say to him?—He asked me if I had heard George Mitchell's evidence, and I said "Yes." He asked me my opinion, and I said it was nothing but hearsay stories from beginning to the end of it.

32,281. Did you not say what you could tell?—I said to him, "Perhaps other people could go into "reports as well that would amount to nothing."

32,282. What did you mean by that? Did you mean that the reports that Mitchell had given utterance to were untrue?—No; I did not say that it was untrue.

32,283. Did you mean that they were reports about Mr. Mitchell?—I said to Mr. Harris, "Perhaps, as "far as reports go, if it goes by reports and rumours, "and if reports be true, I heard it hinted that he got "money once or twice for one or two voters."

32,284. That was not Mr. Dunn?—No, quite a different person from Mr. Dunn or John Heath, most decidedly.

JOHN SANDFORD SCREACH, Senior, sworn and examined.

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32,285. (*Mr. Bere.*) Are you an innkeeper in ridgetown?—Yes.

32,286. How long have you been an innkeeper?—have been an innkeeper about 13 years.

32,287. Were you a shoemaker before you were an nkeeper?—I was, and am now.

32,288. The innkeeping is a little amusement?—It erves to make up the income.

32,289. How long have you voted for Totnes?—Ever since 1840.

32,290. Had you voted in Baldwin and Blount's me?—No.

32,291. Had you voted in the election between Baldwin and Gisborne?—Yes.

32,292. That was the first time?—Yes.

32,293. Whom did you vote for then?—For Mr. Baldwin.

32,294. What did you get for that?—100*l.*

32,295. Who paid you?—Mr. Gilbert.

32,296. Was he an active agent for the Conservaives?—Yes.

32,297. Who was he?—He used to carry on business s an ironfounder.

32,298. How long has he been dead?—He is not ead.

32,299. Although you were not a voter in 1839, and herefore did not get any money, did Mr. Gilbert ome to you and ask you to influence certain people?—No, he did not. He went to certain voters, and sked me if I would hold the stakes for them.

32,300. When had you heard that?—I do not now; many years ago.

32,301. Was that at Ricardo's election?—I do not now.

32,302. Think for a minute. Was it not at Ricardo's election that you heard that he got the money?—I do not know.

32,303. Did not you hear that there was a good eal of money going into his hands at Ricardo's election which did not get through them?—No; that is all heard hinted. I heard that he had got money from riends on the Chartist principle, but I only heard it hinted.

32,304. How long ago?—I do not know.

32,305. It is a rather strong thing to be hinted at that people hold money and do not pay it?—Mr. Harris, if you recollect, said that George Mitchell had bribed me twice, but had kept the money.

32,306. That he had had money to bribe you, and that he kept it?—I believe Mr. George Mitchell to be far too honourable a man, and too honourable a politician to do anything of the sort. I believe if there is a truly honest politician he was one.

32,307. Did not you hear where Mr. Mitchell had got this money?—No.

32,308. Did not you hear that it was at the "Market House" inn?—No.

32,309. Do I understand you that the only time thatyou had money was for Dunn in 1859?—Yes.

32,310. (*Mr. Coleridge.*) Was Mrs. Dunn present in the room when you went and saw the stranger?—No.

32,311. You say there was a lady with a little child?—The gentleman told me it was his wife and child.

32,312. Did you hold the stakes for them?—Yes.

32,313. What was the amount of the stakes?—I held 200*l.* for four.

32,314. That was 50*l.* a piece?—Yes.

32,315. And you yourself got 100*l.*?—Yes.

32,316. Whose house were you living in then?—In a house belonging to Mr. John Reeves.

32,317. What politics was he?—He was a very liberal man, for when I took the house he said, "You "are about to take the house, the house will make a "vote, but I never interfere with my tenants as long "as I get my rent."

32,318. Did not you know which way Mr. Reeves was in the habit of voting?—I believe he used to vote in the Liberal interest.

32,319. Did you vote against each other in Baldwin and Gisborne's time?—The property has changed hands.

32,320. When?—From the time that I took the property in 1839 and the time that I became an elector in 1840; the property had been purchased by the Duke of Somerset. Then, in the election that was pending between Baldwin and Gisborne, I had a message sent

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to me by my father from old Mr. Michelmore, stating that if I did not vote for Mr. Gisborne I should have to leave the house. I told my father, in reply, that when Mr. Reeves let me the house he told me that I was to exercise my vote as I thought proper, and that he never interfered as long as he got the rent, and that if the Duke of Somerset had bought the property he had not bought my vote, and that I should vote for Baldwin.

32,321. But you did not vote for Baldwin without a consideration ?—No, I did not.

32,322. Did you go to Mr. Gilbert and ask what the consideration was to be ?—No; he came to me.

32,323. Did not you tell Mr. Gilbert that Mr. Michelmore would turn you out of your house ?—I did not think anything of it.

32,324. You got the 100*l.* ?—Yes.

32,325. Whom did you influence ?—I merely held the stakes.

32,326. How much did you hold at that election ?—I should like you to understand about those parties for whom I held the stakes in 1839, and the manner they had it. I think it would be fair, if one side is shown up, to show up the other. I held the stakes in 1839 for a person called John Guest and Samuel Penny Sharpham.

32,327. Is he alive ?—Yes, and living in the town; and the next was William Winsor and George Roberts; and when the polling came two of them, according to the old term, kicked over the traces, that is, Samuel Sharpham Penny, or Penny Sharpham, and William Winsor, and I paid 50*l.* to George Roberts, and 50*l.* to John Guest. I was sent for the next day to go to Mr. Gilbert's, who then resided in Bridgetown, where Mr. Roberts now resides, and he demanded of me the 100*l.*, and I gave it him.

32,328. Then you gave it him all ?—Yes.

32,329. Because the others had turned round ?—Yes, because it was not expended. 100*l.* was expended.

32,330. Did not he give you something back ?—He gave me 5*l.* back.

32,331. Did you hold the stakes for people in 1840 ?—Yes.

32,332. Whom did you hold the stakes for then ?—I held the states for four.

32,333. Who were they ?—Roberts and Guest, and a man called Nicholas Gidley.

32,334. You were a Conservative at that time; at least you voted for Baldwin ?—Yes.

32,335. (*Mr. Coleridge.*) Who first converted you ?—The 100*l.*

32,336. Your conversion dates from that date ?—Yes.

32,337. (*Mr. Bere.*) How much did you hold for the four ?—400*l.*

32,338. Did they vote all right ?—Roberts deceived us.

32,339. Did Gilbert give you the 400*l.* ?—Yes.

32,340. In gold ?—No, all notes.

32,341. Where was the receiving place in those days ?—He brought it to my house.

32,342. No room to which you used to go, or an inn ?—No, never met for any such purpose.

32,343. He brought it to your house, and you held it ?—Yes.

32,344. Did you give him back the 100*l.* that Roberts ought to have had ?—Yes.

32,345. Did he give you something out of that ?—No.

32,346. You kept your own 100*l.* ?—Yes.

32,347. What did George Roberts do ?—Inasmuch as he had voted contrary (he was living in Seymour Place, and was one of the tenants of the Duke of Somerset at that time), and in consequence of having voted contrary to their wishes, the labour that he principally obtained as tailor was from the tenantry, and all those favours were withdrawn.

32,348. I suppose you told George Roberts that you had got 100*l.* ?—Yes.

32,349. Did not he tell you that he was going to get something on the other side ?—He did not tell me, but I believe he did.

32,350. What did he get;—I think he had 80*l.*

32,351. 80*l.* and the custom was better than 100*l.* ?—Yes.

32,352. (*Mr. Coleridge.*) You told me your conversion dated from the time you got the 100*l.*; did not the Liberal party offer you money ?—Not to me.

32,353. They have never been to you at all ?—No.

32,354. In 1842 what happened ?—I do not know.

32,355. There was an election in 1842 when Ricardo, Lord Seymour, and Mr. Baldwin stood, or I think there was a return without any opposition in 1842 ?—I think so; I do not think there was any opposition for many years.

32,356. In 1841 do you remember Mr. Petre and Mr. Teed coming down ?—Yes.

32,357. Can you tell us what happened about Petre and Teed, why they resigned ?—I cannot.

32,358. Did you see either of them ?—I really cannot say.

32,359. Which side would you have voted for ?—Very likely I should have voted for Mr. Baldwin.

32,360. Would you have given him a plumper or split your vote ?—I cannot say; it is so many years ago.

32,361. Did not Petre or Teed, or someone on their behalf, canvass you ?—I cannot remember, I think Teed did.

32,362. Was Mr. Gilbert still the agent ?—Yes.

32,363. Did not he come and tell you there would be some money ?—No.

32,364. Do you remember how long before the election they retired ?—I do not know.

32,365. We have no election till 1847, and then that was Seymour, Baldwin, and Ricardo ?—Yes.

32,366. What did you do then ?—Voted for Ricardo and Seymour.

32,367. You changed back to the Liberals ?—Yes.

32,368. What made the alteration ?—I was residing then amongst them.

32,369. You were turned out in 1842 ?—Yes.

32,370. Where did you go to ?—I went to a residence belonging to the Gilbert family, belonging to Mr. Gilbert's sister.

32,371. Did Mr. Gilbert get it for you ?—Yes.

32,372. How long were you there ?—Till 1848 or 1849.

32,373. Then you were there in 1847 ?—Yes.

32,374. And you were free from the duke ?—Yes.

32,375. What made you vote for Ricardo and Seymour ?—I did not intend voting, but when it came late I was sent for by Mr. Charles Webber and Edward Croydon. He came and said a gentleman wanted to see me at the committee room which was in the house of Mr. John Fogwill, on the Plains.

32,376. Is that the house where Mrs. Gill lived ?—I do not know, it is a house at the lower end. I believe one portion is converted into a public house.

32,377. You went to the committee room at Fogwill's house and saw Charles Webber ?—Yes.

32,378. What did Charles Webber give you to vote ?—He asked me if I would vote for Ricardo, and he gave me 20*l.*

32,379. That was inferior to your last arrangement; did not you go to the other side and see what could be got ?—No.

32,380. Did not the other side come to you ?—No, I never heard a word.

32,381. Was Mr. Gilbert managing ?—Yes, but he never came to me.

32,382. It is rather odd, did he think you were safe ?—I do not know.

32,383. It was a near business, Baldwin only got in by three, therefore your vote was worth more ?—I do not know about that.

32,384. In 1852 whom did you vote for then ?—Mills and Lord Seymour.

32,385. What did you get for that ?—50*l.*

32,386. Who gave you that ?—Joseph Coombes.

32,387. You were on Ricardo's side at that election ;

what did you hear about money going then?—I cannot give you any idea, I know no more about it than you who were not here.

32,388. Is Joseph Coombes alive?—Yes.

32,389. Did you hold money for anybody else?—Yes.

32,390. For whom?—For Thomas Mitchell, who gave evidence last night, and William Bendon.

32,391. Were those the only two?—Yes.

32,392. Was there a man called Hardin?—Yes, he made the bargain.

32,393. What did he first try to get you for?—When you say "try to get," he offered a much larger sum.

32,394. What did he say?—He did not say anything else.

32,395. Did not he offer you 35*l.* apiece?—No, not that I remember. His object was to claim a percentage, and the higher the price the better.

32,396. How much used he to look for?—A shilling in the pound.

32,397. Had you given Gilbert anything for what he gave you?—No.

32,398. You held the money for Bendon?—Yes.

32,399. And paid it?—Yes.

32,400. Did you get a percentage?—No.

32,401. Where was this money paid?—Paid in Farley's. He had the house named the "Victory."

32,402. Was that the origin and foundation of the Lapstone Club?—I am not aware.

32,403. You were a member of that?—I do not know.

32,404. You were a member of the club?—No.

32,405. Were not there a number of shoemakers and friends who used to enter into negotiations about the sum to be paid for their votes?—Not that I am aware of.

32,406. Are you quite sure?—Yes.

32,407. Have you seen this (*referring to a paper*)?—The squib? Yes.

32,408. Were you not among the party?—I did not recognize it.

32,409. Did you share in the advantages procured?—No, there were no advantages procured.

32,410. You got them directly for yourself?—Yes.

32,411. You did not want an intermediate agent?—No.

32,412. I thought you were the secretary of the club?—I did not know that there was a secretary.

32,413. Was not there some person who negotiated with Mr. Hardin?—No, each negotiated separately.

32,414. Did not he receive an intimation that there were persons who could be negotiated with easily because they were already arranged with?—No.

32,415. Did not he come to you and say, "There "is so and so and so and so" (mentioning their names) "who can be managed"?—No. He said merely, "What will you take?"

32,416. And you said 50*l.*?—Yes.

32,417. Did not he ask what your friends would take?—No.

32,418. Did not you ask about Mr. Farley?—No.

32,419. Who was Bendon?—He has gone, dead.

32,420. Was there a company?—No.

32,421. Money was paid at old William Farley's?—Yes.

32,422. Did William Farley get any?—I do not know.

32,423. You heard he had?—I heard.

32,424. That was 50*l.* for himself and 50*l.* for his son-in-law?—Yes.

32,425. His son-in-law was Thomas Blackler?—Yes.

32,426. Did you ever hear whether he paid him or not?—I do not know.

32,427. That was in 1852; then by 1859 you had gone round again. Whom did you vote for in 1859?—Mills and Lord Gifford.

32,428. What did you get for that?—Nothing.

32,429. Was there no money going?—I do not know.

32,430. Whose tenant did you become?—I was living in my own property at that time.

32,431. Had you bought a house then?—I had in 1849.

32,432. But you were not living in it?—I went to live in it in 1849.

32,433. What was the house you were renting of Mr. Gilbert in 1852?—That was the house I left to go to the one which I purchased.

32,434. In 1857 did you vote for Mackenzie and Gregory?—I did not.

32,435. Who then?—I did not vote.

32,436. Why not?—I do not know. I do not remember.

32,437. There must have been a very strong inducement for you not to vote?—I never voted on that election, and had no reason for voting or not voting.

32,438. Did not Mr. Gilbert come to you?—No.

32,439. You were canvassed of course by the various candidates?—Perhaps I might have been.

32,440. Did not you see some influential people on either side?—No.

32,441. Who was managing the election for the Liberals that time?—I do not know.

32,442. Was not Mr. Windeatt?—Mr. Windeatt never canvassed me in my life.

32,443. Was Mr. Brooking Cuming?—He has been, but I do not remember his canvassing me then.

32,444. Did not you get anything for your vote then?—Not a farthing.

32,445. What was the reason? Had a sudden fit of virtue come over you then?—Nothing sudden, only I did not feel disposed to vote.

32,446. Were there not good reasons given you on either side why you should not vote?—No good reasons whatever.

32,447. Are you quite certain?—Yes.

32,448. Nothing to do with your land or house?—No, nothing.

32,449. Or good reasons given to your family?—No, nothing whatever.

32,450. It was merely a fancy?—Nothing more than that I did not feel disposed to vote. I had neither interest in the way of business nor any reward.

32,451. But had you any particular interest in business before. Was not your interest in the money that you got?—I did not work for any particular society; that never interfered with politics.

32,452. Are you living in the house you bought in 1849?—Yes.

32,453. It is an inn, is it not?—Yes.

32,454. Was it an inn when you first occupied it?—No.

32,455. You did not vote in 1857; you did in 1859. What made you vote in 1859? What increased interest had you between March 1857 and 30th April 1859?—Inasmuch as I had embarked in the public business; and thinking that I was dwelling amongst those who were of the Liberal party, that I might have a chance of their favours.

32,456. Did you have a committee held at your house?—Never.

32,457. Did you have a bill paid there?—Never. In what way?

32,458. For the people who drank and had things there?—I had a meeting in 1861 there.

32,459. That was a municipal meeting?—That was a municipal meeting.

32,460. In 1859 had you anything of the sort?—No.

32,461. Did not you get anything for your vote in 1859?—No, not a farthing.

32,462. Did you ask for anything?—I never sought for anything.

32,463. Did not you see anybody who was offered?—I was offered.

32,464. By whom?—There was a stranger came to my house on the night of nomination, and he asked me whether I was a voter. I told him I was. He says, "Will you vote for Mr. Dunn?" I told him I had promised Mr. Mills; he was supposed to be the

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opposition candidate to the gentlemen on the Conservative side. He offered me 100*l.*, and I told him nothing would induce me to break my word. I had given my word to vote for Mr. Mills, and under such circumstances as that I would not break my word.

32,465. (*Mr. Coleridge.*) You changed your opinions for money pretty often before that?—When you say changed my opinions for money, in the course of time my circumstances were improved. I had a property left that came to my wife, and I had a house of my own, which placed me in a more independent position.

32,466. That would not account for your going round twice?—Circumstances make a difference.

32,467. Four times you have changed your opinions altogether?—No.

32,468. First of all you were a Liberal, then a Conservative, then a Liberal again, and now a Conservative?—No.

32,469. (*Mr. Bere.*) Then you got nothing in 1859?—No.

32,470. When did you first think you had better become a Conservative?—In the municipal election in 1861 I was promised a benefit at my house, that is, a meeting. Mr. Brooking Cuming promised it to me, and at that meeting there was pretty many assembled. I had a bill for 11*l.* 14*s.* against Mr. Brooking Cuming, as I conceived, for he gave me the order, and on the following day, when the voters were required to be picked up, that is, those on the municipal affair, the old Mr. Hodge at Berry Lodge came in, and I did not know what to do with many of the men, inasmuch as they had not got money to commence their business with, and Mr. William Hodge says to me, "Can you "accommodate me with 10*l.*, the voters begin to be "uneasy, and the time has arrived for polling;" and I lent Mr. Hodge, of Berry Lodge, 10*l.* to get some of the votes, and in the course of the day I lent him another 10*l.*, which made 20*l.*, and in about three weeks from that time they returned to me the 20*l.* which I lent them. It was brought back to Mr. William Hodge, in the presence of Mr. John Elliott, and I heard my bill inquired for for the night's expenses, 11*l.* 14*s.*; and after some few months had elapsed I made application to Mr. Condy—I dealt with him for beer—for payment of this bill, and Mr. Condy told me that he did not know who would pay it, for it had cost him 25*l.*, and inasmuch as it had cost him 25*l.* I was to look to those who gave me the order. He said he would see Mr. Brooking Cuming, and if Mr. Brooking Cuming gave me the order. I said Mr. Cuming certainly did give me the order, for he brought the tickets which were served out to the men to be given in lieu of cash for drink.

32,471. The end of it was that you did not get the money?—Well, I made repeated applications to get the money; twelve months ran round and I got no money.

32,472. You did not get it at all?—Well, the time when I got the money was when Mr. Mills died.

32,473. 1862?—Yes.

32,474. Then Mr. Condy came round and paid it?—No, Mr. Parnell.

32,475. Do you know whether Mr. Parnell got it from Mr. Condy?—No.

32,476. When Mr. Parnell paid you, did he ask you how you were going to vote?—I told him when he paid me they never would have my support, because I believed they never intended to pay me until when Mr. Mills died, and they wanted my services.

32,477. And you did not like that treatment?—No.

32,478. And you have been a consistent Conservative since?—Yes, I have voted on that side.

32,479. When did your son begin to be active on the Conservative side?—At the time the 20*l.* was spent, or the principal part of it.

32,480. You did not vote, of course, for Mr. Pender in 1862. Were you promised anything in 1862?—No.

32,481. What did you get in 1863?—Not a farthing.

32,482. I suppose what your son got was between you?—Whatever he got he kept to himself.

32,483. Is he in business with you?—Yes.

32,484. Is he a partner?—No, merely works for me.

32,485. Does not what money he gets go to the common stock?—No.

32,486. You want a little lot of leather, and he has got money, does not he buy it?—I am proud to think that I can do it without assistance.

32,487. Have you had no money since that time?—Not since 1852.

32,488. Whom have you operated upon yourself since 1852?—I have never gone to any individual to ask them to vote or to pay any money to any single individual, barring in the last election I went up to Blank.

32,489. What little arrangement did you have with Blank?—I went up to see Blank, and I asked him whether 150*l.* would satisfy him for his vote, and Blank very readily accepted the offer. He did not ask it you must understand; it was an offer of 150*l.*, and he very readily accepted it, and went with me to the "Stars."

32,490. (*Mr. Coleridge.*) He did not get it all, did he?—When he came to the "Stars" I did not know where to put him to, for my son who had sent me to get him down was gone to Marldon to see James Edmonds, so I was in a fix as to what I should do with him, so I secreted him in the watercloset.

32,491. Did you lock him up there?—No, I did not lock him up.

32,492. Did he lock himself in?—No. I behaved kindly to him and put him there, and fetched him a glass of ale.

32,493. How long was he there?—About an hour, until his wife came, and she seemed to be uneasy about it.

32,494. What did his wife say when she found him in the watercloset?—She did not find him in the watercloset; she first sent a message to say that she wanted to see him, and we asked him to come out.

32,495. Where did you take him to after he got out of the watercloset?—Well, the waiters were standing at the end of the stairs with a bottle half empty of wine, and they gave him a glass, and she fetched him away.

32,496. Did she fetch him away before he got the money?—I never saw no money.

32,497. When did he get the 110*l.*?—He did not get it at all.

32,498. Who told you he might have it?—I was sent by my son John merely to get him down.

32,499. You were rather astonished to find he voted the other way?—Yes, the next morning, and yet I was not, because I knew he had not got what he was promised.

32,500. Had you?—I was not promised anything.

32,501. Not for fetching him?—Not a farthing from first to last.

32,502. Now 1859, what did you do at Mills' election in that year. Did you canvass at all?—Never.

32,503. Did you pay any voters at that election?—Not a farthing.

32,504. None at all?—None at all.

32,505. Did you go to Blank in 1859?—No.

32,506. When had you been to Blank before?—Never before.

32,507. He is your old friend?—Yes, I knew him.

32,508. How came you to be selected to go to him at this election?—Because my son asked me to run up.

32,509. That is the only time you ever had to do with Blank?—The only time.

32,510. Let us get it correct. I should not like to impute anything wrong to you. When did you first vote?—1840.

32,511. That is the first time?—Yes.

32,512. Then you voted for the Conservatives?—Yes.

32,513. What year were you converted?—I voted for Ricardo in 1847.

32,514. After that, till when did you remain a Liberal?—Till 1861 or 1862.

32,515. Then you were a Liberal at the time of Mr. Mills' election?—Yes.

32,516. Who was the chief manager for the Liberals at the time you were a Liberal?—I really know nothing of the transaction.

32,517. I mean who was their managing man; who did the business which your son does now for the Conservatives?—I do not know on the Liberal side. I was never offered anything from them.

32,518. Who was the managing man for them?—I cannot tell you.

32,519. Was Elliott?—Elliott never exchanged a word with me.

32,520. You knew pretty well what was going on politically here; whom should you look on as the managing man?—I cannot tell.

32,521. Who would represent Mr. Parnell of the present day?—The man who represented Mr. Parnell in those days was Mr. Hardin.

32,522. What was he?—A brush maker.

32,523. Is he alive?—No.

32,524. Then when did Mr. Parnell first come into note?—I do not know.

32,525. When did you first know him to be active?—I do not know, because I have never had any dealings, or had a farthing or a promise.

32,526. You know now?—Yes, I know now.

32,527. And that your son is pretty active on the other side?—Yes.

32,528. Was Mr. Thomas Jacob Searle active in those days when you were a Liberal?—No.

32,529. Old Mr. Huxham?—I do not know.

32,530. Mr. Brooking Cuming?—I believe so.

32,531. He was about the head of them?—I dare say he was.

32,532. How used you to vote in the council. Did you change about in the council the same way as in politics?—I never cared in council. I used to vote for those I conceived fit business men.

32,533. Did you ever distribute any money among voters for the council?—Never.

32,534. What was the utmost you received for your own vote in the council?—Never a farthing.

32,535. You know that voters did receive money?—Yes, because paid at my house.

32,536. When first paid at your house?—That was the first time and the last time a bill was ever paid at my house, the meeting of 1861.

32,537. How many were paid at your house?—I should think at that time no less probably than a dozen or 14.

32,538. What did they get?—It varied. Two of them had 6*l*., 3*l*. each; those were the Simses.

32,539. Why more than the others?—Because they had promised to vote the other side.

32,540. The voter who has to be obtained from the other side has to be paid more than he who comes willingly?—It appears so.

32,541. How much was spent altogether in paying these voters in your house?—The 20*l*. that I lent.

32,542. You were repaid that money?—Yes.

32,543. Who by? — Mr. William Hodge, who borrowed it.

32,544. Were you at the "Stars" much at the election of 1865?—I was not.

32,545. How often were you in the house?—I should say not more than three or four times from first to last. I was there at Colonel Dawkins' meeting.

32,446. Were you ever there very late at night?—Never. I was there at Captain Pim's meeting, and I believe I was there when the nomination was. There was refreshment there.

32,547. Since you have been a Conservative you have looked on Mr. John Heath as the most active gentleman on your side, have not you?—I do not know as far as looking on Mr. Heath or any other man.

32,548. If you wanted to send a voter for money should not you send him to Mr. John Heath?—Well, yes.

32,549. You took Blank to Heath?—No.

32,550. You took him to the "Stars"?—I took him to the "Stars."

32,551. You have looked on that as the head quarters of that party?—Yes.

32,552. The place where the money has been going?—Yes.

32,553. Now, what is the corresponding place where money is paid on the Liberal side. Do you know of money being paid at the "Seymour Arms"?—I never knew myself.

32,554. Did you know of the "Seymour Arms" being used by the Liberal party in the same way as the "Stars" was used by the Conservative party?—No, I did not.

32,555. Do you know Thomas Searle?—Yes.

32,556. What have you had to do with him in elections in Baldwin's time?—I never had anything to do with him.

32,557. Searle used to vote for Baldwin when you did?—No; he voted for Baldwin when I voted for Ricardo.

32,558. Do you know what he got at that time, when you voted for Ricardo?—No.

32,559. You can tell us some more about these later elections?—I will answer any question truthfully, but I do not know; I have not been mixed up in any way with the affairs.

32,560. (*Mr Longe.*) Who was the landlord of the inn you now hold?—I am the owner of it myself.

32,561. Who was the innkeeper there?—It was not an inn till I converted it.

32,562. You told us you looked out for business. When you took it you were a Liberal?—I bought the house in 1849.

32,563. Then you were a Liberal?—When you say I was a Liberal——

32,564. You have told us you were looking out for business on that side of the water?—Yes.

32,565. And you conformed to the Bridgetown politics?—That was about it.

32,566. You fell out with Mr. Brooking Cuming, and then you changed sides?—Yes.

32,567. Did it make any difference in your custom?—I think I benefitted by it.

32,568. By changing sides?—Yes. I will tell you why: all the houses were in one interest; then I found, that by voting for the Conservative party I had a chance of getting all the Conservatives on that side of the water.

32,569. But there are very few that side of the water that are Conservatives?—That are residents on that side.

32,570. You mean people passing through?—Yes; I have more old friends in Totnes than I have in Bridgetown.

32,571. That was rather a good dodge?—Yes.

32,572. You changed politics, and got a little more business than voting with Mr. Farley and the "Seymour"?—Yes.

32,573. (*Mr. Coleridge.*) Do you change your brewers as often as you change your politics?—I do if they do not treat me well.

32,574. Is yours a free house?—Yes.

32,575. (*Mr. Longe.*) Did you lose any of your old customers when you changed politics?—Yes, I changed a few; I had not very many to change.

32,576. I suppose you have been talking to your son about this?—Nothing more than the bare facts of the case.

32,577. Has not he refreshed your memory by what took place at the last election?—I could not be refreshed, because I had very little to do with it.

32,578. On purpose, or what?—I did not know anything about it. I kept myself entirely aloof.

32,579. Has your son anything to do with the inn?—I am the only innkeeper.

32,580. Does he live with you?—He lives with me.

32,581. (*Mr. Bere.*) How was it that he had to go away just about the time the summonses were served?—He usually goes away at harvest time. Every year we miss him for two or three weeks.

32,582. Do not you know what becomes of him?—I do at times. Sometimes I do not.

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32,583. I think you did last time?—I was not aware where he was when he wrote to me.

32,584. But before he wrote to you, you knew where he had gone to, did not you?—No.

32,585. (*Mr. Coleridge.*) Did he ever tell you of his being run down?—Yes; I heard the two parties met, and had a joke over it.

32,586. (*Mr. Longe.*) Did you ever say, when you changed sides, that the Duke of Somerset's agents had forbidden the tenantry coming to your inn?—I have; and I can give you an instance, as far as regards how they treated me as respects my business in the public line. On one occasion, Mr. Jeffery Michelmore passing my door——

32,587. When was this?—Since I have changed.

32,588. You must put it at some time?—I should say it was in 1862.

32,589. That was before you voted?—I had offended them. The first offence was by declining to vote for Mr. Pender, or the first election in which there was no contest.

32,590. That was 1862?—Then I am right, 1862.

32,591. Then there was another election in 1863?—Well, in 1862, between those elections.

32,592. There is only a month, you know?—It was between those elections; about that time. Mr. Jeffery Michelmore called on me; he was passing my door, and his man who drives the Duke of Somerset's horse and cart was stopping to have a drink of cyder, and when the man came home in the evening, so he informed me, when he came in again the next day, he says, "I "could not come for my cyder, because Mr. Jeff took "me to task for coming to your house for the cyder;" and I says, "What did he say?" he says, "He told "me if I wanted any cyder, I was to come to any "house in Bridgetown but to that man."

32,593. What was his name?—Finch. Then he brought his cask in a bag, because it should not be known, and came to my house to have it filled.

32,594. (*Mr. Coleridge.*) Is that Finch Mr. Durant's agent?—No; another family altogether.

32,595. Is that the only case?—Yes; that is the only case.

32,596. Did you believe him?—Yes; I did.

32,597. Do you believe there was anybody else besides Finch who was directed not to go to your house?—Well, I used to have customers among many of the duke's workmen, and now I never see any of them.

32,598. I suppose your connexion with the Conservative party has not improved your position with the Liberals?—I do not suppose it has.

32,599. It has brought you some of the Conservatives?—I am very happy to tell you, I am moving in a position now that I can pay every person his honest due.

32,600. Have you ever paid back any of those sums of money that you received for your vote?—I will tell you I believe there is not much of that refunded. That is the worst of all funds.

H. Bartlett.

HENRY BARTLETT recalled.

32,601. (*Mr. Bere.*) Do you know William Adams?—What is he? I know a man who is an organist.

32,602. He is living in the Plymouth Road?—Yes.

32,603. Did you see him about the election of 1852?—Not to my recollection.

32,604. Did not he come and ask you to vote for Mr. Mills in 1852?—Never.

32,605. Is he the organist of Bridgetown?—Yes.

32,606. I suppose he was pretty active for the Bridgetown people?—Not that I know of.

32,607. Did not he come and ask you to vote for Mr. Mills?—Not to my recollection; he might have come into my shop and spoken about it.

32,608. Did not he come and offer you some money to vote for Mr. Mills?—Never.

32,609. And not only offer you money, but did not you say it was not enough?—I never had a conversation about it in my life.

32,610. Mr. Adams will be here to speak to this?—Yes.

32,611. You never had such a conversation?—Never in my life.

32,612. You never told him it would be all arranged, and that you should vote for Baldwin?—Only a trick got up by these very parties.

32,613. It is a very extraordinary trick that there should be such a number of witnesses in support of it?—I cannot say anything of the sort.

32,614. Do you know a man called William Browse?—I do not recollect.

32,615. Did you never know such a man?—I did not.

32,616. Did you ever hear the name of such a man?—I did not. Browse?

32,617. A voter?—Yes, that is it.

32,618. Did you ever have anything to do with him about his vote?—Never in my life.

32,619. Do you know whether he was a voter or not?—That I do not know.

32,620. Did you ever receive any money on his behalf?—Never.

32,621. Do you know his wife?—I cannot recollect; I might know her; she lives here.

32,622. Do you not know perfectly well the persons I am asking about?—No, I do not know more than what I say.

32,623. Have you ever had anything to do with money on his behalf to vote?—Never.

32,624. (*Mr. Coleridge.*) You heard what Mr. Michelmore said the other day about 75*l.*; after that statement do you still adhere to your former statement, that you received no such sum of money?—I swear I never had any conversation about the thing in my life.

32,625. Not here?—Never, with any parties.

32,626. Did you ever receive money to vote for Mr. Presswell?—Never.

32,627. Do you mean to say, that what Mr. Michelmore has said is all a falsehood?—It is all false. There is one of the party who has knowledge, and he can tell you more about it than I can.

R. Norrish.

RICHARD NORRISH recalled and examined.

32,628. (*Mr. Bere.*) Who did you get the 25*l.* from?—I did not get the money.

32,629. Do you recollect Mr. Nicholas Norrish getting 25*l.*?—I do.

32,630. When was that?—When Mr. Michelmore canvassed with Mr. Bowden.

32,631. What relation is Nicholas Norrish to you?—A brother.

32,632. Were you living together?—No; it was sent from the "Seven Stars" up to the house; the Whig parties wanted to take him away.

32,633. Did Mr. Bowden go up with you?—No, I never saw him there; no one else was in the room but me and him.

32,634. He brought him to the "Bay Horse"?—Yes.

32,635. He did not get the vote?—No.

32,636. He has sworn he did?—Not this vote.

32,637. (*Mr. Coleridge.*) Who paid your brother?—James Pendle.

32,638. Do you know where he got the money?—I do.

32,639. Where was it?—Of Mr. Frederick Michelmore.

32,640. Did not you say he got it from Mr. Pendle; who got it from Mr. Michelmore?—No; I saw Mr. Michelmore give it to John Pendle, and he took it up into his bedroom. I was looking out of window at the time.

32,641. What was it?—Five five pound notes.

32,642. What window was it?—I was in the room with him; I saw Mr. Michelmore and Pendle talking together.

32,643. How far was the window above the yard?—Eight or 10 feet, the second floor.

32,644. Did you see that it was five five pound notes?—I could not see before Mr. Pendle brought them up.

32,645. You saw him give him something?—Mr. Pendle came up first without money, and then he went back again to Mr. Michelmore and he came back with the 25*l*.

32,646. Did you see Mr. Michelmore give him anything?—I saw him give him a parcel.

32,647. What sort of a parcel?—A little round parcel.

32,648. What colour?—In paper; I do not know whether it was money or not.

32,649. You could not tell whether he was paying it for someone else, or whether he was paying him the money for himself?—No.

32,650. You should be careful what you say?—I did not see Mr. Michelmore give it to Pendle, but Pendle I saw he had it.

32,651. You saw Pendle with the money after he had talked with Mr. Michelmore?—Yes.

32,652. When did you come out of gaol last?—20 years ago.

32,653. What was that for?—For getting drunk on a Sunday and misbehaving myself.

32,654. A highway robber?—It might be so, sir.

32,655. How much imprisonment had you for that—12 months.

32,656. When was your vote struck off at the registration?—At that time; not since.

32,657. (*Mr. Coleridge.*) What was it you were convicted of; actual highway robbery?—Yes.

32,658. (*Mr. Bere.*) Were you tried at the sessions or the assizes?—At the assizes.

32,659. Your vote was struck off last year?—Yes.

32,660. What for?—A fresh letting.

32,661. What did the revising barrister say about the way you gave evidence last year?—What did he say?

32,662. What did he say?—He did not say anything in particular.

32,663. Did he not say he could not believe what you said?—No, he did not.

32,664. Did he say something like it?—No.

Mr. R. H. Watso

RICHARD HUXHAM WATSON sworn and examined.

32,665. (*Mr. Bere.*) Where do you live?—At Dorsley, two miles from this place.

32,666. You are a farmer and a yeoman?—Yes.

32,667. And a magistrate of the county?—Yes.

32,668. How long have you been a voter in Totnes?—Since my father's death. The first election I voted at was in 1852.

32,669. Have you voted from that time up to the present time for the Liberals?—Yes.

32,670. When were you made a magistrate?—1863.

32,671. At what time in 1863?—I had a notice from Mr. Ford of the appointment; that is the notice I received, dated the 24th of March, 1863 (*handing it in*).

32,672. Did you vote at the election of 1863?—Yes.

32,673. For whom did you vote?—It was Mr. Seymour's election.

32,674. You voted for Mr. Seymour?—Yes.

32,675. Did you go to France just before the election?—Yes.

32,676. Did you return in consequence of a communication addressed to you while you were in France?—Perhaps I had better relate about my visit to France.

32,677. Can you answer me the question shortly?—Yes; but it has a material bearing upon the particular question.

32,678. Did you go to France and come back?—Yes.

32,679. Did you come back in consequence of a letter addressed to you asking you to come and vote at the election?—No.

32,680. To tell you the election was coming on?—It was arranged before I went away that I should know when the election did take place. I had notice and I came back purposely.

32,681. Did you say you should not come back to the election?—I did not.

32,682. Whom did you make arrangements with that you should come back at the election?—I saw Mr. Windeatt and Mr. Cuming, and told them I was going away.

32,683. At that time was Lord Gifford dead?—He was when I went away.

32,684. How long were you to be away?—I took a monthly ticket at Exeter.

32,685. Your time was not out?—I could have stayed; I took a return ticket because of the cheapness of it.

32,686. Did you not meet some gentlemen at the station and say you did not intend to vote?—The only two persons I spoke to upon the subject were Mr. Bryett and Mr. Presswell previous to going.

32,687. Did you tell Mr. Presswell you should not vote?—I told him that under no circumstances should I vote for Mr. Dent because he would not support Lord Palmerston. I told Mr. Bryett in his office; he said, cannot you give Mr. Dent a vote, he will be a splendid fellow for the rifle corps subscriptions and prizes. I said, under no circumstances could I vote for Mr. Dent.

32,688. When did you start for France?—On the 29th, the Monday morning.

32,689. When did you hear that the election was coming on?—I saw it in the paper when it was likely to come on. I had a letter; Mr. Harris stated there was a telegraph, but I never received but one communication by letter, which I received from Mr. Jeffery Michelmore on the Thursday evening.

32,690. Have you got the letter?—It was merely that the election would be safe to come off at the beginning of the week. I came home on the Friday night.

32,691. When did you apply to the Duke of Somerset to be made a magistrate?—I never had any communication whatever.

32,692. Not till you received the communication from him?—Not with the Duke of Somerset. I will tell you the whole of it.

32,693. The allegation against you is this; that you voted for the Liberals on the understanding that if you did so vote you were to be appointed a magistrate, and you came back and voted?—The subject of the magistracy was never mentioned to me until long after the election in any way; not till the beginning of March. The first time it was mentioned at all was in this way; old Mr. Michelmore, who is dead, asked me to come out to see him; he was an old friend of mine, and in the course of the evening he said, I want to ask you a question, come into another room; I went into the other room with him, and he said, I want to ask you a question, if you are made a magistrate, will you act? I said, "I do not know "about that, I must inquire first what is to be done "before, and what the duties are; that is not a ques- "tion I should like to answer off-hand, I shall take "two or three days to consider." He said, "Consider "it over." I thought it over and I then told him yes, I would take it; and before the 24th of March I received a letter from Mr. Ford. That is the only communication that ever took place on the matter.

32,694. You knew nothing about your going to be made a magistrate before you were appointed?—The subject was never put to me in any other manner.

32,695. You have nothing else to state?—Nothing whatever upon the point; I merely wish to contradict Mr. Harris's statement, which is untrue, and an utter lie from the beginning to the end.

Adjourned till to-morrow at half-past 10 o'clock.

TWENTY-FOURTH DAY.

TWENTY-FOURTH DAY.

Friday, 21st September 1866.

Rev. J. Powning.

The Rev. James Powning recalled.

Sept. 1866.

32,696. (*Mr. Bere.*) What do you wish to explain?—In the early part of my evidence I stated it was my impression that Mr. Arthur Gill had spoken to Mr. Edmonds, but I inquired about that, and find that such is not the case.

32,697. Whom did you inquire of?—Of Mr. Edmonds and Mr. George Heath, and Mr. George Heath says it was to him that Mr. Arthur Gill spoke and made the arrangements for the expedition; and with regard to the latter part of my evidence, I said it was my impression that this letter, written by Mr. Mitchell, was signed "Scrutator;" instead of that, it is signed "Vindicator," and I have thought on it still more, and I remember perfectly well that Mr. Mitchell quite acknowledged the authorship of the letter.

Mr. W. Oldrey.

Mr. William Oldrey sworn and examined.

32,698. (*Mr. Bere.*) Are you high bailiff of the county court here?—I am.

32,699. How long have you held that office?—Six years on the 7th July.

32,700. Whom did you succeed?—Thomas Welch.

32,701. Are you the father of William Oldrey?—I am.

32,702. Is he at present the Conservative registration agent for Kent?—He is.

32,703. How long has he left Totnes?—I think a few days after the taking of the last census.

32,704. After April, 1861?—Yes.

32,705. Has he been away from Totnes ever since?—Yes, he has; but he occasionally comes down.

32,706. Does he come at the time of the elections at all?—No.

32,707. Was he down here in 1863 or 1865 during the time of the election?—No.

32,708. Have you had any communication with him during the time of the election, when he was in London?—I have had none to my recollection; in fact I have not.

32,709. Did not you communicate with him by telegraph on one or two occasions?—I never did.

32,710. You have also a son at Plymouth?—I have not.

32,711. You had one there?—No.

32,712. Where is your other son?—I have two sons. One is at home with me.

32,713. Has he ever been to Plymouth?—Only occasionally.

32,714. I believe when you became the high bailiff of the county court it was understood between you and the judge that you were not to interfere with politics?—It was; and I have rigidly adhered to it. I have taken no part in politics ever since.

32,715. Besides being high bailiff, do you keep a china shop?—Yes.

32,716. (*Mr. Coleridge.*) You said just now that you never communicated by telegraph during the election?—Not upon election matters.

32,717. We did not ask that?—Not to my recollection.

32,718. Here is one, July 14th, Oldrey to Oldrey. From you to your son, I suppose?—Not very likely from me to my son. It may be from one son to the other.

32,719. You have one son here?—I have said so. I have one son at London and another at Totnes, and I may as well state this. You mentioned just now about my having a son at Plymouth. I have not; but there is an Oldrey at Plymouth, my brother.

32,720. There is a telegram Oldrey to Oldrey, Plymouth?—It is not from me.

32,721. You are sure of that?—I am on my oath.

32,722. You did not send any telegram to your son at Plymouth, or to your son in London?—I never sent a telegram with regard to politics.

32,723. Did you send one?—I do not recollect sending one in my life.

32,724. Do you say you did not send a telegram during the election?—Yes; but I have a brother who has made matters rather popular.

32,725. There is a telegram—Oldrey to Ledray?—That is not from me. It must be from my son.

32,726. Who is Ledray?—It must be Rodder, the high bailiff of the county court.

32,727. (*Mr. Bere.*) It must be from you?—No; it must be from my son, my under-bailiff. I leave my business in his hands. I am often away from home, and I do not know what he does. I leave it to his judgment to do what is right during my absence.

32,728. I suppose you have voted since you have been high bailiff?—Yes.

32,729. For which party?—I am a thorough-going Conservative, and have ever voted that way.

32,730. Did you ever take an active part in the election before you were high bailiff?—No.

32,731. When did you first begin to vote?—I should think 20 years ago.

30,732. Was the first election Baldwin and Ricardo?—I think I voted then. I voted once for Mr. Baldwin.

32,733. Do you remember whether that was in 1847 or 1852?—I do not know.

32,734. At that time did you receive anything for your vote from Mr. Baldwin?—I never received a farthing in my life.

32,735. And no promise or present?—Never a promise. I never bribed or received a bribe, and never had a promise.

32,736. Did not you take some part when Mr. Dent came down?—I did not.

32,737. What is your son's name here?—Marcus Francis.

32,738. The one who acts for you as under-bailiff?—Yes.

32,739. Do you know a man called Brown, who keeps the "Market House Inn?"—I do.

32,740. Did you have anything to do with him during Dent's election?—I did not.

32,741. Did you see him?—He came to see me before that, and I lent him some money.

32,742. During the time of the election?—No, about 12 months before.

32,743. Tell us when?—With regard to dates I cannot tell, but 12 months before the election.

32,744. Which election?—I would not be certain whether it was Dent or Mackenzie.

32,745. Has he ever repaid you?—No.

32,746. What did he give you; a note of hand?—Yes; but he has been obliged to leave his house.

32,747. Have you got the note of hand?—No.

32,748. What became of it?—I gave it him back.

32,749. What was it for—50*l.*?—No, 3*l.* odd.

32,750. Is that all the money you have lent him?—Yes.

32,751. Was there not a sum of 50*l.* came through you to him?—Never.

32,752. Nor any person connected with you?—

Never to my knowledge. I may tell you that I lent him the money then because he was in difficulties. He wanted more, but finding he would not be able to get on, I stopped there, and I gave it him back. I said, "If it is possible, you will pay it if you can;" but I knew he could not. He was 73 years of age, but I believe he is now receiving relief from the parish.

32,753. Is he dead?—I would not be certain. I think I may say he is dead. I have heard that he is dead.

32,754. Do you know whether John Brown voted at that election in 1863?—Really I cannot tell; I did not go to see.

32,755. Did you vote in 1859, when Dunn stood?—I did.

32,756. Do you know how Brown voted at that election?—No, I do not. I did not busy myself about it.

32,757. Did you go to the Conservative committee rooms during that election?—No.

32,758. Did you see Mr. Edmonds, or any of the active Conservatives about the election?—No.

32,759. Did they canvass you?—Yes.

32,760. Who came?—Mr. Dunn came, and I at once promised him.

32,761. Did Mrs. Dunn come too?—Not that I am aware of.

32,762. Did you have a pretty good sale of china in your shop at that election?—Never.

32,763. Was not Mrs. Dunn a pretty good customer?—She never spent a farthing in my shop, if I can take my wife's word.

32,764. Does your wife keep the accounts?—Yes, she attends to that business.

32,765. You cannot tell whether there was a good sale of china to Mrs. Dunn?—I am certain it was not booked if there was.

32,766. You cannot say of your own knowledge whether there was such a sale?—I could not say.

32,767. Do you find the name of Captain Phipps at all on your books?—No.

32,768. Do you find the name of Dunn on your books?—No; none of the candidates appear in my books.

32,769. It would not appear in the books if it was a ready money sale?—No.

32,770. It would only appear in the cash-books?—Yes.

32,771. There might have been a sale and you know nothing about it?—I would know.

32,772. What was your business then, besides keeping a china shop?—I was then high bailiff.

32,773. When were you appointed high bailiff?—Six years last July.

32,774. The election took place in 1859?—I was not high bailiff then. I had kept that shop for some years and I am registrar of births and deaths, and have been so for 14 years.

32,775. That took up your time so much that you had not any to give to the selling of china?—Ever since I have kept that business, 90 times out of 100 I have opened and shut that shop myself, and looked over the goods, and I am certain if any goods had been sold I should have seen it and made some inquiry, "Where is this, or that, gone?"

32,776. I understand that you say, upon your oath, that you have never received money for your vote, nor offered money to any other person for his vote?—That is the truth.

32,777. Nor promised anyone?—True. I am on my oath.

32,778. Nor lent any person anything that you afterwards forgave?—I have never lent any person money otherwise than as expecting it back again.

32,779. Nor been a means of communicating with any person from whom a voter has obtained money?—Never. I may as well mention it, as it just occurs to my mind, a friend of mine whispered to me, "How "about your going to London last year and coming back "the evening before the election?" I may as well volunteer, because otherwise he will tell me by-and-bye, "You kept back something, young man, that you ought not." A fortnight before the election took place, I, knowing it would come soon, went to London and there I remained until the day before the election, and came home on the nomination day.

32,780. What made you go away?—I went for a holiday.

32,781. Could not you trust yourself down here because of the excitement?—Yes; because I do not go near a political meeting, I promised I would not, nor do I.

32,782. Then what made you go up?—That was just the very time that would suit me, I rather think I asked the judge to allow me to go, but I assure you I never received a note.

32,783. Where did you go to?—To my son's.

32,784. Is that William Henry?—William Harry.

32,785. Did you talk about the Totnes election?—Oh yes.

32,786. Does he take a great deal of interest in elections?—He does in election matters.

32,787. Do you know whether he went down during that fortnight to Messrs. Smith and Guscotte's office?—I cannot tell; he used to go to his office in the morning.

32,788. That was Mr. Smith's office?—Yes.

32,789. Did he ever talk to you about how the election was going on?—We had several chats about it whilst in London, and I should have stayed another week but for the election taking place so soon.

32,790. You came down to vote?—Yes.

32,791. Were your expenses paid?—Certainly not, but by myself.

32,792. Not by the Conservatives?—No, I never had a farthing from the Conservatives in my life. Here are the heads of them, I see around me.

32,793. Did you leave your son down here?—Yes.

32,794. Did he write to you from time to time?—No, my wife wrote to me.

32,795. Is she an enthusiastic politician?—She is a great politician.

32,796. Did she write constantly?—Constantly.

32,797. About the election?—No, she wrote to me and told me the day the election was to take place.

32,798. In her enthusiasm is that all she told you about the election?—That is all; I believe, however, if you are going to have her here, she may perhaps tell you more than I know. I know that she told me the day of the election, and that I need not come home unless I chose before the nomination day, because my enthusiasm was so great as to keep me there during the nomination.

32,799. Did she tell you that Colonel Dawkins was going on very well?—She told me that Colonel Dawkins and Commander Pim had called on me, and I think she said she had promised my votes for them.

32,800. Did you leave that part of the business to her as well as the china?—Well, really she knows my Conservative opinions and I know hers so well that I can trust my Conservative opinions in her hands.

32,801. (*Mr. Coleridge.*) She couples enthusiasm with discretion?—I should hope she did. You will have her here before you.

32,802. (*Mr. Bere.*) Did your son tell you whether he ever knew of any money coming down to Totnes on the Conservative side?—No, he did not to my recollection.

32,803. Are you quite sure?—I will not be positive.

32,804. Had not he been asked during that time whether he could recommend a person to go down to Totnes?—That I will not be certain about.

32,805. Did not he talk to you about it?—No, because it was too late then.

32,806. You did not come down till the nomination day, and were in London a fortnight, and your wife you say is so enthusiastic a politician that she writes to you constantly. Did not you talk about the politics of Totnes, and how the election was going on, and how it was to be managed?—Yes, but I do not know with certainty that he knew Colonel Dawkins and Captain Pim were in the field here.

TWENTY-FOURTH DAY.

Mr. W. Oldrey.

21 Sept. 1866.

32,807. But seeing he was in the office of the Conservative Registration Association?—Possibly he might; but he was away from early morning and stayed away during the day till late.

32,808. You must have dined together?—We did, once or twice.

32,809. And after dinner had not you any talk about the election?—I do not know whether we did or not; it is very possible we did.

32,810. Did not he tell you there was a lot of money going down to Totnes and they wanted somebody to hand it out?—No; I am positive in regard to that.

32,811. Did he tell you that a good deal of money had gone down?—He did not.

32,812. I do not mean that he mentioned the exact sum?—No, he did not mention any sum; he did not even tell me that money had gone.

32,813. Did not he tell you that Colonel Dawkins was a pretty good man, and had plenty of money to spend?—Possibly; I cannot recollect.

32,814. Do not you think he did?—It is possible, but I will not be positive.

32,815. Did you ever see the two clerks who were here from Smith and Guscotte's office?—No; I have been at the office.

32,816. Messrs. Smith and Guscotte's office?—No, Mr. Henry Smith's.

32,817. Did you happen to be in court when those two clerks were examined?—No; in fact, I have only been here once.

(*Mr. Charles F. Michelmore.*) Will you allow me to make a statement to amend what I have stated? I was asked a question. There is a man called John Watson gave evidence of my having paid 20*l.* to Bartlett, for a man called Norrish, and I stated I did not recollect, but I met Watson afterwards in the street, and he called my attention to the fact, and named the person, and told me it was a lame man who was working at the same slate quarries, at a place near here, called Lake Garden, and then it flashed across my mind that I did pay Bartlett 20*l.* for him.

32,818. Is the man now alive?—No. You will remember Watson stated that he told him over and over again, that the money had not been paid, and when on his death-bed he stated also that Bartlett had not paid him the money. I think it right to make that statement.

N. Manning.

NICHOLAS MANNING recalled and further examined.

32,819. (*Mr. Coleridge.*) Do you recollect anything more now about the election?—Why I gave this man the notice to quit, Veasey, was because the work he had done was not according to my wishes.

32,820. This was after he had voted against you, was it not?—He had painted a dining-room or drawing-room for my family, at Bridgetown, and the work never got dry. I was obliged to get it washed off and done over again. Another reason was that I could make more rent of it.

32,821. How much more rent could you make of it?—It is now let for 12*l.*

32,822. What did you get for it before?—He had but part of it. I think the two together made about 10*l.*; I let it for 12*l.* now.

32,823. Then you had nothing to do with Veasey's voting against you, that you gave him notice to quit?—Decidedly not.

32,824. You gave some other of your tenants notice to quit?—I did not.

32,825. Is Kelland a tenant of yours?—Yes.

32,826. Did you ever turn him out?—No.

32,827. In 1852, did you not receive some money from your brother William?—Whose election was that?

32,828. That was the last time that Baldwin stood?—Yes, I did.

32,829. You recollect that now?—Yes, I do.

32,830. Who gave it you?—I cannot charge my memory exactly, but I think it was Fogwill.

32,831. How much was it?—30*l.*

32,832. Did you give it to your brother?—Yes; I went to his house and could not find him. I waited till he came back, and I told him that the money had been handed to me for his vote. He said, "I never asked for it; why did they send it to me?"

32,833. Did he tell you to take it back again?—I put it down on the table; he opened it himself. I cannot say how it was folded up.

32,834. You had no vote on that occasion?—I had not.

32,835. Your brother had?—Yes.

32,836. And he got 30*l.* for his vote?—Yes.

32,837. What did you get for your trouble?—Not a farthing.

32,838. Did he give you nothing back?—No,

32,839. In 1857, when Mackenzie and Gregory stood, you had a vote?—Yes.

32,840. What did you get for your vote then?—Not a farthing.

32,841. What did you get for your brother?—Not a farthing: my brother acted for himself; I did not act for him.

32,842. In 1859, how did you vote?—Who were the candidates?

32,843. That was Dunn's election?—I voted for Dunn.

32,844. Tell us what you got then?—Not a sixpence.

32,845. Was anything left for you?—Not a farthing.

32,846. Neither before nor after the election; nor your wife?—No, nor my wife; there was no consideration whatever.

32,847. Was any money given to you to distribute on that occasion?—No; I never gave a penny to any individual.

32,848. Do you recollect having a cheque given to you in Mrs. Thomas's shop about that time?—Never.

32,849. Was not a cheque given to you there?—Never to my knowledge.

32,850. You never had an order given to you upon her shop?—No; never to my knowledge.

32,851. Try and recollect about it; tell me who gave you a cheque in Mrs. Thomas's shop at any time?—No person ever did so to my knowledge.

32,852. You never received any cheque in that shop?—I am not aware of it, if so it is beyond my recollection.

32,853. Was that not so in 1857?—No, never.

32,854. Or in 1859?—No; I never received any cheque there to my knowledge.

32,855. Did you never on any occasion receive a cheque in Mrs. Thomas's shop, try and recollect it?—I do not think I ever did. I can almost swear I never did. If my memory fails me and you will bring me acquainted with any of the circumstances I shall be very ready to admit it.

32,856. Will you swear you never received a cheque in Mrs. Thomas's shop at any time?—As far as my knowledge goes I will. I do not believe I ever received one.

32,857. Have you had any dealings with Fogwill about elections except in 1852?—I have seen him at elections many times; we were, generally speaking, on opposite sides to each other; he on the Liberal, I on the Conservative side.

32,858. How came he to give you this money for your brother?—I met him quite accidentally.

32,859. Your brother and he were on opposite sides when he gave you this money?—They were not then.

32,860. After 1852 Fogwill and your brother were on opposite sides?—I think they generally were.

32,861. When he and Fogwill were on opposite sides he gave you this money for your brother. Do you know why he did not give it your brother himself?—No.

32,862. Do you know a man of the name of Holman?—Yes, I do.

32,863. Did Holman ever give you a cheque in Mrs. Thomas's shop?—What Holman. I do not believe any person ever did to the best of my recollection.

32,864. Or anywhere else?—No.

32,865. Did you ever receive a cheque from Holman? Never to my knowledge.

32,866. If you did you must know it?—I cannot call it to my recollection in the slightest way. Is it for money that you mean?

32,867. Yes?—I am sure I never did.

32,868. You never received any money or money's worth from any Holman?—I cannot say any Holman, there are many Holmans besides those here.

32,869. Did you ever receive a cheque from Holman in Mrs. Thomas's shop?—I do not know that I ever received any such cheque to the best of my memory.

32,870. Did you ever receive a cheque from any Holman?—I am not aware that I ever did in my lifetime. I am sure that Mrs. Thomas's shop was the last place I should have gone into to have taken a cheque, because she is a violent politician at such times. I should be cautious about taking a cheque there.

32,871. When you gave your brother this 30*l.* how much did you receive from him?—Not a farthing.

32,872. Had not your brother and you some squabble; did he not tell you that you had received 50*l.* and had only given him 30*l.*?—No such thing, after that my brother was insolvent, and I assisted him to the utmost of my power, backed bills for him, and various things; that was what made us quarrel, not this affair.

32,873. Did he not tell you that Fogwell had given you 50*l.* for him, and that you had only given him 30*l.* of it?—I gave him every farthing that I received.

32,874. Was it not 20*l.* that you gave him and not 30*l.*?—No.

32,875. When you came to make up accounts with your brother who was insolvent was there not an allowance made for this sum of money?—Not a farthing.

32,876. Did you not have some disagreement about this money?—We never had an unpleasant word on the subject to the day of his death, he got into difficulties and I had to assist him; it was a very painful matter, but I did what I could to relieve him from his difficulties.

32,877. (*Mr. Bere.*) When did he get into difficulties?—After this election.

32,878. Did you go up to London about the petition in Mills' time?—I did.

32,879. Did you hand back some money to Mr. Mills' agent, and receive a note of hand instead?—I did not.

32,880. What did you get?—I got paid for my services.

32,881. How much did you get?—I cannot tell you the sum; the coach hire and everything of that kind was paid.

32,882. Was not a good deal of money returned at that time, that the people might swear they had not received any bribes?—I do not know. I never returned any. I had my expenses paid. I went up in the train and stayed three or four days, and came back again by train.

32,883. (*Mr. Coleridge.*) You were paid in advance?—Yes, before I went away I was handed a 5*l.* note, and that was taken into consideration.

32,884. How many 5*l.* notes were handed to you between the time that Mr. Mills came down, and the time that you went up to London?—I never received ...

32,885. How many 5*l.* notes did you get?—I did not get any.

32,886. You told us you got one?—One before I started.

32,887. How many more than one?—I did not get more than one.

32,888. Where did you get the next, was it in London?—In London, we all met together, and the expenses were paid.

32,889. How many 5*l.* notes did you get in London?—I do not think it was 5*l.* notes.

32,890. How many sovereigns?—I cannot possibly bear in mind.

32,891. What did your wife get that time?—Not a farthing, or a 6*d.*

32,892. Now then, Mr. Manning, come, do you not know very well your wife told Mr. Yabbicom herself that you had 30*l.* for the election of 1852?—I do not believe it.

32,893. Do you not know she told him in your presence and you heard it?—Never.

(*Mr. Yabbicom.*) It was his brother's wife; you are speaking of his own wife.

32,894. (*Mr. Coleridge.*) Now we are in 1859, it was in 1859 you went up to London?—I do not recollect the date.

39,895. What election was it that you went up to London about the petition?—I can hardly tell you at the present moment, I daresay you have the date.

39,896. Was it Dunn's election?—I do not think it was Dunn's election. I think it was before Dunn's election.

32,897. We have got so much to ask you that you had better get a printed list of the elections and refresh your memory, and then we will ask you more about it?—I do not wish to keep back anything that I know.

32,898. (*Mr. Bere.*) You keep back a great deal, and when these questions were put to you about the 30*l.* to your brother you deny it all?—No, I did not, not that; you did not bring forward the subject before.

32,899. We put all these questions to you the last time, and you swore that you had not had any?—I think you will find you are mistaken. What is the election you were examining upon?

(*Mr. Coleridge.*) The 1852 election.—"*Q.* Do you "recollect getting 50*l.*?—*A.* Never. *Q.* Did you vote in "1857?—*A.* Never. *Q.* It is not true that you got a "sum of money for your brother?—*A.* Certainly not; "I deny it. *Q.* Did you know that your brother was "having it?—*A.* I did not."

(*Mr. Coleridge.*) You say you voted in 1852.—"In "1852 you voted?—Who were then the members? "Baldwin and Mills. In 1852 do you recollect getting "50*l.* for your vote?—Never." Then I ask, "It is "not true that you got a sum of money for your bro-"ther?—Certainly not; I deny it. Did you know that your brother was having it?—I did not."

32,900. (*Mr. Bere.*) What do you mean by that?—I do not believe it was that election.

32,901. (*Mr. Coleridge.*) You are sworn here to speak the whole truth?—I am quite ready to tell you everything I know.

32,902. "Did you get something for your brother?—*A.* Nothing; it is something Mr. Yabbicom told you, but I do not know what you mean"?—I did not know it.

32,903. At the time you got money for your brother was it not the time Mr. Yabbicom heard your brother's wife say you got 30*l.*?—Yes.

32,904. When I called your attention to the fact of Mr. Yabbicom knowing about it, do you mean you did not recollect that you got money for your brother?—When I got it I handed it to him.

32,905. You did not know when I asked you what it referred to?—I did not know that Mr. Yabbicom had been mixed up with it in any shape.

32,906. I suppose you found out that Mr. Yabbicom did know it, and that he told us what we have learned?—I did not.

32,907. Try and recollect something more?—I am ready to tell you everything I know.

32,908-9. You did not tell us on the last occasion?—I had not time then.

Mr. J. Yabbicom.

Mr. JOHN YABBICOM recalled.

(*Witness.*) Does the Court wish me to say anything in regard to this man's evidence?

(*Mr. Bere.*) Yes.

(*Witness.*) In 1852 a contest in this borough took place between Mr. Mills, Mr. Baldwin, and Lord Seymour. I think it was Mills and Baldwin.

TWENTY-FOURTH DAY.

Mr. J. Yabbicom.

21 Sept. 1866.

I only speak with reference to those two. I had heard that William Manning, who was the brother of the last witness, and kept an account at one bank had been bribed, and I heard also that Mr. Manning had been summoned to London specially for the London Committee ; in consequence of that, and finding that one of my customers had been engaged in rather a disgraceful transaction, I went down. Our bank was at the lower part of the town then. I went to Mr. Manning, and I said, "Manning, I understand you have been summoned to London ;" he said, "No sir, I have not, my brother Nicholas has;" I said, "What for? Did you receive any money?" "Not a farthing." "Do you mean that?" "Not a farthing." I said, "I am happy to hear that, I am pleased with that, you have nothing to trouble yourself about." But when I was going out of the door his wife came after me and she said, "Sir, may not a person receive a little present on these occasions." I said, "If you receive a present it is an awkward thing." I said, "Is it true that you have had any?" She said, "Well sir, to tell you the truth Nicholas has received it." "What has he had?" "He has had 30*l.*" "Who gave it to him?" "I do not know, but I think Mr. Fogwill gave it to him." "Have you had it?" "No sir." "Did you allow him to keep the money?" "No sir, we have had half of it." That she told me ; and subsequently to that, I think the next morning, I saw Mr. Manning, and I said, "You are summoned to London?" "Yes, I am." I said, "You have made a pretty mess of it, for you appear to have received money." He said, "What can I do by it?" I said, "It is disgraceful to do it; give it back, do not put it in your pocket But Mrs. Manning says you have kept half of it." He says, "I do not know what to do with it." I said, "You had better see Mr. Fogwill and hand it back—go and hand it back ;" and from that day to this I have never heard anything about it.

32,910. (*Mr. Coleridge.*) The petition was not tried?—There was rather a compromise and it was withdrawn. I have no doubt that that is so, and I think Mr. Mills must have paid the expenses of it. Now sir, in that conversation I most distinctly swear that he told me he thought he was entitled to half the money for his trouble.

32,911. Have you since you were examined here the other day recalled his attention to this matter?—I have never spoken to him.

32,912. You have no doubt whatever that that conversation took place with him as well as Mr. Manning?—I think it likely, I cannot say.

32,913. You think what you stated took place at a different time, and the conversation with Mr. Manning at a subsequent day?—Yes.

32,914. You cannot be confusing the two together?—Not the slightest ; but I think you had better get the information from Mr. Fogwill.

32,915. Is he in the town?—No, he is a bootmaker, he was a coal merchant here 14 years ago, since that time he has been appointed the postmaster at Teignmouth.

N. Manning.

NICHOLAS MANNING recalled and examined.

32,916. (*Mr. Coleridge.*) You have had your memory refreshed by Mr. Yabbicom, what have you got to say about it?—My belief is that Mr. Yabbicom has noted what is untrue, because he says Mr. Manning says I had half the money. It is quite false.

32,917. Is Mr. Manning alive?—Yes.

32,918. Is it false that you told Mr. Yabbicom that you thought you were entitled to half for your trouble?—I do not recollect seeing him the following day.

32,919. Do you expect us to believe your statement, and discredit Mr. Yabbicom?—I do not expect one or the other.

32,920. Did you not keep one half yourself?—No, not a penny.

32,921. What did you give back to Mr. Fogwill afterwards?—I do not know that I gave him back anything.

32,922. Did you give him back a note of hand?—Not to my knowledge.

32,923. Will you swear you did not?—I do not know.

32,924. Did you give Mr. Fogwill any of that money?—No.

32,925. Then you did not take Mr. Yabbicom's advice?—I may have acknowledged the receipt of the money.

32,926. Did you not tell Mr. Yabbicom that you kept half the money yourself?—I do not think I did.

32,927. Did not you tell Mr. Yabbicom that you thought you were entitled to one half for your trouble?—I am certain that I never spoke on the subject to any one in my life. I never spoke to him about it, and I could not say that.

32,928. What was it that you gave to Mr. Fogwell ; was it an I.O.U.?—It might be.

32,929. What was it?—For the moment I cannot tell.

32,930. What was it, an I.O.U.?—It was I think.

32,931. (*Mr. Coleridge.*) Are you a churchwarden?—Yes.

32,932. Whose? The clergyman's, or the parishes?—The clergyman's.

(*Mr. Bere.*) Then I hope you will not be again.

32,933. (*Mr. Coleridge.*) What did you give the I.O.U. for?—To acknowledge the receipt of it.

32,934. For whom?—For my brother.

32,935. Did you write the I.O.U.?—I did not write it, nor would I be certain that I gave it.

32,936. When you went to London, did you get another I.O.U. from some one?—No.

32,937. Did you get any money, or give a note of hand or I.O.U. in London?—No.

32,938. Has Mr. Fogwill ever asked you for that money on that I.O.U.?—Never.

32,939. Or your brother?—I never heard of it.

32,940. You never gave up 15*l.* to him?—Not to Fogwill.

32,941. To whom did you give 15*l.*?—To my brother.

32,942. Did you give him 15*l.* at one time, and 15*l.* at another?—No, I put it on the table, and she took it up. His wife was there ; my brother was not.

32,943. Do you remember this, when you were in London somebody saying that you must give back the money, and you must have a note of hand?—Never.

32,944. Did you give back on behalf of your brother that money, and receive an I.O.U. for it when in London?—Nothing alluding to it. I totally deny it.

32,945. After what Mr. Yabbicom has said, you stick to your story?—I do, because I never received it.

(*Mr. Coleridge.*) Then you must go and try and recollect.

J. Yabbicom.

JOHN YABBICOM recalled and further examined.

32,946. (*Mr. Longe.*) When was the first election in this borough that you took any interest in?—I am about 66 years old, and when you call my recollection back for 30 years, I will give you the best account I can of what transpired.

32,947. Begin with 1832, when Cornish, Parrott, and Boringdon stood?—I know nothing about that, come to Baldwin and Blount's time, that in 27 years ago, that is the election that I can speak to.

32,948. What part did you yourself take in that?—I voted at that time for Baldwin, and I will tell you the circumstances, and if I give you a little detail you will not mind, because you will not arrive at it unless I trespass.

32,949. Tell us your own story?—29 years ago, or 27 years ago, I was clerk in the western district banking company. Mr. Michelmore at that time was the manager. He was merely there and got his salary—at any rate I managed the whole business.

32,950. Which Mr. Michelmore?—Mr. Charles Michelmore's father.

32,951. He was Charles Michelmore too?—Yes, he took an interest in the affair to bring Mr. Baldwin here, and I recollect Mr. Michelmore coming to the bank, and saying, "Mr. Yabbicom, we shall bring Baldwin here." I was rather surprised, and he said, "We must return him," I said "Why?" "Why to "tell you the truth, we are in treaty to sell Gerston "estate, and he wanted to acquire a *locus standi* here." I said, "Are you going to sell Baldwin this, estate?" and he said, "He is going to give us 2,000*l.* or 3,000*l.* more than it is worth to come into the borough," and Mr. Parrott soon after resigned, and Mr. Baldwin was to step into his shoes. Baldwin comes down, and he is confronted immediately with Mr. Blount, and a very severe contest took place, and it ended in a double return.

32,952. At that time Mr. Baldwin had not bought Gerston?—No but there was a distinct understanding that he was to buy that estate I think in the spring of that year. When Parliament opened, a new writ was issued, because the election was declared to be a void one. Baldwin came down again, and then he was confronted by Mr. Gisborne. Upon that occasion there was another severe contest, and I think the majority was got down to seven, and Baldwin was returned by a majority of seven. Now upon that occasion there was a Conservative committee, and they had made up their returns that Mr. Baldwin should be returned by a majority of 23, and, in point of fact, he was in a minority. I looked minutely into it in consequence of being interested with Mr. Michelmore, and I ran over the poll with him, and clearly showed him he was distinctly in a minority. Mr. Michelmore said, "We must return him," and I think a night or two before the election, Mr. Gilbert, an ironfounder, and he interested himself much in the election—he came to me, and said, "Baldwin has entirely spun out all "his cash, and I do not know what he can do unless we "can get 400*l.* or 500*l.*" I said, "Well, if 400*l.* or 500*l.* will return him, you must have it." At that time Mr. Baldwin kept an account with us, and the night before the election he came to me and I advanced him, I think 400*l.*—I cannot speak to the sum, and he said, "I can manage two or three votes with this," and the next morning he brought me back 25*l.* of that.

32,953. Whom did you advance it to?—To Mr. Gilbert, against Mr. Baldwin's account, and the next morning he brought me back 25*l.*, showing that he had spent 375*l.* of that money.

32,954. How much did Baldwin spend before he had this 400*l.*?—I do not know. I am only speaking of what I know.

32,955. You say he was cleared out?—Yes. He had been cleared out of all his private cash by Blount at the previous election.

32,956. Then he had not bought Gerston. How did he buy that?—I will tell you how he bought that presently. Gilbert spent 375*l.*, and I recollect seeing Mr. Michelmore in the morning. I did not tell him, because he made me understand that Baldwin was to be returned, and that advances might be made. During the morning he said, there were seven or eight voters wanted—it is not the gigantic affair it is now—and three or five men came to me, and the first that came to me said he must have a loan, and that was Evan Even's father, the father of the great bribers, and he said "I am to have a loan of 50*l.*" I drew a cheque across the counter, and he signed the cheque for the money. The next person I saw—I cannot recollect them all—but there was a man called Bovey, who kept the "Plymouth Inn," and I gave him a cheque for 40*l.*; and I think another man came named Hannaford; he kept a pastrycook's shop a little below.

32,957. What is Hannaford's christian name?—He is dead. They are all dead and gone. I am raking up their ashes, and I am sorry to do it, but he came to me and had 40*l.* or 45*l.*; and there was an old man called Frank Shute; they came to me to have those cashed—to have the loan which Mr. Michelmore said they might have. He being the manager, if he had said they might have 500*l.* they should have had it, and I think the advances upon that occassion came to about 670*l.* or 680*l.*, and that money carried the election upon that occasion against Mr. Gisborne.

32,958. You were a Conservative at this time?—I was brought round if I may use the expression—being so intimately mixed up with Mr. Michelmore, he being my superior. He was the manager, but although he was the manager, and got his 300*l.*, while I did not get more than 200*l.*, he was my superior, and he directed those advances, and I made them.

32,959. How did you vote?—I voted for Mr. Baldwin.

32,960. (*Mr. Coleridge.*) Mr. Baldwin did not repay the money that you advanced?—Yes, I will come to that, I will tell you the whole.

32,961. (*Mr. Longe.*) This is the first election in which you knew of any bribery?—Yes. And I think the first bribery was Baldwin paying a certain portion of the Liberal party upon his coming and being opposed to Blount; no doubt there was bribery on that occasion; but I was in perfect ignorance who paid it, or who had the management of it.

32,962. Did you ever hear of bribery before Baldwin came?—No; I was a freeman of the old corporation.

32,963. You said that Baldwin introduced bribery?—I have not the slightest doubt of it. He had not the slightest chance, except he could buy a certain number of the Liberal party.

32,964. At that time there was no system of making votes?—It was scarcely introduced; and Lord Seymour's election was always clear.

32,965. You were going to explain how the money was repaid?—Mr. Baldwin went to parliament, and after he was there two or three months, and was quietly seated, I did not want to trouble him before, because there might have been a petition; but the moment I found that his seat was secure I brought his attention to it, and he was annoyed, and wrote several letters which I have lost, in which he said, "I have been used exceedingly ill." He said, "Having paid for the first election I am still dragged "into a further sum." I said, "It is only 600*l.* or "700*l.*, and if I had not used that for you, you would "not have got into parliament." He said, "Well, I "cannot get the money, but I will remit it as soon as "I can." Then I wrote one or two letters, and by-and-by he sent me a cheque on Sir Samuel Scott for 100*l.*, and after a long time he dribbled out another, and that took off 200*l.* Then there was a subscription set on foot to relieve him. They thought he was a poor man, and some 10*l.* or 20*l.* were showered in, and I got another 100*l.* out of that. It was paid into the other bank, and that reduced the account to 300*l.*, and so the account stood, and I could not get Mr. Baldwin to make another move. At last I said, "I must have this account put into another shape," because I felt myself responsible. Mr. Michelmore kept in the background, and made a cat's-paw of me. He said, "If I come into it we shall not get the money;" and I asked Mr. Baldwin ultimately to give me a note of hand for the balance, and with the interest, and one thing and another, it came to about 320*l.*

32,966. Then it was paid off?—When the note became due. I will say that to his credit he paid it.

32,967. And then Mr. Baldwin bought Gerston?—Yes, the trustees under his settlement; he was unable. It was found that he had not the money, and I think there was power, as you will find in all settlements, to do that, and upon that occasion the Gerston property was conveyed to his trustees.

32,968. His wife's trustees?—Yes.

32,969. That is all you know of the election of 1840?—Yes.

32,970. Now the election of 1841?—Will you refresh my memory?

TWENTY-FOURTH DAY.

J. Yabbicom.

21 Sept. 1866.

32,971. When Lord Seymour and Mr. Baldwin were re-elected, and when Mr. Teed and Mr. Petre resigned?—Was that the occasion when the understanding was come to with the Duke of Somerset.

32,972. (*Mr. Bere.*) Some people say it was, and some say it was afterwards, and as we cannot get the memorandum, we cannot discover the date?—With reference to that memorandum I will speak a word or two about it, because I heard about it. I know that hearsay evidence is not evidence, but as you want to have the facts I will give you what I know transpired. Mr. Henry Tracey had been brought here, and he has deposed to that meeting having taken place at old Mr. Tracey's house, and Mr. Henry Mudge, a highly respectable man, says that Lord Seymour, Mr. Baldwin, Mr. Cull, Mr. Michelmore, and some two or three others whom he enumerates as being present at that time, when he could only have been a lad, not more than 10, 12, or 13 years old, and he swears here that he recollects perfectly that Lord Seymour met Mr. Baldwin at Mr. Tracey's house. Now, sir, no such thing could have happened. He has been misdirected.

32,973. You are labouring under a misapprehension. Mr. Tracey's recollection had been refreshed by seeing the memorandum at various times since it was made; and I think he put his recollection on that meeting, with his recollection being revived by reading the names of the persons, and then saying that he remembers they were present; and in fact that that memorandum was signed by Lord Seymour and Mr. Baldwin?—Depend upon it it is no such thing, because Mr. Gilbert, the man whom I have adverted to, was instrumental in getting it up, and Mr. Gilbert will tell you that he had the memorandum in his possession not more than three or four years ago, and destroyed it; and he said Mr. Bowden, old Mr. Tracey, Mr. Michelmore, and Captain Cull, had met at old Mr. Tracey's and come to an arrangement, inasmuch as Lord Seymour had been perfectly disgusted with the bribery that had taken place, and he was ready to do anything in order to avoid it, and therefore had allowed Mr. Michelmore to make what arrangements he pleased, so that bribery should not be prevalent again in the borough.

32,974. Can you recollect whether that was 1841 or 1847?—I cannot recollect.

32,975. (*Mr. Coleridge.*) It would make a great deal of difference in Mr. Mudge's age whether it was 1841 or 1847?—Mr. Edmonds will tell you his age.

(*Mr. Edmonds.*) He is 43.

32,976. (*Mr. Bere.*) Then he might well recollect, being 18 years old?—I am certain that Mr. Baldwin and Lord Seymour were not there.

32,977. (*Mr. Coleridge.*) Can you tell us whether it was 1841 or 1847?—I cannot recollect it; but I have heard that his grace the Duke of Somerset emphatically denies it.

32,978. (*Mr. Bere.*) You were not privy to it and you cannot say?—But I heard Mr. Bowden, who was present.

32,979. (*Mr. Coleridge.*) Was he present?—He made the arrangement with old Mr. Tracey.

32,980. Who were there?—Mr. Cull, Mr. Michelmore, and three or four more. They made the arrangement.

32,981. Who were the three or four?—Mr. Bowden, Mr. Cull, Mr. Michelmore, and Mr. Tracey. There were not above four or five present, and I asked Mr. Bowden who was there.

32,982. (*Mr. Longe.*) Now the next election of 1847, when Mr. Ricardo stood?—I know nothing at all about the election. I voted only twice in 27 years.

32,983. Did you take any active part at Mr. Baldwin's first election?—I never took an active part in any election for the borough since the one I speak of, and I voted but once since. I have never voted in the municipal elections of the borough for 20 years, and taken neither one part nor another.

32,984. Do you know anything about the part that William Gilbert took in the electioneering matters, except that election of Gisborne and Blount?—No. I do not think he has.

32,985. Has money from time to time been paid into the bank for election purposes?—No.

32,986. Have you ever opened your bank after banking hours or before banking hours for the purpose of supplying persons with money during the time of the election?—On that occasion for William Gilbert I did.

32,987. For no other?—No.

32,988. How long did you continue to be manager of the Western District Bank?—About seven years.

32,989. Was that bank given up?—It became defunct, and I came to the National Provincial Bank 24 years since, and have been there ever since.

32,990. Who was the manager of the Conservative party in 1839 and 1840? Was it Mr. Charles Edwards?—Yes.

32,991. When did Mr. Theodore Bryett succeed him in the management?—I cannot tell.

32,992. You must know that?—If you can tell me when Mr. Charles Edwards died I will tell you.

32,993. Was that the time?—Yes.

32,994. Was he managing at the time that Gilbert came to you for the money?—No.

32,995. Was Charles Edwards managing then?—Yes.

32,996. Did Mr. Bryett ever come to your bank about money for the election?—I have no recollec-

32,997. At no time?—I have no recollection. Mr. Bryett has not kept an account with us for the last 14 years.

32,998. Have you found, as a rule, after the election a great deal of money comes into the bank?—I never found much fluctuation.

32,999. A day or two after the election do not you find a great deal more money comes into the bank?—No. That question is very pertinent, because I have looked curiously into it.

33,000. Have you looked at your books?—Yes. I have turned back purposely to see.

33,001. And you cannot detect it?—No.

33,002. Can you detect that a great many voters have paid in sums of money to their account after the election?—No, I do not know.

33,003. Who are your correspondents in London?—Originally the London and Westminster Bank.

33,004. Who are they now?—Our head office.

33,005. Was that open in July, 1865?—No; we opened in January last.

33,006. Mr. John Heath keeps an account with you?—No; never did.

33,007. Have you got the books from which you can tell when Mr. Pender opened an account at your bank?—They are not here; I can get them in a minute.

33,008. You have not made a memorandum?—No; but if you have the record of my evidence before the Election committee you will get at it.

33,009. (*Mr. Longe.*) When did Mr. Pender first open an account with you?—If you ask me from recollection I cannot tell.

33,010. It is the 20th June?—Yes; he paid in 1870 I think. It was but one transaction.

33,011. What was it?—He paid us a cheque on the Consolidated Bank. I think it was a half-year's dividend that he had received for the Atlantic Telegraph Company.

33,012. How long was that in your bank?—It remained intact with us, I think, until the end of the month.

33,013. How was it drawn out?—He drew a cheque for the total amount. It passed through the London Joint Stock Bank. There were no operations at all in respect of that transaction. It went back intact.

33,014. (*Mr. Bere.*) Do you know anything about a cheque drawn on your bank by Thomas Searle at the last election?—If I had Thomas Searle's account I could tell you.

33,015. Would you go back to the bank and look at Searle's account, and the account of John Elford?—If one of the messengers went it would save time.

33,016. (*Mr. Coleridge.*) After the conversation you have spoken to with reference to Nicholas Manning

did you ever hear about any other occasions about money?—No; nothing about the election.

33,017. Do you know anything about Bartlett, the tailor?—No; I never spoke to him about election matters in my life. I have carefully abstained for the last 14 years, and for the last 20 years I have not voted for the municipal elections, and only twice in 30 years I have voted for the borough.

33,018. Are you a member of the council?—No; they elected me a freeman of the old corporation; but the Municipal Act came into operation soon after, and my five guineas was gone to the winds.

33,019. You have never stood an election since?—No; my first care has been to make friends with everybody, and it is a difficult matter.

DAVID MANNING sworn and examined.

D. Manning.

33,020. (*Mr. Coleridge.*) What are you?—A butcher.

33,021. How long have you had a vote for this place?—At Mr. Dent's election the first time.

33,022. 1862?—Yes.

33,023. What is your qualification?—A house and shop.

33,024. At the last election how did you vote?—I voted for Colonel Dawkins and Mr. Seymour.

33,025. Are you a tenant of the Duke's?—No.

33,026. How did you vote at Dent's election?—For Dent.

33,027. How came you to split your vote between Seymour and Dawkins on the last occasion?—I had a little private reason I do not wish known to the public.

33,028. But I am afraid you must let us know?—In this way. I came into the Hall here, and at the time I was a little upset. I was rather excitable at election time, and I asked Mr. Pender a question or two, and there was a regular row in the Hall. I did not wish to let my name be published in the papers, and I asked Mr. Theodore Hannaford, he being a writer for the "Western Times," to be kind enough not to have my name inserted in the paper, and he said he could not say anything himself about it; but during the day he did name it to Mr. Seymour, and through that I gave him my vote.

33,029. You mean that Mr. Seymour persuaded him not to do it?—I think he wrote a letter to the office, and desired him not to put in my name.

33,030. And you voted for him for that?—Yes.

33,031. But before that you had promised to vote for Captain Pim?—No, I had not.

33,032. What do you call yourself, a Conservative or a Liberal?—Conservative.

33,033. If it had not been for this transaction should you have voted for Dawkins and Pim?—I should for Dawkins.

33,034. Mr. Heath had held out some inducememt to you to vote for both of them, had not he?—Yes.

33,035. What had he offered you for your vote?—He never offered me anything; he sent Evens to me.

33,036. Frederick Evens?—George Evens.

33,037. What did he say if you voted for the two?—Well, I think something about 50*l.*

33,038. You wanted more than that, did not you?—No; I should have been very well pleased to get that.

33,039. What time did you vote?—Not until the latter part of the day.

33,040. Had not you some expectation that a better offer would be made you?—No.

33,041. Was that for both your votes, or one only?—I understood it to be for the both.

33,042. Did you ever get your 50*l.*?—No.

33,043. What did you get?—Nothing.

33,044. Nothing at all?—No.

33,045. Before you voted they had shut up shop, had not they?—Well, I understood that.

33,046. You kept back as late as you could, in the hopes of getting something. I suppose you were open to conviction all the day if money had been forthcoming?—No.

33,047. What did you tell Evens?—They wanted me to come to the "Stars" for it; and I did not like that it should be mentioned about the streets that I had asked so much money as 200*l.* for my vote, for I never asked any such sum.

33,048. What was the highest you put it at?—Never; no sum whatever.

33,049. It was nomination day?—Yes.

33,050. On the nomination day Evens said you should have 50*l.* if you would go to the "Stars" first; when were you to go?—The evening of the nomination day.

33,051. What did you say when you heard this?—I said "Very well;" but I heard that my name had been publicly mentioned about the streets that I should have asked 200*l.* for my vote.

33,052. Did you tell him so that time?—Yes; I believe I did.

33,053. What did he say?—I do not remember the exact reply.

33,054. Did you say you would vote for Dawkins and Pim?—I did not promise.

33,055. When you were offered the 50*l.* did you say you would go to the "Stars" and get it?—I believe I said I would not go. I told him if he would go and get the 50*l.* for me he might; but as for my going, I would not.

33,056. And if you got the 50*l.* you should vote for Dawkins and Pim?—No doubt I should.

33,057. Did you ever say you were a fool, and held out too long at that election?—I might have said that to George Evens.

33,058. He has sworn you did?—Very likely I may, I do not know for certain.

33,059. You got nothing from them for holding out so long, what did you get for voting for Mr. Seymour?—Nothing.

33,060. Nothing for that one vote?—No.

33,061. What did Mr. Parnell, the postmaster, offer you?—Nothing.

33,062. Had Thomas Jacob Searle anything to do with you?—I was coming up the street the evening before the election, and I met Mr. Thomas Jacob Searle, and he did say to me, "Come over to our side; come with us," he says, "and if you want anything, only name the sum, and no doubt you can get it." I told Searle that I did not like to sell my party.

33,063. But you did sell your party afterwards, so I suppose you got something for it?—No, I did not.

33,064. What did Searle say you could get?—I do not know that he mentioned any sum. He said, "If you come over with us I have no doubt you will get what you have a mind to mention."

33,065. What did you mention?—I did not mention anything at all. I said, "Mr. Searle, I do not like to sell my vote."

33,066. What time was that on the nomination day?—In the evening.

33,067. In the evening of the nomination day then you intended to vote for Dawkins and Pim?—I did for Dawkins.

33,068. What time did you make up your mind to vote for him?—I did not know what to do. The Conservative party were done for in the morning, and I had almost made up my mind not to vote at all.

33,069. When did you make up your mind to vote for Mr. Seymour?—The very day and very hour that I did.

33,070. And you were waiting to see what the Conservatives would do till the last moment, and then you voted for Seymour, what did you get?—Nothing.

33,071. Not a present afterwards?—No.

33,072. Did your wife?—No.

33,073. Are you certain?—I have no wife.

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33,074. Has nothing been left at your house?—Nothing whatever.

33,075. Have you received a promise of anything?—I have not.

33,076. Searle told you you might have something, and you had sold yourself by voting for Seymour; did not you get the sum he told you you might have?—No.

33,077. You were open to conviction by the Liberals, and you got nothing for it?—No.

33,078. You were told you might have it, and you were disappointed by Mr. Heath?—I was not disappointed; I might have had it if I had chosen to seek it.

33,079. You never did?—No.

33,080. And nobody brought it?—No.

33,081. Then you really got nothing for voting at the last election?—I did not a farthing.

33,082. How often were the Conservative party at you during the day?—Various times.

33,083. What did they offer you on the polling day. I am not talking to you about the 50*l.* you were to get at the "Stars?"—There were several messages came to me that I was wanted at the "Stars."

33,084. Who brought them?—I believe George Evens for one.

33,085. Did Narramore come?—I do not know whether he did or not, I won't be certain. George Evens brought a young gentleman with him from the "Stars," I understood it to be Colonel Dawkins' valet, to say that I could have 50*l.* if I would go to the "Stars."

33,086. That you had been promised the day before; did not they spring upon that?—I did not ask for any money whatever; they offered me 100*l.*

33,087. Who offered that?—George Evens.

33,088. What time on the polling day?—During the day he was there two or three times.

33,089. Did he tell you how you were to get it?—Go to the "Stars" for it.

33,090. Did you go to the "Stars" for it?—I did not.

33,091. What was the latest offer before you voted for Seymour?—I should think nearly 3 o'clock.

33,092. What did Thomas Jacob Searle offer you on the polling day?—I do not know that I saw Searle on the polling day at all.

33,093. What were you offered on that side?—There was no sum of money.

33,094. Did you tell Searle you had been offered as much as 100*l.* on the Conservative side?—No.

33,095. What did you expect to get for your vote?—I did not expect anything.

33,096. What did you consider your price was for selling your party?—Well, if I had sold my party, I certainly should have asked a good round sum.

33,097. A couple of hundred?—No doubt about it.

33,098. Did you tell Searle as you had sold your party, and had given his party one vote, you ought to have at least 100*l.*?—I never named any such thing.

33,099. Did you name any sum to him?—Never.

33,100. Have you ever said anything to him since the election as to not having been paid?—No.

33,101. Or anybody else?—No.

33,102. What did you say to Evens?—I might have said that other parties had got so much money, and perhaps I might as well do that.

33,103. Had the Conservative party ever made an offer to you, to give you a certain sum for one vote only?—No.

33,104. It was always a vote for the two?—Yes.

33,105. Then when you voted for Mr. Seymour all your claims were gone?—Well, I had no claims.

33,106. Your expectations?—Well, if there were any they were blighted.

33,107. Until Mr. Seymour's kindness converted you, you had been a consistent Conservative, had not you?—I only voted on one occasion.

33,108. Is that your handwriting (*handing a paper*)?—Yes.

33,109. You know what that is?—That is the requisition no doubt.

33,110. In spite of your having signed the requisition something persuaded you to vote the other side?—For the reason I have told you.

33,111. Do you mean to say you got nothing from the Liberal party at that time?—Not a farthing.

33,112. Neither before nor since the election?—Not a farthing.

33,113. Neither from Thomas Jacob Searle, Mr. Parnell, or Mr. Huxham?—No.

33,114. Or no one else?—Never a farthing.

33,115. Were not you to have something after the election?—I know nothing about the petition.

33,116. Were not you to have some money after the petition was over?—No; there were never any promises held out to me in any shape whatever.

33,117. Did you hear that it would not do well to pay any money until the petition was disposed of?—Never.

33,118. You mean to say you never received anything at the last election?—Not a farthing.

33,119. Do you hold any land of the duke's?—No.

33,120. Were you promised any?—No. I applied on both sides, but could never get a lease of ground in any way.

33,121. Having distributed your favours between the two they never did anything for you?—They have not.

33,122. What did you get at Mr. Dent's election?—30*l.*

33,123. Who gave it you?—Mr. John Heath.

33,124. Where?—The "Stars."

33,125. Who told you to go to the "Stars" for that?—There was an entertainment given at the "Stars," and I like others went down to see this entertainment. George Heath saw me there, and said he wanted to see me during the evening, and I saw him again and he gave me 30 sovereigns.

33,126. That was to vote for Mr. Dent?—Yes.

33,127. Who had been at you before and promised you this, George or Frederick Evens?—I really do not know.

33,128. But before you went you knew you were to have some money?—I heard that money was going about.

33,129. Did you vote in 1862, Mr. Dent's first time?—No, I do not think he went to the poll.

33,130. Did you get a promise of anything if he had?—I think it was understood.

33,131. What were you to have had?—I do not know, 20*l.* perhaps.

33,132. Who told you that?—I heard it from various parties, but never went on to have a bargain made for it.

33,133. At the election of 1865 did you receive a note of hand for your vote?—No.

33,234. A promise to pay at a future period?—No.

33,135. Have you ever received one since?—No.

33,136. Have you ever given one back in return for anything?—Nothing.

33,137. Nothing whatever of that sort?—No.

33,138. Whom did you see of the Liberal party when you were hanging back on the day of the election?—I do not know that I saw anyone particular, because I think on that morning, as soon as the Matchams and two or three others the Conservatives expected would vote on their side, had voted first thing in the morning, the Conservatives of course did not go to work.

33,139. You say you had several messages from the Conservatives for your vote. Had you no messages from the Liberals also that day?—I do not think I did.

33,140. No temptations at all from that side?—I do not think I did.

33,141. Whom did you tell you were going to vote for Mr. Seymour, before you went to the poll?—I do not know whether I named it or not.

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33,142. Who told you about voting for Mr. Seymour or what made you do it at the last moment?—Just the very reasons I have explained.

33,143. But you knew the day before that Mr. Seymour had written to the paper?—Yes.

33,144. And you knew the Conservatives were done that morning?—It was merely a matter of form, and I never got a farthing.

33,145. Do you mean no more than 30*l.*?—Never since I have been in Totnes.

33,146. That is all it has been worth?—It is all I have ever had.

33,147. Did you vote at the council elections?—I voted I think on two occasions.

33,148. Have you ever had anything for voting there?—Not a farthing. I mention this in court, that my name had been mentioned, that I should have asked a gentleman 10*l.* for my vote in the council election, which I beg to state in the court, that it should be known that I never asked a farthing, or received a farthing.

33,149. Who was the gentleman?—Mr. Coulton, of Buckfastleigh. It was stated I should have done

33,150. Who stated it?—The public.

33,151. In evidence here?—No.

33,152. (*Mr. Bere.*) How much did you get?—Not a farthing.

33,153. (*Mr. Coleridge.*) You never did ask 10*l.* or any such sum?—No. In fact the gentleman never solicited my vote.

33,154. Who was it on the Liberal side tried to get your vote from you on the polling day?—I do not remember anyone came to me at all from the Liberal party.

33,155. Had you never any conversation about money for your vote from the Liberal party, except on that one occasion when Thomas Jacob Searle came to you?—I believe that is all.

33,156. Who was it got Mr. Seymour to write this letter to the "Western Times" for you?—Mr. Theodore Hannaford.

33,157. When did Mr. Seymour write the letter, do you know?—I do not.

33,158. What did Hannaford say to you about voting for Mr. Seymour, because he had written the letter?—He never asked me.

33,159. Did he tell you Mr. Seymour had written? Yes.

33,160. When?—The Thursday before the election.

33,161. Your gratitude for Mr. Seymour was not sufficient to make you vote for him, unless the Conservatives had shut up early on the polling morning. Was that so?—Well, perhaps not.

33,162. That was so?—If I had any money from the Conservatives I should have voted for them.

33,163. If they had brought you 100*l.*, instead of telling you to go and fetch it, you would have voted for them?—Yes.

Mr. John Yabbicom recalled.

J. Yabbicom.

33,164. (*Mr. Bere.*) Turn to Thomas Searle's account, somewhere about July 1865. Do you find any entry there of monies paid to or on account of a man called Matcham, or any credit opened in your bank to that name?—There is no such sum. Mr. Matcham never has had an account.

33,165. Was there any money paid out of your bank through Searle?—Not a farthing.

33,166. Will you turn to Mr. Jeffery Michelmore's account, and see if you can trace somewhere about July 1865, a payment to a man called John Elford of 20*l.* by cheque?—No.

33,167. Is there a joint account; Thomas and Jeffery Michelmore?—That is the account I am looking at.

33,168. That is the only account?—That is the only account; no private account.

33,169. And no such entry?—No such entry whatever.

33,170. That ledger will not show any drawing in 1863?—No; but I can present it to the court whenever it is wished.

John Webber Chaster sworn and examined.

J. W. Chaster.

33,171. (*Mr. Bere.*) What are you?—I am a tanner, but I am out of business at this moment.

33,172. Have you given up business?—Yes, I have been out of business eight or nine months.

33,173. Have you always been a tanner?—Yes, always a tanner.

33,174. How long have you been a tanner in Totnes?—25 or 26 years, I think.

33,175. Have you lived in Totnes all your life?—Yes, I was born in Totnes.

33,176. And I suppose you remember most of the electioneering matters that have taken place?—I remember them perfectly from the passing of the Reform Bill.

33,177. What age were you then?—Well, I must have been a lad of 12, perhaps, but my father took much interest in them.

33,178. Was he a tanner too?—No, a sadler.

33,179. Did he take considerable interest on the Liberal side?—A good deal.

33,180. And you followed, I suppose, and took a great deal of interest on the Liberal side yourself?—I did not immediately succeed him in his views; I have latterly.

33,181. Are you old enough to remember any discussion taking place as to how the borough should be arranged with regard to its boundaries at the time of the passing of the Reform Bill?—I am not.

33,182. Therefore can you give us any information from what you know yourself, or from what you have heard, as to the reasons why particular portions that were added were so added?—I cannot assist you at all in those matters.

33,183. The first election after the Reform Bill was practically, I should think, an uncontested election, when Mr. Cornish, Mr. Parrott, and Lord Boringdon stood?—Not uncontested, certainly. Lord Boringdon went to the poll.

33,184. But did he go to the poll in hopes of success?—I should think not. I recollect the circumstances; there was a meeting called of the electors, and the electors signed a paper, agreeing between themselves to support any two men whom the committee whom they appointed should fix on.

33,185. Do you remember at all of whom that committee consisted?—I think they are all dead.

33,186. Are there not any gentlemen alive who were on that committee?—I should say not. Mr. Charles Michelmore and my father were two, I know.

33,187. Was not Mr. Michelmore acting for the Conservatives?—No, he was a Liberal always until he altered his views on the sale of Gerston.

33,188. At that time to whom did it belong?—To Mr. William Bowden.

33,189. He was a Liberal?—He was a Liberal.

33,190. Were there any persons properly called Conservatives on that committee?—Yes, I should think many.

33,191. Was Mr. Bentall or Mr. Bastard?—I should say not. Mr. Bastard was not here; he is a new man in Totnes.

33,192. Was Mr. Bentall a new man here?—He was born here.

33,193. Was he on that committee?—I should say not Mr. Bentall. Mr. Bentall was a member of the old corporation, and was antagonistic to the Reform

33,194. At that time had the then Duke of Somerset any considerable interest here?—Not in Totnes.

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33,195. But Bridgetown?—Yes.

33,196. The manor of Bridgetown was added then?—The manor of Totnes was not bought then.

33,197. But the manor of Bridgetown was. Had he considerable influence in Bridgetown at that time?—Yes.

33,198. Do you know whether Mr. Thomas Michelmore was his agent then?—I believe he was.

33,199. Was he one of that committee?—I believe not.

33,200. Do you know to whom the then Duke of Somerset gave his influence at that election?—If he exerted any influence it was for Lord Boringdon.

33,201. Was the then Duke of Somerset a Conservative at that time?—Oh, certainly not.

33,202. Lord Boringdon was hardly to be called a Conservative?—The present Duke of Somerset, then Lord Seymour, had been the member for Okehampton, and that was disfranchised.

33,203. Do you remember at all whether Lord Seymour came on that election?—I know he did not.

33,204. Both Mr. Cornish and Mr. Parrott were gentlemen of landed property, resident in the neighbourhood?—Yes, the immediate neighbourhood, and they were perfectly well known.

33,205. And probably for that reason were selected?—Yes.

33,206. There was no money spent at that election?—I know the money that was spent; my father and my uncle held the funds.

33,207. Who was your uncle?—Joseph Storkwill. I think the two members gave them 50*l.* apiece, and they returned them 10*l.*, and they were exceedingly annoyed that it cost so much money.

33,208. That election cost them 40*l.* each?—45*l.*, I think.

33,209. Who at that time had posession of Sharpham?—The Bastards.

33,210. Was any influence used by Mr. Bastard in favour of the candidate?—An attorney, one Thomas Parrott, of the same name as the candidate, but no relation, went to Mr. Bastard with a list of tradesmen in Totnes who had signed the paper as being likely to vote for the Liberal man, and he induced Mr. Bastard to send to those men, threatening to withdraw his favours unless they voted for Lord Boringdon.

33,211. As far as you know that was the only illegitimate influence used at that election?—The only other case that I know of was a clerk of the same Mr. Parrott going to one Thomas Blank, in Totnes, and offering him 10*l.* for a pair of shoes. He was not a voter at that time, but he offered him 10*l.* to induce his father, William Blank, to vote for Lord Boringdon.

33,212. Was the 10*l.* accepted and the shoes made?—I think not; Blank polled for the two Liberal candidates.

33,213. On the 14th February 1834 there was a single-handed contest between Lord Seymour and Mr. Mayne?—Yes.

33,214. Was there any reason for Mr. Cornish accepting the Chiltern Hundreds?—The reason, I think, was, his father found he could not live in London upon two guineas a week.

33,215. And old Mr. Cornish objected to that lavish expenditure?—I believe he did.

33,216. And then he resigned?—Yes.

33,217. Did Mr. Mayne stand as an ultra-Liberal?—He did.

33,218. Upon what politics did Lord Seymour stand?—As a Liberal.

33,219. Was it not at that election that Sir George Adams was the chairman of Lord Seymour's committee?—I think it is very likely.

33,220. Was there a coalition between the moderate Liberals and the Conservatives to return Lord Seymour?—There was.

33,221. As against the more advanced Liberals?—I think I should say that a very strong feeling existed in the minds of the Liberals in Totnes never to vote for a man who had voted against the Reform Bill. The borough of Okehampton was about to be disfranchised, and Lord Seymour voted against the bill in order to save his borough; that was his only sin.

33,222. You had not a vote then?—No.

33,223. How did your father vote?—I believe he nominated or proposed Lord Seymour in this hall.

33,224. Was there any money spent at that election?—I should think none.

33,225. That brings us to 1835, the general election, when there were three candidates. Sir George Adams was the Conservative?—Yes.

33,226. And the two Liberals were elected by a majority?—Yes; they did not go to the poll. Sir George Adams withdrew.

33,227. Had Sir George Adams changed between that time and the period when he was the chairman of Lord Seymour's committee?—I should say not; Sir George Adams was always a sound Conservative.

33,228. Can you give any reason for his standing in opposition to Lord Seymour?—Lord Seymour had expressed himself more decidedly a Liberal. I believe he had become a member of the Government in some minor capacity.

33,229. Had there been a general election on Sir Robert Peel's taking office, or was the dissolution before he came into office?—I cannot charge my memory.

33,230. The next contest was on the death of William IV., in 1837, when Sir George Adams went to the poll?—Yes.

33,231. Do you know anything of that election?—I believe that election was a pure election, otherwise than this, that I know the public-houses were open on that occasion, and there was a little scandal in the town that Sir George should have opened the public-houses.

33,232. Was Sir George Adams living at Bowden at that time?—Yes.

33,233. You had no vote then?—No. I think his means were not sufficiently large to keep himself in Parliament.

33,234. Has his property been sold?—Yes.

33,235. Was it a large property in this neighbourhood?—Not very extensive.

33,236. Then, for the first time, Mr. Baldwin appeared, and Mr. Blount, the agent for the Duke?—Yes.

33,237. Can you tell us when the manor of Totnes was bought by the Duke?—I cannot.

33,238. Before that election?—Yes, decidedly.

33,239. Was it between the election of 1835 and 1839?—Between 1832 and 1839.

33,240. Do you remember how much the Duke's influence was increased by the purchase of the manor of Totnes—how many votes?—I cannot charge my memory with that.

33,241. What does the manor of Totnes consist of—principally houses?—Landed property.

33,242. Land outside the town?—Some portion.

33,243. Is Windmill Down part of it?—No, independent property. The property below here called the rectory is some portion of the manor, and there is some other land not of importance. The principal part of the purchase were the tithes of Totnes which went with the manor.

33,244. Mr. Baldwin came down and stood against the Duke's agent?—I think Mr. Baldwin came first.

33,245. And when he was in the field Mr. Blount came down?—Yes.

33,246. At that election did Mr. Blount get the assistance of the Seymour interest?—I believe Lord Seymour was exceedingly annoyed at Mr. Blount's coming here. I do not think he received any assistance.

33,247. Before that election had Mr. Baldwin purchased Gerston?—No.

33,248. Have you any reason to know what sums were spent at that election on either side?—None whatever.

33,249. Was your father on Mr. Blount's committee?—No.

33,250. Did he take an active part in that election?—No, he supported Lord Seymour. Mr. Blount was a Roman Catholic, and Mr. Baldwin was a Conserva-

tive. He was so situated that he could not support the Conservative or vote for the Roman Catholic, so that on the whole he refrained from voting.

33,251. Was your father's prevailing opinion when alive that there was a separate interest in the town as compared with the Duke's interest in Bridgetown?—Most decidedly.

33,252. Has that been the ruling idea in Totnes, that there is an interest here antagonistic to that of the Duke?—Not antagonistic; there is an independent interest in Totnes.

33,253. An interest in the town apart from the influence of the Duke?—Just so.

33,254. At that time what was the Cleveland interest?—The Cleveland interest was never brought to bear here in my recollection.

33,255. That was represented by Mr. Farwell?—Yes.

33,256. He was a Conservative?—Yes.

33,257. Was the Cleveland interest used at all to support the Conservative interest?—There were no lands belonging to the Duke of Cleveland or any other property within the borough of Totnes.

33,258. Were there any voters who could be influenced by his agent?—None at all.

33,259. We know Mr. Baldwin spent a considerable sum at that election. Do you know whether Mr. Blount spent anything?—I should think there is no doubt of it. I cannot say how much.

33,260. Have you any doubt that money was commonly spent by both sides at that election, and that that was the beginning of bribery in Totnes?—I firmly believe that it was. I do not believe that Mr. Blount had the assistance of the Duke; he was compelled to spend money.

33,261. Did you ever hear your father say what number of electors were influenced by money?—No.

33,262. Or what was the class if not the number?—They would be the lower class, I take it.

33,263. (*Mr. Bere.*) We have found them to be very general?—I ought not to give an opinion.

33,264. That election was declared void?—It was.

33,265. Had you anything to do with the petition?—Nothing whatever. I was not a voter.

33,266. In 1840, when Baldwin and Gisborne stood, was your father on Mr. Gisborne's committee?—No.

33,267. Had he anything to do with that election?—I think not.

33,268. Do you know how Mr. Gisborne was brought down here?—I do not.

33,269. At that election was there a good deal of bribery?—Yes, I should say quite equal to the preceding one.

33,270. Did you know anything of certain independent parties who went by the name of the "73rd?"—The "73rd" were 73 men who voted for John Thomas Mayne.

33,271. That regiment had been reduced considerably by the time that Mr. Gisborne stood?—I daresay they were.

33,272. Do you know how they voted at that election?—I should suppose for Mr. Gisborne to a man.

33,273. Did you hear that some refused to vote for Mr. Gisborne, and inducements were required to get them to do so?—That was the case with some Chartists.

33,274. Are any of those still alive?—The only man whose name I know at that election was John Sandford Screach; he was a Chartist in those days. There were three men; I do not know the names of the other two.

33,275. Was George Mitchell one?—No, not of those three. He was one of the 73 who held extreme views.

33,276. Did you ever hear what they got for voting for Gisborne?—I have heard they got 125*l.* each. I think Mr. William Gilbert can tell you.

33,277. Those who did not vote for Gisborne voted for Baldwin?—Yes.

33,278. Previous to that election had there been any influence used on the electors by treating them from time to time?—There were punch meetings held.

33,279. Were those Conservatives or Liberals?—Conservatives.

33,280. Were they held at the "Seven Stars?"—No, at a place called the Auction Mart.

33,281. Was that licensed for such revelry?—I do not know. The meetings were held there, very near the bridge.

33,282. Do you mean periodically?—No, monthly. I think circulars used to be issued and signed by the managing agent, Mr. Theodore Bryett.

33,283. And there they used to attend and enjoy themselves?—I think so.

33,284. And discuss the politics of the borough?—I daresay they did.

33,285. Was Mr. Bryett Mr. Baldwin's legal agent?—He was.

33,286. Did you hear the sum which had been spent at that election?—I have no idea.

33,287. You have no doubt a great deal of money was spent on both sides?—No doubt.

33,288. Who acted for Mr. Gisborne as his professional man?—I suppose Mr. Cuming or Mr. Wendeatt, perhaps both.

33,289. Mr. Wendeatt when he died was not a young man?—He was over 60.

33,290. Had he always been employed as the Liberal legal agent?—Yes; he had always taken a part as a legal agent.

33,291. In 1841 two Conservatives came down to contest the borough; can you give us any information as to the reason why they did not do so?—There was a contract, or alleged contract, at that time in existence between Lord Seymour and Mr. Baldwin to prevent bribery.

33,292. Can you fix the date of that; are you quite sure that contract was in existence before Mr. Petre and Mr. Teed retired?—I think there is no doubt of it; but I can give you no documentary evidence of it.

33,293. Was your father a party to that?—No.

33,294. Did he ever discuss the matter of that agreement with you?—I do not recollect that he ever did.

33,295. Was he consulted with regard to it?—I should say not.

33,296. He was one of the principal persons on the Liberal side?—The Liberal element was dropped on that occasion. Mr. Charles Michelmore arranged on behalf of Mr. Baldwin, and Mr. Thomas Michelmore on behalf of Lord Seymour.

33,297. And they were cousins?—Yes.

33,298. At that time Mr. Baldwin bought Gerston?—Yes.

33,299. How long before, do you remember?—Something like two years before.

33,300. Was there any particular reason for Gerston being sold?—I think it was a political movement. It was said Mr. William Bowden required to sell Gerston.

33,301. He was a Liberal, and he would hardly have sold it to a Conservative from political motives?—There was a great consideration; 3,000*l.* more was paid for the estate than it was worth.

33,302. What was the value of the estate?—It was considered worth 13,000*l.* or 14,000*l.*

33,303. And what was given for it?—17,000*l.*

33,304. Then it was the extra sum which was the inducement to sell it?—I understood so.

33,305. Mr. Baldwin having bought Gerston, Mr. Charles Michelmore became his agent, and with the agency he changed his principles?—There was a change of principles on behalf of Mr. Michelmore, and as you heard also of his then clerk, Mr. Yabbicom. He had been a Liberal before. Also of Mr. Charles Edwards, and others.

33,306. Was Mr. Edwards a Liberal before that time?—Yes.

33,307. Then he became the managing legal adviser of the Conservatives?—Yes; Mr. Edwards, Mr. Windeatt, and a cousin of mine, Albert Chaster, were called the three boys; they were young attornies at the time of the Reform Bill.

33,308. Is your cousin still alive?—No.

33,309. In consequence of that agreement Mr. Petre and Mr. Teed retired?—No doubt that was the reason.

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33,310. Mr. Petre was not strong enough to secure the second seat for the Liberal nor Mr. Teed for the Conservative?—Exactly so.

33,311. Did the Punch meetings continue from that period to 1847?—I think regularly; I never heard of any cessation.

33,312. In 1847 you were a voter?—Yes.

33,313. Do you remember when you became a voter?—I think I got on the register in 1842 or 1843.

33,314. In 1847 was the first time you voted?—Yes.

33,315. For whom did you vote?—For Baldwin and Seymour. Mr. Ricardo was an extreme man, and I had a little gentle pressure put on me by Mr. Charles Michelmore, who was a friend of my father's.

33,316. Was your father alive then?—Yes; but he had an attack of paralysis which prevented his leaving his bed. My father asked me to vote, I was disinclined to do so myself.

33,317. What was the pressure put on you?—He was a friend of the family.

33,318. Was there no persuasion beyond that of words?—That was all.

33,319. No favouritism as to dealing?—None whatever.

33,320. I suppose the 3,000*l.* paid by Mr. Baldwin must be taken to have been paid for the seat?—No doubt of it.

33,321. Did you hear that a good deal of money had been spent by Ricardo?—Not specially by him; Baldwin and Ricardo spent in equal proportions.

33,322. Did you canvass for the Liberals on that occasion?—No; I never canvassed in my life.

33,323. You took no active part in that election?—None whatever.

33,324. At that time was Sharpham still in the possession of Mr. Bastard?—I should say not.

33,325. When was Sharpham sold?—I cannot tell you, I have no data.

33,326. Was it sold to Mr. Durant, or was there any intermediate possessor?—It was in the market for a year or two, I believe.

33,327. Was it sold by old Mr. Bastard or by young Mr. Bastard?—I should think by the son.

33,328. You cannot be sure whether Sharpham was sold at that time or not?—I am not sure of it.

33,329. There was an election in 1850 when Lord Seymour was made Chief Commissioner of Woods and Forests?—Yes.

33,330. Had he used any similar influences to those which had been exercised by the Conservatives?—No.

33,331. Then what did he do to counteract the evil influence of the meetings you have alluded to?—He bought some property in the centre of the town and built a mechanics institute and reading-rooms, which were freely supplied with newspapers, &c., and gave tickets to all persons who made application.

33,332. Who had the management of that?—I think Mr. Thomas Michelmore.

33,333. Were you on the committee?—No.

33,334. Who were the principal members of the committee?—I am inclined to think Mr. Michelmore was the president, Mr. Wendeatt, Mr. Cuming, and others whom I cannot charge my memory with now.

33,335. Used they to give lectures?—Yes, and they continue to do so now.

33,336. Did you take an interest in it?—Not a marked interest.

33,337. Have you ever lectured there?—No.

33,338. Have they a library?—Yes.

33,339. Is that kept up by subscription?—A small subscription.

33,340. Have you ever given books to it?—No.

33,341. Had the opening of this institute a good effect on the Liberal voters?—I do not know, I believe it was done to counteract the debasing influences of the meetings on the other side.

33,342. What refreshments do they supply, tea and coffee only?—There are no refreshments supplied there, only food for the mind.

33,343. Is the attendance large at the lectures or reading-rooms?—There is not a large attendance at a reading-room generally; some half-dozen drop in to see the papers.

33,344. In 1852 there was a general election?—Yes.

33,345. Was Mr. Baldwin still the possessor of Gerston?—He was.

33,346. Had you anything to do with that election?—I knew something more of Mr. Baldwin between 1850 and 1852.

33,347. How did you become acquainted with him more intimately?—His character became better known to me.

33,348. Was that as to his not having had money enough?—His private character was not such as I felt myself justified in supporting.

33,349. For whom did you vote?—I had been previously asked to sign a requisition to Mr. Mills.

33,350. Who brought that requisition to you?—I think Mr. Brooking Cuming and Mr. Joseph Ferris.

33,351. Is Mr. Ferris alive now?—I believe he is; he was a linendraper, and he left this town for London.

33,352. They called on you with a requisition to Mr. Mills?—I was going down the street when Mr. Ferris was standing at the door; he said, I want you to sign this requisition. I said, "Who is he?" He replied, A Liberal. I said, I cannot sign a requisition to a gentleman to come down here whom I do not know.

33,353. You knew nothing about him?—No.

33,354. They got some other persons to sign the requisition?—I think it was rather largely signed; he was asked to come down and explain his political views.

33,355. Was it signed by a sufficient number to make his election safe?—I should say not; there might have been 20 or 30 names to it when I saw it.

33,356. At that election there was an end put to the agreement between Seymour and Baldwin?—I think that did it.

33,357. What time was it considered that agreement was at an end?—I cannot tell you. I believe that was an independent candidate.

33,358. Was your father alive at that election?—No.

33,359. Did you ever hear him express any opinion as to that agreement being at an end?—No.

33,360. Or Mr. Thomas Michelmore or any of those persons?—Never.

33,361. Or Mr. Gilbert?—Mr. Gilbert is a man whom I never ran against.

33,362. Did Mr. Baldwin canvass you at that time?—He did.

33,363. Did you tell him that you could not vote for him?—I did, I think he canvassed me with Mr. Theodore Bryett and Mr. Charles Michelmore.

33,364. At that time Mr. Mills came down and gave a lecture at Totnes, and on account of his political opinions you were satisfied with that gentleman?—I was.

33,365. Did you thereupon agree to vote for him?—Yes, he came to my tanyard with Mr. Ferris.

33,366. Did you make up any poll-book upon that occasion?—No.

33,367. Or make any inquiry, so as to be able to tell what the chance of a second Liberal candidate would be?—I had no means of doing it.

33,368. Were Mr. Windeatt and Mr. Brooking Cuming still managing for the Liberals?—I should say so.

33,369. Were you on the committee?—No.

33,370. Was it a joint or several committee?—I think there was Lord Seymour's committee and Mr. Mill's committee.

33,371. Do you remember the names of any persons on the committee?—No, I know nothing of it. I merely recorded my vote.

33,372. Did you merely promise your vote, and having promised it, you went from the yard to vote?—Yes, I did.

TWENTY-FOURTH DAY.

J. W. Chaster.

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33,373. That is all you know of it?—That is all I know of it.

33,374. At that time, had you formed an yopinion as to the necessity of a second Liberal candidate spending money in order to win the election?—I thought there was a necessity to spend some money.

33,375. Had you formed any opinion as to the amount that it was necessary to spend?—No.

33,376. I do not mean within a hundred or two; have you any idea?—I have no idea of it.

33,377. What did you think the money was to be spent in?—Securing the votes of poor persons.

33,378. In bribery?—In bribery.

33,379. Did your opinion as to the necessity of spending money exist when you considered upon what the Conservatives were to come in?—Yes, the Conservatives never had a chance in Totnes without it.

33,380. At the time Mr. Baldwin stood, the Gerston influence had not been affected by the majority of 13?—Yes.

33,381. Did you form any opinion as to how the majority was obtained?—I do not know the whole, but I have no doubt there would be bribery; from the time Mr. Baldwin first came to Totnes there has never been an election without it.

33,382. Have you heard what Mr. Mills spent in elections?—No.

33,383. Did you use your influence on any electors on his behalf?—No, I think not.

33,384. At the election in 1855, when Lord Seymour was called to the Upper House, Lord Gifford was elected without opposition?—He was.

33,385. Do you remember before that election, two candidates came down, Sir John Yarde Buller and Mr. Mackenzie, in the Conservative interest?—Yes.

33,386. Sir John Yarde Buller was here?—He never went into the canvass.

33,387. Do you know the reason?—I know no reason. I suppose he thought the interest of the Duke paramount.

33,388. Do you mean it might have been that he thought he would have to spend more money than he was prepared to do?—It might have been so.

33,389. And then did Mr. Mackenzie come?—I know he came.

33,390. And went away?—And went away.

33,391. That is all you know about it?—That is all I know about the election.

33,392. Was there any money spent at that election, as far as you know?—Not as far as I know.

33,393. Did Mr. Mackenzie give any subscription as far as you have heard?—He may have done so.

33,394. (*Mr. Coleridge.*) As far as you know, it was a pure election?—I believe it was pure.

JAMES EDMONDS recalled.

J. Edmonds.

33,395. (*Mr. Coleridge.*) You have been here before, have you come again to commit perjury?—I hope not.

33,396. Tell us the reason of your committing perjury, who told you to do it?—No one.

33,397. What made you come and tell us all those lies that you did before?—I do not know that I told you any.

33,398. Yes you have told us that you got nothing in 1863. You told us, neither before nor after the election you, your wife, nor anybody else got anything. I have got your evidence and I will read it to you. What did you get in 1863?—After 1863 I received 30*l.*

33,399. From whom?—Mr. Jeffery Michelmore.

33,400. That was for your vote?—I suppose so.

33,401. Where did he give it to you?—In his office in the town.

33,402. What in?—In gold.

33,403. What did he say?—He made no expression except that I was to appropriate that to my own use.

33,404. Did he say why?—No.

33,405. Why did not you tell us that before?—I am not aware that I was asked.

33,406. Now about the transfer of your house that you spoke to us about the other day; that was the reason of your voting in 1865 at the last election?—Yes.

33,407. That in reality was your bribe for voting in 1865?—It was settled in that way.

33,408. That was on condition that you should vote as he wanted you?—Yes.

33,409. Why did you not tell us that?—I do not know.

33,410. Now tell us exactly about the transfer of your house, tell us all about it?—Close down to the election or before that.

33,411. Before the last election?—Mr. Jeffery or Mr. Henry Michelmore came to me and made me a proposition to take the property at 140*l.*, that was that they were to refund all the money that I had advanced on it, and 20*l.* over the first purchase free of any further expenses. On those conditions I promised Mr. Michelmore my vote.

33,412. Which Mr. Michelmore?—Mr. Henry Michelmore made those propositions. He, of course, had the settlement of the house, and Jeffery Michelmore was present.

33,413. And the mortgage was transferred to him?—Yes, on the day of the election.

33,414. What did you make out of the transaction, did not you make 95*l.* out of the transaction?—The difference was handed to me, 95*l.*

33,315. You made 95*l.* by voting?—I cannot see clear that I made a penny.

33,416. Then we must go into it. What was the mortgage?—I never had the writings at all. I gave them to Mr. Michelmore some months previously to settle it.

33,417. You had the house?—I was in possession some years.

33,418. You have got the house now?—It is not mine. I receive the rent.

33,419. To whom do you pay that rent?—I have not been ordered to receive the rent. The man being in the house, as before, comes and pays me the rent.

33,420. Has Mr. Michelmore ever asked you to refund it?—He has not.

33,421. Do you expect that you are ever going to?—Yes; I will tell you the circumstances. Mr. Michelmore was at Marldon about the time that the last quarter was due. I saw him and I said, "You have not given that man notice that you purchased the house, and he comes here and pays the rent as before, and there is now a quarter due; am I to receive it?" and he says, "Yes; and when you come to Newton on market days we can settle the account."

33,422. When did Mr. Michelmore tell you to say that?—He has not told me to say that.

33,423. When did Mr. Michelmore tell you; how long ago?—I think somewhere soon after Midsummer.

33,424. After this Commission was issued?—No.

33,425. This Commission was issued last May?—I do not know that.

33,426. It was after summer?—Yes.

33,427. Was not it some time in July?—It might be.

33,428. And that is the first time Mr. Michelmore ever spoke to you about repaying those rents?—Yes, because I have never seen him.

33,429. Never been to you or written to you?—No.

33,430. How much is the rent?—About 11*l.* a year.

33,431. You have kept that and never been asked?—Yes.

33,432. You never were asked for any of this rent till some time after July in this year?—Yes.

33,433. You have not been asked and Mr. Michelmore has told you it might be set off?—He said it might be settled if I called on a market day, on the

TWENTY-FOURTH DAY.

J. Edmonds.

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Wednesday, that he was sure to be at home on a Wednesday.

33,434. Have you ever been in?—No.

33,435. Has he written to you to say you ought to come in?—No.

33,436. What is your account with Mr. Michelmore?—He has an account of 95*l.* against me with 5 per cent. interest.

33,437. He never asked you for the 95*l.*?—No.

33,438. That 95*l.* is yours?—Yes.

33,439. The account is, that Mr. Michelmore has got to pay you 95*l.*?—Yes.

33,440. How are you going to set that off in account?—We were going to settle our accounts.

33,441. And that was to be deducted?—Yes, it was to be settled. Here is a receipt: "12th July, 1865. "Received of Mr. Edmonds the sum of ninety-five "pounds, to be invested on good security, and to bear "interest at five pounds per cent. per annum from "this date. (Signed)—H. MICHELMORE."

33,442. That is the day of the election?—It is the very day.

33,443. In fact, you got 95*l.* for your vote?—I cannot see that.

33,444. (*Mr. Bere.*) How much did you pay for the house, 140*l.*?—The house was bought at 120*l.*

33,445. And then you paid 20*l.* besides?—74*l.* you will find by the accounts.

33,446. Why did you not tell us that before?—I did not know.

33,447. What did you clear by the transaction, by buying and selling?—I cannot see that I made any profit.

33,448. You have got the house?—I have not got it. I cleared off my right. I signed off my right.

33,449. You received the rents?—I have done so.

33,450. And you put the rent into your own pocket?—No.

33,451. What did you do with it?—It is to go to Mr. Michelmore.

33,452. He has never asked you since the 12th July 1865?—No, never but the time he spoke of.

33,453. After the Commission was issued, he said you should have some settlement of account?—I think I opened the subject. He had no recollection of it.

33,454. He had forgotten it?—I do not know.

33,455. He never mentioned, and never asked you for the rent?—I do not know.

33,456. You said he had forgotten it?—I do not think he did.

33,457. Do you find that solicitors forget about their money?—No.

33,458. Did you ever know of an attorney to whom you owed 15*l.* who did not tell you of it?—No.

33,459. This is an election-time memory of an attorney?—Perhaps it is.

33,460. What did you clear between what you got for the house, and what you gave?—If I cleared anything I lived some years in the house and never paid any rent. I cannot say anything else.

33,461. What did you give for the house originally?—120*l.*

33,462. How much of that did you ever pay?—I paid 74*l.*

33,463. How much money did you get for the house?—140*l.*

33,464. So that you made 66*l.* out of that transaction?—No.

33,465. Who paid the 74*l.* for you?—I paid it myself.

33,466. Was it not money advanced to you?—No.

33,467. Are you quite sure?—Yes.

33,468. Where did you get the 74*l.* to pay it off?—In various ways.

33,469. You paid 74*l.* really and got 140*l.*?—Yes.

33,470. (*Mr. Coleridge.*) Now I want to know what has persuaded you to come and tell the truth here to-day? I will take you to the election of 1863. After having asked several questions, I asked you:—"*Q.* Did you get any money at all in the election of "1863?—*A.* No. *Q.* Have you had any on either "side?—*A.* No. *Q.* Since?—*A.* No." Those are your answers. Did not you know that you were speaking falsely when you said that?—I did not know that I had said it.

33,471. I am reading from the shorthand-writer's notes?—I did not know that.

33,472. Why did you not come and say about Mr. Michelmore giving you the 30*l.*?—It slipped my memory.

33,473. When you were asked about 50 questions about the election of 1863 it slipped your memory that you had received 30*l.*?—Yes.

33,474. What has made you give up your boast that you made in the town that you did not mean the Commissioners to get anything out of you? Did not you say that?—I did not say that.

33,475. Why you said so here?—If I made use of those words I meant that I would tell the Commissioners what I was minded, but would not tell anybody out.

33,476. On your oath you swore that you got nothing at, after, or before the day of election before your vote. Do you mean to tell me when you were here you did not recollect having received 30*l.* from Mr. Michelmore?—I did not recollect what I had received. I got rather confused then.

33,477. This is the question:—"*Q.* Did you say "you would not tell the Commissioners anything but "what you could help?—*A.* I do not know that I "said that. *Q.* Did you not say so?—*A.* I am not "certain whether I said that or not. I will tell the "whole truth. I could defend myself without Mr. "Henry Michelmore and Mr. Harris." Did you say that?—That was rather about the insurance.

33,478. Have you said that you did not intend to tell the Commissioners more than you could help? "Nothing more than the truth" is your answer?——Yes.

33,479. Have you spoken the truth?—I have.

33,480. When?—Now.

33,481. Did you before?—It did not occur to me.

33,482. It did not occur to your mind that you were telling a pack of falsehoods?—No.

33,483. When did it occur to you that you were paid 30*l.* by Jeffery Michelmore; when did you first recollect that you received it?—It came to my mind.

33,484. When?—Very soon after the election.

33,485. Was it sitting in court here that brought it to your mind?—No, It came soon after.

33,486. Why did you not tell us?—I do not know.

33,487. Who brought it to your mind?—No one.

33,488. Then it was perfectly in your mind when you were here before?—No.

33,489. You mean to ask us to believe that you recollected it after you were examined here; is that so?—Yes.

33,490. (*Mr. Bere.*) Have you been back to Marldon every night?—Yes.

33,491. Has your master said anything to you?—He did one morning.

33,492. What did he say?—I do not remember.

33,493. Yes you do?—I told him the circumstances just as I have told you.

33,494. And he asked you why you were absent from your work, did not he?—I never go absent without his leave.

33,495. Whether you got leave or not you must obey our summons?—I never come without leave.

33,496. You do not know that he wrote us a letter about it?—No.

33,497. Did he say to you that you had better tell the truth?—No.

33,498. When did you last talk to Mr. Jeffery Michelmore about this?—I saw him the day I came here, yesterday week.

33,499. What did he say to you?—He said I had better state the thing as straight as I could to the best of my recollection.

33,500. Did he remind you about paying you 30*l.*?—No.

33,501. Did you remind him?—No.

33,502. Did not you speak to him yesterday?—I saw him in court.

33,503. What did you say to him?—He merely said to me "Have they not done with you yet? I do not think they can settle your case till Mr. Henry Michelmore comes in."

(*Mr. Bere.*) We shall have to report your case as well as others, that have committed deliberate perjury, and it will be for the law officers of the Crown to say, whether you shall be prosecuted or not. You can now go back to your work, but you must keep yourself in readiness, because we may want you to come again.

Mr. John Webber Chaster recalled and further examined.

33,504. (*Mr. Bere.*) During the time that Lord Seymour had been a member, from 1844 to 1855, had he spent any money in the borough with the exception of the money that he spent in the Mechanics' Institute? Had he subscribed to the charities?—Yes, he had subscribed to the charities.

33,505. To any great extent?—No.

33,506. What do you suppose was the amount of his spendings?—I should think within a hundred pounds a year.

33,507. Did that include the money he generally gives to Totnes races?—No, it would not include that.

33,508. The 50*l.* plate would be besides that?—Yes.

33,509. Was that money spent in subscriptions of various kinds?—Yes; general local charities.

33,510. Are there many local charities?—Yes.

33,511. Was it one or two guineas?—Two to three guineas. Some reached ten.

33,512. To what was he a subscriber of 10 guineas?—I think one or two schools. I am only speaking from recollection.

33,513. You are interested in the schools?—Yes.

33,514. Are you on the committee of the schools?—None at present.

33,515. Was that 100*l.* spent in subscriptions for the interest of the general public?—Yes.

33,516. Generally? Or were the charities that he supported, chiefly Liberal ones?—The general charities, without any reference to political views.

33,517. Do you know at all of your own knowledge when the manufacture of votes first began?—I think it began in Gerston; it might possibly have begun before in some of the Duke's lands, but it is not within my knowledge.

33,518. Can you tell us when it began in Gerston?—Immediately after Mr. Baldwin took possession of it.

33,519. Between 1839 and 1840, I suppose?—Later than that, I should think.

33,520. I will call your attention to this, and you will see whether it will refresh your memory: Between the registration of 1834 and the registration of 1836, the Bridgetown voters increased from 39 to 50 in two years?—Yes.

33,521. Do you know of your own knowledge, whether any of those 11 voters were fictitiously created?—From my own knowledge I cannot say.

33,522. Although you did not know of your own knowledge, have you heard that that increase was created by fictitious qualifications?—I should think some of them were.

33,523. There is an increase between the registration of 1839 and the registration of 1840, of 50 votes in Totnes. Between these two periods Mr. Baldwin purchased Gerston?—Yes, he did.

33,524. Can you say how many of those voters, either from what you have heard or know, were voters manufactured on this Gerston estate?—I cannot give you the numbers.

33,525. Was it anything like 50?—Oh, no.

33,526. Was it half?—I think from the manner in which the votes were made in Gerston at that time, it could not have reached half.

33,527. Would 20 be too large a figure to put it at?—I think not.

33,528. Between the registration of 1840 and the registration of 1846, Bridgetown increased 31 votes. Would that be a legitimate increase of votes in Bridgetown? In 1840 there were only 66 voters in Bridgetown, and in 1847 there are 97 votes; that is an increase of 31. Have you any doubt that most of those votes were fictitiously created?—I think, owing to the creation of votes in Gerston, there was an attempt on the other side to counteract it.

33,529. Can you give us any explanation of the reason why Bridgetown voters were 97 on the registration in 1846, and were as low as 76 in the registration of 1851?—I do not know. I did not attend to those registrations.

33,530. We stopped at the election of 1855, when the two Conservative candidates came down, and with drew; and now we will come to the election of 1857, when Lord Gifford, and Mills, Mackenzie, and Gregory stood. Up to that time, there had been an agreement between Lord Seymour and Mr. Baldwin, which had come to an end, if I understand you rightly, at the election of 1852. There was not that cordial co-working with Mills and Seymour?—That was so.

33,531. Was that the case in the election of 1857?—I think not.

33,532. Did the two Liberal interests in 1857 work together?—I think there was a better understanding.

33,533. Can you give us the history of how that was arrived at?—I cannot.

33,534. Were you concerned in the election of 1857 for Mills?—No.

33,535. Were you on his committee?—No.

33,536. Were you on Lord Gifford's?—No.

33,537. Had you anything to do with the management of the election?—None whatever.

33,538. You were canvassed I suppose by Lord Gifford and Mills?—Yes.

33,539. And promised to vote?—Yes.

33,540. Was that the part you took?—I do not know whether I may not have nominated Lord Gifford in 1857.

33,541. That was all you did?—Yes. I never worked as committee man, or canvassed.

33,542. Was there a good deal of money spent in the election of 1857?—I think not. My impression is, there was not.

33,543. There was some spent, but trivial as compared with former elections. Can you form any idea as to the sum of money that was spent at that election?—I cannot.

33,544. Did you make up the poll book?—No.

33,545. In 1859 was the same understanding still in existence between the Seymour party and the independent party?—I have no doubt of it.

33,546. Did you act in that election at all?—Not at all.

33,547. You voted for Gifford and Mills, and took no other part in the election?—I took no part in it beyond this—I seconded the nomination of Earl Gifford.

33,548. You did nothing more?—I did nothing more.

33,549. You did not canvass anybody?—No.

33,550. Or use your influence on anybody?—No.

33,551. Or attend the committee?—No.

33,552. Did you go to the Seymour Hotel at that time?—I did not on any one occasion.

33,553. In those days?—In those days.

33,554. Had Gerston at this time ceased to belong to Mr. Baldwin?—Yes, I think it did, about that time.

33,555. Can you tell at all when it ceased?—I should think it must have been in 1858, possibly a year before; it was about that time; I do not know to 12 months.

33,556. Did you hear of a dispute between Mr. Phillips of Broomborough and the present Duke of Somerset, about the purchase of the property?—I have heard there was a dispute.

33,557. Did you know that it was put up by auction?—Yes.

33,558. Did you know that Mr. Phillips was the highest bidder for it?—Yes.

33,559. Do you know that Mr. Phillips afterwards offered the property to Mr. Michelmore at an advanced price?—When I say I know, it is by hearsay.

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Mr. J. W. Chaster.

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33,560. Do you know that two gentlemen were appointed to arbitrate between Mr. Phillips and the Duke of Somerset, and that their decision was in favour of the Duke of Somerset?—I heard so.

33,561. What I want thoroughly to arrive at is this—do you know what reason made Mr. Phillips part with that property, he having bought it at a public auction—do you know what reason caused him to enter into a private contract for sale to the Duke of Somerset?–I have no knowledge of it; I can only guess.

33,562. What is the reason you heard?—I heard that Mr. Phillips bought on behalf of the party, but his party did not support him after he purchased it, making arrangements to pay for it; it was inconvenient for Mr. Phillips to pay for it, and therefore he found it necessary to dispose of it.

33,563. Is Mr. Phillips a man likely to be able to give 16,000*l.* or 17,000*l.* for the property?—By no means.

33,564. It was not that he made the purchase from his own private resources?—Certainly not.

33,565. It was expected that the Conservatives should find a candidate who had got enough money to buy the property, and then Mr. Phillips would be recompensed?—Just so.

33,566. They could not find such a person, and Mr. Phillips would have had to pay the money?—No doubt.

33,567. Do you know that the dispute between the Duke of Somerset and Mr. Phillips arose from the Conservatives subsequently finding a candidate who could pay the money?—I imagine so.

33,568. When the Conservatives found a person who could pay the money, Mr. Phillips tried to get rid of the bargain?—It appeared like it; that is the story.

33,569. And that agreement was submitted to the arbitration of two gentlemen, and they decided against Mr. Phillips?—That was so.

33,570. When was the first election that you took any real interest in?—The election of 1862.

33,571. When Mr. Pender came down?—Yes.

33,572. How did he come here first?—It is rather a long story.

33,573. We must have it?—Then it will be better to begin at the beginning. I think it necessary to begin at the municipal fights, or the municipal agreement not to fight; we had had several fights here, and I think Mr. John Heath sent to me one day when we were coming from the council chamber up here. I think it is hardly worth while to go into a fight this time; could we not agree?

33,574. Can you fix a date for that?—It was very near upon the 1st of November, 1862. We had a talk about it going up through the lane here; I said, I do not like bribery, and the manner in which things are conducted here; and we then talked about it. He said, Have you any objection to talk the things over; I said, not the least; the result of it was, after a little conversation with others, that a committee was appointed—three on each side—to make the arrangement.

33,575. Give the names of those gentlemen?—Myself, Mr. Windeatt, and Mr. Thomas Holman, on the part of the Liberals; Mr. T. C. Kellock, Mr. John Heath, and Mr. Edmonds, on the part of the Conservatives; and we met at Mr. Gill's house.

33,576. Is that Mr. Gill, the chemist?—No, an independent gentlemen. We met there in consequence, and talked the thing over, and I should say, first, that the Liberals were in a majority in the council and their position on the register was enough to justify them in supposing they could carry a man on that occasion. We met at Mr. Gill's house and then there was a mutual agreement that we would put down fights and contests for municipal honours for the future by an arrangement that two and two should go on each side until the council became level, and that as the aldermen dropped off two should be on the Conservative and two on the Liberal side, so that we would be perfectly balanced. Then came the arrangement as to the mayoralty, and the arrangement which they thought of at that time was, I was to take the gown upon that occasion. With much pleasure I waived it in favour of Mr. Bentall. I said, "If this thing is carried "out I shall be very glad to see Mr. Bentall take the "chair; show our good faith and let him take the chair "upon this occasion." The arrangement was, that the Liberals should take the gown for the following year, not of necessity, but that it should be one of the Liberal party.

33,577. Was it in writing?—I think not. I do not recollect seeing anything in writing, but that was the arrangement, and it was reported to the different parties and agreed to and acted on, and Mr. Bentall was made the mayor on the 9th of November following. In consequence of that, I thought it my duty to dine with them, and I did so dine with the mayor on the 10th of November (for his election took place on the 10th), and Mr. John Heath, at the "Seven Stars." At that time Earl Gifford was in ill health, indeed, his health was so bad that we daily expected his demise, and we were thinking about the probability of a candidate, and we did not know who there would be. Several names were mentioned; we talked it over amongst ourselves, and it was at last decided that Lord Seymour would probably be the candidate.

33,578. Among the names that were then mentioned were there the names of any resident gentlemen in the neighbourhood as candidates?—I think not.

33,579. Were all those names who were mentioned Liberals?—Do you refer to the candidates for the borough?

33,580. Yes?—Certainly not any person in the neighbourhood.

33,581. Were all the persons whose names were mentioned Liberals?—All Liberals. This was all talked over among the Liberal party previous to this. That was our position in the town as a party; we felt we should lose the Earl of Gifford, and we had not decided on a man. I was dining at the "Seven Stars" and I was called down during dinner, and I found 2 or 3 gentlemen in the lobby to ask me if I would go to Dawlish or Teignmouth, to meet Mr. Seymour, on the following Saturday.

33,582. When he was candidate for Exeter?—There was a contest at Exeter at the time. I had never seen him and knew nothing of him. It was necessary to see him and I was asked to go; and I arranged to go and see him. That was the state of things on the 10th of November. On the following morning there was a report that Earl Gifford was dead. We were in a great deal of uncertainty during the whole of that day. Mr. Thomas Michelmore was at Collaton and he was sent for and returned. I had 2 or 3 messages to me, sent from Mr. Charles Michelmore's office, during the afternoon of that day, to my tanyard. I was busy at the time and I did not leave my business to attend to it. I had 4 messages, and it came down to 5 o'clock, and some one came and said, "Please come directly; there are several gentlemen waiting and he has now come." I went to Mr. Thomas Michelmore's office. When I went, Mr. Thomas Michelmore was there, Mr. Cuming was there, Mr. Fabyan Windeatt was not there; Mr. Jeffery Michelmore and they said, "We find it is Mr. Mills and not Earl Gifford." The parties who were there said, "We want you to attend a meeting over at the "Seymour" this evening at 7 o'clock. I said, "Yes, I will come over." They said, "Mr. Seymour will be there." I went over about 7, Mr. Seymour was there, in one of the little rooms, and several of the parties—one man an entire stranger whom I did not know at all. Previous to this, Mr. Windeatt had said to me, "We have a candidate on the cards called Pender." I said, "I know nothing about him." He then said, "I had a Mr. McDougall call on me, he is a friend of his: he is a Manchester man." I said, "A Manchester man will not do for us." He said, "I want you to come and talk it over." I said, "If he is a Bright man he will not do for me." I went over and talked the thing over with them; but what I am talking to you now about was prior to the 7 o'clock meeting. At 7 o'clock I went over and found Mr. Seymour there. When I saw him there, somebody said, "Mr. Seymour." I turned abruptly to

him and said "Mr. Seymour, you will not do for our vacancy." He said, "Why?" "Because you are here as the representative of the Seymour interest, and this is an independent candidate, Mr. Mills." He said, "Am I to understand I had better leave?" I said, "That is my opinion; if you come here in the interest of the Duke of Somerset to represent the vacancy of Earl Gifford, I shall be happy to see you, but as an independent candidate I cannot know you." We had some conversation over the matter, and the result was Mr. Seymour thought it prudent to go; and then the other person, who was a stranger to him, was introduced to me, and he turned out to be Mr. McDougall. He had seen Mr. Windeatt some 2 or 3 weeks, and had introduced Mr. Pender's name. Well, we had a talk over the matter, and I asked him some questions. The result of the conversation was, it was decided, as I had an objection to Mr. Pender, he being a Manchester man, that I should be one of the deputation to go and see him.

33,583. When you had that consultation before the "Seven Stars" dinner, and the names of the Liberals were mentioned, was Mr. Pender's name ever mentioned?—Certainly not at that time.

33,584. Your objection was not to a person in the Manchester trade, but to a person of the Manchester school of politics?—The Manchester school of politics.

33,585. What class of gentleman was proposed as a proper and fitting candidate for Totnes when persons were present?—At that time?

33,586. Yes at that time?—We had three or four applications, I know. I never saw any gentleman personally.

33,587. Do you know the names of any of those that applied?—They were all new names to me, and they have passed from my memory.

33,588. Were they all merchants with a good deal of money?—No, I do not think they were merchants, I do not recollect a merchant being among them, except Mr. Pender.

33,589. Manufacturers?—No manufacturers.

33,590. Do you know what they were?—I think there was an army man.

33,591. Had they all the proper requisite money?—That was not the question with me at the time. I knew nothing about money.

33,592. What did Mr. M'Dougall tell you about Mr. Pender?—He said he was a man doing an enormous trade, and he thought he would be a very useful man. He was a very charitable man, and desirous of doing everything he could for the purposes of education; and he was a thorough Liberal.

33,593. Do you know what Mr. Pender's peculiar desire to come into Parliament originated in?—He said he had been pressed to come into Parliament by his friends in Manchester.

33,594. For Manchester?—No, by the party in Manchester to assist in increasing the general trade of the country as he was a large merchant. He thought he was one who would have the means of assisting the Government and developing free trade. The result was that Mr. Charles Michelmore and Mr. Brooking Cuming and myself went to London by the 8.20 train and saw Mr. Pender, had a long interview with him, and the result of that interview was that he came to Totnes. I should say that during the interview my business in going to see him was to ascertain his political views only. That is all I know about the transaction of carrying a member for the borough.

33,595. Did you dine with him?—I did, and Mr. Moore, and perhaps Mr. McDougall. I am not certain about him. I think he did; but after the dinner we got to general conversation. Mr. Pender said, "Now, "gentlemen, what money will be required to take "down to Totnes;" and he turned to me when he put the question. I said, "If you put the question I "must leave the room. I know nothing of money, "nor do I intend. I must retire into another room, "and these two legal gentlemen will answer you "about that."

33,596. Was it Mr. Windeatt and Mr. Charles Michelmore?—Mr. Brooking Cuming and Mr. Charles Frederick Michelmore.

33,597. Did they go with Mr. Pender?—They went into another room. I never heard their conversation, nor do I know the burthen of it.

33,598. Did you ever hear from them or Mr. Pender what sum they intimated would be wanted?—I never heard of it.

33,599. You knew perfectly well that money would be wanted?—I had no doubt money would be wanted. I did not choose to mix myself up with it.

33,600. Did you know how the money was to be spent?—Yes.

33,601. Did they come back again?—They came back again, and they appeared thoroughly satisfied. The only question put to me was this,—I was asked by Mr. Pender if there was a strong probability of his being carried for Totnes. I replied that I had not the slightest idea that the Conservatives had a chance unless they spent an enormous sum of money.

33,602. Did you make up the poll-book?—Not at that time.

33,603. From your knowledge of the state of the parties in the borough you believe the Liberals would succeed?—Yes.

33,604. Unless there were some money spent at the time on the other side?—Undoubtedly.

33,605. And none on the Liberal side?—No, certainly not; what I say is I did not choose to be a party to it.

33,606. Was that all that passed at the dinner at Mr. Pender's?—That was all, I believe.

33,607. Did Mr. Pender then issue an address?—He did, after the funeral of Mr. Mills, some four or five days afterwards. He thought it not delicate to do it before the interment.

33,608. Do you know at what time, with regard to Mr. Pender standing for Totnes, Mr. Dent was procured as a candidate on the other side?—Sometime after Mr. Pender came here.

33,609. Did he come here before he issued an address?—No, I think the address was issued first.

33,610. And then he came?—And then he came.

33,611. I suppose you saw him the moment he did come; the last election after he came?—I saw him the same night.

33,612. Who was his adviser?—Mr. Cuming.

33,613. He was his friend in regard to the political relationship?—Yes.

33,614. Was Mr. Thomas Michelmore one of his legal advisers. Tell us what passed after Mr. Pender came down?—The first thing I recollect was a meeting in this hall. I think about a day after, or perhaps two days after he came to Totnes I was asked to introduce him to the electors, and I did so; I asked them to accept him. At that time there was no other candidate, and he was virtually accepted.

33,615. Did you introduce him as a man of considerable means?—As a merchant; that was my principal object in introducing him, he was a man capable and willing to carry out the principles of free trade.

33,616. Did you intimate any particular way in which he was likely to assist the town of Totnes in trade?—I should say that at that meeting it was suggested to Mr. Pender that Mr. Mills had been in the habit of giving annual subscriptions to all the schools and other local charities, and Mr. Pender said he would do the same; whatever Mr. Mills did he would do.

33,617. Was it suggested to him that Mr. Mills always spent a good deal of money for his election?—I never heard a word about it.

33,618. Did you canvass with Mr. Pender?—No, I did not.

33,618*a*. Did you make up the poll-book on that occasion?—No, I think not. I have looked for such a book, and I do not recollect it; I made one, and I saw Mr. Cuming's poll-book.

33,619. Did you go through the poll-book with him?—I may have, once or twice.

TWENTY-FOURTH DAY.

Mr. J. W. Chaster.

21 Sept. 1866.

33,620. Where used your meetings to be held?—I do not know that we had any meeeings.

36,621. Was there a committee appointed?—No, Mr. Cuming had the entire control; he was the managing man, and made all the arrangements.

36,622. Were there not a certain number of gentlemen on the Liberal side who always acted together, and assisted the candidate as legal advisers?—Yes.

33,623. Who were those?—We used to see Mr. Jeffrey Michelmore.

33,624. Mr. Holman?—He was there occasionally.

33,625. And Mr. Windeatt and Mr. Cuming of course?—Yes. I do not know any other names. Jenkins was one. I do not know whether he assented.

33,626. The end of all your consultations and opinions was that Mr. Pender was pretty soft?—Yes.

33,627. At any time during the day prior to the actual election did you ever hear of any money being wanted?—None.

33,628. Not at the election?—None whatever.

33,629. When did you hear of Mr. Dent coming down first?—Many days after Mr. Pender addressed the electors in this Guildhall; over a week, I should suppose.

33,630. Did you know there would be a contest?—At least there might be a probability of it.

33,631. Did you know who Mr. Dent was?—Not at all.

33,632. Did you not inquire?—I found him to be a China merchant.

33,633. And a very rich one?—A rich one.

33,634. Did you not begin to think a good deal of money would be wanted on your side?—I was told there might be.

33,635. Did you express your opinion at any time to Mr. Pender?—No.

33,636. Mr. Dent did not go to the poll, do you know of any negotiations having taken place between Mr. Dent and Mr. Pender prior to the day of polling?—Mr. Pender wrote him a letter when things were getting a little close and rather serious.

33,637. Do you remember when that was?—I think within two days of the nomination. I am not sure whether he wrote to him at the "Seven Stars," (he may have or may not) and asked him to fight the election on pure principles. He asked him to give him his word of honour as a gentleman that he would spend no money.

33,638. What did Mr. Dent reply to that?—I think he wrote him in reply that he could make no pledge of the sort, and that he should go to the poll.

33,639. Did you see the letter?—I am not certain of seeing the reply, but I saw the letter written by Mr. Pender.

33,640. Have you got the letter?—I have not the letter; it will be produced with his papers; he did not consult me about sending the letter, he showed it to me after it was sent, and before there was a reply.

33,641. Did you approve of it?—I did.

33,642. You saw Mr. Dent's reply?—At least I heard of it.

33,643. It was to the effect you have mentioned?—Yes.

33,644. Did not Mr. Pender show it to you?—I daresay he may, but I cannot charge my memory with seeing it. I know the effect of it.

33,645. Who was down with Mr. Pender at the election?—Mr. M'Dougall came down here and a Mr. Moore who was here to lecture as a free-trade lecturer during the Corn Law agitation.

33,646. Was he sent about to do the oratory?—Yes, there were several meetings held in the assembly rooms here; he was a good talker, and used to amuse the people a good deal. I do not recollect him.

33,647. Was there a Mr. Heald down?—Not upon that occasion, he was down in 1865.

33,648. Mr. McHaffie?—He came down to the nomination; he is Mr. Pender's junior partner.

33,649. Did Mr. Pender ever tell you that he belonged to the Whitworth Ordnance Company?—As a shareholder.

33,650. Did you know he was a director?—No, I did not know that.

33,651. A promoter?—No.

33,652. One of the original promoters?—He may have been.

33,653. Was that all that took place between Mr. Dent and Mr. Pender by letter?—That is all that took place between the two individuals, there were other matters.

33,654. There were negotiations were there not between the two parties?—The first I knew of any negociation was that a person called in at No. 4 room on the night of the nomination, to meet some on the bridge.

33,655. Who was that?—Mr. Philip Condy; it was to meet Mr. Kellock the Mayor. And the result of the conversation was, Mr. Cuming was called out of the "Seymour Hotel," and I believe Mr. Cuming went with Mr. Kellock to the "Seven Stars," and he saw Mr. Edmonds. This I am speaking of from hearsay, at any rate I do know that he went to the "Seven Stars." I don't know that he returned to the "Seymour Hotel," I was with Mr. Pender at the time. They were a rather noisy party at No. 4 room, and I could not smoke myself without a good deal of annoyance. I was in No. 5. Mr. Pender was called into No. 6 room, and there he saw Mr. Cuming; he was absent it may be 10 minutes, he then returned to me in a rather excited state, he said, "Mr. Chaster, they want 2,000*l.*, what do you think?" I said, Who? He said, The other party over the bridge. He said they want 2,000*l.* of me, and with a pledge that Mr. Dent is to come in at the next election, if he retires now. I said "If you accede to that, I will never give you a vote as long as I live."

33,656. If he retired?—If Mr. Dent retired, and he paid 2,000*l.* to cover the expenses incurred by Mr. Dent, he was to walk over the course at the next occasion.

33,657. On that you said if he entered entered into that arrangement you would not vote for him?—I said I would not support him. I said we can carry it, go to the poll, if the other party surrender it must be unconditional. I am not sure about the hour of the night, perhaps it was 11 or it may have been half-past 11; but not one hour had elapsed before there came over an unconditional surrender. That was the end of the election.

33,658. Mr. Pender did go to the poll the next morning?—The poll was opened. Some of the party fancied it was a dodge on the part of the Conservatives, and they came in with a rush and carried the election after all. Some of our men said we will go to the poll, we cannot tell what they will do, because they have broken faith so often in the Town Council.

33,659. The arrangement was broken?—They had broken it, Mr. Kellock told me on one occasion, and when I found his memory was so indifferent here the other day, I can account for it; he does not remember my being one of the conference at the time of the arrangement.

33,660. How long did Mr. Pender stay in the town after the election of 1862?—I think he went away the night of the polling; he did not stay more than one day.

33,661. Was any offer made to the other side, of money to be spent by Mr. Pender on the general welfare of Totnes?—I believe not, when Mr. Pender returned without giving any answer to Mr. Brooking Cuming he returned to me in No. 5 room. Now, he said, Mr. Chaster, after the undermentioned surrender as there is to be no fight and no money spent I will give 1000*l.* to the town, and I will give it to a committee to spend in any way they may think proper.

33,662. Had you made up your mind with regard to the certainty of particular individuals voting a particular way upon that occasion?—I had not. I placed implicit reliance on Mr. Brooking Cuming.

33,663. Had Mr. Brooking Cuming informed you that there were a certain number of men who were

holding out, and that they would not promise their votes at all?—No, he had not.

33,664. Did he give you any information that led you to believe that a great number of electors had changed their minds between the time of the canvass and the election day?—No.

33,665. You heard, I daresay, from reading the evidence, that a certain number voted by the name of the "Slippery Company?"—Yes.

33,666. Had you heard anything about the individuals constituting that company, voting on that occasion?—I never heard their names. I have heard of the company,

33,667. Can you tell, from your recollection, or on looking over Mr. Brooking Cuming's poll-book, whether you had concluded that Thomas Searle would vote for Pender or Dent?—There was some unpleasantness about Thomas Searle at that election.

33,668. Who told you about that?—Mr. Cuming.

33,669. What did he tell you?—I think there was something unpleasant about an idiot child, or something of that sort. Something that Mr. Searle expected to have been done, that was not done.

33,670. Did Mr. Brooking Cuming ever lead you to believe that he had given Mr. Pender any advice with regard to the payment of the 2,000*l.*?—No.

33,671. Is it your opinion that Mr. Brooking Cuming advised him to pay the money?—The impression given to me, by Mr. Pender, was that he did; Mr. Cuming did not give it.

33,672. Is it not the impression upon your mind that Mr. Brooking Cuming did advise Mr. Pender to spend the money?—I should think so from Mr. Pender's report to me.

33,673. Did he give you any reason why Mr. Brooking Cuming should have given that advice?—No, he did not.

33,674. Did not Mr. Pender tell you that Mr. Brooking Cuming's advice resulted from a belief that there were a certain number of electors that were not to be depended upon, and were to be had on the other side?—He did not say so.

33,675. Did he lead you to believe that there was some uncertainty about the election which you were not cognizant of yourself?—No, he did not tell me so much as that.

33,676. Did he, after Mr. Pender had gone down to see Thomas Searle?—Not that I am aware of.

33,677. What time was this, about half-past 10 o'clock?—I should think half-past 11.

33,678. Were you with Mr. Pender until he went to-bed that night?—No, I think I left him in his room.

33,679. Did you go back to your own house?—I went back to my own house.

33,680. You cannot tell whether, after that time, Mr. Pender went down to see Mr. Searle?—I cannot.

33,681. He might have done so?—I think I left very soon after.

33,682. Did he ever tell you that he had been to see Mr. Searle?—Never.

33,683. I daresay if Mr. Brooking Cuming produces the poll-book of that election you can go through it and say whether your recollections agree with his about the way people were going to vote upon that occasion?—My calculations are merely mental calculations.

33,684. Whether they agree or disagree?—Yes, I think I could do that.

33,685. Then Mr. Pender left?—He left the night of the election, I think.

33,686. When did you first get the 1,000*l.*? First of all what committee was appointed to distribute the 1,000*l.*?—I cannot say particularly to that. Here is a copy of the resolution passed at the first meeting.

33,687. Was the meeting held in consequence of this money being spent by Mr. Pender?—Yes.

33,688. Were you aware of the sum of money that Mr. Pender spent from the time of his coming here?—Not the least.

33,689. You did not know how much he spent?—I found 12,00*l.* was spent. I do not know how it was spent.

33,690. He left 12,00*l.* somehow or in Totnes?—Yes.

33,691. Did not Mr. Pender say when he promised you this 1,000*l.*, that the 1,000*l.* was to come out of the 1,200*l.*?—I had not the least doubt of it.

33,692. Did he have any idea that the 1,000*l.* would be extra, that 1,200*l.*?—Not the least, he said so to me when the remark was made, that as there had been no bribery, and nothing rotten had transpired, he would give the sum of 1,000*l.* to the town.

33,693. I see this meeting was not held till the 3rd of March, 1863. That was after the contest between Seymour and Dent?—Yes.

33,694. From that time I believe you became the distributor of Mr. Pender's charities, in the borough?—No.

33,695. All the money passed through your hands?—No, through Mr. Cuming's hands, at that period.

33,696. Was not every payment for Mr. Pender submitted to you?—No.

33,697. Was not the account of the payments submitted to you, and checked by you?—Never at that time; not until after Mr. Cuming dropped off.

33,698. Who were the gentlemen appointed on the committee for appropriating this 1,000*l.*?—The names are there.

33,699. Are they Colonel Willoughby, Captain Frederick Rogers, R.N., Captain Boardman, R.N., Captain Watson, The Revd. W. Major Paull, Mr. T. Michelmore, Mr. J. W. Chaster, Mr. Jenkins Mr. Derry, Mr. W. F. Windeatt, Mr. P. Condy, junr., Mr. T. Holman, Mr. Lorimer, Mr. F. B. Cuming, Mr. John Bowden, and Mr. Jeffery Michelmore. Those were all Liberals?—I thought there was Mr. Oldreive's name there too.

33,700. Before you held this meeting had the 1,000*l.* been paid by Mr. Pender?—No, I think the 1,000*l.* came here in May, 1863. There was a rifle match, and when Mr. Pender left after the rifle shooting, he gave me the 1,000*l.*

33,701. Then you dealt with that 1,000*l.* as if received before the time it actually came into your hands?—Yes, it had been promised, and the resolutions were passed.

33,702. As to how it should be appropriated?—Yes.

33,703. And these are the resolutions for its appropriation:—"It was resolved on the motion of Colonel Willoughby, seconded by the Revd. W. M. Paull, That a sum not exceeding 600*l.* (part of the sum given by Mr. Pender) be appropriated to the building of New British Schools in Totnes.

"Resolved on the motion of Mr. Holman, seconded "by Mr. Condy, That a sum not exceeding 100*l.* be "appropriated for the repairing and tuning the "church bells.

"Resolved on the motion of Mr. J. W. Chaster, "seconded by Mr. J. Michelmore, That the sum of "200*l.* be appropriated towards building a new re-"servoir to provide the town with water in case of "fire.

"Resolved on the motion of Mr. Chaster, seconded "by Mr. T. Michelmore, That the remaining sum of "100*l.* be applied towards the building fund of the "new Wesleyan Chapel.

"Resolved on the motion of Mr. J. Bowden, "seconded by Mr. T. Michelmore, That on consi-"dering the distribution of the 400*l.* left after the "first resolution, it is thought desirable that a sub-"scription of 50*l.* should be made to a new organ for "the Independent Chapel, but to enable this to be "done the mover and seconder of that resolution be "asked to consent to a distribution of 550*l.* for 600*l.* "towards the new schools."

The former apportionment of 600*l.* was reduced to 550*l.*; that was the effect.

33,704. Who are the committee of the British Schools? Are they Liberals?—I do not know at all.

TWENTY-FOURTH DAY.

Mr. J. W. Chaster.

21 Sept. 1866.

I wish I knew. I want the committee called. I hold the money and there is no one to discharge me.

33,705. What has the school cost?—I do not know what the expenses are. My position was only that of trustee.

33,706. More than the 600*l.*?—I should think a good deal more.

33,707. Will that be raised by subscription?—I suppose so.

33,708. You have paid some part of the account?—I paid 80*l.* to Samuel Reeve, and 50*l.* he asked me for the other day.

33,709. Which you advanced?—Which I advanced.

33,710. Reeve told us you advanced him a 50*l.* loan?—A loan! Oh, no.

33,711. He told us so, for which you were not to be repaid interest?—No, that is a mistake. There is a receipt for it for work done.

33,712. (*Mr. Coleridge.*) When did you first know that Mr. Pender was dissatisfied as to this extra amount being required of him?—Because he expected it to come out of the 1,200*l.*

33,713. You have told us repeatedly that he expected it to come out of the 1,200*l.* When did he first of all complain to you?—I can hardly charge my memory with that; some time elapsed before he ventured to say he was disappointed.

33,714. It was after Mr. Seymour's election in May?—Yes.

33,715. Did he express his dissatisfaction at paying it when he gave it to you?—No.

33,716. Was it subsequently to that?—After that; many months, I know.

33,717. Then he complained especially of that 1,000*l.* being demanded by Mr. Cuming?—It was not demanded at all. I went to the station with him, and he said to me as he was going away, "Here, Chaster, I wish you would take this; it is the 1,000*l.* I promised to give; take charge of it."

33,718. What conversation had you had with him as to its being out of the 1,200*l.*?—None whatever; that must have taken place through Mr. Cuming.

33,719. He said nothing, but handed you the money?—You understand what my position was with him, that I would know nothing about the money.

33,720. (*Mr. Bere.*) Can you tell when Mr. Pender first knew that the 1,200*l.* had been expended on his behalf; or will Mr. Cuming know that?—I am afraid Mr. Cuming will not give you all the information you require. Mr. Pender came to Totnes and Mr. McDougall with him, I should think about March or April 1863. He came to settle the accounts, and I believe came with the idea that he should be able to take 1,000*l.* from the 1,200*l.* and hand it over to the committee, but he found he was unable to do so.

33,721. Had you anything to do with that settlement of account?—None whatever.

33,722. I suppose either Mr. Cuming or Mr. Windeatt's representatives would have that account?—Mr. Windeatt was not so very prominent in it; Mr. Cuming was the principal.

33,723. Is that all you have to tell us about the Pender election of 1862?—All that occurs to me now; there may be some other matters.

33,724. May I take it that you did not know at that time that sums of money had been improperly spent at that election on Mr. Pender's side?—I had not an idea that one shilling had been spent until I saw Mr. McDougall in March or April; then I began to suspect there was something wrong.

33,725. Did you know of money being spent on the other side, or promised?—No, I did not understand that.

33,726. There was of course a great deal of canvassing going on for Mr. Pender?—Yes.

33,727. Who were the persons most actively engaged in that? the sub-agents of the party?—I do not know anything of that.

33,728. Do you know Mr. Elliott?—Yes.

33,729. And Prout and Callard?—Yes, pretty well.

33,730. Mr. Worthy?—Yes.

33,731. Samuel Parnell?—Yes.

33,732. Searle?—Yes.

33,733. Mr. Holman?—Yes.

33,734. Mr. Farley?—Yes, the two Farleys.

33,735. Would not the distribution of forces be that Mr. Holman would in all probability take the command of those other men, and assign to them their different districts and their different people to see?—I should think it came directly from Mr. Cuming.

33,736. Those were all persons who were employed in canvassing?—Mr. Holman would be a volunteer.

33,737. I did not mean employed in the sense of being paid, all but Mr. Holman would have been paid in some way or other?—I should say so.

33,738. Still Mr. Holman took a great deal of interest in it and was active in the canvass?—Exactly so.

33,739. Were your meetings held at that time in the large room, No. 4, and in the two rooms next to it, No. 5 and No. 6?—In No. 4 the meetings were held.

33,740. In No. 5 you saw Mr. Pender?—I generally found him in No. 5.

33,741. What was it used for?—A sort of consulting room.

33,742. Was there any room where Mr. Windeatt and Mr. Cuming sat by themselves?—No. 6 room I think was pretty much occupied by Mr. Pender's secretary.

33,743. Was that Mr. Salmon?—Yes, he was there at that election.

33,744. Mr. Percy Salmon?—Yes, you are right.

33,745. Did you go about canvassing at all?—No.

33,746. Are you quite sure it was Mr. Percy Salmon who was here in 1862?—I saw him in 1862.

33,747. As Mr. Pender's secretary?—I should say so.

33,748. And not Mr. Healey?—He was not here; I never saw Mr. Healey.

33,749. In 1863 there was an election between Dent and Seymour?—Yes, there was a Mr. Jack also here.

33,750. He is an accountant?—Yes, in 1862 he must have come down I think about the time McHaffie came to the nomination.

33,751. Mr. Jack, Mr. McHaffie, Mr. McDougall, Mr. Salmon, and any other stranger was there with Mr. Pender?—I do not recollect any stranger besides. I think that must be all; there was Mr. Moore.

33,752. Moore is dead, I think?—He is.

33,753. Now the election between Seymour and Dent took place the 20th January 1863?—Yes.

33,754. And you, I suppose, considered Mr. Seymour as the ducal candidate, and not the independent candidate?—I did.

33,755. Did you support him?—I did.

33,756. Did you canvass for him?—No.

33,757. Were you on his committee?—There was no committee; it was generally managed by Mr. Michelmore.

33,758. Did you go and see him from time to time at the "Seymour Hotel?"—Yes, I saw him occasionally.

33,759. Did you make him a poll-book on that occasion?—I think not, I have not a poll-book, and I think I did not make one.

33,760. Had you arrived at the conclusion from what you knew about what the result of that contest would be?—I felt satisfied that we could carry Mr. Seymour.

33,761. Did you at all expect that it would be so near a run as it was?—Yes, within a trifle.

33,762. I suppose you knew that a great deal of money was spent on the other side?—I did.

33,763. Do you know at all what money was spent on your side at that time?—Not the least.

33,764. There was a good deal, was not there?—I should think so.

33,765. But it was kept very close?—Well, there was no priority. Mr. Michelmore had to do with the money at the "Seymour;" it was their own affair.

33,766. Have you any notion where it came from?—Not the least.

33,767. Was it the lingering influence of the Pender 1,200*l.*?—That is a very slender thing at an election.

33,768. You think a good deal more than that would be wanted?—Yes.

33,769. Do you think any of the 1,200*l.* had survived the Pender election?—I should think not.

33,770. Do you know where it was deposited?—I have seen since this Commission has been opened something about it, but I think it ought to come out in another way; I knew nothing of it then.

33,771. Where was it?—I understood it was sent to a tradesman of this town.

33,772. Who?—He is called Webber.

33,773. Charles Webber?—No, William Webber.

33,774. Is he alive?—No.

33,775. What was he?—A linendraper.

33,776. When was it sent to him?—That I cannot say.

33,777. Do you know how it was sent to him?—It was sent though a London house, but it is more than I can say how.

33,778. Do you know the name of the London house?—No, I cannot say; I have only seen it since this Commission was opened.

33,779. How came you to see it since?—Mr. Jack has been down here with Mr. Pender's books.

33,780. And you have gone through the books with Mr. Jack?—Yes, and we talked over the expenses, and that was the first knowledge I had of the money that was sent down in 1862.

33,781. (*Mr. Coleridge.*) Do you know whether William Webber was an active man?—Not an active man; he was always a strong Liberal.

33,782. Did you know of his interfering at elections before?—He used occasionally at municipal elections.

33,783. Do you know why he was selected as a depository of this money?—They were persons doing a good deal of business, and I suppose the transfer of this sum to them would not look out of the usual course.

33,784. That was probably the reason?—I should think so.

33,785. Do you know why it passed out of Webber's custody?—I cannot pretend to say; Mr. Cuming being the agent, most probably it would be by his order.

33,786. Were Mr. Pender's legitimate expenses paid out of the 1200*l.*, or separately?—I cannot say; I had nothing to do with the money transactions.

33,787. Mr. Cuming will be able to tell us?—He will tell you.

33,788. You remember the day of the election in 1863?—I do perfectly.

33,789. Had there been a good deal of treating at the "Seymour" before the election?—There were several grog meetings held there, and that sort of thing.

33,790. In what room?—In number 4.

33,791. Do you mean the large room?—No; the large room was not built at that time.

33,792. Were there not people there constantly all night?—Only at night; they used to congregate there about 8 o'clock or so.

33,793. Do you recollect seeing a man there named Robert Lake?—I do not know the name. I should not know him if I saw him.

33,794. You do not know him?—No; if he was in the hall I should not know him.

33,795. You know the name?—Yes, perfectly.

33,796. He was a gentleman carried off by Mr. Heath's son?—I never saw him at the "Seymour;" at least if I did I should not know him.

33,797. Who came and reported that to you, that he was taken off?—Well, I think Mr. Jeffery Michelmore came into the room, and said, "Lake has gone," but I do not know how the report came to him.

33,798. What was said upon that?—Well, I do not know that anything was said. They fancied though, that we pushed things rather tight.

33,799. Then, was there a little intimation that they must be really pushing things tight on the Liberal side?—Yes, that may be; but you see Mr. Michelmore's elections they managed themselves at the "Seymour."

33,800. Did not they consult you?—No; only about the cider, and giving general assistance.

33,801. Did you know about Fitzpatrick at the election of 1862?—I think I saw him once or twice in 1862.

33,802. Do you know the story about the poll-book?—I have heard it.

33,803. Did Mr. Pender talk to you about that at all?—I do not think he did.

33,804. On the day of the election, were there a number of strangers here with Mr. Alfred Seymour?—Yes, several.

33,805. Was his brother, Mr. Henry Danby Seymour here?—Mr. Danby Seymour was here a full week before the election.

33,806. He went about with him?—I think he did.

33,807. And canvassed for him?—I think he came and spoke for him. I heard Sir Henry Rawlinson was there, and Mr. Sandford was there.

33,808. I think Mr. Sandford and Sir Henry Rawlinson are brothers-in-law. Was that the old Mr. Sandford?—The young one.

33,809. (*Mr. Coleridge.*) Was not Baron Rothschild here too?—He was here the day of the election.

33,810. Which one was that. Mayer or Lionel?—I cannot say. I have not the pleasure of knowing them; they are too rich for me.

33,811. (*Mr. Bere.*) Did you hear Mr. Danby Seymour make a speech after the election, or on the afternoon of the election?—I do not recollect.

33,812. Did he make a speech in Mr. Bowden's committee room, and were you not there?—Mr. Bowden's committee room. I kept the poll at Bowden's house.

33,813. There was a committee room at Bowden's house?—Yes.

33,814. Do you recollect Mr. Danby Seymour coming into the committee room on the afternoon of the election, and talking about it?—I do not recollect his coming in there at all. He made a speech, and popped in and out.

33,815. I do not mean in the regular set speech?—No, not to stop the work by saying a good deal.

33,816. But did you hear him make an observation with regard to the spending of money on his brother's side?—No, certainly not.

33,817. Did you not hear him say that his brother had had a great deal too much money to pay?—No, nothing of the sort.

33,818. Or that he had a great deal of money to pay?—No, never in my hearing. I never heard that he had said so.

33,819. Was there a great deal of noise in the committee room? Might such a thing have been said without your hearing it?—No; a man could not have spoken in such terms as you say without my hearing it.

33,820. (*Mr. Coleridge.*) Did you ever hear him make any expressions of disapproval as to the way money had been spent?—I think I have heard him say that more money had been spent than he expected. He was talking about his election on one occasion, and he said, "Well, we settle it with rotten eggs, and that sort of thing." He says, "I always go to the "poll with the worst clothes I have, because I am sure "to go away with them all over dirt." And I said, "Is that all you pay?" And he said, "No, not all; but a different thing from this."

33,821. Did he say what it had cost his brother?—Not to me.

33,822. Did you hear him say so to anybody else?—I have never heard him make a remark about the expenses.

33,823. (*Mr Bere.*) Did you ever hear that he had said to anybody anything about the money his brother had spent?—No.

TWENTY-FOURTH DAY.

Mr. J. W. Chaster.

21 Sept. 1866.

33,824. Is that all you know about that election of 1863? Did you canvass anybody?—No.

33,825. Or try to influence any person?—No.

33,826. You voted yourself and that is all?—I voted for Seymour, and did no more.

33,827. Did you find there were a number of voters from Mr. Cuming for instance, who had voted previously for the Liberals who turned round on that occasion?—No, I do not recollect them. The only thing I do recollect is that Messrs. Stranger and Bennett kept off from the poll until late in the day, and we were very surprised at it.

33,828. Did they vote all right at the end of the day?—Yes, they voted all right.

33,829. Were there not a great number of men; for instance, there is a person sitting in court now, John Diggins, who was in the habit of voting for the Liberals?—Yes.

33,830. And did you hear he had gone and voted for Mr. Dent?—I think I did.

33,831. Did not you hear he had been induced by satisfactory reasons to do so?—I do not know that I had.

33,832. Did not you hear there were a good many men who had?—I should say not.

33,833. Had you gone through the poll-book with Mr. Cuming?—He did not take so much interest at that election; it was rather Mr. Michelmore's election.

33,834. Did you go through that poll-book at all?—I have no recollection of doing so, but it is not unlikely.

33,835. Did not you yourself feel surprised at people changing sides in politics, or did not Mr. Cuming express his surprise at the way people voted?—We knew all those things before.

33,836. (*Mr. Coleridge.*) Did not you hear Mr. Danby Seymour say to Mr. Cuming in a very angry tone, that he believed his brother would be beaten in spite of all the money he spent?—Never.

33,837. Nothing of the sort?—No.

33,838. Did he ever express any doubt about his brother's success in an angry tone of voice?—No.

23,839. You never heard him say so to Mr. Cuming?—No.

23,840. Except that 1,000*l.* which Mr. Pender gave you in May, do you know of any other money paid by Mr. Pender for charities in 1864?—No.

33,841. Do you know of any money paid by him in charities before his election in 1865?—No.

33,842. In any other way?—No. In 1863 he sent me 103*l.*

33,843. But between Seymour's election and his own election in 1865, did you know of any sums of money sent by Mr. Pender?—No.

34,844. (*Mr. Bere.*) Do not you know after 1863 of some money being sent to one of the voters and returned?—I did not.

33,845. Did not you write to Mr. Pender about it?—What is the name of the voter?

33,846. Hill?—No.

33,847. You never heard of a sum of 200*l.* being sent to Mr. Hill and returned?—No, I never wrote to him about it.

33,848. Whom did you write to Mr. Pender about in 1863?—No one.

33,849. Did not you know that a letter was written to Mr. Pender about this 200*l.*?—No, I never heard about it.

33,850. Or about some voter having received money and having returned it?—No.

33,851. He received money from the Conservatives and sent it back?—No, I was never consulted about it, and never asked to write a letter, and was no party to it.

33,852. Did you ever hear of such a letter being written?—No, I never heard of it. In 1863 I never heard about that.

33,853. Did you ever hear about that in 1865?—No.

33,854. (*Mr. Coleridge.*) In 1862?—No.

33,855. (*Mr. Bere.*) When did you first begin to look at Mr. Pender's accounts for him as connected with this borough?—I cannot tell you exactly the date.

33,856. Was it in consequence of Mr. Pender thinking that Mr. Cuming had made too large a charge and requesting you to communicate with Mr. Cuming about the charge?—There were some bills about some *quo warranto.*

33,857. When were the *quo warrantos* obtained?—The Conservatives broke faith with us, and after the election that I spoke of just now, a contest took place, and Mr. Gill succeeded in the council election, I forget the dates, but it was prior to that arrangement in 1860; I confused the dates just now but Mr. Gill was a candidate and I was a candidate. There were four on each side and Mr. Gill came in by one majority over myself. The parties were very indignant, and in the evening a meeting was held, and Mr. Brooking Cuming urged upon our going for a *quo warranto.*

33,858. How?—Because there were some rotten votes that they considered ought to be struck out. There was a great deal of talk over the matter by-and-by, and at the urgent request of Mr. Brooking Cuming we decided to go on. He being the agent for Mr. Mills, he said, "I consider it is our duty on behalf of "the Liberal party, to fight this out. No doubt there "are many numbers at this election that ought to have "been struck off, and we have got now two or three "bad votes, and it is our duty to try to reseat you." He said, "If the party would justify me in proceeding, "I will promise that the costs shall be only the costs "out of pocket, and I will charge nothing for pro-"fessional expenses." On this understanding we proceeded. We proceeded against Mr. Gill, or I did, and immediately afterwards the Conservative party turned the tables upon us, and Bastard moved against Mr. Holman. Dr. Owen was proceeded against for voting for another man. There were three *quo warrantos;* there was Cuming *versus* Owen, Chaster *versus* Gill, and Bastard *versus* Holman.

33,859. What did that cost you?—All my fights did not cost me 5*l.*

33,860. Mr. Kellock told us that it cost him 50*l.*?—He is a richer man than I am.

33,861. It did not cost you more than 5*l.*?—No.

33,862. What was the end of the *quo warrantos*?—There was an arrangement.

33,863. They were never tried?—No, it was upon that occasion the second arrangement about the Council being level was arrived at.

33,864. The costs of those *quo warrantos* were never paid?—No.

33,865. Not till Mr. Pender came?—When Mr. Pender came. Mr. Pender at that time was in London, and he was never informed that any such bill was in existence, and I said I would arrange to go and see Mr. Seymour on the Saturday, but I did not go there. I went to London, and retured on the Friday, and I had forgotten the engagement on the Saturday, and did not go. At the meeting it was mentioned to Mr. Seymour about the *quo warrantos.*

33,866. Was the amount mentioned?—The amount I understood to be 80*l.*, and Mr. Seymour said, "If it is so, I will pay half." But Mr. Pender never knew anything about it, and after Seymour's election in 1865 Mr. Cuming sent in his bill, and he wrote to me and asked for an explanation.

33,867. Mr. Pender wrote to you?—Yes, the bill was 125*l.* or 127*l.* I wrote to him and told him the circumstances. There was a good bit of correspondence in the matter, and there was a correspondence between Mr. Pender and Mr. Seymour, and it was understood that it was only 80*l.*; and then it was suggested that it should be left to a committee to ascertain what it was. And Mr. Pender wrote to me and I said, "Name your committee, and if you elect me, I have no objection to sit as far as I am enabled." And then there were three names, Mr. Thomas Michelmore of Berry, Mr. Holman, and myself, and we examined the bill and found to the best of our ability that

the bill was 86*l.* We sent a memorandum to that effect, and I was asked to write to Mr. Pender, and Mr. Michelmore was to write to Mr. Seymour. I wrote to Mr. Pender, and I said, "As there has been a good deal of time lost, perhaps in round numbers you will send 100*l.*;" and he sent a bank bill, and I sent to Mr. Cuming and wanted to get a receipt, and Mr. Cuming was rather indignant, and stated he would not take less than the bill. I said, "I am rather unpleasantly situated, and if you will take it I will be glad." He said, "I will take it in part." I said, "That will not do, you must give me a receipt in full." He said, "I would not do that." The result of it was, that he refused the money, and then I wrote to Mr. Pender. You asked me how I became connected with the money. He wrote to me, and said as one of the committee for the management of the registration, "Will you keep that in part of the registration?"

33,868. Has Mr. Brooking Cuming ever had his bill paid?—No.

33,869. Did not Mr. Pender afterwards take up the debts, and say he would pay them?—No.

33,870. Can you tell us the reason, or what was the reason given why Stranger and Bennett were kept back from voting, and were ultimately induced to vote?—The reason they gave was, to make the Conservatives spend money.

33,871. What inducement was held out to them on your part to get them to vote?—None whatever.

33,872. You do not know of any?—I should say none.

33,873. At that time you were one of the committee, and became manager of the registration committee?—Yes, there were six of us, Mr. Holman, Mr. Jeffery Michelmore, Mr. Brooking Cuming, Mr. Winsor, and Mr. Charles Frederick Michelmore.

33,874. Who was the person who managed the business of the registration in court?—Mr. Brooking Cuming.

33,875. He was always assisted by Mr. Edmonds, of Plymouth?—Not at that time.

33,876. How was the money spent, the registration money; there is the registration of 1864, look at that (*handing a paper to the witness*)?—There is Samuel Parnell 30*l.*

33,877. He is the present postmaster?—Yes.

33,878. What did he get that for?—For his general assistance during the whole year.

33,879. Was he objector general?—No, I think Mr. Windeatt.

33,880. Did he sign the notices of objection?—Yes, I believe he had a salary all this time, during Mr. Mill's time.

33,881. Mr. Parnell?—Yes.

33,882. What did he do?—Found out the voters who had changed their residence, saw that the rates were paid at the time, and so on.

33,883. Can you give us a general account of what the expenditure was?—The legal expenses formed a great part of it.

33,884. There are legal expenses which appear in a different shape; there is Mr. Windeatt, 5*l.*, is that legal expenses?—Perhaps that is services of notices, journeys, and so on.

33,885. Then there is 58*l.*?—There would be a bill for that.

33,886. That is legal services?—Yes, that is in court.

33,887. Then there is a sum of 14 guineas, what is that?—That is the valuation of the Groombridge property and other land on which the Conservatives attempted to make fictitious votes.

33,888. What did the registration expenses amount to in 1864?—384*l.* 7*s.*

33,889. Did you receive that from Seymour?—Nothing from Mr. Seymour.

33,890. All paid by Mr. Pender?—Yes; this is only one-half of the expenses; we arranged this matter, the registration committee and we divided it.

33,891. Do you mean that the legitimate expenses of the registration in this borough were something like 700*l.*?—Yes, we had two legal gentlemen to assist at this registration in 1864.

33,892. The first registration account that you had to manage?—We had Mr. Edmonds, of Plymounth, and Mr. Floud, of Exeter, and their charges are rather heavy. I have not their bills, but Mr. Michelmore paid them; we divided the bills.

33,893. Whose legal services did that 15*l.* represent?—Mr. Windeatt's, and there is 31*l.* 5*s.*, which I paid Mr. Charles Frederick Michelmore.

33,894. Was he in attendance?—Yes, constantly.

33,895. How many days did it last?—I think more than a fortnight, the longest registration that we ever had; we had a lot of heavy land cases.

33,896. Was Mr. Roope here over a fortnight?—Mr. Erskine, I think, in 1864.

33,897. What other money did Mr. Pender send to the borough during that year of 1864?—Nothing.

33,898. Did he send any money between that time and the next registration of 1865; did he pay for the registration of 1865?—That has not been settled up to this time.

33,899. What is the expense of that?—I have not seen the bills.

33,900. Have you not got it there?—I have given you the list of bills.

33,901. What is the 357*l.* 2*s.* 5*d.*?—Is that the share of both members?—I sent some to Mr. Jeffery Michelmore.

33,902. Was the amount that you sent to Mr. Michelmore as much as you paid?—I should think nothing like this. Those are not all registration expenses.

33,902*a*. How much are registration expenses, and what are the others?—I advanced Mr. Reeves 80*l.* There was about 150*l.* worth of work.

33,903. But you had got the 550*l.* to answer Mr. Reeves account?—I did not like to touch that. I should have reduced the interest.

33,904. You did not pay Reeves out of Mr. Pender's money, but out of your own?—Not really my own money. I had some money in hand.

33,905. How did you have that in hand?—I shall be able to account for that by-and-by from another source.

33,906. With the exception of that money that you mentioned the 150*l.* sent in charities, you had no other money?—Yes; 130*l.* to pay for a fête in the Castle.

33,907. When was that?—June 1865.

33,908. Who were invited?—I believe all the children in the school.

33,909. All the schools?—All the schools, I think, and the children's parents. I spent 130*l.* 10*s.* 6*d.*

33,910. How long before the election?—June, the month preceding the election.

33,911. Did that exclude the voting parents—or did they go?—We took care to ask everybody, and orders were given to everybody.

33,912. (*Mr. Longe.*) In the resolutions of the Pender Committee there appears to have been some disagreement between the committee and the town council about some money—was the money paid over?—It was paid over. I voted that it should be for building a reservoir, but it was handed over to the town council. There was a little haggle over that. I think I paid the treasurer myself, and I will produce the receipt. I have the receipts for all those monies.

33,913. It was paid?—Yes.

33,914-15. (*Mr. Bere.*) Are you one of the trustees of the charities of Totnes?—Yes.

33,916. How long?—When the last new batch was appointed, three or four years.

33,917. Was the last new batch appointed in consequence of an inquiry instituted here?—No.

33,918. Was there an inquiry instituted about the charities of Totnes?—Yes.

33,919. How long ago was that?—I think the inspector was here in 1864.

33,920. September or October?—I should think that it was the spring of the year.

33,921. Do you know when he presented his report?—I do not.

TWENTY-FOURTH DAY.

Mr. J. W. Chaster.

21 Sept. 1866.

33,922. Did that cause any alteration in the distribution of the charities?—None whatever.

33,923. You were voted with the last new batch?—I was nominated many years previously—as far back as 1852. The nomination was sent to the Lord Chancellor, but he refused to sanction till the number was reduced.

33,924. How many of the old trustees were left when you were appointed, and who were they?—I think five; Mr. Windeatt, Mr. Huxham, Mr. Carey, I think, was living, Mr. John Toms, Mr. Charles Webber, and Mr. Presswell; I think Mr. Carey was dead.

33,925. With the exception of Mr. Presswell all those four were Liberals?—Yes.

33,926. What are the charities of Totnes; what did they amount to?—There is no discretion on the part of the trustees. There is a scheme laid down by the Chancellor, and they follow that.

33,927. When was that laid down?—In 1845.

33,928. Was not there an allegation that the trustees before the new batch were created had misappropriated the funds?— Yes, but it was grossly untrue; only a party dodge.

33,929. There was an allegation to that effect?—Yes.

33,930. When was it made?—It was done by a man called Harris to excite party feeling.

33,931. Was there any inquiry?—Yes.

33,932. When was that?—1864.

33,933. Was it in consequence of Harris's accusations that the inspector came down?—Yes.

33,934. What was the result?—No change took place. The new trustees were appointed by consent.

33,935. Are you certain that the new batch of trustees were appointed before the commissioners came down?—No, they were appointed by consent. The inspector was here, the names were talked over, and there was a sort of arrangement.

33,936. You were one of them?—Yes.

33,937. You must have been appointed in 1864?—Yes.

33,938. You had not been one before that?—No.

33,939. Who were appointed with you?—Mr. Phillips one, Mr. Kellock another, Mr. Burrough, the vicar, and Mr. Paull the Independent minister, Mr. William Tucker, Mr. Condy, and Mr. Bentall.

33,940. Were the parties equally divided?—Yes; it was an amicable arrangement that both parties should be equally divided.

33,941. These charities are for the support of certain men and women in their old age?—Yes, we give an annuity of 10*l.* to a certain number; a certain sum is paid in relief, and a stipend paid to the vicar as lecturer.

33,942. Is there any instance of Liberal voters having been deemed more appropriate subjects of relief than Conservative ones?—A voter would be disqualified if he received it.

33,943. Men who had been voters or wives of voters?—There was some talk of that.

33,944. To how many people are annuities given?—They are given to nine persons, and Short's gift is balloted for. The persons are to have certain qualifications; they must be natives of the town, 60 years of age, suffering from some chronic disease; their names were put into a bag, and drawn out promiscuously, and they got the annuity for life.

33,945. Do you know if the evidence taken before the inspector was ever printed in any of the London newspapers?—I do not recollect seeing it.

33,946. Did you see any leading articles written upon the facts which came out on that occasion?—I did not.

33,947. Did you ever see any leading articles on the subject of the charities of Totnes in the "Standard" about that time?—I did not.

33,948. Do you often see the "Standard?"—I do not, There were some articles in the local papers, not in the leading journals.

33,949. In the evidence taken before the inspector and his report all the facts connected with these charities will appear?—Yes.

33,950. And the truth or falsehood of the allegations of the trustees having spent the money will appear?—Yes.

33,951. When the general election of 1865 was about to take place, Pender and Seymour were still the members, and no other candidate was sought for on the Liberal side?—No.

33,952. You were satisfied with Mr. Pender and the Seymour party, with their representative?—Yes; I think so.

33,953. Do you remember Mr. Pender coming down in 1865?—I do not recollect anything particular in connection with it. I know he came.

33,954. Had he come once or twice between the elections of 1863 and 1865?—Between 1862 and 1865 he came down and addressed the electors. I think it was in November 1864 when I made up the registration account with him, and he said, "When I get back to Manchester, I will send a cheque for the balance."

33,955. On what bank was Mr. Pender's cheque drawn?—I think on the Consolidated Bank.

33,956. Did he always pay you in cheques?—He sent the 100*l.*, I have mentioned, in a Bank of England note; with that exception it was always in cheques.

33,957. Were those on the Consolidated Bank?—I think one or two were on the Manchester Bank.

33,958. Did Mr. Pender, before 1865, open an account with the bank here?—Not that I am aware of.

33,959. At that time, Mr. Pender had no money in any of the banks here?—I should think not.

33,960. Was November 1864 the only occasion when Mr. Pender came here between 1862 and 1865?—I think he came down in May 1863, when he gave me the 1,000*l.*; and I think he gave one or two rifles to the rifle company here to be shot for; he came down and attended the match, and on that occasion he handed me the money.

33,961. He was there some little time before the election of 1865?—He was at the Castle fête, in June, a month before.

33,962. Do you remember the day of the month? It was the great market day in June, the first Tuesday in the month; it could not have been later than the 7th.

33,963. Did Mr. Pender stay from that time or go back?—I should think he returned the day of the fête.

33,964. Did he make a speech at the fête?—No.

33,965. When did he return to Totnes?—I think a week before the election.

33,966. Did he not come here about the 30th of June?—I do not think he was here more than seven or eight days.

33,967. The election was on the Wednesday, was he not here two Sundays?—I think he was.

33,968. You saw him after he came down?—I saw him the same day.

33,969. Did he tell you what money he had brought with him?—No.

33,970. What conversation did you have about money?—On the following day he said, "I have some money here; I want to put it somewhere; what shall I do with it?" I said, "Put it in one of the banks." He said, "Which?" I said, "They are both Liberal, it is utterly immaterial." He decided on putting it in the National Provincial. I did not do it for him, and I don't know how he did it.

33,971. He opened an account with the National Provincial, by the payment of 1,874*l.*, and on the 4th of July with the Devon and Cornwall, by the payment of 500*l.* Did you know that he had paid money into the Devon and Cornwall besides the National and Provincial?—I did not for some time afterwards.

33,972. He did not tell you he had put money into both banks?—Not then; I think I made some remark about the money, and he said, "I have put some in the Devon and Cornwall Bank, too." That was within a week or ten days.

33,973. Had you anticipated there would be a contest?—No.

33,974. Do you know when Colonel Dawkins came down?—I do not.

33,975. Colonel Dawkins came down on the 28th of June, two days before Mr. Pender paid this money into the bank; when did you first hear that Colonel Dawkins had come?—I thought Mr. Pender had been here before him.

33,976. Was it not in consequence of your knowing there would be a contest that he brought down as much as 1,874*l.*?—I think the money being in his possession was purely accidental; it was not in consequence of any correspondence with me.

33,977. You thought he ought to have come sooner?—I did.

33,978. That opinion must have arisen from a candidate being in the field?—There were many attempts to get a candidate; there had been Mr. Macleay and Mr. Kennard.

33,979. Did Mr. Pender tell you why he had put the money into both of the banks?—He gave no reason for doing so; I said they were both Liberal.

33,980. It was not put there by way of opening an account, but only as a matter of convenience?—I think it was merely accidental his having the money.

33,981. When did you think that Mr. Pender was spending a good deal of money?—I should think about a week before the election.

33,982. How did you form that opinion?—From a conversation with Mr. Windeatt.

33,983. What passed between you?—He said, "I don't think we can carry this election without money?" I said, "Dawkins surely is not going to fight."

33,984. Was that all that passed?—Yes, at that time.

33,985. Where did the conversation take place?—At the Seymour; I think it was in No. 4, the large room. I recollect his saying that to me at one of the windows.

33,986. Had you a regularly appointed committee at that time for Mr. Pender?—There was no committee whatever.

33,987. Did the Seymour party and the independent party work together?—Yes.

33,988. There was no division?—No.

33,989. Would Mr. Michelmore consult with you or you with him?—No; we never had any conversation. Mr. Michelmore managed his own share of the business, and Mr. Windeatt his.

33,990. Did you not compare with Mr. Michelmore your experience as to how they were going to vote?—They used to show me the result of their day's canvass.

33,991. When Mr. Windeatt spoke of the money, what did you do?—He asked me to speak to Mr. Pender; I objected at first. I did eventually, after some conversation.

33,992. What did Mr. Pender say?—I think about the following day he offered me a sum of money, which I refused to take. I said I did not think it would be necessary.

33,993. How much did he offer you?—He said it was 2,000*l.*

33,994. Was it a cheque for that amount?—No; I think it was four dividend warrants for 500*l.* each. I did not see it, it was in his waistcoat pocket, and he took it out with his finger and thumb; I said I did not think Col. Dawkins would be such a madman as to go to the poll, and we did not require it.

33,995. You thought the money would not be wanted if Col. Dawkins did not go to the poll, and you had no idea within 400*l.* or 500*l.* of what would be wanted?—The only idea I had was from a conversation which occurred with Mr. Michelmore, when he named something like 2,000*l.* as being necessary in case of a severe contest.

33,996. When did that conversation take place?—On one of those occasions when both members were here together, not at the election. It was either in May or December 1864.

33,997. Did you ever see Mr. Pender in London before the election of 1865, to discuss the money which would be wanted?—No.

33,998. On your refusing the 2,000*l.* what did Mr. Pender do?—He put it in his pocket again.

33,999. Did you refuse the money under the belief that there would be no contest?—I did not believe Col. Dawkins would attempt to go to the poll.

34,000. That was more than a week before the polling day?—The election was on a Wednesday, and I think this was on the Tuesday or Thursday preceding it.

34,001. When did you have your next consultation with Mr. Windeatt or Mr. Pender about money?—I saw Mr. Windeatt again on the following day; he said, "We cannot do without it, you had better take it."

34,002. What did you do then?—I did not like to do it, but the result was that I did.

34,003. Was it from Mr. Pender?—Yes.

34,004. What did you get from him?—He gave me these same dividend warrants which he had offered me on the preceding Tuesday. I think that was Thursday.

34,005. What did you do with those?—I said to him, "What am I to do with these?" He said, "You know "Mr. Salmon, who was down here at the first election; "if you send them to him, he will cash them for you."

34,006. Did you send them to him?—I did.

34,007. Is that the letter which you wrote to him? [*hands a letter to witness*]—Yes, I think it is. "Totnes, July 6th, 65, Mr. Percy Salmon. Dear Sir, "Please cash the enclosed. Take Bank paper, "make it up in two parcels, take the express train, "9.15, on Saturday morning, and bring it down to "Exeter; the train will reach there at 2.20 p.m. I "will meet you on the Exeter platform; don't recog-"nize me if I appear not to know you, there may be "a reason, but follow me out. Advise me by tele-"graph soon as this reaches your 'all right,' but "through the International, and I shall understand "that you have received the contents safely; please "also advise me per letter, that I may get it on "Saturday morning, and prevent any hitch. Do not "fail. Yours faithfully, J. W. CHASTER."

34,008. In consequence of that letter did Mr. Salmon telegraph to you?—He did.

34,009. Did he telegraph to you *all right*?—I should say the two words *all right*.

34,010. Did you meet him at Exeter?—Yes, he kept his appointment by that train, and I met him.

34,011. And you received the money from him?—I received two packets.

34,012. I suppose Mr. Pender knew perfectly well what the 2,000*l.* was wanted for?—Quite as well as I did.

34,013. And you knew perfectly well?—Of course I did.

34,014. How was it that Mr. Pender, having an account of 1,874*l.* at one bank in Totnes, and an account of 500*l.* at another, did not draw the 2,000*l.* from his banking account?—I cannot answer that at all.

34,015. Did it not strike you, when there were these banking accounts, as a rather odd thing that the money should be got in this round about way for the purposes of the election?—I did not know the amount he had placed in the bank.

34,016. You knew Mr. Salmon's writing?—I scarcely knew his writing, but I should think that is it; that is all regular enough.

34,017. Were those warrants payable to order or bearer?—I do not recollect opening them. I should not like to swear that I opened them.

34,018. Did you not know what the amount was?—I think I could swear the amount was 500*l.*

TWENTY-FOURTH DAY.

Mr. J. W. Chaster.

21 Sept. 1866.

34,019. And that there were four bits of paper?—Yes; whether they were payable to bearer or order I could not swear.

34,020. You know the way in which these dividend warrants were cashed was not in the direct way by being taken to the Atlantic Telegraph Company, and paid there, but that Mr. Salmon paid them into his own account with the Consolidated Bank, and then drew his own cheque, which was cashed?—At Mr. Pender's suggestion. I would not do it without.

34,021. Mr. Salmon opened an account in his own name at the Consolidated Bank to the amount of 2,000*l.*, and then drew a cheque to the full amount?—That was a great want of judgment on the part of Mr. Salmon.

34,022. What was the 2,000*l.* in?—It was in two separate packets.

34,023. There was no gold?—No gold.

34,024. You met Mr. Salmon at the station?—I did.

34,025. Did he recognize you or walk out of the station?—He did not recognize me. I saw him walk into the waiting room, and I followed him.

34,026. Did you bring the money to Totnes?—Yes, by the same train.

34,027. Did Mr. Salmon come on too?—No, Mr. Pender requested me to tell Mr. Salmon that he might take a day's holiday, and he went on to Bath.

34,028. At that time was there not an understanding between Mr. Michelmore and the Independent party, that both candidates would share in the expenses?—There was.

34,029. Who was present at the meeting when that arrangement was come to?—I was there; Mr. Thomas Michelmore, Mr. Windeatt, Mr. Pender, and Mr. Seymour. I do not recollect any others. I am not certain whether Mr. Jeffery Michelmore was there.

34,030. When you brought the money to Totnes, what did you do with it?—I gave it to Mr. Windeatt, into his own hands.

34,031. Did you ever afterwards see that money or any portion of it?—Yes.

34,032. How much of that ever got back to you?—I think eventually he paid me 230*l.*, and 60*l.* of the same money came back from another quarter.

34,033. From whom did the 60*l.* come?—From Mr. Holman.

34,024. Did Mr. Windeatt ever tell you what he had done with the money?—I never asked him.

34,035. Did he tell you?—No.

34,036. Did you ever hear that the way in which it was disposed of was by putting it into number 13 at the "Seymour Hotel" behind the glass?—I had some idea that it was done in that way.

34,037. Did not some one communicate with Ann, the waiting maid, where the money was to be found?—That is not at all unlikely.

34,038. Do you know anything about the money except the 230*l.* and the 60*l.*?—Not as regards the distribution of it.

34,039. The 230*l.* was paid over to you by Mr. Windeatt?—Yes.

34,040. How was that paid?—It was paid in notes.

34,041. Was one of those notes a 50*l.* note?—I do not think any were so high as 50*l.*, I should say that 20*l.* was the highest.

34,042. We have had information of a particular 50*l.* note having passed through your hands?—I do not recollect it, it may be so.

34,043. Where was the 230*l.* paid to you?—At my house.

34,044. For what purpose was it paid to you?—He knew that I had charge of the registration, and he said I had better take that.

34,045. Was it not given to you to pay over to some voters?—Certainly not.

34,046. What did you do with the 230*l.*?—I have accounted for it and a good deal more.

34,047. Supposing that a particular 50*l.* note has come to the hands of an elector, and that it has been shown that it was a portion of the money which was the proceeds of that cheque which has been handed to you, how do you account for that?—I cannot account for that unless the circumstances were made known to me.

34,048. Do you remember giving Samuel Parnell a 50*l.* note?—No.

34,049. Did not Parnell give you an I.O.U?—Yes, for 20*l.*

34,050. Did you not also give him two sums of 30*l.* for two voters?—No, certainly not.

34,051. Now the 60*l.* which was received from Holman, what was that in?—In three 20*l.* votes.

34,052. What did you do with that?—I placed it to this registration affair; it is accounted for here, 230*l.*, 60*l.*, 26*l.* 5*s.* 0*d.*, 14*l.* 0*s.* 0*d.*

34,053. When did Holman pay you this?—I think about the middle of August.

34,054. Did he say where he got that?—I had no doubt where he got it; he did not tell me.

34,055. Where do you think he got it?—He told me he got it from Mr. Windeatt.

34,056. Mr. Parnell was examined by Mr. Tucker with regard to the evidence which he might have given, and which was read over to him, and he says, "I gave a 50*l.* Bank of England note on the morning "of the election, which I had from Mr. Chaster to "Harris and another man. I borrowed 30*l.* from "Mr. Chaster upon an I.O.U., which I am liable to "repay"?—That is incorrect.

34,057. But you have taken an I.O.U. for a certain portion of the account?—That would be a portion of the registration account, 20*l.* out of the 30*l.* would have been due in 1865.

34,058. Now do you mean to tell me that you did not pay that money to be used amongst the voters?—I do not know.

34,059. You did not know that that money was going to be used by Mr. Parnell among the voters?—I never paid him any money.

34,060. You paid him 20*l.*?—After the election.

34,061. No money during the election?—20*l.* in December.

34,062. You paid him no money whatever?—No.

34,063. His statement must be a mistake?—He must have received money from Mr. Windeatt.

34,064. That would be your explanation?—Mr. Windeatt might say "I have had this money from Mr. "Chaster, and he might make use of my name."

34,065. When was Parnell's money due to him?—I paid him in 1864, and another due in 1865.

34,066. What period in 1864 and 1865?—We call the registration over when the barristers have been here.

34,067. Is not the money due till the barrister has been here?—No.

34,068. Look at that account in 1864, is not that a payment to Parnell in July 1864?—That would be for the preceding year.

34,069. I do not know whether it is so in the account, but there ought to be two payments. You ought to have credited yourself with it?—I have only paid him 20*l.*

34,070. (*Mr Coleridge.*) What is owing to him now?—20*l.*

34,071. (*Mr. Bere.*) There must be 40*l.*?—I have not settled the 1865 account, I have not the bills.

34,072. The difficulty is this, what was the use of taking an I.O.U. from Mr. Parnell, if he had earned the money?—It is a sort of acknowledgment, I suppose, that he got the money.

34,073. Would not a receipt be a proper business-like way. I could quite understand it if he took an I. O. U. if the money was to be earned in future, but not if the money is earned already.

34,074. (*Mr. Coleridge.*) Did you ever take an I.O.U. for any other sum of money that you paid him before?—No.

34,075. Nor since?—No.

34,076. Did you take receipts from him for other sums of money that you paid him?—I gave him the money. I do not recollect taking a receipt, I may have done so.

34,077. Was not the I.O.U. given after you heard there was to be a petition?—No.

34,078. I see when you pay other sums of money to Mr. Parnell you take receipts in the regular form. Here is one—"Received from Mr. Chaster *5l.*, payment of registration expenses, with a proper stamped receipt." Mr. Cuming's receipt you take in the regular form, Mr. Windeatt's, Mr. Worthy. I do not see anything else in the same sort of transaction for which an I.O.U. is given?—I daresay it was done in haste.

34,079. (*Mr. Bere.*) Did not Mr. Parnell give you about the time of the election of 1865 any other I.O.U.?—Certainly not.

34,080. Did he never give you an I.O.U. for 110?—No.

34,080*. Or for 60*l.*?—No, never.

34,081. (*Mr. Coleridge.*) Here is one, "I.O.U. *5l.*, Sophia Michelmore"?—That is advanced to Mr. Michelmore for registration expenses.

34,082. (*Mr. Bere.*) Do you know a voter of the name of Henry Bartlett?—I do.

34,083. He is a tailor?—Yes.

34,084. Do you remember a conversation that took place in a room of the "Seymour Hotel," at which Mr. Charles Frederick Michelmore, Mr. George Roberts, Mr. Henry Bartlett, and yourself were present?—Yes.

34,085. What was the nature of it?—I do not know.

34,086. Was there a little strong language passed between Mr. Bartlett and Mr. Roberts about the respective superiority of their positions as tailors?—I do recollect it.

34,087. Will you be kind enough to tell us what passed?—There was some chaff between the parties about one being a German tailor and another a master tailor, and I think Roberts said something about a sum of money being received by Bartlett on some former occasion.

34,088. What did Bartlett say to that?—I cannot exactly recollect what he said. I know Roberts said, "Take care, Mr. Michelmore is in the room;" and Mr. Michelmore said, "We do not tell tales out of school." But there was a great deal of smoking going on; I cannot stand smoke, and I went away.

34,089. You have sufficient recollection to know that those words were used on that occasion?—Yes.

34,090. When was that advance made to Mrs. Michelmore?—I cannot tell unless I have the receipt.

34,091. Did not Mrs. Michelmore get that *5l.* for the purpose of sending it to Mr. Deane to bring him from Eastbourne?—It is long after the election.

34,092. Did not you make an advance to her about the time of the election?—I did not; I find it is in February 1866.

34,093. Had you lent her money before?—The only money I know of at the time of the election was 10*l.* given to me by Mr. Jeffery Michelmore, and he asked me to take 10*l.* to Mrs. Charles Michelmore.

34,094. When was that?—The night of the nomination.

34,095. Do not you know that that was for the purpose of paying the expenses of Mr. Deane from Eastbourne?—I do not know.

34,096. Have you not heard since that Mr. Deane's expenses were so paid?—Yes. He said, "Will you "give that to Mrs. Charles Michelmore?" and I did so.

34,097. Did Mrs. Charles Michelmore tell you what it was for?—No.

34,098. Did Mr. Deane come and vote for Pender and Seymour?—Yes.

Adjourned till half-past 10 to-morrow.

TWENTY-FIFTH DAY.

TWENTY-FIFTH DAY.

Mr. J. W. Chaster.

22 Sept. 1866.

Saturday, 22nd September 1866.

JOHN WEBBER CHASTER recalled and further examined.

34,099. (*Mr. Bere.*) Can you give us any further explanation of that I.O.U. Mr. Parnell gave you ?—I can : but first of all will you allow me to explain ; I want to draw attention to this. It is a copy of the "Daily Mercury" of the 21st September, yesterday, and it is a portion of the evidence given by John Sandford Screach. I do not know whether it is correct or not, but it says, in 1840 I held the stakes for four persons, myself, Mr. Roberts, Mr. Guest, and Mr. Nicholas Gidley. Now Nicholas Gidley is a highly respectable man, and I could not allow that imputation to rest upon him.

34,100. It is not that person ?—It may be Nicholas Gidley, baker, but it is not the Nicholas Gidley here.

34,101. I think there is a statement to the effect that it is not the Nicholas Gidley living at Totnes. I think at the end of the evidence you will find a note to that effect ?—If the Commissioners are satisfied of that, that will do. As regards the I.O.U., I can give no further account of it than this, that the accounts had not passed the committee at that time, and the accounts had not been recognized, the money had not been asked for, and 20*l.* was simply advanced. You will understand that he was not employed, and no understood salary recognized ; but I considered, and the committee considered, that he was entitled to 30*l.*, and I paid him that on account, and he gave me the I.O.U., and I am perfectly satisfied, and I think all the members of the committee will be satisfied, that that was paid as a portion of the salary. I can give you no further account that I think would be more satisfactory than that.

34,102. During the time you were with Mr. Pender in the election of 1865, did you have refreshment at the "Seymour" hotel constantly, yourself personally ? —I may have had some on two or three occasions, I think not more.

34,103. Did you ever pay for it yourself ?—Yes.

34,104. At the time ?—Yes.

34,105. It was not entered in the account ?—I dined with Mr. Pender, and I did not pay on those occasions, because I was invited as a guest.

34,106. Have you been in the big room in 1865, and had anything to drink, and paid for it yourself ? —I attended one meeting, two large meetings in the big room, and I should be inclined to say that I did pay for my own refreshment.

34,107. Can you say accurately whether you did or not ?—I attended a third meeting on the day of the election, and I did not pay.

34,108. I ask you for a purpose, because there is a difficulty about the account. I think at the election of 1865 you made up a poll book ?—I did.

34,109. Is this your poll book (*referring to a book*) ? —That is my poll book.

34,110. Take that poll book in your hand, and give me an explanation. There are some voters whom you have ticked off with a little stroke ; what is the meaning of that stroke (*handing the poll book to the witness*) ?—The cross ?

34,111. No ; the other tick, the single tick ?—I look upon them as Liberal electors, requiring some consideration.

34,112. And the double cross ?—There would be something special against each of them.

34,113. Do you think generally they would be regarded as being on the other side, or regarded as Liberals ?—I do not think it would apply specially to Liberals.

34,114. Are they not as a rule Conservatives, those who have a tick ?—It may be so, I have not looked at it ; but I can explain every one.

34,115. Then cast your eye down, and see whether it is not the case that that double cross means Conservatives who were in the habit of receiving money, or were in your opinion in the habit of receiving it ?— The first cross would not apply. John Thomas Tucker, he never voted, double cross. I marked it down as against us. If he voted, it would be against us, but there was a probability, and there was a double cross put against him. The next is Henry Ashford. I put him down as a Conservative ; no idea that he would require compensation, far from it. I think it probable he might have given us one vote. The next is Robert Tucker ; he was confined to his bed, and if he had voted, he would have voted for Seymour and the Conservatives, but my impression was that he would not vote. The next is William Ough ; he is a Conservative ; no idea of his requiring any money. I thought it possible that he might give a vote for Mr. Pender, as he had given money to the church, and he was a churchman much attached to the church. The next is James Lewis Goodridge, Conservative. He rented some land of the Duke of Somerset, and the probability was that he would vote for Seymour.

34,116. How did he vote, do you know ?—I think he voted for the Conservatives. He is marked here.

34,117. Has he been turned out by the duke ?— No ; he still occupies the place ; it is an orchard, in which he has his saw-pits. The man is a carpenter. The next man is William Page. I have marked him "Seymour and Dawkins." His son rents a large farm under the Duke of Somerset, and I thought it probable that he would vote for Seymour.

34,118. How did he vote ?—He voted that way. The next is Frederick Bowden ; he very seldom votes. The probability was that he might not, but if he had he would have voted for us, and he did so The next is Frederick Seccombe, a very strong probability that he would not vote ; he did not. The next is Francis Hayward ; it is not likely that he would vote, but if he did vote, our idea was that he would have gone one on each side ; but he did not vote. The next name is Alan Gardner, an old man, something like 80. He has not voted for some years. The chances are that he would not vote ; he did not. The next is William Adams, rather a strong Liberal. The probability with us was that he would not vote. He did vote, one of the most extraordinary votes of the days, Colonel Dawkins and Pim.

34,119. He is an organist ?—Yes.

34,120. Had you not had something to do with him in 1862 ?—Never had anything to do with Mr. Adams.

34,121. Did not you canvass him ?—Never in my life.

34,122. Has Mr. Adams got a son a draper ?—I think he has.

34,123. At that time, in 1862, was he an organist in Bridgetown?—Scarcely I think. I think he must have had the organ at Harberton as far back as 1862.

34,124. Did not you see Mr. Adams during the election of 1862 and 1863, and talk to him about his vote?—No; we may have had a chat at my house. He may have come there to tune a piano, but I would not say he did. I have no recollection of it. I never went to his house, and never met him in any way.

34,125. Has he not told you at some time or another that he had a son who was in a drapery establishment, and that he would be glad of a situation in a larger establishment?—He said something to me about his son, but I cannot charge myself about the time.

34,126. When was that, 1862 or 1863?—It would be since, but whether since the election of 1865 or previous to it I cannot say.

34,127. When he spoke to you about his son, did you advise him to apply to Mr. Pender?—I have no recollection of doing so. I think he told me that he had communicated with Mr. Pender or Mr. Brooking Cuming had for him.

34,128. Did you know from Mr. Adams that he had communicated with Mr. Cuming?—Yes, he told me so.

34,129. Are you quite sure that was not before the election of 1865?—No, I am not sure of it.

34,130. Do not you know it was in consequence of Mr. Pender not having given Mr. Adams' son a situation that Mr. Adams voted against him in 1862?—I have heard him say so since.

34,131. He voted for Dawkins and Pim?—Yes, for Dawkins and Pim. I understood his not supporting Mr. Pender, but I did not understand his voting for Dawkins and Pim.

34,132. You thought he would have given one vote to Mr. Seymour and the other to the Conservatives?—Yes, I thought so, because he is a strong Liberal, and had assisted the Liberal party frequently on former occasions.

34,133. Does not that make you think that he was disappointed in some manner by Mr. Pender and the Liberal party?—He expressed himself to me as disappointed.

34,134. Would not that fix the time of the conversation in your mind between you and him?—I think the conversation must have been early in 1865, perhaps about January 1865.

34,135. In the election of 1863 was not there a good deal of money borrowed from one of the banks?—I do not know at all.

34,136. Or from some person in this town, for which money some of the Liberals became responsible?—I have heard so since this Commission opened, never before.

34,137. Did you never hear that some money was wanted for the purpose of the Liberal cause, and did you not on hearing of it object to its being obtained?—No.

34,138. The fact of money having been wanted never came to your knowledge?—Never came to my knowledge.

34,139. There is another mark in your poll book which we will be glad to have explained?—(*Referring to the book*), That is "N.V.," no vote.

34,140. You will find "no vote" put against a number of people?—Yes.

34,141. Explain that?—Those are taken off the list.

34,142. What do you mean, that they had no vote?—No, the probability was that they would not vote. On the night of the nomination our judgment was that these people would not vote.

34,143. A great many of them did vote?—One (*examining the book*).

34,144. Did not Samuel Hilley vote?—He is not among them. The only man who did vote is William Adams.

34,145. Let me look at the poll book again (*the witness explained the book to the Commissioners*). This has been made up since the registration of 1865?—Yes.

34,146. You have explained the double cross to mean that there was something particular with respect to each?—Something special in each case.

34,147. What is the meaning of the single cross?—They are Conservative voters who we had reason to suppose would not vote without money.

34,148. And the tick signifies Liberal voters you believe the same of?—Yes.

34,149. From that poll book did you make up what in your mind would be the probable result of the election?—I did.

34,150. What numbers did you give?—We gave Pender 204, we gave Seymour 203, and we gave Dawkins 181.

34,151. It turned out that Mr. Pender got 210, Mr. Seymour 204, and Colonel Dawkins 162?—That is correct.

34,152. From the calculations you made had you any doubt that the return of the two Liberals was certain?—Perfectly certain of their return.

34,153. Bribery to whatever extent on the Conservative side?—It was impossible that they could have returned their men unless they bought off 12 of ours.

34,154. Had you in your calculations given all the doubtful men against you?—In every case, all our mercenary men were doubtful.

34,155. Did you know there were 12 men who had signed the requisition for a Conservative candidate?—I do not.

34,156. And you did not at the time?—No.

34,157. Tell us how you have Thomas Blank's name marked?—I think he is marked for us; yes, this poll book was made up on the night of the nomination.

34,158. How is Byne's name marked?—Against us.

34,159. William Pengilley?—For us.

34,160. Fox Green?—For, I should say.

34,161. John Diggins?—He is a Bridgetown man, a vote for Seymour and Dawkins.

34,162. John Wright?—For, a plumper for Pender.

34,163. The two Matchams, James and Thomas?—Both against us.

34,164. They did vote for you, did not they?—Yes, they voted for us.

34,165. John Parnell Searle?—For, I suppose; he has always gone that way for some years; yes.

34,166. William Sloggett?—He would be for.

34,167. James Edmonds?—For.

34,168. And Samuel Hill, junior?—A plumper for Pender.

34,169. So those 12 persons whose names I have mentioned signed the requisition, and they did all vote for you?—I suppose so. I have ticked against you.

34,170. Do I understand you to say that you did not know any of the persons whose names I have mentioned had signed the requisition?—I did not know it.

34,171. Did not you know that there had been a requisition signed?—What was the requisition?

34,172. For Mr. Macleay to come down as candidate?—I heard of it.

34,173. You did not hear who the persons were who signed it?—I did not.

34,174. Was that book made up alone by yourself on consultation with others?—Upon consultation with others.

34,175. Mr. Brooking Cuming and Mr. Windeatt?—Mr. Brooking Cuming was not able to act, he was afflicted at the time.

34,176. Mr. Windeatt?—Yes.

34,177. And Mr. Holman?—And Mr. Holman.

34,178. Mr. Parnell?—No, I do not recollect seeing Mr. Parnell. Mr. Jeffery Michelmore.

34,179. At what time was that poll book made up

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at night?—I should think as late as 12, between 11 and 12. I should think I was with Mr. Pender full three hours that night.

34,180. Did you as any of these names were mentioned hear any reason given why those were put down as against you?—I heard no reason; it would be merely this or that would be right or wrong. I was convinced of it in my judgment, and marked them accordingly.

34,181. You had particular reasons which led you to form a correct judgment?—No doubt.

34,182. Did negotiations take place between the Liberal side and those persons whose names you have mentioned after 12 o'clock?—I never heard of it.

34,183. There are nine persons who signed that requisition who might be calculated on by the Conservatives to vote for them, and whom you calculated on as voting for you?—Yes.

34,184. Taking those nine from you and adding them to the other side would bring your calculations nearly to that which you have given us?—Yes.

34,185. What strangers were down here with Mr. Pender in 1865?—I think Mr. Heald was down here with him. I do not recollect any other stranger being here; his son came down.

34,186. Were there two gentlemen here on the day of the election who were earnest Liberals, one from Exeter and another from Plymouth?—Mr. Latimer was here.

34,187. Both of the Mr. Latimers, the one from Exeter and the other from Plymouth?—I do not recollect Mr. Latimer of Plymouth being here. I recollect Mr. Thomas Latimer being here.

34,188. Was he here any time before the election or only on the day of the election?—On the day of the election I think I saw him in the lobby as I was going to the hustings, and I saw Mr. Floud here.

34,189. You mean the attorney of Exeter?—Yes, I saw him in the lobby at the same time.

34,190. He had assisted you on the Liberal side?—Yes.

34,191. Although you yourself did not personally interfere, do you know anything of your sister interfering in regard to any voter?—Not at all.

34,192. Do you know anything of a statement made before the committee of the House of Commons by a man of the name of Mogridge?—Yes.

34,193. Have you read that statement?—Yes.

34,194. Is your sister in this neighbourhood now?—Yes, she is at my house.

34,195. And ready to be examined if we wish?—Of course.

34,196. At the end of your poll book there is a summary, and at the close of it the word "impure," is that not so?—Yes.

34,197. Does that mean that as regards all those persons against whose names the word "impure" is put, they were all to be bought in your judgment?—Yes; that would refer to all the parties who are marked with that sign and a star.

34,198. Then in your opinion there were 21 Liberals who would have had to be bought?—Yes.

34,199. And 83 Conservatives?—Yes; I think you have had evidence enough to satisfy you of that already.

34,200. You thought it would have been necessary to buy those 21 Liberals?—Yes; if a contest had taken place it would have been necessary.

34,201. So far as my recollection serves me, we have had no evidence given at present of 83 persons having been bribed on the Conservative side in 1865?—This poll book is not marked,

34,202. Can you give us any information with regard to those 83 whose names are not here?—No; those are gentlemen with whom I have never mixed at all, it would be only general information.

34,203. (*Mr. Coleridge.*) How did you get the number 83 as put down of the Conservatives who would have to be bribed; you must have known the persons who represented that figure?—They are all there. They either had been bribed or there were some circumstances connected with them that rendered them doubtful, or there was something in connexion with them which led us to believe that such a thing would be necessary before they would poll.

34,204. The information in your mind which led to your putting these marks against their names you could still afford us?—I dare say I could in many instances, the majority of them.

34,205. We must either go through them here publicly or ask you to give us a list?—It would be awkward to go through them here. There are a good many names which I have ticked off. This poll book was made up as dead as could be against ourselves. We gave the Conservatives every man we thought there was a probability of their getting by purchase.

34,206. Were some of those men persons who were afterwards purchased on your own side?—No doubt of it.

34,207. How many out of the 83 would that apply to?—That I cannot say.

34,208. (*Mr. Bere.*) Whose handwriting is this poll book in?—On the right hand my own.

34,209. On the left?—I should think that is George Fitze's.

34,210. He was a very active man on your side, was not he?—Not at the last election.

34,211. There was an attempt made at the last registration to place a number of votes upon the list as partners in a farm?—At Gerston?

34,212. The Gerston property?—There was.

34,213. Mr. Amery and 42 others?—Yes.

34,214. Well now, the funds by which the partnership was carried on were raised by a loan of 800*l.*?—That was so.

34,215. Can you tell us from whom the 800*l.* was procured?—It came from Mr. Henry Michelmore.

34,216. Mr. Henry Michelmore of Newton?—Mr. Henry Michelmore of Newton. I do not know who lent him the money; he is a solicitor.

34,217. Were you one of the company?—No.

34,218. Did you have anything to do with it whatever; who is the man belonging to it, Veitch?—The manager of the company would be Mr. Endle.

34,219. John Endle?—John Endle.

34,220. Do you not know that in truth that 800*l.* was advanced by Mr. Pender?—I know it was not.

34,221. It was professed not to be advanced by him, but did it not really come from him?—I am satisfied it did not.

34,222. Do you know from whom it did come?—No. Mr. Michelmore will tell you.

34,223. What makes you satisfied that Mr. Pender did not advance it?—Because I know Mr. Michelmore offered to get it and did get it. I think he got it from a lady.

34,224. Do you know how he got it?—I do not.

34,225. Do you know the lady's name?—I do not. I was not one of the company, and need not have known it and did not.

34,226. (*Mr. Coleridge.*) We must take you through the book. The star, as I understand, is for people whom you thought would be bought by the Conservatives, and then the little tick those who would have to be bought on your side?—Just so.

34,227. And the two crosses those who would have something?—Some consideration.

34,228. Now, the first is Joseph Barker, you have got a mark that he would be bought by the Conservative side, what was your reason for thinking that he would be?—I think you have had evidence here quite sufficient.

34,229. We have had evidence generally, but we must take it from you?—I cannot give you any further evidence than that of general knowledge.

34,230. What knowledge had you about Barker that made you think he would be bribed, what induced you to put the mark to his name?—The parties whom I consulted said, "That man will take

"money from the other side; he is a Conservative, "but he wants money, he is one of the matter-of-"course men."

34,231. Who would be the person that you would apply to for that information?—The information would be from Mr. Brooking Cuming, Mr. Windeatt, and Mr. Holman.

34,232. Thomas Jacob Searle?—I never saw Mr. Searle.

34,233. Elliott?—I never saw him.

34,234. The next is Edward Baker?—There was no doubt about him; he was a Liberal and he turned over and joined the club at Bridgetown. We had some information that he wanted money.

34,235. Had he applied to your party for money to vote on your side?—I cannot inform you upon this, because the information I received would be from parties who possibly had seen the man and had conversations with him; mine would be third-rate information.

34,236. I understand you to say that the parties would be Mr. Windeatt, Mr. Brooking Cuming, and Mr. Holman?—And Mr. Michelmore possibly.

34,237. Which?—Mr. Jeffery.

34,238. And Mr. Charles Michelmore?—Occasionally.

34,239. And Mr. Elliott?—I never saw him.

34,240. And Mr. Parnell?—I think I may say I never saw him.

34,241. We may take it that Mr. Parnell and Mr. Searle, as far as they worked, worked under some of those persons?—They did not come in contact with me.

34,242. There is John Light with a mark that he may be bribed on your side, was it because he had been bribed before?—Yes; from Mr. Windeatt's information he would be put as a man that would require something.

34,243. If he got something he would be on your side?—He always had been.

34,244. James Clarke?—A waiter at the "Seven Stars." Those things are generally managed down there.

34,245. You put him down as a matter-of-courre man?—Yes.

34,246. And John Tucker with two crosses; he was a man who did not vote?—He never voted.

34,247. Do you know why?—No; he holds a public situation, and his vote is a fictitious one.

34,248. What is he, a surveyor?—Surveyor I believe to the Dart Navigation Commissioners.

34,249. He did not vote?—He did not vote.

34,250. Henry Ashford; he is marked with a double cross?—The chances were that he would give us one vote.

34,251. How did he vote?—I think as he is marked there, Conservative.

34,252. John Wright, marked as bribable on your side?—Yes.

34,253. Was that from his having been paid before?—No.

34,254. From some information that you received?—Yes.

34,255. Then we have a person that we have heard a great deal about, Nicholas Manning. What is the reason of his being crossed?—The reason of his being ticked is the talk about his having received money for his brother before.

34,256. Did you know of any other circumstances?—No.

34,257. Robert Tucker. You have explained about him?—Yes.

34,258. Samuel Goodman, marked as bribable?—A doubtful man.

34,259. Had he voted both ways?—Yes.

34,260. When there is a doubtful man of that sort, how is it that you do not put a tick against him that you might give him money on your side?—It is not necessary.

34,261. You have two ticks against them?—That is to ascertain their way.

34,262. Joseph Hannaford?—He has given you evidence of it here.

34,263. You knew at that time?—It was currently reported.

34,264. James Barter?—Another similar case.

34,265. William Ough; the same man that we had before?—It is probable that he would give Pender a vote.

34,266. Thomas Dennis?—A marked Conservative.

34,267. Had you some information about him?—Yes; it was admitted in this court.

34,268. Thomas Willis?—He is down the same.

34,269. You had information of that sort when you put these marks?—In every case.

34,270. F. T. Waymouth?—A very doubtful case.

34,271. Had he voted at the election before?—Always split for Seymour, and he is probably marked so.

34,272. Then there is a man with two marks; Thomas Goodridge?—He rents some land under the Duke of Somerset, and we thought it probable that he would give one vote for Seymour.

34,273. John Farley?—He has confessed.

34,274. He has not confessed anything at the last time?—The fair presumption is, that if he took it on the previous occasion he would on the last time.

34,275. James Willcocks, large cross?—The idea was that the whole of the Willcocks were touched with the same complaint.

34,276. How many?—Three or four.

34,277. How did they vote?—All against us.

34,278. William Kellow is marked as being bribable on your side?—Yes.

34,279. Did you know the circumstances about him?—That is admitted I think.

34,280. George Penny?—That is admitted.

34,281. William Pengilley; we have had him?—Yes.

34,282. William Byne?—There is no doubt about Byne. It was well known that he was bribed on former occasions.

34,283. Byne surprised you by voting for you?—Yes.

34,284. Will you tell us the circumstances under which Byne changed his politics?—I cannot say. I know Michelmore said to me on the day of the election, "Byne is going for us."

34,285. Did he say that had something to do with land?—I did not ask any questions.

34,286. He had settled with him?—Yes.

34,287. Which Michelmore?—Mr. Jeffrey. But I do not believe that Byne had received any money on that occasion.

34,288. There is William Woodley; he has a cross to his name?—A matter-of-course man.

34,289. Something on the Conservative side?—I took it for granted.

34,290. William Paige, two crosses?—Probably he would vote for Seymour.

34,291. He rented some land of the duke?—His son rents a large estate of the duke.

34,292. Samuel Hilley?—Admitted.

34,293. Frederick Bowden, two crosses?—He seldom votes. Liberal; if tight run would vote for us.

34,294. Did he vote for you in 1863 when there was a tight run?—He did.

34,295. James Page?—A mercenary man. I do not think he voted.

34,296. You mark him for Dawkins?—Yes; but I do not think he polled.

34,297. Then Frederick Seccombe?—We did not think he would vote, and did not.

34,298. What is he?—A chemist and druggist.

34,299. Why does he not vote?—He likes to keep friends I suppose, and he is a new man in the town. He never took any part in politics.

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Mr. J. W. Chaster.

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34,300. Hayward?—We thought it possible that he would split his vote if he polled.

34,301. You have got it written in pencil?—The result was he did not vote.

34,302. John Parnell?—A nurseryman.

34,303. You have got a cross against his name?—Yes.

34,304. Why was that?—It was supposed as a certainty that John Parnell always received some consideration.

34,305. Do you know from whom he received it?—No.

34,306. Always on the Conservative side?—Yes.

34,307. That is the man who was in communication with Mr. Bryett?—The same person.

34,308. Was it anything to do with his having been supposed to give money to Crawford, or offered money?—No. I never heard of it till here.

34,309. R. P. Tarring your side?—Yes; no doubt about him.

34,310. You put him down as voting one for Col. Dawkins?—Yes, and he did so. He would only promise us one.

34,311. The probability was, that he got money on both sides?—Yes.

34,312. Thomas Smith?—He took money on both sides.

34,313. What Thomas Smith is that?—The railway man.

34,314. Was not Mrs. Jenkins sent after Smith?—I cannot tell you.

34,315. Do you know whether Mr. or Mrs. Jenkins undertook to see Mr. Smith?—I do not know.

34,316. He voted against you?—He did not vote at all.

34,317. What made you think that he got money on your side?—He refrained from voting, and we had reason to suppose that he was paid on former occasions.

34,318. The next man is marked as wanting money from you to vote, one for you, and one against you. George Griffis?—He has admitted it in court.

34,319. You believe he had money on your side too?—Yes.

34,320. William Foote?—He is a fair specimen of Conservative politics. He is a Liberal out and out, and that was the first plant of the Conservatives. They laid hold of William Foote, and offered him 150*l.* at the commencement of the bribery.

34,321. Who did that?—I do not know.

34,322. Did he come and tell you that, or did you know that fact when you made that mark in your book?—Yes.

34,323. How did you know that?—Mr. Samuel Cuming, junior, went to the house and saw the money. The woman Foote showed him the money.

34,324. Now Henry Bartlett, is that the tailor?—Yes.

34,325. He is marked with a cross?—Yes.

34,326. What made you mark him?—In consequence of the conversation you heard here the last day or two. I have no knowledge of it until this casual conversation took place. But it looked as though there must be something in it. It is said that there is no smoke without fire.

34,327. You heard the conversation about the journeyman and the master tailor, and about the bribery, and their saying, "Take care, Mr. Michelmore is here"?—Yes.

34,328. And you gathered from that that there had been something done by Mr. Michelmore, and that it was no good denying it in his presence?—Yes.

34,329. Thomas Blank, we have heard about him?—There is no doubt about him, he is an old stager.

34,330. Thirty or 40 years ago he got something for his father?—I do not think he had the money, he was only tempted.

34,331. Jubal Bartlett?—He is brother of Henry Bartlett, and always receives money.

34,332. William Stoyle?—That is the same.

34,333. Henry Crawford, marked as likely to take money on your side?—Yes.

34,334. William Vallance?—On the other side, likely to take money if he could get it.

34,335. Had he on former occasions?—I should think that was his first vote.

34,336. What made you think he would take money?—He was always mercenary in the municipal elections.

34,337. You think if they take money in the municipal elections, they would take them in the borough elections?—Yes.

34,338. William Shinner?—No doubt about him.

34,339. Edward Shinner?—The same.

34,340. John Webber Chaster? You have made no mark against him?—I am open to examination.

34,341. Samuel Heard?—I have very little doubt about that; I believe he has always admitted it. I understand that he has admitted it.

34,342. Robert Mogridge?—There is no doubt about it; he was my tenant.

34,343. And he voted on the other side?—Yes, he always voted against me at the elections, and came and begged pardon the next morning.

34,344. You did not try to pay him?—No.

34,345. You thought he preferred being paid on the other side; if you would offer him the same sum?—I cannot tell, I never tested him.

34,346. John F. Green, marked on your side?—Yes.

34,347. William Willcocks and Thomas Willcocks?—Yes.

34,348. Richard Norrish?—You have heard about him.

34,349. John Putt?—No doubt about him.

34,350. Alan Gardner?—Unable to come, from old age and infirmity.

34,351. John Putt is not here and he has not answered the summons?—You will be satisfied when you see him.

34,352. James Matcham and Thomas Matcham?—No doubt about them.

34,353. William Willis?—He has confessed.

34,354. Henry Tapper?—Dead.

34,355. William Adams, with a double cross?—Yes.

34,356. Voted for Dawkins?—The impression was that he would not vote.

34,357. Richard Tope, with a cross?—He has admitted it.

34,358. John Tozer, a double cross?—I think he died about that time.

34,359. Then Thomas R. White, double cross?—A tenant of Mr. Cary, and the landlord being a Liberal he voted that way.

34,360. Henry Helms?—He is the man who brought the money for Dent. He is a thorough Liberal, but he could not vote at the last election.

34,361. Richard Pengilley?—Yes.

34,362. Edward Angel, that is admitted?—Yes.

34,363. Richard Harris?—He has not been here.

34,364. William Harris, with a cross?—Yes. He is the father of Robert Harris, and he being connected with Robert Harris, it was more than probable that he would receive some consideration.

34,365. Richard Harris is marked on the Liberal side?—Yes; he split his vote.

34,366. Then John Tucker?—Yes; a butcher; a Conservative. I believe he came rather too late.

34,367. Did not he vote?—Yes, he voted, but too late to receive anything. He belongs to David Manning.

34,368. Do you know what David Manning got on your side?—No.

34,369. Then there is a notorious gentleman, Frederick Evens, only one cross to his name?—I thought he would take it himself.

34,370. You thought he would help himself, probably?—Yes.

34,371. Now William F. Sloggett, a tick on your side ?—Paid, no doubt.

34,372. John Pyle, on your side ?—Yes.

34,373. Thomas Mugford ?—Admitted.

34,374. William Allen ?—He has always admitted.

34,375. And Stephen Tozer ?—There was a doubt about him, but I believe he has stated that it was incorrect.

34,376. You thought he was open to conviction on the Conservative side ?—Yes, I think so still.

34,377. When you make up another poll book, you would not remove the cross ?—I do not think I would offer any.

34,378. George Please ?—Yes.

34,379. Henry Richards ?—I have no knowledge of that.

34,380. Walter Worth, two crosses ?—Yes. He rents land of the duke, and the probability is that he would vote for Mr. Seymour.

34,381. Lombardini, we have heard about him ?—Yes.

34,382. You cannot tell us more about Manning ?—No.

34,383. John Sampson ?—Unquestionable.

34,384. Samuel Hill, on your side ?—Yes.

34,385. Thomas Hardin, two crosses ?—Yes. Ill health ; probably would not vote.

34,386. Did he ?—I believe he did.

34,387. He had been paid at a former election ?—I was not aware of that.

34,388. John Godfrey, a cross ?—Paid from the Liberal side on a former occasion.

34,389. And the last occasion also ?—No doubt.

34,390. Evan Evens, brother of Frederick Evens ?—Yes.

34,391. You have two crosses to his name ?—It seemed rather doubtful.

34,392. He is the gentleman who said nobody would insult him by offering him a bribe, but he has insulted a great many others ?—Yes.

34,393. Thomas Pack, is he the boots ?—That is the man who was said to be tempted with a very large sum of money on the other side, and I thought that possible, and ticked him in pencil.

34,394. You had crosses against William Mitchell ; is that the Chartist ?—No ; that is George Mitchell.

34,395. Richard Bowden ?—He keeps an inn.

34,396. William Bovey ?—Yes. That is the man connected with Pengilley.

34,397. John Phillips ?—John Jerman Phillips, admitted.

34,398. Daniel Putt, two crosses ?—He did not vote. He is a sailor, and I believe never did vote.

34,399. Your respected vicar has two crosses against his name ?—I did not suppose he was going to be bought, never did poll.

34,400. What is he, a Conservative ?—He tells me he is a Liberal.

34,401. You never got him up to the scratch ?—No ; I think his position is a very proper one.

34,402. William Reeves ?—Admitted.

34,403. Samuel Saunders ?—He has admitted.

34,404. Edwin Jordain, two crosses ?—Never voted.

34,405. Do you mean that he habitually refused to vote ?—Yes.

34,406. Either in the council or in the borough ?—I believe he never voted one way or the other.

34,407. Do you know of Mr. Jordain receiving not to vote ?—I think not, I should say not. He is a man who keeps an inn.

34,408. Robert Morgan ?—He has received money.

34,409. Likely to receive money on the other side to vote for Dawkins and Pim, and he may have received money on your side ?—He may have.

34,410. Robert Harris ; we have heard all about him ?—Yes.

34,411. Did not you know of Jordain being paid in 1862 by the Liberals ?—I never heard so.

34,412. A bill of 45*l.*, did you never hear that story ?—It never came to my knowledge.

34,413. George Beer ?—One of the "Stars'" men.

34,414. William Wills ?—I think he was absent then, on a voyage from Australia.

34,415. William Marks ?—Yes.

34,416. Likely to be bribed, and marked as not having voted ?—He did not vote.

34,417. William Ellis ?—Confessed.

34,418. Robert Tilley ?—Connected with the "Stars."

34,419. Samuel Lane ?—Relieving officer ; generally refrains from voting, thought he would not vote.

34,420. What is he, Liberal or Conservative ?—Conservative.

34,421. Arthur Venning ?—Confessed.

34,422. James Raymond ?—The same.

34,423. John Watson ?—The same.

34,424. Francis Coombes has got a tick ?—That is in consequence of what was mentioned here.

34,425. (*Mr. Bere.*) Do you know anything about that ?—No.

34,426. What made you tick his name ?—Only after the investigation here. I thought you would ask me questions, and I made pencil ticks.

34,427. (*Mr. Coleridge.*) John Crocker, likely to be bribed on the Conservative side ?—Another of the "Stars'" men.

34,428. They have a strong staff ?—Yes, they have.

34,429. Samuel Brown ?—The "Stars'" man, the waiter.

34,430. Thomas Blackler ; he was a requisitionist and voted for your side ?—Yes.

34,431. Did you know the way he was got over ?—No, I suppose he found there was no chance, and the latter part of the day voted for Mr. Pender.

34,432. Not without money ?—I have no knowledge that he had any money.

34,433. John Nickells ?—He always had money.

34,434. You make a distinction between Blackler and others. You say you had no knowledge of Blackler, had you knowledge of Nickells having money ?—No other knowledge than general knowledge, I know Blackler had, that is say the general knowledge I had of others.

34,435. John Tope ?—Yes, he had admitted it.

34,436. Thomas Edmund Rogers ?—The same.

34,437. Thomas Lampen ?—The same.

34,438. That is the old man ?—Yes.

34,439. George Stone ?—Yes ; that is the runner on the other side.

34,440. Thomas Gillham, we have heard about him ?—Yes.

34,441. Samuel Shillabeer we have heard about ?—Yes.

34,442. We have not had Gillham here yet ?—No.

34,443. Thomas Potter, I do not think we have had him, he has a cross to his name ?—He is one of the fictitious votes.

34,444. Edward Turpin ?—Edward Randle Turpin, yes ; you have had his evidence here.

34,445. John Chapple ?—Yes, that is another that had money.

34,446. Then there is the Rev. Gilbert Butland, with a double cross to his name ; what is the meaning of that ?—I suppose he is marked for us.

34,447. He is marked for you with two crosses ?—Well, he was rather doubtful ; not pledged at that time.

34,448. What made you think him doubtful at this time ?—Because he went against us on former occasions.

34,449. What made you think he might be got over ?—I think at that time he must have been pledged.

34,450. At the time you put the two crosses ?—Yes.

34,451. That would not account for the two crosses, if pledged, because there is nothing remarkable about that ?—There would be an uncertainty, I believe the pledge only extended to Mr. Pender.

TWENTY-FIFTH DAY.

Mr. J. W. Chaster.

22 Sept. 1866.

34,452. Did you canvass Mr. Butland yourself?—I did not. I saw him with Mr. Pender on the night of the nomination.

34,453. What conversation had you?—Only a general conversation. I went up for a cup of tea, and he was there; I did not remain long.

34,454. Was anything said about his son on that occasion?—Nothing whatever before I left.

34,455. James R. Veitch has two crosses?—He came here in the character of a Liberal and voted a Conservative; it was doubtful which way he would go.

34,456. Was he bought?—Well, he had a situation soon afterwards; a very nice thing.

34,457. What was it?—Very soon afterwards he became governor of a gaol, or something of that sort.

34,458. Then there is Stephen Fisher, he has two crosses?—He was absent at Malta, I believe.

34,459. John Pearce is marked for your side?—Yes, received something.

34,460. Do you know from whom?—I do not; I should think from Mr. Parnell.

34,461. William Goodridge, that was a doubtful case; he was marked as likely for the Conservatives?—Yes.

34,462. Did you get him back?—No, he voted against us.

34,463. W. H. Johns?—He is marked as likely to be on their side.

34,464. William Allery?—He has confessed here.

34,465. And James Mitchell, with two crosses to his name?—Yes.

34,466. He plumped for Seymour?—He did eventually.

34,467. What were the circumstances which led to that?—I dare say it was done to oblige Mr. Thomas Michelmore.

34,468. Do you know whether he had any money?—I should say certainly not. He is a man very superior to that.

34,469. There is John Sandford Screach, you have a cross to his name naturally. Then John Diggins we have heard about?—Yes.

34,470. John Tozer is marked for your side?—Yes.

34,471. No doubt he had something?—No doubt he had.

34,472. John Drew?—John Drew I think very probably.

34,473. Charles Pengilley, with two crosses?—He never voted, he is a new man here.

34,474. Was there any reason for his not voting?—I do not think he was in the town.

34,475. There is Nicholas Browse, you have only marked in pencil?—In pencil, that is since he turned up here.

34,476. There have been considerable additions to your book since this has been going on?—Yes.

34,477. Thomas Searle is so added to you list?—Yes.

34,478. James Chamings is added to your list, and I see in all these additions you take a hopeful view of things, to mark them as likely to take money on your side?—You will put your own construction.

34,479. You put your own marks and I take my impressions from them. There is H. S. Ruby, who was one you were hopeful about?—He was one of our men, and Mr. Chamings was.

34,480. Only marked in pencil?—The reason was they were so tempted, as much as 200*l.* a piece on the day of the election, one could hardly expect virtue under such circumstances.

34,481. Then there is William Crook likely to be on your side, in ink?—Yes.

34,482. The next is William Osborne?—He is on the Conservative side.

34,483. Was he bought?—I cannot say that he was; the probability is very strong.

34,484. Then William Earle, with a cross?—He has come to explain.

34,485. Thomas Pearce has two crosses?—Thomas Pearce occupied property under a Liberal landlord.

34,486. What Thomas Pearce is it?—Follaton, who we thought not likely to come home.

34,487. You marked him for Colonel Dawkins?—Yes; if he had voted he was likely to vote that way.

34,488. Did you know where he had gone to?—I did not.

34,489. Henry Eastman, he is marked in pencil with a cross?—Yes, that is from something that occurred here.

34,490. Then there is Noah Clift, with two crosses?—He died about the time of the election.

34,491. You did not succeed in polling him *in extremis*?—No.

34,492. William Webber?—He died; no, he did not die, but he was unable to come.

34,493. He is marked in a peculiar way with two crosses to his name, and "No vote" at the end?—The two crosses refer to the other side of the book.

34,494. No, they are down under Pender and Seymour. Robert Smaridge?—He has confessed.

34,495. Then Henry Seaman, with two crosses and "No vote." When you put those two crosses to his name you imagined he would not vote?—Yes, the probability was that he would not.

34,496. Then James Edmonds, that is the gardener?—Yes.

34,497. You know him?—Yes.

34,498. Jeffery Maye, two crosses?—Yes, that was questionable.

34,499. You put him down as likely for Seymour and Dawkins;—Yes the possibility was that he might have given Mr. Seymour a vote.

34,500. (*Mr. Longe.*) He was Conservative?—Yes.

34,501. (*Mr. Coleridge.*) Then Edward Shinner with a cross?—Likely for Dawkins.

34,502. He voted one for Pender?—He did.

34,503. (*Mr. Bere.*) Is he the person with whom the transaction about the house was, or his brother?—No, neither of them. That was a man of another family. This man is a farmer.

34,504. (*Mr. Coleridge.*) Do you know what induced him to vote for Mr. Pender?—Not the least.

34,505. Then Richard Mortimer, with two crosses?—He was one of the two men the Conservatives attempted to bring of Lord Cranstoun's down, which Mr. Kellock explained.

34,506. Then Robert Oldreive?—He was a man who did not poll, a case of coercion.

34,507. William Gilbert?—He is a person you heard named about bribing the Chartist on one occasion.

34,508. What made you put a cross to his name?—The probability is he came to assist them and required some consideration.

34,509. Then John Parnell Searle, you mark him your side?—Our side, and received money.

34,510. George Evens is marked with two crosses?—That is one of the Evens family you have seen so much of. He has a son in the Admiralty.

34,511. No, that is a brother?—That is the son of the silversmith.

34,512. He did not vote at all?—He did not vote.

34,513. What are the circumstances under which he did not vote?—He was residing in London, and after the kindness of the Duke of Somerset, the probability is he did not vote and would not.

34,514. You put him down as like to vote for Seymour and Dawkins, if at all?—Exactly.

34,515. As a Conservative you thought if he voted he would give one to that interest?—Yes.

34,516. Samuel Rolstone, I think we heard about?—Yes.

34,517. (*Mr. Bere.*) Did you know about that transaction between Mr. Charles Frederick Michelmore and Edwin Shinner, about his house?—I knew something about it, because they came to my house at the time.

34,518. What did you know about it?—I cannot give you any information about what occurred. There was something said about purchasing the house, then I heard of 400*l.* being named as the price.

34,519. Who was present at that conversation?—Mr. Charles Frederick Michelmore and Mr. Pender, I think; I do not recollect any other person.

34,520. Was the money Mr. Charles Frederick Michelmore was to give for the house to come from Mr. Pender?—I do not know who the purchaser was to be.

34,521. Was not it arranged that Mr. Michelmore should go up and negociate the purchase of the house, if he did buy the house Mr. Shinner should vote for Pender, and Mr. Pender should really find the money?—It may have been so, but I was no party to it.

34,522. Mr. Charles F. Michelmore was not then in a position to give 400*l.* for a house of that sort?—I should say not.

34,523. Do you know anything about Wherry?—Yes, he is my tenant.

34,524. Did you have anything to do with his vote at the last or any election?—No, I do not think I asked him for his vote.

34,525. Not at all?—Not at all, I think not; he professed to be a Liberal when he came, and I thought he would vote a Liberal, which he did.

34,526. Do you know whether he was offered money from the other side?—He told me about 50*l.* from John Heath.

34,527. What did you say when he told you that?—I said, "You will hardly take it?" and he said, "No master, I should think not," or some words to that effect. He was in the habit of calling me master.

34,528. Did you mention the fact of his having been tempted in the committee-room of the "Seymour"?—I have no recollection of having done so, but I think it is probable.

34,529. If you did mention it in all probability would not some one on your side have gone to see him?—I had a deal of confidence in him, I should not have advised it.

34,530. Do you not think he wanted the money?—I should say not, that he was above it.

34,531. Forster, had you anything to do with him?—He is my carpenter.

34,532. Have you asked him for his vote?—I never asked him for a vote in my life, he always voted for me in municipal matters.

34,533. Has he ever had money on the other side?—I should think from the evidence I have heard here that he has been offered money, and received money, on former occasions. I recollect one circumstance in the registration of 1864, the father and son were both named Henry, and the young man was one of the Bromborough Company. I took a good deal of interest in that registration, and the company did not succeed in establishing themselves, and the young man said to one of my labourers on the following day: "Master knocked me out of 50*l.* yesterday down "there."

34,534. He would have had 50*l.* for his vote?—I fancied that was the meaning of it.

34,535. (*Mr. Coleridge.*) As to Robert Harris, of whom we have heard a good deal here, was this the first you knew of Mr. Harris' proceedings in election matters that you put no mark to his name, you have marked him in pencil?—He was so well known.

34,536. Did you imagine he would have money from the Conservative side?—He would not take it in the way of a bribe, it would be in some other form; of course he is paid for it, he gets his living by it.

34,537. Had you anything to do with Edward or William Shinner?—Nothing.

34,538. You know them personally?—Pretty well, they live close to my house.

34,539. Had you canvassed them?—No, never; I think William Shinner would vote for me if I asked him, but I never did.

34,540. Do you know anything of a transaction between Mr. Pender and Mr. Fowle?—I do know something of that transaction. I recollect Captain Fowle coming to me on one occasion, saying, that his ship was in trouble, and asking me to write to Mr. Pender to know if he could render him any assistance with the consul. I think at that time Mr. Pender was at Nice.

34,541. When was that?—I think Mr. Fowle came to me in a hay field, I was making hay, it was in May or June.

34,542. Of 1865?—No, 1864.

34,543. What did you say to him?—I asked him if he would give me a statement of the matter, and I would enclose it to Mr. Pender.

34,544. Did you do so?—I did so. I wrote to him, and after an absence of many days, the letters having crossed and so on, I received a letter from him, saying that he would give the matter his attention.

34,545. Do you know what happened in consequence of his giving it his attention?—No, beyond that I cannot give you any information.

34,546. Did any money pass through you hands to Mr. Fowle?—Not one farthing.

34,547. He was the son-in-law of John Wright?—He was.

34,548. Was Mr. Pender often at Wright's house?—I do not know that, I never canvassed for Mr. Pender, I was never in the street with him. I do not know where he went.

34,549. Had Mr. Pender used to come in and tell you where he had been?—I only saw him in the evening. I did not throw away my time in the day about it. I used to find him at the hotel in the evening.

34,550. Did Mr. Pender go to Lorimer's?—I think frequently.

34,551. What is Robert Lorimer?—He goes about the country selling some commodity. I do not know whether he travels with drapery or tea.

34,552. Do you know whether he is supplied by Mr. Pender with goods to sell, or what is the relationship between them?—None whatever. Lorimer was very much interested in the British school.

34,553. Do you know whether Mrs. Lorimer had been a servant in Mr. Pender's family?—I never heard so.

34,554. That she was an old nurse in the family?—I never heard so, they are Scotch people; I think Mr. Pender is from Glasgow, he may know something of them.

34,555. (*Mr. Bere.*) Are you quite clear that the money you received from Mr. Salmon was all in notes?—It was all in notes.

34,556. Did you hand it over all in notes to Mr. Windeatt?—I did.

34,557. Where was that?—In No. 4 room at the "Seymour" hotel.

34,558. What did Mr. Windeatt do with it?—He put it in his pocket.

34,559. Did he leave the room?—Very soon after.

34,560. Do you know from Mr. Windeatt where and when he changed those notes for gold?—I changed them for him at the National Provincial Bank on the Monday and Tuesday following, which would be the day preceding, and the day of the nomination.

34,561. What quantity of notes did you change each time?—I cannot charge my memory with that, I should think I changed from 1,000*l.* to 1,200*l.*

34,562. Were they in large or small notes?—I should think hundreds and fifties.

TWENTY-FIFTH DAY.

Mr. J. W. Chaster.

22 Sept. 1866.

34,563. How many 100*l.* notes did you change?—I cannot remember. I think I might have called on Mr. Yabbicom perhaps four or five times.

34,564. Having got the gold did you take it yourself to Mr. Windeatt?—I did.

34,565. And gave it to him?—I did, it was not all in gold, there were some small notes from 20*l.* to 5*l.*; they could not supply me with sufficient gold.

34,566. How was the gold put up?—In hundreds and fifties.

34,567. In bags?—No, rolled up in a piece of paper in long narrow rolls.

34,568. Did you always give the gold to Mr. Windeatt at the "Seymour" hotel?—I think always.

34,569. Always in the same room?—Not in No. 4; it might have been in No. 6, one of the small rooms.

34,570. Do you know what Mr. Windeatt did with the money?—I guessed what he did with it; I do not know.

34,571. Did he ever tell you?—No.

34,572. Nor Mr. Holman?—No.

34,573. You changed between 1,000*l.* and 1,200*l.*, was the rest of the 2,000*l.* which you received in small notes?—That which remained over the 1,200*l.* I should say was in large notes.

34,574. What became of them?—I do not where they went.

34,575. Did you change more than 1,200*l.*?—I think not; it might have been 1,250*l.*, it did not exceed that.

34,576. Did Mr. Windeatt change those notes?—I do not know.

34,577. Did you count the notes before you handed them to Mr. Windeatt?—No, I never unsealed the packet, it was a long packet and wafered; I did not break the wafer.

34,578. Do you know after the election of 1862 that a large number of persons who had voted for or promised Mr. Pender received sums of money after the election?—I never heard of a single instance.

34,579. You have heard of a good many during this inquiry?—Yes.

34,580. From what you have heard during this inquiry have you any doubt that a large portion of the 1,200*l.* Mr. Pender brought down was spent in that way?—I am perfectly satisfied now that it was all spent in that way.

34,581. (*Mr. Coleridge.*) Besides sticking to the fingers of those who spent it?—I think there was a good deal of it which did not pass through.

34,582. (*Mr. Bere.*) Do you know anything about Thomas Jacob Searle buying a house?—I know he did buy a house.

34,583. When did he do that?—I cannot tell you exactly. I think it was the latter part of 1863.

34,584. Was it not between the elections of 1862 and 1863 that it was settled he was to have a house bought for him?—Hardly so close as that, I think.

34,585. Do you know the value of the house?—I believe he gave 800*l.* for it.

34,586. Do you know where that money, or a portion of it came from?—Not in the least.

34,587. Do you think a good deal of it came out of the 1,200*l.* left behind by Mr. Pender?—I should think not.

34,588. You do not know where that money came from?—I do not.

34,589. (*Mr. Coleridge.*) A statement has been made here by Mr. Harris to the effect that you had 1,000*l.* a year spent in the borough by Mr. Pender?—I am sure you do not approve of all you have heard in evidence here.

34,590. In registration, and other expenses, excluding the election expenses, has Mr. Pender spent 1,000*l.* a year in the borough since he became connected with it?—No, by no means.

34,591. In 1862 he left 1,000*l.* for the borough, perhaps you would not be much out if you said he had spent 1,000*l.* a year?—I dare say it may be between 2,000*l.* and 3,000*l.* since he has been here.

34,592. What has Mr. Seymour spent during that period?—I have no idea.

34,593. Would it be 100*l.*?—His subscriptions to the charities would be more than that.

34,594. Suppose you say 200*l.* a year against Mr. Pender's 1,000*l.*?—It would not have amounted to more than that, he may have spent between 2,000*l.* and 3,000*l.* since he represented the borough.

34,595. I suppose you are old enough in electioneering matters to have had something to do with money before?—Never in my life.

34,596. Had you never assisted in bringing down money before?—No, and if there had not been a deal of pressure put on me I should not have touched it then.

34,597. What was the pressure put on you?—I was pressed by Mr. Pender. He said, "Mr. Chaster, I "rely on you; I ask you to do it for me," I said it was a very dreadful thing to do, and I would rather refuse.

34,598. What did Mr. Pender ask you to do?—To take the money, which was the most unpleasant part of it; I said I would have nothing to do with money.

34,599. Was this letter to Mr. Salmon Mr. Pender's composition or yours?—Mine, he never saw it.

34,600. Who told you where to meet Mr. Salmon?—No one, that was my arrangement.

34,601. Yours entirely?—Entirely.

34,602. Where did you get Mr. Salmon's address?—Mr. Pender gave it to me.

34,603. Who told you Mr. Salmon was in a position to cash these securities?—He was Mr. Pender's private secretary and was in a position to do so.

34,604. Mr. Salmon drew a cheque on the Consolidated Bank, had he any account there of his own?—I understand not.

34,605. From your knowledge of banking is it a usual thing for bankers to allow you to draw a cheque for the full amount of securities deposited with them before they have been able to realize them?—I thought it a most unusual thing, but I did not know of it.

34,606. Do you know whether Mr. Pender wrote a letter to the Bank requesting them to honour any cheque Mr. Salmon might draw?—I do not know that.

34,607. You knew he had introduced Mr. Salmon to the Consolidated Bank?—I presume he had.

34,608. Were you not suprised the money came down so quick?—No.

34,609. Dividend warrants are not payable at once?—I was not suprised that a man of his means could get 2,000*l.* at once.

34,610. And you wrote this letter to Mr. Salmon to prevent your being watched?—In a little place like this a man cannot move without being watched or followed.

34,611. And you might be followed as a person who was likely to get the money?—It was known that I was intimately connected with Mr. Pender.

34,612. On no occasion before had you brought down any money like this?—Never before.

34,613. That was the first time you had had the handling of any money?—The first time.

34,614. Are you a magistrate of the county?—No, sir, of the borough.

34,615. When were you made a magistrate of the borough?—I should think in March 1864.

34,616. Was that at Mr. Pender's instigation?—I had not the least idea of it. The first knowledge I had of it was the mayor reading a letter from the Lord Chancellor in this Guildhall.

34,617. Did you solicit it from the Lord Chancellor?—I did not.

34,618. It took you by surprise?—Quite; I can tell you a little incident in connexion with it; there had been a municipal fight previous to November and I was beaten by rather a large majority, and there

began to be a fear that we should fight them the next year; it was thought a nice dodge to make me the election auditor to prevent it.

34,619. That was done?—That was done; I recollect after I became the election auditor a letter came down asking him about Mr. William Webber being on the list of magistrates of the borough.

34,620. That is the husband of the lady who gave a sum of money to a voter?—Yes.

34,621. That was his reward for it?—I do not know.

34,622. Will you tell me how long have you known Mr. Robert Harris as the Conservative agent here; when did he begin life in a political character; we have heard nothing of him except from himself?—I can scarcely recollect; several years now.

34,623. Was he ever on your side?—I do not recollect it.

34,624. He has been attending the registration court for several years?—Yes, I think he has fully seven years.

34,625. And has always been very active for that side?—Yes, I cannot state the commencement of it.

34,626. Did you receive instructions from Mr. Pender to accommodate any of his supporters with loans?—Never.

34,627. Have you ever had applications made to you by any persons to procure loans for them?—No, I do not recollect a single instance.

34,628. You were known to be the person through whom the money was distributed in the form of charity, did these people come to you for other matters and situations from Mr. Pender?—I only allude to the last 12 months.

34,629. Did they not come to ask whether you could get them situations from Mr. Pender?—I do not recollect any.

34,630. No one at all?—I should say not.

34,631. How long to your knowledge has Mr. Robert Tucker of Ashburton been mixed up with the affairs of Totnes?—In some way or another ever since I knew politics.

34,632. At one time was he over here constantly during election times?—I dare say he was; he was on polling days.

34,633. Did he ever come over to canvass?—I never knew of his canvassing.

34,634. Were there a number of persons who voted for Totnes who were residents of Ashburton?—Recently there have been.

34,635. He could canvass them while there himself if he was living at Ashburton?—He may do so.

34,636. Was he over here last time at the election, on the election day?—No.

34,637. Was he here on the nomination day?—I fancy the nomination day for the two boroughs was the same day.

34,638. Did he not come on the morning of the election day with Mr. Jardine?—He came with Mr. Jardine, but I cannot charge my memory as to the day.

34,639. Did you see him?—I think I did. I merely saw him I had no conversation with him.

JOHN YABBICOM recalled and examined.

J. Yabbicom.

34,640. (*Mr. Bere.*) Mr. Chaster has informed us that on Monday, the 10th of July 1865, and on Tuesday, the 11th, he changed on four or five different occasions notes for gold, large notes for small notes and gold, but I do not find any entry of those in the waste book?—There is no entry whatever of them.

34,641. Why not?—I never made any entry of any notes, but I have a list of the notes that were brought to me.

34,642. Be kind enough to tell us how many notes Mr. Chaster changed on those two days?—I can tell the total amount, they came through my hands from Mr. Chaster; I give you the best information I can, and I have furnished you with a list. I should inform the court that the very moment the secretary sent to me, I traced our books upon that occasion and immediately furnished all the information I could give Mr. Cooke of the numbers of the notes I had taken.

34,643. Do you not generally enter in your waste book when a person comes and changes notes for gold?—Probably it may look as if I connived at the transaction, but for the last 14 years I never have made any entry of any notes coming from electioneering parties. I will state to you the plain matter of fact; I dare say I can explain it or else you may fancy I have something to keep back. If you will allow me to explain it, I will.

34,644. (*Mr. Bere.*) Yes?—At the election of Baldwin and Mills 14 years since our bank was immediately opposite the "Seven Stars," and being so situated we had numerous applications coming from the "Seven Stars," and there were applications for gold and bank notes from the other side of the water. We were pressed on both sides; I had changed on that occasion for the Conservative party coming from the "Stars" hundreds of pounds in notes and so on; those notes I rolled up and put in the usual corner, for they are not always marked the moment they come in, they are put by. I put them by; and the runners from the "Stars" came in, and they having been put by, a short time after, about one hour after, Mr. Phillips, whose memory I speak of with the most profound respect, he was the leader of the Conservative party and he kept an account with us, and he came across to me and called me out, and he said, Mr. Yabbicom have you been marking any of the paper that has come into your hands from the "Stars"? I said no, I had not. He said, do you intend marking any? I said, we adopt the usual course. He said, it is a very invidious thing to do if you do it, I do not see why we should bring parties in collision in that way. Anxious as I was to please Mr. Phillips and everybody about me, I said, never mind I will not mark any. I believe I may say, and I say it most solemnly, that from that time for 14 years when notes came from one party or the other I never made the slightest entry.

34,645. Do you mean if I came and changed a hundred pound note you would not enter in your books, 100*l.* note brought by bearer and 100*l.* gold on the opposite side, I do not mean at election times?—Yes, I should most decidedly.

34,646. Was it a special favour, in regard to election proceedings?—It arose entirely from a desire not to compromise any of the connexions of the bank, and not to bring them into collision the one with the other.

34,647. Your private customers you do enter?—Yes.

34,648. At election times you do not?—I did not then, and we had to follow it up again at Dunn's election.

34,649. That has been your practice for 14 years?—Yes.

34,650. (*Mr. Coleridge.*) 14 years ago what was your position at the bank?—Chief cashier.

34,651. Had you permission from the manager?—I adopted my own course without reference to him. I had charge of the counter and I adopted my own course.

34,652. (*Mr. Bere.*) Is it by a sort of intuitive perception or second sight that you understood the notes brought in were used for election purposes?—I had had much experience in knowing the parties coming across; and I did Mr. Chaster.

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J. Yabbicom.

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34,653. Were you convinced the notes were for the purposes of bribery?—I had not the slightest doubt of it.

34,654. (*Mr. Coleridge.*) You are not cashier now, you are manager?—I am manager.

34,655. Have you given the same instructions to your cashier to adopt the course you used to carry out yourself?—I never mentioned the thing to him.

34,656. Supposing you were out during the election time and the cashier cashed notes would he not mark them?—I do not know that he would.

34,657. He is not up to the dodge about the matter?—No.

34,658. (*Mr. Longe.*) Does this apply to the notes of persons bribed as well as others?—No, I do not know that I ever took them from a man bribed. I have only taken them from the leading parties.

34,659. Your bank would be probably the one to which all these notes would be brought?—Yes.

34,660. (*Mr. Bere.*) The other bank enter every single transaction, whether at election times or not?—Do they now?

34,661. (*Mr. Coleridge.*) How many days of grace are there before and after the election for not marking notes?—You ask me the question, but I do not know. It is if I know the parties.

34,662. Supposing there is going to be an election this day fortnight, for instance, how many days before the election should you cease to mark the notes?—I do not know.

34,663. How many did you on the last occasion?—I can give you the numbers of the notes I have taken.

34,664. How many days before the election did you omit to mark the notes?—I do not think I exercised any thought about it till after the election was over.

34,665. During those periods do you mark no notes, or only those that you think are brought by people engaged in the election?—Such as I got from Mr. Chaster.

34,666. What was there peculiar about those?—They were all new paper and with consecutive numbers.

34,667. If they had been old notes should you have marked them?—Not if Mr. Chaster brought them.

34,668. If Mr. Thomas Jacob Searle brought them?—I should.

34,669. Or Mr. Parnell?—You ask me what I should have done.

34,670. Did you?—I never had any notes from him.

34,671. Suppose Mr. Michelmore came in with a 50*l.* note, should you have marked it?—No, I should not.

34,672. You used your own discretion as to the marking then, did you not?—If parties came and changed bank notes with me and used them for an unworthy purpose that is not my look out.

34,673. Your reason was the one you have given?—Yes, for not bringing the parties into collision.

34,674. You knew what they were going to do with them?—To be sure I did.

34,675. (*Mr. Longe.*) Was not it known by Mr. Chaster that they were not marked?—I never spoke to him about it in my life.

34,676. Was it known in Totnes that the notes changed in the bank during the election were not marked?—Not so; I never mentioned the fact.

34,677. (*Mr. Bere.*) This account you now hand in is a correct statement of the notes paid into your bank by Mr. Chaster on those days?—No doubt about it.

34,678. In the first account there was an omission of one 50*l.* note and one 20*l.* note?—No, those came in afterwards.

34,679. You gave us an account you say, but you only put down 1,200*l.*; you have now given an account in which there is 1,270*l.* put down, that is made up by your having found you cashed another 50*l.* and another 20*l.*?—Yes, it was so.

34,680. How did you find that out?—In consequence of an application through one of the clerks.

34,681. Where did you find it out?—From the remittance book.

34,682. You sent up a certain number of notes that day to your head office?—Those among others. I made my cashier go through the books. I said "Those "notes must be traced up, they appear to have come "from the Consolidated Bank, and now see if you can "find any more that ever came into our hands." Those 1,270*l.* notes came into our hands in the course of two or three days; not the 1,270*l.*, but the 1,220*l.* and then the other note came in afterwards making up the amount. That is all the account of the series of notes brought to me and they are found in our books.

34,683. (*Mr. Bere.*) About that time?—Yes.

34,684. Out of that number can you tell how many notes Mr. Chaster changed himself?—I think the largest portion of them.

34,685. Cannot you tell nearer than that?—No.

34,686. How many times did he come?—Three or four times.

34,687. Did he come in after bank hours?—He came in and fetched gold on one occasion after bank hours.

34,688. What was the largest sum in gold that you ever paid him?—400*l.* at a time, and sometimes bank notes.

34,689. Gold?—Gold and bank notes.

34,690. Do you remember how much gold and how much notes at any one time?—No, I cannot, it was chiefly gold. I think the amount Mr. Chaster really had from us was not more than 500*l.*

34,691. Do you make up the rouleaus of gold yourself or were they made up all ready and then taken out of a drawer?—No; I usually met him in my consulting room, he did not come to the counter, and I carried the cash into the consulting room.

34,692. Was the gold made up in parcels of 50*l.* when you brought it from the counter?—No, I gave it to him in his hands.

34,693. Did you make it up?—No, I desired my cashier to make it up; he brought me 400*l.*, and I gave Mr. Chaster the 400*l.*

34,694. How did your cashier bring you the money from the counting house?—I told him to take it from our reserve and give it to me.

34,695. I want to know the actual way in which the money came to Mr. Chaster, in a parcel or loose?—He took it out in a bag.

34,696. Did you ever make it up in a parcel?—No, I do not know that I ever made up a parcel.

34,697. How do you keep the gold, in bags or rouleaus?—In bags.

34,698. So many sovereigns in bags?—500*l.*, 200*l.*, 300*l.*, and so on.

34,699. (*Mr. Coleridge.*) And one hundreds?—Yes, one hundreds.

34,700. Do you charge for changing bank notes?—Never, we are only too glad to get them in order to get rid of our gold.

34,701. Do you charge for giving bank notes for gold?—No.

34,702. (*Mr. Bere.*) Did you change any notes for anybody else besides Mr. Chaster?—I am not certain whether somebody did not tell me he wanted it.

34,703. Did you change some notes for the other side?—No, I think they get their favours at the other bank. I have given you the best information I can. The 1,200*l.* certainly came from the Consolidated Bank; if it is found there is a large amount of paper and you can in any way trace it up, and that it found its way to me, I will assist any of the clerks in endeavouring to unravel when and how it came into my hands.

34,704. (*Mr. Coleridge.*) You did not take the numbers of the notes?—No.

34,705. You have got them in your remittance book?—I am obliged to do that.

34,706. Perhaps you can tell us; will you look at your book?—Yes.

34,707. (*Mr. Bere.*) In 1863 what quantity of money did you change at Mr. Dent's election?—I cannot tell you.

34,708. Can you by your remittance book say what amount you changed about the election time, notes that were not marked?—In 1863 I do not recollect getting any bank notes at all.

34,709. Did you change any large notes?—I do not know that I did; but if you can call attention to any one and I can refer to the book I shall be most happy to do so.

34,710. Suppose Mr. Chaster had brought a cheque for a large amount you would have changed it?—Yes.

34,711. Do you charge for that?—No.

34,712. Where do you enter them?—They are carried into the scroll and posted.

34,713. Suppose Mr. Chaster brought you a cheque signed by Mr. Pender or Mr. Salmon, should you have cashed the cheque without taking a guarantee for it?—If Mr. Chaster had brought me Mr. Pender's cheque or if Mr. Pender's cheque was brought to me by any obscure individual I should cash it.

34,714. Supposing a cheque bearing the signature, "P. Salmon" had been brought to you at that time, by Mr. Chaster, should you have cashed it without taking a guarantee for it?—Most certainly I should.

34,715. And make no entry?—A cheque on another bank bears a very different character.

34,716. Supposing such a cheque as that of a gentleman who might have had no account with the Consolidated Bank (*handing Mr. Salmon's cheque to witness*)?—I should not have cashed it if I saw it.

34,717. Not if Mr. Chaster brought it?—Oh, yes, I would if he brought it.

34,718. Supposing it had been dishonoured you would have looked to Mr. Chaster for the money?—Most decidedly so.

30,719. You are not sufficiently a lawyer to know that you must take a written guarantee for it?—No.

34,720. Should you not have taken a written guarantee?—No.

34,721. They do at the Devon and Cornwall Bank?—If I recollect rightly that cheque for 1,000*l.* you have referred to as being carried to the Devon and Cornwall Bank was drawn by a firm in London that was not known, and application was made to the Devon and Cornwall Bank for the purpose of getting it cashed, Mr. Pearce adopted the proper course, and I should have said, "You are going to bring me a "cheque for 1,000*l.* drawn by a party I know nothing "about, will you be answerable for it."

34,722. Here is this cheque drawn by P. Salmon you say you should have cashed it without taking a written guarantee?—I should have taken it on his credit without taking a guarantee, entirely upon his credit. Would not the bank have had a legal remedy as against Mr. Chaster?

34,723. Not unless it is in writing, the guarantee must be in writing?—We take thousands across the counter in cheques, and they are always taken without a guarantee.

34,724. Cheques of third parties?—Cheques on another bank.

34,725. (*Mr. Coleridge.*) You say that for 14 years you have pursued this plan at elections, can you let us know during the elections in that time up to the present time what amount of notes you have cashed at each election without marking them as you have not done in this case?—What notes I had or not I should have the greatest difficulty in the world in arriving at.

34,726. Have you any sort of marks by which you can tell us how many bank notes, or what cheques you cashed without making any entry of them in 1863, Mr. Dent's election, or 1862?—I never cashed any cheques in reference to Mr. Dent's election except cheques on ourselves.

34,727. I mean Mr. Seymour's?—I know nothing about him.

34,728. Mr. Chaster was engaged in that election also, did Mr. Chaster cash any?—If he had cashed any cheques they would be recorded against him in the account.

34,729. Not if it was election time?—No, but they must be debited to him, cheques on third parties would be entered, whatever we do with bank notes we cannot do with cheques.

Mr. John Webber Chaster's examination resumed.

Mr. J. W. Chaster.

34,730. (*Mr. Longe.*) How did you know whether the notes cashed during the election would be marked or not?—I had no idea whether they would be or not.

34,731. (*Mr. Bere.*) When Mr. Yabbicom came in I was asking about Mr. Robert Tucker, of Ashburton, did you yourself once take any interest in the elections for Ashburton?—I never left the town for any election.

34,732. Had you ever any communication from the Liberal parties in regard to the Dartmouth elections?—Never from either of them.

34,733. Or from anybody else?—No.

34,734. Do you know that Mr. Robert Tucker managed matters for the Liberal party, not only to a certain extent in Totnes, but principally in Ashburton and Dartmouth?—Ashburton. I had no idea he did in Dartmouth.

34,735. Used he not to be over here at the registration?—I think he acted at the registration court for many years.

34,736. He did at Ashburton, certainly?—Yes, I think latterly Mr. Tucker took Totnes, and Mr. Brooking Cuming took Ashburton.

34,737. They changed?—I am speaking now of several years since.

34,738. Have you ever been over to Ashburton and spoken about the Ashburton election?—I dined with Mr. Jardine's constituency.

34,739. When was that?—At the latter part of this last year, I never spoke in Ashburton but upon that occasion.

34,740. Did you speak long?—I did.

34,741. When was that?—At the end of last year, I should fancy about November last.

34,742. And can you tell me is Mr. Jardine lord of the manor of Ashburton?—I really do not know.

34,743. (*Mr. Coleridge.*) When had you seen Mr. Salmon last before you wrote that letter to him?—I had known him here on previous elections, I do not know whether he was here at that election, I think he was down at the shooting.

34,744. When had you last seen him before writing that note to him?—I think it is possible I may have seen him in Mr. Pender's counting-house in London, in Broad Street.

34,745. How long before the election?—It would not be many months.

34,746. When did you next see Mr. Salmon in Totnes after you left him at the station at Exeter?—I do not recollect seeing Mr. Salmon since I met him in the Exeter station.

34,747. Have you not seen him at all?—I do not think I have seen him; I swear I have not seen him.

34,748. Did you see him here during the election?—1865?

34,749. Yes, after you got this money?—I do not think he was here at the election.

34,750. Was not he?—I do not think he was here at the election.

34,751. You told us something about Mr. Pender's saying he might have a day's holiday, and he went to Bath, I understood from you that he merely delayed his coming down?—Mr. Pender's desire was that he

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should not come, he said, "When you see Mr. Salmon "tell him he may take a day's run;" I said that to him and he said, "I will go to Bath."

34,752. You do not know that he came down then?—I can safely say he did not come down here. Nothing strikes me for the moment about his presence here.

34,753. In addition to the monies that you got from Mr. Salmon do you know of any other money coming into the borough at the last election?—None whatever.

34,754. Did you get any money from Mr. Seymour?—Not a farthing.

34,755. Do you not know that Mr. Thomas Michelmore advanced money for Mr. Seymour?—I did not know, as a matter of course I should not.

34,756. Did not Mr. Thomas Michelmore tell you he had provided some money for Mr. Seymour at the last election?—No.

34,757. Do you know what money was provided by Mr. Seymour?—I have not the least idea.

34,758. Do you know what money Mr. Pender brought himself?—Only on the evidence of Mr. Yabbicom, the 1,800*l.* and the 500*l.*

34,759. Do you know of any sums of ready money brought down by Mr. Pender himself?—No.

34,760. Or that anybody brought for him afterwards?—I had no idea of it.

34,761. (*Mr. Longe.*) I wish to ask you a question about the division of the Liberal party, there are two sections, there is the duke's party, and the independent party?—There are.

34,762. I dare say you can tell, what number would you put to the duke's party, or what number of votes would you count in as being under the influence of the duke?—I could not say unless I ran over my book.

34,763. Have you not considered it?—I have always considered that we pull together, I have not set them out as a distinct party, I could not say off-hand.

34,764. You recognize the distinction between the two parties?—Yes I do, very strongly, yet it has never been felt since I acted.

34,765. You refused to canvass in 1862?—I did; I did not understand the party well, I thought he came more upon the assumption that he was the duke's nominee.

34,766. Do you and Mr. Michelmore work together now?—Yes, and have ever since I have known anything of politics.

34,767. You canvassed indifferently, or how were they canvassed by the Liberals?—Mr. Jeffery Michelmore canvassed with Mr. Seymour, and Mr. Windeatt canvassed and Mr. Charles Michelmore on one or two occasions canvassed with Mr. Pender.

34,768. You canvassed the duke's tenants?—Yes, without the assistance of Mr. Michelmore, independent.

34,769. (*Mr. Coleridge.*) How came the hotel bills not to be included in the accounts sent to the election auditor at the last election?—I suppose they never were sent in.

34,770. Was there an agreement that they should not be?—I know nothing about that.

34,771. Has the "Seymour Arms" bill been paid yet?—I think a portion of it has, not all.

34,772. What is the total amount?—Something like 300*l.*

34,773. How much has been paid?—I think Mr. Michelmore has paid a portion.

34,774. Have you paid any portion?—I have paid nothing; I paid Mr. Pender's private account; Mrs. Beazley asked me for some money and I said, "If you "make out Mr. Pender's private account I will pay "you, the other thing I do not recognize."

34,775. Do you know how much Mr. Michelmore has paid of the whole amount?—I do not.

34,776. Is there some dispute about it?—I do not know.

34,777. You say you "do not recognize"?—That did not come within my province. All I had to do with was with the registration costs, but Mr. Michelmore has paid part on behalf of Mr. Seymour.

34,778. Nothing has been paid to the general account on behalf of Mr. Pender?—Not a farthing.

34,779. How is it it has not been paid, is there any dispute about it?—None that I am aware of. The bills were kept back at the time of the petition and they never have been settled.

34,780. Now (at the time of the Commission) is there any money due?—Yes, there is no money to pay it, I never have been asked to pay it, and if I had I should have refused.

34,781. You would send to Mr. Seymour and Mr. Pender their respective accounts?—We may when the registration costs are made up.

34,782. (*Mr. Bere.*) If there had been no petition at all Mrs. Beazley's bill in the entirety would have been paid by Mr. Seymour or by Mr. Pender, or both?—No doubt of it.

34,783. It was only because the petition was instituted that the accounts were divided between the various individuals?—Exactly so, that is quite clear.

34,784. Were you up in London at the time of the petition?—I was.

34,785. Did you know anything about an offer made to the other side by Mr. Pender to withdraw the petition if a certain sum of money was paid?—All I know is what Mr. Pender told me.

34,786. What was that?—That there had been an offer to withdraw the petition on his paying 5,000*l.*

34,787. When did Mr. Pender tell you that?—At the time of the petition.

34,788. Before the committee was struck?—Not before the committee was struck, before they sat.

34,789. Was there any arrangement between Mr. Pender and Mr. Seymour of which you were cognizant with regard to the expenses of the petition?—No.

34,790. Did you ever hear from Mr. Pender that Mr. Seymour was to pay a portion of the expenses of the petition?—I should take it for granted that they would share the costs, there was a general arrangement to spread over everything.

34,791. As far as you know of the management of money matters in this borough, has Mr. Seymour ever paid anything like the same sum of money that Mr. Pender has?—As far as I know of the money that has passed through my hands he he has paid half of the whole.

34,792. All the registration expenses?—Yes.

34,793. You charge Mr. Pender with one-half and Mr. Michelmore has to pay the other half?—Yes.

34,794. Where he got it from, you do not know?—I do not ask him about it.

34,795. Have you ever known an instance since you have had to do with elections where the duke has refused to support the independent Liberal candidate?—I have no knowledge of anything of the sort.

34,796. Have you any knowledge of any Liberal gentleman's name being mentioned to the duke who was not a candidate of the duke, and the duke having refused to allow that gentleman to stand?—I never heard of such.

34,797. Can you give us at all the names of those gentlemen who were proposed as candidates on the Liberal side about the time when Lord Gifford was expected to be dying. You told us yesterday that at a meeting of the Liberal party certain names were mentioned as persons who would be proper candidates on the Liberal side, and that Mr. Pender's name was not among those?—I did so, I think Lord Seymour was first on the list. I think the next was Mr. Alfred Seymour, and also Major Lyons.

34,798. Is that the Major Lyons who stood for Marylebone?—I think so. There was a fourth name, I cannot recollect him now.

34,799. (*Mr. Coleridge.*) You told us very clearly yesterday of a marked division between the Liberal

party and the Seymour party, and you illustrated it by saying that when Mr. Seymour came down on Mr. Mill's vacancy you told him he must go away, and the next time you received him because it was the duke's vacancy. When Mr. Blount came down did he come with the duke's interest or in the antagonistic interest?—I think he came down in the duke's interest, but not with his cognizance, I do not think he got the support he wanted from that quarter.

34,800. He expected he would get in?—I think he did; that made the election an expensive one; he did not suppose it was to be done with money, but he thought it would be done by the influence on the other side.

34,801. (*Mr. Bere.*) Do you know whether any sums of money were brought from the Ashburton bank since 1865?—I think if any sum of money since the election of 1865 was obtained as between Mr. Windeatt and Mr. Pender I must have known it; I distinctly state that I know of none.

34,802. Mr. Pender entrusted the money to you, and therefore anything that came to him you would be unlikely to know, might not money have come to Mr. Windeatt without Mr. Pender knowing of it?—Mr. Windeatt was a man in whom I placed implicit reliance.

34,803. Did you ever go through the account of the way in which that 2,000*l.* was expended in order to satisfy yourself whether it had all passed through the hands of the persons who had distributed it?—I purposely avoided it.

34,804. Have you got the 1863 poll book?—I never had one.

34,805. (*Mr. Coleridge.*) Have you heard that Mr. Pender has complained since the election of 1865 that he has been asked for a great deal of money beyond what he thought had been spent at the election?—Never.

34,806. Never that a good deal of money has been charged to him that he expected would be paid out of the 2,000*l.*?—He never said so.

34,807. Did you cash the whole of the 2,000*l.* at Mr. Yabbicom's bank?—I did not.

34,808. Where did you cash it, you cashed it at the bank but you did not cash it altogether in notes?—All I cashed was at the bank, I do not know how it was acted with. Mr. Windeatt asked me to cash certain notes; he said "You can do it better than I "can." He had no account there.

34,809. What was the amount you cashed?—I think it may be 1,200*l.* or it may be 1,300*l.* I am not sure.

34,810. You handed all the money to Mr. Windeatt?—I gave him the sealed packages; he broke open the sealed packages and he said to me, two days after, "I wish you would do this for me, I have no "account, will you do it and change this for me. "I believe the sum was something like 1,200*l.* in "round numbers."

34,811. Where did Mr. Windeatt keep his account?—I do not know that he had an account.

34,812. He must have had one somewhere?—If he had it would be the Devon and Cornwall.

34,813. (*Mr. Bere.*) Did you ever have any applications for situations to be got from Mr. Pender, I mean in trade, or did you have any applications for situations under Government?—I do not recollect, I may have had them, I recollect a man called Jackson asking me, but he was not a voter; he asked me if I could assist him in getting a situation at the Customs.

34,814. How was it that Mr. Parnell became the postmaster, was it through Mr. Pender's influence?—It was through Mr. Seymour's influence.

34,815. Are there many people who have had Government situations since Mr. Pender and Mr. Seymour became members?—Very few I should think.

34,816. Can you tell us who they are?—I cannot charge my memory with anyone but Mr. Evens's son,

for the moment. I should like to make a statement if you will allow me. Yesterday you asked me the reason why Mr. Pender came to Totnes, and whether it was not from a consideration of the amount of money he was thought likely to bring. If you will permit me I will state the circumstances from the time I saw him first in London and the proceedings of that day. I went to London on the night I told you of, and I arrived by the mail train in the morning at 4.50 or something like that, beds were prepared for us, Mr. Michelmore, Mr. Brooking Cuming, and myself; we had some refreshment and they went for a short walk; I had a short nap, I went into the sitting room, I think on the previous night, and on the following morning a gentleman came in whom I found afterwards was Mr. Pender and two others.

34,817. Where was this?—At Fenton's hotel.

34,818. In St. James's Street?—Yes. The other was Sir Emerson Tennant, and the third I forget. They were there by appointment to go to Shoeburyness in order to test some Armstrong or Whitworth guns. I was obliged to introduce myself under the circumstances and when my business was understood these gentlemen left. I went into the business with Mr. Pender and ascertained his views, we had had breakfast when Mr. Michelmore and Mr. Cuming returned and then they joined us; then the political conversation continued. After that Mr. Pender said, "I dare say you want to talk the thing over, I have "some correspondence I want to get on with and "I will withdraw." He did withdraw and Mr. Michelmore and Mr. Cuming then said to me, "Well "Mr. Chaster, what do you think of it?" I said, "I "think he will do." "What conversation have you "had?" I stated the conversation. They said "Why do you think he will do?" I said, "He is a "free trader, not of the Bright class as I thought he "might be, in fact he is opposed to John Bright, I "think he is a man likely to do us a great deal of good, "and I think he will walk in the steps of Thomas "Mills." Mr. Cuming said, "That is precisely my "opinion," and Mr. Michelmore the same, "Do you "accept him, because it is on your shoulders," I said, "I do accept him." Some short time afterwards Mr. Pender came in and we intimated to him that we were satisfied with him as a good Liberal, and he said, "I had better prepare my address." After some further conversation we went for a walk and left him to prepare his address, it having been arranged we should dine with him and return by the express train, we said we will go down Parliament Street. Mr. Cuming said I have to go to Mr. Drake's, I did not know him then, I know him now. He told him the object of his visit and I think Mr. Drake rather objected to Mr. Pender, or he was not decided about it, Mr. Cuming made the remark to me upon it, "I do not care about what his views are, "he is the man who will please the constituency of "Totnes;" and we walked on further towards St. Stephens.

34,819. (*Mr. Bere.*) Did anything further pass about money?—I will explain that, I want to show that nothing did pass about money. We went down Parliament Street and we telegraphed to Totnes to say, "It is all right, come by the late express;" that was before 12 o'clock, we went down to the Houses of Parliament, and then returned to Fenton's and had some lunch or dinner, and after the cloth was removed the conversation I told you of with Mr. Pender took place, when he said, "What money "must I bring down to Totnes," then it first occurred. I think you will now admit that we accepted him without any view to money.

34,820. (*Mr. Coleridge.*) You knew that he was a rich man at the time?—He told me so.

34,821. (*Mr. Bere.*) Do you mean to say that supposing he had been a person who could not have spent money, he would have been the Liberal candidate for Totnes?—I have no doubt under any circumstances we should have had him.

TWENTY-IFTH DAY.

Mr. W. Chaster.

2 Sept. 1866.

34,822. (*Mr. Coleridge.*) Suppose he had had only 500*l.* a year instead of thousands?—Then I think he would not have offered himself.

34,823. (*Mr. Bere.*) Did Mr. Drake give any reason why he objected to Mr. Pender standing?—No, he knew him as a stranger; he and Mr. Cuming had the conversation apart.

34,824. First of all there was a conversation when he said he did not like the expense?—I think there was some something said about someone else under his wing.

34,825. (*Mr. Coleridge.*) He did not make use of the strong expressions that Mr. Spofforth used about the borough?—He is a more cautious man.

T. E. Owen.

THOMAS EDWARD OWEN sworn and examined.

34,826. (*Mr. Bere.*) Are you a member of the Royal College of Surgeons?—I am.

34,827. Have you seen Mr. Brooking Cuming this morning?—I have.

34,828. In what state is he?—He is in an exceedingly nervous state, partly recovered from an attack of apoplexy.

34,829. When did that take place?—Some 10 months ago.

34,830. Is he in a fit state to be examined as a witness?—If he were brought here before the Court it is very likely that it would produce another attack as he is so confused as to be hardly able to give utterance to his words.

34,831. Has the attack affected his speech?—Very much indeed, and his right hand as well.

34,832. Do you think he might be safely examined if we went to his house?—I think you might examine him there. He would hardly be able to utter sometimes when he is excited.

34,833. Have you attended him?—No, I have not, he has been attended by his father-in-law, Mr. Derry.

34,834. We understand he has had a similar attack?—I think he has.

34,835. It is his right hand that is affected?—Yes.

34,836. So that he cannot write?—No.

34,837. Could he dictate to any person?—Possibly he might.

34,838. To his wife for instance?—I should think he could.

34,839. Then having made some statement to his wife which might be given to us he might be easily examined upon that?—At his own house, I dare say he could.

34,840. Did you know him personally as a friend?—I did know him.

34,841. Have you seen him from time to time since he has been attacked?—I have occasionally, not professionally.

34,842. You knew him before?—Yes.

34,843. Are you able to state as a medical man that his mind has been affected by his illness?—He gives very confused answers; he makes use of wrong words.

34,844. Is that a confusion of utterance or of thought?—Of thought, of idea.

34,845. (*Mr. Coleridge.*) Is he getting better or worse?—Better. I think if he was brought here the excitement would produce another attack.

34,846. But if we came down here again in a month's time?—I should think he might be much better then than now. I do not think even then he ought to be examined too long at a time. Sometimes he speaks very freely; at other times he cannot.

34,847. (*Mr. Bere.*) About what age is he?—About 45 or 46.

34,848. Has he any son?—He has not.

34,849. Has he any daughters?—Yes, several.

34,850. Did you see Mr. Cuming during the election of 1865?—Many times.

34,851. Did he take an active part in that election?—He has always taken an active part.

34,852. But he did so at the last election?—I think he did not.

34,853. There were reasons for it, were there not?—I have heard accidentally that he had a misunderstanding with Mr. Pender; that was no business of mine.

W. Gilbert.

WILLIAM GILBERT sworn and examined.

34,854. (*Mr. Bere.*) Where are you living now?—At New house.

34,855. How far is that from here?—About six miles.

34,856. How long have you been connected with political affairs in Totnes?—I commenced when Sir George Adams was here; I voted at his election.

34,857. Did you vote for him?—I did.

34,858. Have you voted for the Conservatives since that time?—In 1847 I left here for London, where I lived some 11 or 12 years.

34,859. You came back about 1859?—I came back in 1862 or 1863.

34,860. Had you a vote in 1863 or 1865?—In 1863 I had not lived long enough in my house.

34,861. What part did you take in the election of 1837?—That is a long time since.

34,862. You had the means of making some notes?—Unfortunately I burnt them when I was in London seven or eight years ago.

34,863. What are the notes you have there?—Merely to refresh my memory.

34,864. Did you take an active part in 1837 for Sir George Adams?—I did not.

34,865. Were you employed by the Conservatives to canvass at that election?—No.

34,866. Were you on the committee?—I was not.

34,867. You voted for whom?—For Adams and Seymour.

34,868. Were you a tenant of the duke?—I was the renter of a small property under the duke.

34,869. At that time was there any order to the tenants to vote for a second Liberal as well as for Lord Seymour?—I do not think there was.

34,870. Were you turned out of your field because you did not vote for Parrott?—No.

34,871. In 1839, when Parrott retired, you took an active part?—I did so.

34,872. What did you do in 1839?—I voted for Mr. Baldwin.

34,873. What did you do at that election?—I was on the committee.

34,874. Being on the committee you had certain duties to perform; what were those?—I kept the poll book.

34,875. Did you go and see certain voters?—I saw three or four.

34,876. Who were they?—John Guest, George Roberts, Penny Sharpham, and William Winsor.

34,877. You not only saw them, but did you influence their votes by promising them money?—I believe I did.

34,878. Having promised them money you went back to Mr. Baldwin's distributor of the money and got some for them?—No, there was a finance committee; three of them were appointed on that committee.

34,879. Who were the three?—They are all passed away.

34,880. Cannot you give us their names?—I can tell you one of them.

34,881. Who was that one?—Samuel Hannaford.

34,882. Cannot you remember the other two?—I cannot; it is 27 years ago.

34,883. You went to the finance committee; where did they sit?—In the general committee room at the "Stars."

34,884. Did the finance committee hand you the money?—They handed me 200*l.*

34,885. You applied for 50*l.* for each of these four men?—They handed me 200*l.*; I employed Sandford Screach to do the business for me. I gave him the 200*l.*, and there were four who had promised to vote for us for 50*l.* each, but Penny Sharpham and Winsor turned over to the other side. Screach had the 200*l.*; he paid Guest and Roberts 50*l.* each, and brought me back 100*l.*

34,886. What became of that 100*l.*?—I gave him 5*l.* for his trouble, and I paid Samuel Hannaford 95*l.*

34,887. What did you get yourself at that time?—Not a farthing.

34,888. Not for your trouble?—No; I always voted on that side, and I took a great interest in it, and spent a great deal of money of my own.

34,889. I suppose you knew you had put yourself in an awkward position?—The duke wanted to grapple with the second seat; there was great excitement, and people turned out and put their shoulders to the wheel.

34,890. Is that all you did in 1839?—Yes.

34,891. Do you know what sum of money was spent by Mr. Baldwin and Mr. Blount at that election?—I have heard that Mr. Baldwin spent 2,100*l.*, but I have no knowledge of it. The principal part of the money was spent in eating and drinking; the public houses were thrown open; it was not bribery in those days.

34,892. Do you know what Mr. Blount spent?—It was reported that he spent a good deal of money, but I have no knowledge of it.

34,893. In 1840 what did you do then?—That was Gisborne's election. I kept the poll book then; I had more to do with it then than at the previous election.

34,894. What had you to do then?—At the previous election we had weeded Mr. Baldwin altogether. He had no more money left, not a screw; he could not get a halfpenny.

34,895. You had drained him dry?—Quite so. At the committee room where we had gone into the poll we found he was in a minority of one or two, and the question was, what was to be done? We could do nothing without money; the finance committee had none. Mr. Baldwin had been applied to, and he would not advance any; he had none to advance. Mr. Yabbicom said, "What do you "suppose you could return him for?" I said, "No "question we should be able to return him for 400*l.* "or 500*l.*" Without that money the election would have been lost. Mr. Yabbicom advanced the 400*l.*, and I went up and gave Screach the 400*l.*

34,896. You knew what became of it?—Yes, of course.

34,897. Where did it go to?—He paid Gidley 100*l.*, he paid Guest 100*l.*, and Screach had 100*l.* for himself. Then I think I retired to bed knocked up; that was the evening before the election. Screach brought me back the remainder of the money.

34,898. That was the night before the election?—Yes, the night before the election; I met them at the public house.

34,899. And you then got those four votes?—Three votes, and Mr. Baldwin had a majority of seven. If Mr. Yabbicom had not advanced that money Mr. Baldwin would have lost the election. Our opponents had some two or three bottled up on the other side ready to vote if they could break down the majority.

34,900. What did you do in 1841, Seymour, Mills, and Baldwin?—That was when Mr. Petre and Mr. Teed came down; there was an arrangement then.

34,901. Do you know anything about that?—I was on the committee.

34,902. Whose committee were you on?—On Mr. Baldwin's.

34,903. Had any proposition been made to Mr. Baldwin's committee by the Seymour party?—I believe it was brought round by Mr. Charles Michelmore, a very influential man, a host in himself, and Mr. Thomas Michelmore, the agent for the duke. It was brought by Mr. Michelmore before the committee and discussed.

34,904. Will you tell us what passed as far as you can remember?—The arrangement was that two or three should meet at Mr. Tracey's the next morning, and Mr. William Cull and Mr. William Bowden were deputed by Mr. Baldwin's committee to meet Mr. Thomas Michelmore at Mr. Tracey's. It was not between the candidates; I do not believe that Mr. Seymour had anything to do with it.

34,905. They did not meet there?—I do not believe they did. It was a meeting of the Conservative side and of the duke's agent to stop the bribery.

34,906. Did you yourself go to that meeting?—I did not.

34,907. Did you see a memorandum which was drawn up at that meeting?—I did not. Mr. Charles Edwards, who was one of the committee, and Mr. Bowden were deputed to meet Mr. Michelmore. I had the requisition to Mr. Baldwin in my possession, and they handed me a copy of the agreement in Mr. Charles Edward's handwriting.

34,908. What became of that copy of the agreement?—I burnt it some seven or eight years after, when I was in London.

34,909. By whom was that agreement signed?—It was signed by Mr. Thomas Michelmore, of Berry, on behalf of the duke, and Mr. William Bowden and Lieutenant Cull on behalf of the Conservatives.

34,910. Mr. Cull is alive still, is he not?—I saw him, I think, some three or four years ago at Plymouth.

34,911. Was it in consequence of that agreement that Mr. Petre and Mr. Teed retired?—Yes.

34,912. Can you tell us anything more about it?—I recollect the circumstances why they did retire. Lord Seymour in his canvass found that the Conservatives to a certain extent supported him, but would not promise him; so on the other side, with regard to Mr. Petre, they would not promise him, and Lord Seymour's only chance was to coalesce with the Conservatives or with the extreme party.

34,913. There was a question at that time whether the duke's influence was strong enough to return a ducal candidate unsupported by the independent Liberals or by the Conservatives?—Lord Seymour had no chance whatever; I believe he was the weakest at that time.

34,914. You have mentioned Mr. Bowden; was he the gentleman who had been the owner of Gerston?—He was.

34,915. We have had an impression that the Mr. Bowden who was the former owner of Gerston was a Liberal?—I believe he had voted on some former occasions with the Liberal party.

34,916. At that time had he sold Gerston?—He sold Gerston to Mr. Baldwin, and supported him after that.

34,917. From that time he supported Mr. Baldwin?—Yes.

34,918. Before he sold Gerston he had been a Liberal?—I believe he was.

34,919. (*Mr. Longe.*) Gerston had been bought before that time?—Yes; I had the original requisition in my possession, but I destroyed it some eight months ago at my own house.

34,920. (*Mr. Bere.*) Do you know whether any money was afloat at the election in 1841 ?—No, there was no money spent at that election ; not a farthing.

34,921. Was any promised, do you know ?—No, Mr. Baldwin had no money ; not a penny.

34,922. And I suppose Lord Seymour had not much ?—They never spent a farthing.

34,923. (*Mr. Coleridge.*) How much had the borough got out of Mr. Baldwin altogether up to that time ?—I think the first time, when he stood against Blount, he spent 2,100*l.*

34,924. What had the other elections cost him ?—I should think the second election some 700*l.* or 800*l.*

34,925. Do you know what he spent in the borough from first to last ?—I have no idea at all.

34,926. We have heard that it ranged from 7,000*l.* to 15,000*l.* ?—I have no idea it was that; the man had not got it.

34,927. (*Mr. Longe.*) Was this an arrangement to save the pocket of the candidate or to protect the morals of the borough ?—It was not that; it was to save the bribery.

34,928. Was it for the good of the borough, to prevent demoralization, or to save the pocket of the candidate ; what do you think of it ?—I believe it partook a little of both. We could not get any money from either candidate; the Seymour party had the money, but they did not care to spend it.

34,929. (*Mr. Bere.*) Mr. Baldwin must have been a poor sponge to have been sucked dry so quickly. He bought Gerston for 17,000*l.* ; did he ever pay for it ?—I do not know that ; he had no money.

34,930. Then came the election of 1847 ; were you mixed up in that ?—Yes.

34,931. What had you to do with that ?—We were in clover then ; under that arrangement we could have as many votes as we wanted across the water.

34,932. How did you manage that ?—I kept the poll book to see if we wanted a few votes, and Mr. Bowden or I would go across and meet Mr. Michelmore and say we want further support.

34,933. On a consideration ?—No, there was no consideration at all under that agreement.

34,934. That lasted to 1847 ?—Yes.

34,935. That was when Mr. Ricardo stood ?—I suppose so.

34,936. Did you hear of a certain interview on the polling day, at which a certain number of the Liberals went to Mr. Michelmore to ask him whether he intended to have Mr. Baldwin returned ?—I do not know ; I never heard of that.

34,937. When Cross and Field were kept back ; do you remember that ?—That was after the arrangement. I think three of the Ashburton voters did not vote on that occasion ; that was to serve the Conservative party.

34,938. The Liberal party went to Mr. Michelmore and wished to know if Mr. Baldwin was to be returned. They said, "You are going to poll so-and-" so," and Cross and Field were mentioned ; and it was said, "If you poll the others we shall poll those " against you" ?—I believe that is correct.

34,939. Was any money given by the Michelmore party to get any votes ?—I do not know ; they said that there was money spent, and no doubt there was.

34,940. Had Mr. Baldwin any money to spend then ?—Not a farthing.

34,941. Who spent it for him ?—It was not required ; we could have had as many as we liked to carry our man by the duke's interest.

34,942. (*Mr. Coleridge.*) That was very bad for the borough in point of money ; the only persons who spent any money were the ultra-Liberals ?—Yes ; the Conservative party did not require to spend money after that agreement, and I do not believe there was a shilling spent ; at least it was not known to me.

34,943. The Liberal party spent a good deal at Ricardo's election ?—I think that has been exaggerated ; I do not believe that one-half of the money was spent by them which they have been given credit for.

34,944. Was there not a great deal of money which stuck to the fingers of the bribers ?—That I cannot say.

34,945. You know that that was so ?—No, it is impossible for me to tell whether Mr. Ricardo's money went to A, B, or C.

34,946. There was a great deal of money not accounted for as given away which came out of the candidate's pocket somehow or other ? — I know nothing about that.

34,947. You used to pay your sub-agents who gave this money away ?—Yes, and they had to return the balance.

34,948. Did you take receipts from your sub-agents ?—No.

34,949. Did they take receipts from the persons to whom they gave the money ?—No.

34,950. Then you knew not whether they got it or not. Did you see them again afterwards ?—No, I never did ; I never heard any complaint from them ; if they had not got the money they would sure to have complained.

34,951. And you would have been the person to complain to ?—Yes.

34,952. (*Mr. Longe.*) They kept an account in those days better than they do now ?—We had no Mr. Mum in those days ; we did it amongst ourselves ; whatever money was spent the people got.

34,953. There was no place where the money disappeared ?—I do not believe the little voters had a shilling ; they used to promise their votes to Mr. Baldwin ; it was only the extreme party. I suppose as regards the Chartists if we had not got them, the other party must have had them to carry their election.

34,954. Are there any of them alive now ?—I think Screach is the only one who is now alive.

34,955. Is not George Mitchell alive ?—He was not a voter at that time ; besides he was the wrong sort of man ; there was no more independent man at that time in the town than George Mitchell.

34,956. In days, at the earlier elections, were there a class of people known who have been called "matter-of-course men," men who voted one way and had something after the election for doing so ?—I have no knowledge of any such people at all. There were punch meetings in those days, all the little voters used to go and have their punch.

34,957. (*Mr. Bere.*) And used you to preside ?—No, I used to attend.

34,958. Who paid for the punch that was consumed ?—There was the finance committee, but I have no doubt that came from Mr. Baldwin.

34,959. Were you not a member of the finance committee ?—No.

34,960. Or the secretary ?—No.

34,961. Did not the punch account pass through your hands ?—Never ; the only money which passed through my hands you have had an account of.

34,962. (*Mr. Coleridge.*) When treating became illegal it put a stop to these punch meetings ?—It did.

34,963. That was a very unpopular matter ?—It was a very good thing ; we had a deal of trouble with some to get them there fresh in the morning.

34,964. (*Mr. Bere.*) Do you know anything about the 100*l.* which was paid to the Chartists at Gisborne's election ?—I have already told you of that.

34,965. About what time did you leave Totnes ?—In 1851.

34,966. And you did not vote again until 1865 ?—No.

34,967. Whom did you vote for in 1865 ?—The two Conservatives.

34,968. What did you do then, did you remember a little of your former electionering ways ?—I went to London about a fortnight or three weeks before

the election, and while I was there I wrote to Mr. Harris a letter to say that I should be at Newhouse at a certain time, and that I would come back on the evening before the nomination day, but I never saw any candidate introduced or promised him my vote.

34,969. Did you go to the "Seven Stars" for that purpose?—No; a messenger was sent after me.

34,970. Who was it?—Stone, I think; he came out to the Totnes station. I was booked for Brent, and a messenger came to say that I was wanted at the "Stars," and there I slept.

34,971. You went to the poll the next morning?—No; that was the nomination night.

34,972. Where did you sleep?—I was forced to sleep in one of the sitting rooms, on the sofa.

34,973. Not No. 13?—No.

34,974. Did you ever hear of Mr. Mum at that election till you heard of it before us?—No; I saw there a great many strangers.

34,975. Did you see money pass?—Not a farthing.

34,976. Had you to do with Edward Willis?—I did not see him.

34,977. Did you write to him or send to him?—I did not.

34,978. What did you find they wanted you for when you got to the "Seven Stars"?—Merely to get me there to promise my vote to Colonel Dawkins and Captain Pim.

34,979. Did not they say something more to you?—No.

34,980. Did not they ask you about a man named Willis?—No.

34,981. Are you quite sure about that?—Yes.

34,982. Do you know Edward Willis?—Yes; he is a brother-in-law of mine.

34,983. Had you not an influence with him in the way of voting?—No, I had not. On that occasion I did not know his house.

34,984. Was it your sister that he married?—No, I married his sister.

34,985. Did she exercise an influence over him?—Who?

34,986. Mrs. Gilbert?—No; she passed away many years since.

34,987. Were you present here yesterday when Mr. Chaster was examined?—Yes.

34,988. You heard all his evidence?—I heard a great deal of it.

34,989. Did you hear him say what was said to him on a subject on which you could give information?—Really I cannot tell you.

34,990. (*Mr. Coleridge.*) I asked him about the subject, and he said, "Mr. Gilbert will be able to tell "you about that"?—It was something about the Chartists or Screach, but I did not pay much attention to it.

34,991. (*Mr. Bere.*) Do you know who got the original agreement entered into?—Mr. Tracey of Bridgetown.

34,992. (*Mr. Coleridge.*) He said that you had destroyed it?—I held a copy of it; I never held the original.

34,993. Although that agreement was not signed by Lord Seymour and Mr. Baldwin, it was brought to their knowledge?—Mr. Baldwin was not consulted at the time, I believe. It was an agreement between Tom Michelmore on behalf of the duke's party and the Conservative party, not between the candidates at all.

34,994. Was it a secret, that agreement, or was it pretty well known?—It leaked out, but it was meant to be kept secret. I never spoke to anyone that I held that agreement, nor do I believe that anyone knew that I held a copy of it.

34,995. (*Mr. Bere.*). I suppose you left a great many friends in Totnes when you went in 1851 to London?—Yes, I dare say I did.

34,996. You used to come down to see them from time to time?—No; I came three or four years after I went back to London, and stopped a few days at the races and returned again.

34,997. Did you happen to come at the exciting periods of the elections?—No.

34,998. Not upon either of the two occasions when Mr. Dent was a candidate?—I came in from Newhouse.

34,999. Although you had not a vote, had you something to do with the election of 1863?—No.

35,000. Were you consulted by the committee?—The first time that Dent put up with Pender I was in the town, and I was consulted by the committee what I thought Willis would do, not at the last election. I saw Edward Willis, and inquired what he was going to do, and he said he would vote for his old friend still, he had made up his mind; and I went back and reported.

35,001. Who was his old friend?—The Liberal. He always voted on that side of the question.

35,002. And you could not turn him?—No. He had made up his mind, and I do not think anybody could turn him afterwards.

35,003. Was he a tenant of the Duke's?—No.

35,004. Do you think the Liberals were liberal to him at the time of the election?—I cannot tell. Then I was in the election after that again.

35,005. In 1863, what did you do then?—I was merely as a spectator; nothing more to do with it than you have.

35,006. You were no vote?—No; but I was a vote in 1865, and I voted in 1865.

35,007. (*Mr. Coleridge.*) Who was the inventor of the ingenious system of the linhay votes?—I can hardly tell you.

35,008. It was an ingenious device, and somebody must have devised it?—I believe they were trying it on both sides of the question.

35,009. Who was the originator? Who devised the expedient?—I cannot tell you.

35,010. Do you recollect whether there was any great dissatisfaction at the time with the arrangement of the boundaries of the boroughs, when Bridgetown was taken in and Dartington was not?—I never heard of any remonstrance.

35,011. As a Conservative, do you consider that it was a fair arrangement of the boundaries of the borough?—I should have preferred a slice of Dartington as far as my feeling goes.

35,012. But without your feelings, should not they have taken a portion of Dartington?—If they had taken the circumference, Dartington would have come in.

35,013. Taking the circumference round the borough it would have included a large portion of Dartington, and a small portion of Bridgetown?—Yes.

35,014. It was your own party that began the linhay system?—I think one is as big a rogue as the other.

35,015. It began on the Gerston estate?—I do not recollect it.

35,016. When do you recollect the first linhay vote being made?—It was 30 years ago.

35,017. We want to know when it first began; do you recollect the first linhay made? Do not you recollect hearing of it when Mr. Baldwin came first?—No; I think there must have been some others in Bridgetown.

35,018. We have heard that after the Reform Bill, the Bridgetown property had but 18 votes, and that included several substantial houses?—There must have been a great many more.

35,019. (*Mr. Bere.*) There were only 18 at the time of the passing of the Reform Bill?—I remember that I was the overseer, and made the list out in 1833, and I am sure that there were more voters than that.

35,020. They had increased up to 1839?—I was the first overseer after the Reform Bill.

35,021. (*Mr. Coleridge.*) After the Reform Bill there were only 18 voters?—I remember making the list, and I was the overseer.

TWENTY-FIFTH DAY.

W. Gilbert.

22 Sept. 1866.

35,022. Do you know how many votes you found in Gerston in 1833?—I cannot tell you; two or three, not more.

35,023. How many in Broomborough?—One I suppose.

35,024. Only two or three votes in Gerston in 1833?—Yes; because Mr. Bowden lived there himself, and occupied it.

35,025. Had not they begun the linhay system while he was there?—I do not believe they did. If it was, it was unknown to me.

35,026. Perhaps they did not let you into all their secrets?—Perhaps not.

35,027. (*Mr. Bere.*) Have you anything more to tell us?—No.

35,028. Have you interfered with anybody except Edward Willis?—That is the only one.

35,029. Did not you go to a man named Hardin?—Yes, I went to Hardin I believe; it must have been a month, or six months, or two months before the election, merely to call and see him, but not to interfere with his vote.

35,030. Did not you ask which way he was going to vote?—No.

35,031. Did not you say that Dent was a capital China man?—No.

Mr. T. Holman.

Mr. Thomas Holman sworn and examined.

35,032. (*Mr. Bere.*) What are you?—A farmer and maltster.

35,033. Where do you live?—At Bridgetown.

35,034. How long have you lived there?—I should say all my lifetime, except when I was at school at Devonport.

35,035. How long has that life been?—50 years.

35,036. You can remember the whole of the electoral business of the borough from 1832 at least?—I was in Devonport in 1832.

35,037. How long were you at Devonport?—I was with Mr. Leach, and he was a free trader, and young as I was, I entertained the same ideas, and I attended the meetings.

35,038. Do you live in a house that belongs to the duke?—It belongs to the duke, and the farm belongs to the duke.

35,039. What is the farm?—It is an overland tenement, that is, there is no house on it.

35,040. There is no building?—No. It is out of the borough, and there is no building on the farm. I occupy it, and give 75*l.* a year. It is 25 acres, some pasture, and some arable.

35,041. How long have you been a maltster there?—My malt-house is up here.

35,042. What is your qualification, is it double?—I have two qualifications, one for Bridgetown and the other for Totnes.

35,043. We will take the most interesting election in which you have been concerned, that of 1865. Were you present at a meeting when it was originally determined that Mr. Pender should come down in 1862?—Yes.

35,044. In 1865 of course Mr. Pender and Mr. Seymour were the representatives, and there was no question about seeking any other Liberal candidate?—Of course not.

35,045. When did Mr. Pender first come down before the election of 1865?—I cannot exactly remember the date; somewhere about eight or nine days before the election occurred, but I cannot tell.

35,046. I think it must have been a little before that?—I do not know.

35,047. He pays money into the bank on the 30th June, and in all probability he must have been here when he paid that money in?—Perhaps so, but I do not know.

35,048. Were you, Mr. Chaster, Mr. Jeffery Michelmore, and Mr. Windeatt the principal persons employed on the Liberal side in 1865?—Yes; and Mr. Charles Frederick Michelmore.

35,049. And under you were there a good many people employed?—Yes.

35,050. Jacob Searle and Mr. Samuel Parnell?—Not under me.

35,051. Still, they were employed on the Liberal side. Samuel Parnell was employed on the Liberal side?—I am not aware of anything of the kind. It did not come under my knowledge at all.

35,052. Had you particular persons to deal with on the Liberal side as your sub-agents?—Yes.

35,053. Who were they?—They were Mr. Thomas Searle, Captain Fowle, Mr. John Elliott.

35,054. Mr. Lorimer?—Yes. I wish you to suggest to me, and I would tell you in a moment.

35,055. Mr. Parnell you say was not?—No.

35,056. Mr. William Farley?—No.

35,057. George Pengilley?—No.

35,058. Mr. John Parnell Searle?—No.

35,059. Mr. Wright?—No.

35,060. Mr. Prout?—No.

35,061. Callard?—No.

35,062. (*Mr. Coleridge.*) Had you any other sub-agents except those four?—They were not sub-agents.

35,063. People employed to go and see voters?—I saw and paid Mr. John Hamlyn, of Buckfastleigh, after the election 50*l.*

35,064. Shortly before the election did Mr. Windeatt come to you and ask you to help him, and take some money to the electors?—Yes.

35,065. What day was that in the week?—It was about a week before the election; the Tuesday or Wednesday.

35,066. Did you agree to help him?—Yes.

35,067. Did you inquire from him at all what amount of money had to be distributed?—Yes.

35,068. What amount of money did he tell you?—The inquiry was made to me what I thought the instruction was to assist him in the election, and I said "About 1,600*l.* will do."

35,069. Then if 1,600*l.* would do, 2,000*l.* would be a little over?—Yes.

35,070. When did you first get any money from Mr. Windeatt?—On the Monday evening.

35,071. What time?—In the evening.

35,072. Where did you get it?—At the "Seymour" hotel, No. 13.

35,073. Who told you to go there?—Mr. Windeatt. I was told that I was wanted to go to No. 5.

35,074. When you got there what did you do?—Mr. Windeatt gave me the key of the door, and said that I would find something there, which I knew before.

35,075. How did you know?—We had arranged.

35,076. What did you arrange?—We arranged about No. 13, where I should find the money.

35,077. When?—Three or four days before.

35,078. He said "When I get the money you will "find it in No. 13"?—Yes; and I was sent for by Ann to go into the room, and there was the key.

35,079. Had the key on it "No. 13"?—No.

35,080. Was No. 13 a bedroom?—Yes; two beds in it.

35,081. Do you know who slept there?—Nobody then.

35,082. Who was going to sleep there that night?—I do not know; but I can tell you who slept there afterwards.

35,083. The night before?—I do not know.

35,084. Who did sleep there afterwards?—I do not know.

35,085. Who slept there on the night of the election?—Mr. Henry Michelmore and Mr. Jeffery Michelmore on the night of the election.

35,086. Did anyone go with you to show you the room?—No, certainly not. Ann came into the large room and asked me to go and see a gentleman at No. 5.

35,087. When you went to the room, did you find the money?—I did.

35,088. Where did you find it?—At the back of the looking-glass.

35,089. How was it done up?—It was done up in parcels.

35,090. In brown paper parcels, or how?—It was in newspaper parcels I think.

35,091. In gold, or notes?—In both.

35,092. Did you count it?—No.

35,093. Did you take all that was there?—I did.

35,094. What did you do with it?—I took it home.

35,095. Did you count it when you got home?—No.

35,096. Did you never count it at all?—No.

35,097. How much gold was there, and how much in notes?—I cannot tell you.

35,098. You can tell pretty well?—I cannot.

35,099. How much gold?—I do not know.

35,100. Did not Mr. Windeatt tell you that you could estimate the quantity of gold by its weight?—No.

35,101. (*Mr. Coleridge.*) Were there other voters' names written upon those separate packets, or how did you know what to do with it?—No; I was asked to hold a certain sum of money.

35,102. What for?—To distribute it amongst the voters.

35,103. Had you the voters names at the time?—No.

35,104. How many packets were there?—I cannot tell.

35,105. A dozen?—I should think not.

35,106. Half-a-dozen?—More.

35,107. Eight or nine?—I should think so.

35,108. How many gold, and how many notes?—I should think six or seven packets were gold, and two or three packets were notes.

35,109. (*Mr. Bere.*) You took the money home and counted it?—No.

35,110. When did you count it?—I put it in the drawer, and did not count it.

35,111. (*Mr. Coleridge.*) When did you first know how much was there?—I never knew till this moment.

35,112. (*Mr Bere.*) How much did you get rid of?—I gave to Mr. Thomas Searle between 500*l.* and 600*l.*

35,113. (*Mr. Coleridge.*) Did that 500*l.* or 600*l.* run you dry?—No.

35,114. How much was there left?—I gave 100*l.* to Captain Fowle, 210*l.* to Mr. Lorimer, and I gave 20*l.* 10*s.* to John Elliott, 80*l.* odd to Mr. Lorimer.

35,115. That makes 1,050*l.*?—Then I gave 50*l.* to Mr. John Hamlyn; I gave 50*l.* to Mr. Edward Willis; 40*l.* to Mr. Gillham. Then there was a little money remaining, a very little, four or five sovereigns, and I took it to Mr. Windeatt, and he said "You must have been at a great deal of expense "in the matter, and you had better keep this."

35,116. How much was the little sum left?—Five or six sovereigns.

35,117. It was about 1,200*l.* you mentioned in the first instance?—I do not think you are right in my estimation, because for this reason: About a month after the election, I said to Mr. Windeatt "I have "three 20*l.* notes remaining in the drawer, shall I "bring it to you"?

35,118. What did he say?—"No. There is money "to be paid for registration purposes, and you had "better take it to Mr. Chaster."

35,119. And you gave it to Mr. Chaster?—Yes.

35,120. Three 20*l.* notes?—Yes.

35,121. Then it must have been about 1,200*l.* that you had in the first instance, if you are right?—Perhaps so.

35,122. (*Mr. Bere.*) Thomas Jacob Searle is your uncle?—No; my cousin.

35,123. To whom was the money distributed that he got from you?—According as he related it to me, it was to Mr. Blank, Mr. Edward Angel, Mr. Sloggett, the two Matchams, and Mr. Griffis.

35,124. How much to each?—I can only say what he said to me.

35,125. That is all we want?—He said to me "The two Matchams on the morning of the election would vote if they had 250*l.* between them."

35,126. And Sloggett?—50*l.*, Griffis 30*l.*, Blank, as I understood from Mr. Searle was 130*l.*, and his father 50*l.*

35,127. Whose father?—His own father.

35,128. That only makes 530*l.* that you gave to Thomas Jacob Searle?—I cannot tell you what it was. Somewhere between 550*l.* and 600*l.* It was a parcel that I had never opened.

35,129. (*Mr. Bere.*) I suppose he had something for himself?—I do not know.

35,130. Was not there money in four parcels?—Three or four. I fancy that he told me afterwards that the parcel that I thought contained 150*l.* really contained 200*l.*, but I never opened it, and never saw it. I delivered it exactly as I got it.

35,131. How can you tell that the one parcel contained 550*l.* and another contained 200*l.*?—I did not see it. I have not said so. I can only tell you the amount of money that I probably gave him by his statement of what the parties would require. I cannot tell you the amount because I never counted it.

35,132. Had you made a previous arrangement?—Of course he told me.

35,133. He had given you the names of those people that wanted money?—Yes.

35,134. Had you given the names to Mr. Windeatt?—No.

35,135. Who made up the parcels of money?—I cannot tell.

35,136. How do you know that a particular parcel contained a particular quantity of money?—I counted all the notes of course.

35,137. How many notes did you count?—I cannot charge my memory with it; it is impossible.

35,138. How much did you count altogether?—My impression is about 1,200*l.*

35,139. All notes?—I should say 400*l.* or 500*l.*

35,140. And the rest in gold?—Yes.

35,141. You had counted the notes, and did not Mr. Windeatt tell you, to save your trouble that you should judge of the gold by its weight?—Will you bear with me for a moment. It is this: in handing this money to Mr. Searle, I gave him packets, without knowing what were the contents,—the packets of gold, not the notes.

35,142. Did you give Mr. Searle all gold or some notes?—Some gold and some notes.

35,143. How much in notes?—50*l.* in notes, and the rest in gold.

35,144. (*Mr. Bere.*) You gave him parcels of gold, and did you not know what the parcels were?—I did not know.

35,145. What time of the day did you give Mr. Searle the money?—The nomination day, the Tuesday morning.

35,146. Had you written down the amounts that would be wanted?—No.

35,147. Did you tell Mr. Windeatt what you would want?—I said to him generally, that we should want 1,100*l.* or 1,200*l.*, as the case might be.

35,148. Had Mr. Searle given you a list of names, with the prices affixed to them?—He came to me several times and said certain parties would vote if there was so much money; and, therefore, I knew the amount generally.

TWENTY-FIFTH DAY.

Mr. T. Holman.

22 Sept. 1866.

35,149. You did not write it down, but remembered it?—Yes.

35,150. Did Captain Fowle do the same?—Captain Fowle came to me at my house in the morning, I think he came at the request of Mr. Windeatt to me, and said that Mr. Wright and Mr. Drew would be likely to want some money.

35,151. Did not he mention some other names?—I do not think he did.

35,152. Did he say how much money Mr. Wright and Mr. Drew wanted?—I gave Captain Fowle, 100*l.*

35,153. In gold or in notes?—In gold.

35,154. How did you know that it was 100*l.*?—Because I counted it. I did not count the parcels that I gave Thomas Searle.

35,155. You counted all the other parcels?—Yes.

35,156. Did you give Captain Fowle any money for himself?—No.

35,157. Had he said how much Drew would want, and how much Wright would want?—Yes.

35,158. How much did they each want?—He said Drew would be satisfied with 30*l.*, and that 70*l.* would do for Mr. Wright.

35,159. Mr. Wright was Captain Fowle's father-in-law?—Yes.

35,160. Did Captain Fowle tell you it was Mr. Windeatt who sent him to you?—Yes.

35,161. Did not he mention another name as having sent him to you?—No.

35,162. Are you certain that he did not say that Mr. Pender had sent him to you?—No.

35,163. (*Mr. Coleridge.*) Did not he say Mr. Pender wished Mr. Windeatt to send him to you?—No.

35,164. What was it he stated about Mr. Pender at that time?—I do not know that he mentioned his name.

35,165. Are you sure that he did not?—I am as sure as I am sitting here, as far as my recollection serves me, and I cannot say anything further than that.

35,166. (*Mr. Bere.*) After you had paid the money to Thomas Searle, did he come back and tell you that all his men were right?—I did not pay Mr. Searle till after the election. I gave him some money on the Tuesday morning.

35,167. How much?—Two parcels; but I paid the remainder afterwards.

35,168. How much did you give him on the Tuesday morning?—I cannot tell.

35,169. Were the two parcels in addition to the 550*l.*?—No.

35,170. Then you do not know how much the two parcels were?—He told me what he gave to the parties.

35,171. You may have given him 1,000*l.*?—I may for aught I know, I never counted the parcels.

35,172. (*Mr. Coleridge.*) Why did you open all the parcels that you gave to other people?—Because the amounts were limited.

35,173. Being the largest sum, they did not require counting, and the smaller ones did?—I assure you as I sit here, I never opened the parcels that I gave to Mr. Searle in the first instance.

35,174. I want your reasons, I am not doubting your facts. Why did you not count the larger parcels, when you took care of the smaller ones?—This matter was done in a hurry. Mr. Searle came to me in the morning, and I took the parcels, and I did not know what they contained.

35,175. Which was done in a hurry?—That on the morning of the nomination.

35,176. Was it done in a hurry after the election?—No.

35,177. Then why did you not count those?—I did.

35,178. What did they amount to?—250*l.*

35,179. If you paid him 550*l.*, then you must have paid him 350*l.* before?—I cannot tell.

35,180. Did you count the gold afterwards?—Yes.

35,181. How much in gold, and how much in notes?—All gold except what I gave him to pay Sloggett.

35,182. Then there was 200*l.* in gold, and 250*l.* in notes?—No; 250*l.* in gold, and 50*l.* in notes.

35,183. Then you gave him 300*l.* after the election?—I suppose so.

35,184. Then you know it?—I do not know it.

35,185. When did you give him 250*l.* in gold?—I should think on the Friday after the election.

35,186. When did you give him the 50*l.* in notes?—On the very day of the election.

35,187. You gave him 300*l.*, and what did you give him on the nomination day?—I gave him two parcels.

35,188. How much were those parcels?—I cannot tell you.

35,189. About how much?—I should think the parcels contained 300*l.*

35,190. You gave him 600*l.* in all?—About it.

35,191. Did you give him any more?—No.

35,192. Are you sure it was not about 700*l.*?—I am not sure.

35,193. You think the parcels contained 300*l.*, and you gave him 300*l.* besides?—Yes.

35,194. (*Mr. Bere.*) You gave Captain Fowle 100*l.*?—Yes.

35,195. Had he any money besides that for Drew and Wright; had he not money for Mr. H. Tucker?—No, I never heard of it.

35,196. Did not he tell you?—No.

35,197. Had he money for Mr. Tucker?—I never heard the name mentioned, and I cannot conceive the possibility of his having money for him.

35,198. What did you give John Elliott?—20*l.* 10*s.*

35,199. What did you give him that for?—He told told me it was money to pay Mr. Green.

35,200. John Fox Green?—Yes.

35,201. Did you pay that all at once?—I did not.

35,202. Did you pay that?—I gave Mr. Elliott 5*l.* I believe in his house some days before the election, in order that Mr. Green, whom he had told, or Mr. Elliott told me he had told him, wanted to keep out of the trouble, and he should like to go to Devonport, and I gave him 5*l.*

35,203. And have you ever repaid yourself?—Yes.

35,204. When did you get the money?—On the morning of the election.

35,205. Why did he ask you for that?—Because he said he had bargained with Mr. Green to give him 20*l.* in all. That is including the 5*l.*

35,206. What did he give him the extra 10*s.* for?—For expenses.

35,207. The next money you advanced him, did you advance it in notes or gold?—The money to Elliott was in notes.

35,208. 5*l.* notes?—Yes.

35,209. Whom did you give the money to? Robert Lorimer, you gave him some money?—Yes.

35,210. How much did you give him?—60*l.*

35,211. When did you give him that?—In the "Seymour" hotel, on the night of the nomination.

35,212. Did Lorimer tell you what he wanted it for?—Yes.

35,213. For whom?—For William Reeve.

35,214. Did he tell you who had sent him to you?—There was an intimation made to me that Mr. Pender desired it.

35,215. Can you tell us how that intimation was framed, in what manner; what did he say to you?—He said that Mr. Pender had sent him; desired him to come to me. Mr. Pender had never said that to me, but he had sent Lorimer.

35,216. You knew that Lorimer and Mr. Pender were particular friends?—I suppose they were, because they were both Scotchmen.

35,217. Did you know whether Mrs. Lorimer had been a servant in Mr. Pender's family?—I had no idea of it.

35,218. Did you give that money before the election?—60*l.* on the night of the nomination.

35,219. What did you give him after; was it 60*l.*, three 20*l.* notes, that he had on the day of the nomination?—Yes.

35,220. Then the 150*l.*, how did you pay him that?—In gold.

35,221. For whom?—I understood that Samuel Hill junior wanted the money.

35,222. Where did you pay it to him?—In his house.

35,223. On his piano?—Yes.

35,224. Was there a piece of music lying on the piano?—I said there was a very nice piece of music there.

35,225. And he went there and found it?—I dare say he did.

35,226. Was that in a bag?—Yes.

35,227. Charles Frederick Michelmore; what did you give him?—I think on the Saturday he came to me and said that he had made some arrangement with a person called John Parnell Searle, and that he must have some money.

35,228. You told Mr. Charles Michelmore to go to Mr. Windeatt?—No.

35,229. You said so?—No; I said that I had seen Mr. Windeatt.

35,230. Did you see Mr. Windeatt?—Yes.

35,231. Did you get from Mr. Windeatt some more money?—No.

35,232. What instructions did you get?—That I should pay him.

35,233. Did you pay Mr. Charles Michelmore?—Yes, somewhere between 80*l.* and 90*l.*

35,234. What was it?—I think all in notes.

35,235. How much of the money that you had got at No. 13 did you carry back to Mr. Windeatt?—I did not carry back anything.

35,236. Did not you carry back some money?—No.

35,237. John Hamlyn you paid something?—Yes.

35,238. How much?—50*l.*

35,239. Edward Willis?—Yes.

35,240. How much did you give him?—50*l.*

35,241. Mrs. Gillham?—40*l.*

35,242. Where did you pay John Hamlyn?—In the "King William" inn.

35,243. At Buckfastleigh or here?—Here.

35,244. Did he want it for himself?—No, for Mr. Nicholas Browse.

35,245. Willis, had he it for himself?—Yes.

35,246. Where did he get the money?—From me.

35,247. Where?—In his house.

35,248. Was that on the piano?—No.

35,249. Where did you put that?—On the table.

35,250. Was that in notes or gold?—In gold.

35,251. In a bag?—No.

35,252. When did you pay him that?—Some time after the election.

35,253. Who had asked him before?—I do not know.

35,254. You gave him the money as a matter of course?—Yes.

35,255. Mrs. Gillham?—She keeps the "New Inn" at Bridgetown.

35,256. Her husband is John Gillham?—Yes.

35,257. Was it for his vote?—Yes.

35,258. How much did you pay him?—40*l.*

35,259. What in?—Gold.

35,260. How long after the election?—I should say about a week as near as I can judge.

35,261. Did you understand that she was to have 40*l.* for her husband's vote?—I understood that she was to have money.

35,262. Was it left to your discretion how much to give?—Yes.

35,263. Who told you that she was to have money?—She has for the last six or seven years always had it.

35,264. You knew that Gillham was a regular customer?—Yes.

35,265. Are you quite sure that somebody did not remind you of Mr. Gillham's regularity?—I do not understand you.

35,266. Did not somebody remind you that Mr. Gillham always voted on the Liberal side?—I knew it.

35,267. Did not somebody say to you, "Have you "seen Gillham and paid him?"—No.

35,268. Are you quite sure about that?—I do not know.

35,269. Are you quite sure that Mr. Jeffery Michelmore did not say that to you?—He had nothing at all to do with me at the election.

35,270. But after the election did not he come to you and say to you, "You have forgotten Gillham"?—No.

35,271. Did not Mrs. Gillham come to you and remind you?—No, I paid the money.

35,272. You did not pay the money immediately after the election?—No; but I did not pay Mr. Hamlyn till a month after.

35,273. Mr. Hamlyn could stand the loss of it, but Mr. Gillham probably could not. Are you quite sure that nobody suggested to you that you had better go and pay Gillham?—No.

35,274. Had you seen his name upon any list?—No.

35,275. You had gone through a poll book with Mr. Chaster?—Yes.

35,276. Did you see those marks opposite the names of certain voters?—Allow me to look at it. (*The poll book was handed to the witness.*)

35,277. (*Mr. Coleridge.*) You told me just now that you had 1,250*l.* in all?—I did not say so.

35,278. You gave me sums to that amount; now you have only accounted for 1,090*l.* What is the amount that you have omitted?—I do not know.

35,279. (*Mr. Bere.*) Was that all the money that you had from any person connected with the election?—Yes.

35,280. Do I understand that you got no other money except what you found in No. 13.?—No.

35,281. At any time?—No.

35,282. Was the only remuneration that you received for your services 7*l.*?—Yes, I do not know the sum.

35,283. Some small amount?—Yes, some small amount. Mr. Windeatt said, I must have incurred some trouble, but I had better keep it.

35,284. You gave to Mr. Chaster something?—Yes, three 20*l.* notes.

35,285. Did Mr. Windeatt tell you what you were to give it to Mr. Chaster for?—Yes.

35,286. What for?—To pay the current bills for registration.

35,287. You had nothing to do with giving Mr. Chaster a sum of 230*l.*?—No, certainly not.

35,288. Did you go and canvass any voters?—No, I never asked a voter in my life.

35,289. Was your duty simply to take the money from Mr. Windeatt in order to pay it to others?—Yes.

35,290. And to account to Mr. Windeatt how it was spent?—Yes.

35,291. (*Mr. Coleridge.*) Did Mr. Windeatt ever give you money besides that which you found behind the glass?—No.

35,292. None at all?—No.

TWENTY-FIFTH DAY.

T. Holman.

22 Sept. 1866.

35,293. Nobody else?—No.

35,294. Did anybody after that election?—No.

35,295. Mr. Pender or anybody?—No, certainly not.

35,296. After the election, who paid you any money besides?—No one.

35,297. Neither of the Michelmores?—No.

35,298. That money you took from behind the glass, was that all the money you received after the election?—Quite so.

35,299. Did you distribute it?—Yes.

35,300. How many voters do you know of as being bribed with that money that you distributed?—I should think about 12, but it is a question one cannot answer off-hand.

35,301. I want you to think whether you have not omitted one or two names?—No.

35,302. There is Wright and Drew bribed by Fowle?—Yes.

35,303. Then there is Green bribed by Elliott, and William Reeve by Lorimer, and then Lorimer had another 150*l.*, who was that for?—Samuel Hill, junior.

35,304. That is five?—Yes.

35,305. Charles Michelmore for Mr. Parnell Searle?—Yes.

35,306. And John Hamlyn, that makes seven?—It was not for John Hamlyn himself.

35,307. Then Edward Willis eight, and Mrs. Gillham and the two Matchams 11, Sloggett 12, Griffis 13, Blank 14, Searle 15?—Yes.

35,308. That is 15 in all?—Yes.

35,309. Is there not one more?—No, there is not.

35,310. I thought there was?—I do not know of it, but if you will suggest it I will tell you in a minute.

35,311. John Diggins?—No, certainly not.

35,312. William Farley, junior?—No.

35,313. Anything for William Farley, senior?—No.

35,314. Anything to Byne?—No.

35,315. Do you recollect anything to David Manning?—No, I had nothing to do with him.

35,316. Who had the management of him?—I do not know; ask the other party.

35,317. David Manning, did not he vote against you?—Yes, he voted for Seymour and Dawkins; I cannot tell what induced him.

35,318. Edward Willis you have mentioned?—Yes.

35,319. What was Thomas Jacob Searle to have out of this?—Nothing, I believe. He worked as we have all been accustomed to do for a long number of years, that is, for the love of it, and that is all.

35,320. Nothing for his trouble?—No.

35,321. Thomas Jacob Searle?—Not the elder man. Thomas Jacob Searle the younger is my cousin, the elder Mr. Searle is my uncle.

35,322. (*Mr. Bere.*) I have the poll book now; look at it. (*The poll was handed to the witness.*) Were those marks on the left-hand page there when you looked over the poll book?—No, they were not there when we made up the poll.

35,323. When was it you went through that poll book?—We made it up on the night of the election.

35,324. Did you know anything about the men who signed the requisition to the Conservative to come down, Byne, Blank, and those men?—No.

35,325. Had you heard anything about it?—I had heard that a requisition had been got up to ask Mr. Macleay to come down.

35,326. Had you heard that 12 men who usually voted for the Liberals had signed that?—I had not.

35,327. Did you hear any discussion take place about any of the men who had signed the requisition which way they would vote?—Not that I know of, except general sort of questions; we heard it come up by meeting in the committee room together.

35,328. Did not you hear a discussion take place about how Byne would vote?—My impression was that Byne was put down against us.

35,329. Did you hear of any reason why Byne was going to vote against you?—He had done so at previous elections.

35,330. Was there any reason given why he was likely to vote for you?—My impression was at that time that he would vote against us.

35,331. Did not Mr. Jeffery Michelmore say he could get hold of him; that he wanted some land?—No, not that I heard of.

35,332. Did not Mr. Jeffery Michelmore say that he was the agent of Mr. Seymour?—I had no conversation with Mr. Jeffery Michelmore.

35,333. (*Mr. Longe.*) But with Mr. Pender?—Yes.

35,334. Constantly?—No, incidentally.

35,335. (*Mr. Bere.*) About the men that you were dealing with?—No.

35,336. What was your conversation?—The same as for the last 20 years. I have taken much interest in politics, and I assisted the Liberals.

35,337. Mr. Pender knew what part you were taking?—Yes.

35,338. Did you hear a discussion take place about John Diggins's vote?—No.

35,339. You did not know that he had signed the requisition?—No. John Diggins used to vote for the Tories.

35,340. But only once, did he?—I think he voted for the Tories at Ricardo's election, and he voted against us in 1852 and 1859.

35,341. He was marked in Mr. Chaster's book as going to vote for you. Did not you hear a discussion about how he had been got to vote for you?—No.

35,342. Did you know that John Wright the father-in-law had signed the requisition?—No.

35,343. Nor the Matchams?—No.

35,344. Nor Mr. Parnell Searle himself?—No. I will tell you what Mr. John Parnell Searle said, that Mr. Harris had come to him and asked him to sign the requisition, and he told him it was not becoming of him to vote for the gentleman whom Mr. Harris asked him to sign for, but that they wanted signatures of people in order to get a contest. That is what Mr. Parnell Searle told me, and Mr. Harris can tell whether that is true.

35,345. Had not you got something to do with Thomas Gillham in the election of 1865?—No.

35,346. Neither directly nor indirectly?—No.

35,347. Nor Thomas Dennis?—No.

35,348. Did not you see Thomas Dennis?—Yes.

35,349. What did you say to him about his vote?—Nothing. He was in the same hotel room one night. I saw him, but I never said anything to him.

35,350. Did you know how he was going to vote?—My impression was that he was going to vote against us, but I had no conversation. I think he had told Mr. Chaster that he was engaged to vote one for Mr. Pender.

35,351. Had Mr. Chaster been to canvass him?—No.

35,352. How did Mr. Chaster know he was engaged to vote one for Mr. Pender?—Mr. Dennis was his tenant.

35,353. Mr. Chaster has got him as voting for Dawkins only?—I said I thought he had got him down against.

35,354. I thought you said one for Mr. Pender?—No, but Mr. Chaster told me previously that Mr. Dennis had promised him to vote for Mr. Pender.

35,355. (*Mr. Bere.*) Mr. Chaster had gone to ask him for his vote?—I do not know. Mr. Chaster can answer that himself.

35,356. Mr. Tope, the baker, did not you have something to do with him about the election?—No.

35,357. Do you remember the Rev. Gilbert Rutland coming to the "Seymour" hotel?—No.

35,358. (*Mr. Coleridge.*) What had you to do with John Light?—Nothing.

35,359. He is marked as one to be bought on your side?—I had nothing to do with him.

35,360. He did not come into your department?—No.

35,361. George Penny, had you anything to do with him?—No.

35,362. Do you know who had?—I do not.

35,363. Was it Mr. Parnell?—No, not that I am aware of.

35,364. William Kellow, had you anything to do with him?—No.

35,365. William Pengilley?—No.

35,366. R. P. Tarring, had you anything to do with him?—No.

35,367. Do you know who had?—No.

35,368. Thomas Blank was one of Mr. Searle's men?—Yes.

35,369. Henry Crawford?—I had nothing to do with him.

35,370. John Green?—I have told you about him.

35,371. Edward Angel?—I have told you about him.

35,372. Richard Harris?—I do not know anything about him.

35,373. William Harris?—No.

35,374. Sloggett you have told us about?—Yes.

35,375. Samuel Hill you have told us about?—Yes, Samuel Hill, junior; do not make a mistake about the two, because I do not wish that.

35,376. William Reeve?—I told you about him.

35,377. Francis Coombes?—I had nothing what ever to do with him.

35,378. John Pearce?—I do not know anything whatever about him.

35,379. George Gill?—Captain Gill.

35,380. John Tozer?—Nothing about him.

35,381. John Drew?—I spoke to him.

35,382. Browse you told us about?—Yes.

35,383. Thomas Searle you told us about; that is your uncle?—Yes.

35,384. James Chamings, do you know anything about him?—I know him very well, but had nothing to do with him.

35,385. William Crook?—I do not know about that.

35,386. James Edmonds the gardener; anything about him?—No.

35,387. (*Mr. Longe.*) Do you know how much the sums come to. Have you ever made them up in your own mind?—Yes, in my own mind.

35,388. What is it?—I should think the monies I had were somewhere about 1,200*l.*

35,389. You still say you do not know what you gave Searle?—I do not know.

35,390. Then how could you make up the account?—Only from the sums he told me he required for the people he had to deal with.

35,391. You account to us for a great deal more than 1,200*l.*?—Which way?

35,392. If you gave 600*l.* to Searle?—I do not know that I did. I did not say that I gave it to him.

35,393. Did you never give an account to Mr. Windeatt?—No.

35,394. He never asked for an account?—No, the reason why the accounts were not made up was that we apprehended there would be a petition, and Mr. Windeatt advised that the accounts should not be made up; that is it; because Colonel Dawkins on the evening of the election threatened to petition against the return of the member.

35,395. Supposing your were called upon to make up your accounts, in order to do that would you have to go to Mr. Searle and ask him how much he got from you?—Yes.

35,396. That is a very unsatisfactory way?—I cannot help that. I cannot tell you more than I know.

(*Mr. Longe.*) Not so much I should think to us as to others.

35,397. (*Mr. Bere.*) Besides those men, Thomas Jacob Searle told you about, did he mention the names of any other voters he had to deal with?—No.

35,398. Not voters he wanted money for from you?—Not that I know of.

35,399. Did not you ever hear of his having to deal with Mr. Farley, junior?—I think not. I cannot conceive the possibility of such a thing.

35,400. Mr. Farley junior had money at all the previous elections, and is not it likely he would in 1865?—My impression is that he received money in 1852, but I do not think he has received any since.

35,401. I asked you about the Rev. Gilbert Butland?—Yes.

35,402. Did you see him at the "Seymour" hotel?—Yes.

35,403. More than once?—Only once.

35,404. Did he have a private interview with Mr. Pender?—I think he had.

35,405. Do you know how long that lasted?—My impression is that he came there about 2 o'clock in the afternoon, or half-past 1 or 2, that he went into Mr. Pender's room, and I think he stopped there some hours.

35,406. Did you hear from Mr. Butland or Mr. Pender what passed at that conversation?—No.

35,407. Did you ever learn why Mr. Butland came and had such a long interview?—No, I do not know anything about it.

35,408. Did Thomas Worthy have any money from you?—No.

35,409. Is that all you know about the election of 1865?—Yes.

35,410. Now, about 1863?—That is Mr. Seymour's election.

35,411. Had you anything to do with that?—A little.

35,412. Do you belong to the Independent Liberals or to the Seymour party?—The Independent Liberals.

35,413. A little tendency towards the Seymour party, on account of your farm?—No.

35,414. Do you think if you had voted against the Seymour interest you would be turned out?—I do not think if I voted honestly and independently I should.

35,415. Have you heard of others voting honestly and independently being turned out?—Never.

35,416. Do you mean to say so?—Really, I do mean to say so. There has been no person renting under the duke, who has voted according to his conscience who has been turned out for so voting.

35,417. How about Mr. Kellock?—About the field?

35,418. Yes.—He was certainly not turned out for voting according to his conscience.

35,419. Did he vote against his conscience?—No.

35,420. He voted against the Seymour interest, and was turned out?—He ceased to keep a horse.

35,421. Do not you know that he was turned out because he voted against the Seymour interest?—No.

35,422. Mr. Kellock said so himself?—I do not care what he said, I do not know it.

(*Mr. Coleridge.*) He did not want to go, and he had to go.

TWENTY-FIFTH DAY.

T. Holman.

22 Sept. 1866.

35,423. How much money did that election cost Mr. Seymour?—I should say 1,100*l.* or 1,200*l.*

35,424. How much did you distribute?—I think 75*l.*

35,425. Whom to?—Edward Willis and Mrs. Gillham.

35,426. From whom did you get that?—Mrs. Charles Michelmore.

35,427. Where did you get it?—At the upper corridor of the "Seymour" hotel.

35,428. When?—On the morning of the nomination.

35,429. Do you know where she got it?—I do not know.

35,430. Did she give it you in gold or notes?—Gold.

35,431. Had you been told by anybody that money was wanted for Willis and Gillham?—No.

35,432. What did she say?—She took it out of her pocket and gave it into my hand.

35,433. You knew what to do with it?—Yes, I arranged with Mr. Charles Frederick Michelmore.

35,434. Did Mr. Michelmore tell you you would get it from his wife?—No.

35,435. Did he tell you you would meet a lady at the upper part of the "Seymour" hotel who would pay you?—No.

35,436. Then how did you know?—I did not know till I got it.

35,437. Is that all you got at that election?—Yes.

35,438. What was Mr. Searle doing at that election; was he actively engaged on the Seymour side?—I do not know; I did not give Mr. Searle any money at the Seymour election.

35,439. Do you know whether Mr. Brooking Cuming did?—I do not know; my notion is that he had nothing to do with it.

35,440. How much did you give Edward Willis and John Gillham?—I think 30*l.* to Willis and 35*l.* to Gillham.

35,441. Was that the same man whose wife you gave it to in 1865?—Yes.

35,442. Did not you give a sum of money to John Gillham, junior, too?—No.

35,443. Have you any voters who work for you?—No; municipal voters, but they generally vote against me, because the Tories buy them off.

35,444. Have you ever stood for election to the council?—Yes.

35,445. How much has it cost you?—My impression is that it has not cost me 5*l.* the whole time.

35,446. What has it cost the other side?—They must answer for their own misdeeds; I can only answer for mine.

35,447. Were you one of the gentlemen who stood when Mr. Condy paid the bills?—I stood with him.

35,448. It cost more than 5*l.* a piece then in 1861?—I was not with him then.

35,449. It cost him a great deal more than that according to what he told us?—I do not know that it cost him more than that, not individually. I remember well that when money was to be raised we used to subscribe amongst us.

35,450. What do you suppose that Mr. Dent spent at that election in 1863?—I cannot tell, but if you look at that poll book you can see.

35,451. Mr. Chaster did not make one up; did you make one up?—No, but there is a red book made up by Mr. Wm. Narramore or Mr. Bryett in his office that Mr. Condy held and you can tell from, and put down 50*l.* each and you will see exactly about 6,000*l.* I believe.

35,452. Do you know whose hand writing this is?—Yes, Mr. Callard's.

35,453. Is he on your side?—Yes.

35,454. How did it get into the possession of the other side?—I will tell you. James Fitzpatrick was at that time a voter for the borough, and he had been at a meeting here, and I think Mr. Pender asked him some questions about those matters. He was a Catholic and he came over to the "Seymour" hotel and he stopped there till it was late, and he said at the latter part "The other people have made a "mistake; they have put down my name to vote for "Mr. Dent and I am going to vote for Mr. Pender." So with that he handed out the book, and I said, "Will you let me have it till to-morrow morning, it is "late to-night to go through it now." In the meantime that was left and it was copied exactly as it was, and I handed it back to Mr. Fitzpatrick."

35,455. You did not tell Mr. Fitzpatrick you had made this copy?—No.

35,456. In 1862 when Mr. Pender came down you, I think, had been one of the gentlemen who had entered into an agreement with the Conservatives at the election for the council?—Yes, the candidates were, Mr. Heath, Mr. Kellock, Mr. Chaster, myself and Mr. Gill.

35,457. Can you fix the exact date of that agreement?—No, I cannot.

35,458. Can you give the month?—The date of the agreement was before the council election of 1862.

35,459. That was in the November of 1862?—Yes.

35,460. In 1862 when Mr. Pender first came down Mr. Brooking Cuming was his agent?—Yes.

35,461. We have heard a long account about some *quo warrantos*?—Yes.

35,462. And the bill not being paid?—Yes.

35,463. Were you consulted by Mr. Chaster about the amount?—Yes.

35,464. You were one of the persons who went through it and brought the bill down to 85*l.* and you offered him 100*l.*?—Yes, Mr. Michelmore, myself and Mr. Chaster went thought the bill, and we made the charges according to the agreement to amount to eighty some odd pounds, but we advised to settle the matter for 100*l.*

35,465. The agreement was that it was to be nothing but expenses out of pocket?—Yes.

35,466. And you struck out all except the charges out of pocket?—Yes.

35,467. How much money passed through your hands either at or after the election of 1862?—300*l.*

35,468. When did you get that?—The night of the nomination.

35,469. Who gave it to you?—No one.

35,470. Where did you get it?—At No. 6 at the "Seymour" hotel.

35,471. Where?—On the table.

35,472. In a parcel?—No.

35,473. In gold?—Gold and notes.

35,474. Who told you to go there?—Mr. Charles Frederick Michelmore.

35,475. That you would find something on the table?—Yes.

35,476. And when you found it what did you do with it?—150*l.* to Thomas Jacob Searle, junior, 50*l.* to Edward Willis, and 50*l.* to Mrs. Gillham.

35,477. They seem to be friends of yours?—Yes.

35,478. What was Mr. Searle to do with the 150*l.*?—He was to give Sloggett 50*l.*, his father 50*l.*, and Edward Angel 50*l.*

35,479. That is only 250*l.* of it?—I will tell you about the other. I said to Mr. Michelmore, "I have "50*l.* left, what shall I do with it?" He said, "There is refreshments at Mr. Jordain's at the day "of the nomination for the voters, and you had better "pay that." It was 45*l.* to 46*l.* or 47*l.*, and I gave the remainder to Mr. Michelmore.

35,480. Did not he give you anything back for luck?—No; we do not do things that way.

35,481. (*Mr. Coleridge.*) They have better luck on the other side with regard to that ?—Yes.

35,482. (*Mr. Bere.*) Was that money in gold or notes ?—Gold and notes.

35,483. Had you spoken to Mr. Charles Michelmore before about getting the money ?—Yes.

35,484. And you told him what you wanted ?—Yes; I told him what would be required for certain purposes.

35,485. Was Mr. Cuming present when you wanted that ?—No.

35,486. Had you told Mr. Brooking Cuming in 1862 that you wanted money ?—Yes.

35,487. What time of the day was it you got this money paid ?—I should think about 10 o'clock on the day of the nomination.

35,488. Do you remember a message coming from the "Seven Stars" to the "Seymour" hotel ?—Yes. I was told there was a message.

35,489. When were you told; at the time ?—Yes.

35,490. What time were you told ?—About 11 o'clock.

35,491. It was before the message came that you had that money ?—Yes.

35,492. Did you distribute that money that night ?—No.

35,493. You kept it that day ?—I distributed it according to the arrangements I had made.

35,494. As there was no contest, did you still think you were bound to pay that money ?—Yes.

35,495. Do you know how much money Mr. Pender brought down with him that time ?—I do not think he brought any.

35,496. Do you know how much money was spent at that election by him ?—I can only tell as far as regards that question from a conversation I had with Mr. Brooking Cuming. He asked me to go into the room with him one night, and he said, "What do you "think will be required ?" And I said, "Somewhere "about 1,200*l.*" He said, "Had not I better ask for "more ?" and I said, "That will do." But whether that amount went down or not I do not know.

35,497. Did you hear it was sent to Mr. Webber ?—No, not at that time.

35,498. Was there any time the money was sent to Mr. Webber on the Liberal side ?—My impression is that it was in 1852.

35,499. In 1862, do not you know it was sent ?—No.

35,500. Was that all the money you had to do with ?—Yes.

35,501. Had you anything to do with the distribution of money after the election ?—No.

35,502. Did you know of sums of money being sent people in envelopes for past services; sums of 5*l.* and 10*l.* ?—I do not know anything about that.

35,503. Was Mr. Searle the only person you had communication with at that time in 1862 ?—Yes.

35,504. And other people you paid yourself; Gillham and those ?—Yes.

35,505. (*Mr. Coleridge.*) When did you first make up your mind to tell us all this ?—The first moment.

35,506. Did you have any conversation with Thomas Jacob Searle about it, and did you tell him to come here and tell all this ?—I told him I should tell the truth.

35,507. When did you tell him that ?—The same time.

35,508. When ?—Before the Commission was opened.

35,509. You knew that he sent a man here to tell us what was not true ?—No, I saw it in the paper.

35,510. Did Thomas Jacob Searle tell you that he would not tell the truth whatever you might do ?—No.

35,511. Did you understand he was going to tell the truth ?—Yes.

35,512. And having made up his mind to tell the truth he sent that man here to tell the contrary ?—I do not know that.

35,513. You understood from him that he meant to tell the truth ?—Yes.

35,514. (*Mr. Bere.*) You heard of this message being sent from the "Seven Stars" on the night of the nomination. Did Mr. Pender ever talk to you about it himself ?—Yes.

35,515. What did he say ?—He said that a degrading proposition had been made to him by Mr. Cuming, which he would not entertain for a moment, and I said I think you are perfectly right.

35,516. Did he tell you what money was asked ?—I think 2,000*l.*

35,517. Had you formed the same opinion as Mr. Chaster had formed, that the election was safe ?—Quite so; so far as I could make up the poll at that time irrespective of any ticking off. Taking Liberals and Conservatives we had 179 and the Conservatives had 157.

35,518. A majority of 22 ?—Yes.

35,519. That is about it at that time ?—I mean taking them from the register as settled, we had about that difference.

35,520. Did you hear what that money you got in 1863 from Mrs. Michelmore came from ?—No, except that she handed it to me.

35,521. Did you ever happen to hear that Mr. Seymour had not got as much money as he wanted and was obliged to go to the Devon and Cornwall bank to get more, and that some of the Liberals guaranteed the bank ?—No, I never heard of it.

35,522. When did you hear of that ?—In 1852.

35,523. 1862 ?—No, in 1863.

35,524. Now in 1859 what did you do with that election ?—They sent me over a book.

35,525. What was it ?—A novel.

35,526. Was it "A New Way to pay Old Debts" ?—No, it was "The Adventures of Mr. Ledbury."

35,527. On opening that, what did you find there ?—100*l.*

35,528. 100*l.* note ?—No, 5*l.* notes.

35,529. Did Mrs. Charles Michelmore send that to you ?—I do not know whether she did or not.

35,530. That was an arrangement between you and her that she should send you that book ?—No.

35,531. How did it come to go into the bag ?—I cannot tell.

35,532. You had not mentioned that you wanted the 100*l.* ?—No, I had not the slightest idea that it would come in a bag; but I had mentioned to Mr. Charles Michelmore that I wanted 100*l.*

35,533. Was the book wrapped up in paper ?—Yes.

35,534. Nicely wrapped up ?—Yes.

35,535. As soon as you began to open it you discovered it I suppose ?—Yes.

35,536. What was it for ?—Two voters.

35,537. For your friends Willis and Gillham ?—Yes.

35,538. Anybody else ?—No.

35,539. Let us hear about that election. How much did Mr. Mills spend ?—I can only tell you about by presumption. My impression is it was 1,400*l.*

35,540. How much did Mr. Dent spend ?—I can hardly tell.

35,541. Did you find you were outbid by the other side ?—We have always been upon the defensive. We have merely attempted to protect our own voters. They rush about like roaring lions.

TWENTY-FIFTH DAY.

T. Holman.

22 Sept. 1866.

35,542. You have been the game preservers and they have been the poachers?—Yes, we have always had a majority, but they have attempted to take them off, and we have attempted to preserve them.

35,543. And you tried to take theirs?—Yes, if they took one of ours we tried to take one.

35,544. (*Mr. Bere.*) Did you pay that money to Gillham yourself?—Yes.

35,545. You did not employ Searle?—No.

35,546. Was not he an available runner in 1859?—Not that I am aware of.

35,547. Did any other money pass through your hands at that election of 1859?—No.

35,548. Who was managing in 1859, Mr. Brooking Cuming?—Yes, he was always the agent for Mills.

35,549. Had not Mr. Mills a London person with him?—No.

35,550. Not Higgins?—That is the other side; that is "Mum."

35,551. You can tell us a great deal more about it if you like?—I cannot.

35,552. Can you tell us how the majority were got?—The majority on the registration is 17.

35,553. How were they got; by giving a consideration?—By the votes of the Liberal party.

35,554. How many were paid?—Not more than I mention.

35,555. How many?—I think two or three and twenty.

35,556. Do you mean that old Blank was not paid at that election?—I think he voted the other side from recollection.

35,557. Are those relations of yours that you looked upon them with such kindness, Willis and Gillham?—No.

35,558. Merely personal friends?—Yes.

35,559. Is that the first time you paid them, 1859?—Yes.

35,560. How did you come to pay them; did they come to ask you?—As far as regards Willis I can tell you what occurred. I was there one evening before the election, and he said that a person called Veasey had come down and offered him some money, and I said Mills was not going to lose his election in that sort of way by people buying off our voters, and he said, "He has offered me 60*l.*" I said to Willis, if he would go into the stable he would find something there, and I gave him to understand he would receive money, and I paid him at that election.

35,561. Did you arrange what sum of money you should give him?—Yes.

35,562. How did you get at it?—By a conversation with Mr. Cuming.

35,563. Was Mr. Mills behindhand during the early part of the day in 1859?—I think he was, but I never saw the voters brought up so rapidly as Mr. Cameron brought them up.

35,564. Do you remember at what hour Mr. Mills was behind at that election?—I can tell you generally. When we made up the poll book the night before we had a majority of 19, and before 12 o'clock we had lost 9½.

35,565. Who was the half?—A person who voted for Mills and Dunn; Mr. Fowle, I think.

35,566. Who were the other nine?—I cannot tell you; I could if I had the book, but not off-hand.

35,567. Was not Mills in a minority up to a latish hour that day, 2 or 3 o'clock?—No.

35,568. What time was he in a minority; he was lower in the poll than Dunn up to what time?—12 o'clock I should think he was ahead.

35,569. Do not you know that between 11 and 12 he had a little conversation on the bridge about how the election was to be won?—No, I was keeping the poll book all the day.

35,570. Did not you begin to get rather anxious about 11?—I said, "If you go on in this sort of way "we shall lose the election."

35,571. And did not Mr. Cuming go and see Mr. Mills?—He was not there all day, I kept the poll.

35,572. Mr. Cuming went away and left you?—Yes.

35,573. Did not Mr. Cuming say when he came back "It is all right, we shall win the seat"?—No.

35,574. Are you quite sure?—Yes.

35,575. Did he look happy when he came back?—I cannot say about that.

35,576. Did he look anxious when he went away?—We all looked anxious when we were losing part of our nineteen.

35,577. If he did not say it in words, were not your minds relieved by something that passed between you and Mr. Cuming when he came back after seeing Mr. Mills?—No.

35,578. Did not Mr. Mills ask if the election could be won, and was not the answer, "Yes, if you spend a "great deal of money," and did not he say "The "election must not be lost whatever it costs"?—I never heard of any such insinuation till you made it.

35,579. That is all you can tell us about 1859?—Yes.

35,580. What happened in 1857, in Gifford and Mills' time?—At that election I do not think there was any bribery on either side.

35,581. Not your own two or three old friends who wanted a bribe?—In 1857 there was no bribing.

35,582. Why was there no bribery?—There was no money going.

Adjourned to Monday next at half-past 10.

TWENTY-SIXTH DAY.

Monday, 24th September 1866.

THOMAS HOLMAN recalled and further examined.

35,583. (*Mr. Bere.*) You told us on Saturday that in 1857 there was no bribery because there was no money going. What reason have you for saying that there was no money going?—I never knew that there was. There was no necessity for it.

35,584. Was it because you had none to distribute yourself?—I was not aware that we had. I had none.

35,585. What do you mean by there being "no "necessity"?—We had a large majority.

35,586. So you had according to your statement in 1865?—We had a larger majority than we had at any other time in 1857.

35,587. Although there was no money going on your side, was there not money going on the other?—I think not. I think Mr. Mackenzie declared that he would not spend any money.

35,588. That is a declaration that a great many candidates make?—I think Mr. Mackenzie made it in pure good faith with the intention of abiding by it, and did.

35,589. At that time Mr. Mills was standing on the Liberal interest?—Yes.

35,590. Was there a joint committee of Liberals?—I think not at that election. There was a joint committee between the Earl Gifford's party and Mr. Mills.

35,591. There was no joint committee of the Liberals as long as Lord Seymour stood?—No.

35,592. Between 1855 and 1857 the independent party and the ducal party coalesced?—Yes. The unison between the ducal party and the independent party took place in 1855, on the occasion of the Earl Gifford first becoming a candidate.

35,593. At whose suggestion did that unison take place?—I think it was my own.

35,594. Were you equally interested in both parties?—Yes.

35,595. Had you talked to Lord Gifford before you made that suggestion?—No; I will tell you how it was if you wish to know.

35,596. We should like to know?—I was going across the Plains, and Mr. Fogwill was in his counting-house. He asked me to step in, and when I went in I saw Mr. Thomas Michelmore, jun., now dead, and he said he and the Earl Gifford had been canvassing the constituency, and found they had but little support, and he asked me my advice as to what course should be pursued. I said to him, "My impression is that "you ought to engage Mr. Cuming and Mr. Windeatt "as agents for Earl Gifford, and if you go to your "father and give him my compliments and say the "time has come when we should have an equal union "between both parties, Earl Gifford will be returned "without any contest." Mr. Michelmore went to his father, and his father acceded to that advice. Mr. Cuming and Mr. Windeatt were engaged on that day, and from that time to this we have had a cordial union.

35,597. You have always considered one of the Liberal members to be a representative of the independent party and the other the representative of the duke?—I considered some such thing, but really we have had an equal union since.

35,598. Did you know of Mr. Chaster on Mr. Mills' death telling Mr. Seymour to go back?—I do.

35,599. You thought you had a right to an independent candidate yourselves?—Yes. In fact we had selected Mr. Seymour as one to fill the vacancy caused by the death of Earl Gifford, and then we selected Lord John Hay, brother to Earl Gifford and Mr. Seymour, and Major Lyon. That was done three or four months before the death of Mr. Mills occurred.

35,600. In 1855, when Lord Seymour became Duke of Somerset, had Lord Gifford been proposed as a candidate any time before?—I think not. I think the recommendation came from the duke.

35,601. Did he come with a letter from the duke to Mr. Michelmore?—I think he came with a published address.

35,602. Without any communication between the duke and Mr. Michelmore?—I am not aware of any communication taking place between them. I was not acquainted with any such communication.

35,603. In 1852, when there was no cordial union between the two Liberal parties, was there a good deal of bribery?—Yes.

35,604. Was Mr. Cuming still the agent of Mr. Mills?—Yes.

35,605. Did he send for you on the Friday before the election?—Yes.

35,606. Did he ask you to interfere about the voters in Bridgetown?—Yes.

35,607. What sum of money passed through your hands at that time?—I cannot tell; I can tell about the amount he asked me.

35,608. How much?—250*l.*

35,609. How many men were to be bribed with that?—Five.

35,610. Was there a proposal made as to a means of concealing the payment of this money by giving it the colour of a purchase?—Yes.

35,611. What was that?—After the arrangement was made that these five voters should receive 250*l.* between them, a suggestion was made by the principal agent of the party that the money should be paid before the votes were given.

35,612. Who suggested that?—Mr. Screach; and I said, "You do not seem to trust me in the same way "that I trust you, and you can scarcely expect me "to trust you when you will not trust me." Then he suggested a means of reconciling the matter, that is, that he should advance the deeds of his house upon 150*l.* being paid to him, and that Mr. Farley, sen., should advance the deeds of his house upon 100*l.* being paid to him, and that suggestion of his was agreed to. The consequence was that Mr. Coombes, my father-in-law, paid Mr. Screach in Farley's house 150*l.* and received the deeds, and he paid Farley 100*l.* and received his deeds.

35,613. What became of the deeds?—Put them in my drawer.

35,614. They did not stay there very long?—They were there till they called for them.

35,615. When did they call for them?—On the Saturday after the election.

35,616. What were the names of those five gentlemen?—Mr. Screach one, Mr. Bowden another, Mr. Thomas Mitchell another, Mr. Farley, junior, and Mr. Thomas Blackler.

35,617. That was not the only sum you received at that election?—No.

35,618. What else did you receive?—On the morning of the election I was keeping the poll, as I usually did, and Mr. Cuming said to me, "You are "wanted Holman." I went to the room, and a certain gentleman, now deceased, put in somewhere about 300*l.*

35,619. Who was that?—The late Mr. Samuel Huxham.

35,620. About 300*l.* into your hand?—Yes.

TWENTY-SIXTH DAY.

T. Holman.

24 Sept. 1866.

35,621. What did you do with it?—Gave the principal part to a person called Hardin.

35,622. Where did he live?—Bridgetown; I think he was a distributor; I think he used to pay the voters.

35,623. Did you hear afterwards how he had distributed it?—Yes; I heard in the committee.

35,624. To whom had he distributed it?—I cannot remember the whole; 50*l.* to James Turpin.

35,625. What sort of sums were distributed, 50*l.* and 30*l.*, or smaller amounts?—Mr. Hardin came into the room where I was and said I want so and so, and I let him have the money.

35,626. 300*l.*?—Not the whole; other parties came in.

35,627. How much to him?—I cannot tell.

35,628. About?—I cannot tell.

35,629. Who were the other parties you allowed to have the money?—I do not know now; I know perfectly well that after the election we went up to Mr. Ferris' parlour, Mr. Cuming, myself, and Ferris constituted the money department of the committee.

35,630. Ferris is alive, is not he?—I believe so.

35,631. Do you know where he lives in London?—I do not.

35,632. How long has he left Totnes?—12 years.

35,633. (*Mr. Coleridge.*) Had he anything to do with any election between 1852 and this time?—Yes.

35,634. Which was the last election he was concerned in?—Mr. Ferris?

35,635. Yes.—I thought you asked me.

35,636. No; Mr. Ferris?—No, not that I am aware of. I think that he left here somewhere about 1855.

35,637. (*Mr. Bere.*) Was that all you know about 1852?—Yes; all I know generally. I know when we made up the amount of money I had received and had expended I had to pay Mr. Cuming 25*l.* which was unexpended, which I did.

35,638. Do you know at all what money Mills spent at that election?—I think the total made up more than 1,400*l.* I am only speaking from the recollection I have without any documentary evidence.

35,639. You do not know what Mr. Baldwin spent? No.

35,640. Was there a good deal of money going about on the other side?—I do not think he spent so much as Mr. Mills.

35,641. (*Mr. Coleridge.*) He was getting dry about that time?—He was; it appears that he got dry before.

35,642. (*Mr. Bere.*) In 1847 there was an arrangement come to with Mr. Ricardo not to bribe?—There was an understanding the night before. A pledge on his part and Mr. Cuming's that money should not be spent.

35,643. Do you think any was spent?—I do not think there was; if there was any money spent it was a breach of faith on their parts.

35,644. You had no money to spend?—No, I had none whatever.

35,645. You are a tenant under the duke?—Yes.

35,646. What is the amount of rent you pay?—For the farm that I hold?

35,647. Yes.—75*l.* a year.

35,648. When is your rent due?—The rent is due Lady Day and Michaelmas, but never collected at the time.

35,649. The Michaelmas rent is not collected until December?—That is for the farm. The Michaelmas rent for houses in the borough and land in the borough are collected in November.

35,650. You paid your rent always in one lump sum, did not you, generally by cheque?—One lump sum for the house.

35,651. 37*l.* 10*s.* every half year?—Yes, that is the rent of the land. I always pay my rent on two different occasions, and have the pleasure of dining with the steward on those two occasions.

35,652. On the 3rd December 1863 you had to pay the half year's rent for your farm?—I presume so.

35,653. How does it happen that you did not pay anything then?—I am not aware that I did; I have always paid my rent regularly. The idea of any suggestion being thrown out that I had not paid my rent I never knew. What is the date?

35,653* The 3rd December 1863 you ought to have paid. (*The witness referred to a book.*)

35,654. (*Mr. Coleridge.*) Have you your cheque book with the counterfoil?—I have the bank book, December 4th. I have an account of a cheque being paid in by Mr. Michelmore, 36*l.* 8*s.* 1*d.*

35,655. Paid in by Mr. Michelmore?—Yes.

35,656. By or to Mr. Michelmore?—To him. Of course it would be paid in by him when he received it, 36*l.* 8*s.* 1*d.*

35,657. Where is your entry for your house?—That would be November. (*The witness showed the entries in his bank book to the learned Commissioners.*) There is the difference of income tax, tithes, and insurance.

35,658. (*Mr. Bere.*) I will show you why I ask the question. This is the rent book, and up to the date of the 3rd December 1863 there is an invariable entry of "Holman, 37*l.* 10*s.*" and an account or corresponding entry, payment of that. Here there is an entry of your name, and both columns blank. That is what I ask to have explained?—I cannot make out how that is. Most assuredly if I had not paid my rent that half year I should have been called upon for the excess in the subsequent half year. I might have paid it at a subsequent day. I can tell how it was. There was an assessment that day, and I did not come back till after the money accounts had been closed, and I paid it in subsequently.

35,659. What are the lands you rent called; Weir Field and Bourton Meadow?—No; the name is Higher Bourton Farm.

35,660. Some of it is within the borough?—A very small portion of it.

35,661. How much?—I should think about an acre and a half.

35,662. Does that give a vote?—No.

35,662*. Do not you pay rent for Weir Field and Bourton Meadow too?—No.

35,663. Who pays for that, do you know?—The Farming Company.

35,664. Who constitutes that company?—Mr. Hodge, Mr. Underhill, and Mr. Blackler.

35,665. How long have they been constituted a company?—Scarcely three years.

35,666. Who really occupies that; do not you?—No.

35,667. Do not you take the grazing from them, and put cattle on the farm yourself?—At so much per head per week.

35,668. Have any one of the persons you have mentioned got a head of cattle there belonging to themselves?—I do not know that either has besides Blackler.

35,669. How much has he?—I cannot tell. I have seen him drive a horse in there.

35,670. You are the person who is in the occupation of this farm?—No, they take in other cattle besides mine, over which I have no control.

35,671. How much do you pay them a year?—I cannot tell you.

35,672. How much did you pay last year?—I see I paid Hodge 15*l.* 5*s.* in one cheque.

35,673. Do you pay half-yearly?—When he wants it.

35,674. (*Mr. Coleridge.*) Do you pay him for the three?—He is the manager.

35,675. What are these fields called?—They are called Bourton Meadow and Weir Meadow.

35,676. What is the rent of them?—31*l.* 10*s.*

35,677. How much have you paid on account of cattle?—15*l.* 5*s.*

35,678. What on account of hay?—It was not mown.

35,679. What else did you pay him besides the 15*l.* 10*s.* last year?—In November last 17*l.* 5*s.*

35,680. What was that for?—The feed of cattle.

35,681. Was that for the whole year?—No.

35,682. For the half year?—When he brought in his bill.

35,683. You have paid him as much for the keep of the cattle as the whole rent of the farm?—No, I do not; he takes in other cattle.

35,684. From whom besides yourself?—Turpin, Mitchell, Adams.

35,685. Do you know the rent which Hodge and Company are supposed to give for that field?—I believe 31*l.* 10*s.*

35,686. (*Mr. Bere.*) Before they had it, had Angel, Lee, and Blackler got it?—Yes.

35,687. Before they had it, had you had it?—Yes, and then I had it since.

35,688. Had you had it for 15 or 16 years before they had it?—My father had it before I had it.

35,689. It has been in the family for a long time?—Yes.

35,690. And it got out of the family to make votes?—Quite so. Mr. Michelmore asked me to get possession of it, and I did.

35,691. (*Mr. Coleridge.*) When did Mr. Michelmore ask you to do that?—I think in the year 1862.

35,692. He told you plainly it was wanted for making votes?—We agreed about it together.

35,693. Did you agree about other fields as well?—No.

35,694. Only those?—Only those.

35,695. Those were the only fields you had within the borough?—They were the only fields I had.

35,696. Was this old Mr. Michelmore?—Yes, the old gentleman.

35,697. I see on the 16th of May 1865 you paid him 6*l.* 14*s.* 6*d.*?—That was the amount of his bill.

35,698. Then on the 9th November you paid him 17*l.* 5*s.*?—Yes.

35,699. Do you know what other people have paid him, if at all?—No.

35,700. How many cattle did he take in for Turpin in 1865?—I cannot tell. A few steers and some colts.

35,701. How many should you say, half-a-dozen?—I cannot tell.

35,702. For how long?—For several weeks.

35,703. Did he consult you or not?—He did not consult me; he consulted Turpin. He took in sheep for Adams.

35,704. Did he take in for them half as many as he did for you?—I should think that the person with whom he principally dealt was myself.

35,705. And you paid him 24*l.* out of his 30*l.* rent?—Yes.

35,706. (*Mr. Bere.*) Who puts the manure on that field?—I do not think there has been a shovelful of manure put on since this peculiar occupation has taken place.

35,707. Who gets the hay?—There has been none got this year.

35,708. Who got it last year?—I got it.

35,709. And carried it away?—Yes.

35,710. (*Mr. Coleridge.*) Is there no stipulation to manure these lands in your agreement?—I do not think there is.

35,711. Has Mr. Michelmore ever complained to you?—He has no right to complain to me. He must complain to Hodge.

35,712. (*Mr. Bere.*) Who cuts the hedges?—They have been left in a dilapidated condition.

35,713. It seems not to have been a good thing for the land?—It is a good thing for the votes.

35,714. Did you not pay Endle before you paid Hodge?—I never had any transactions with Endle. It was Farley.

35,715. (*Mr. Longe.*) Angel and Lee, did they have votes?—I think not. They tried to claim them, but they could not substantiate them.

35,716. The land was taken for that purpose?—Yes.

35,717. (*Mr. Bere.*) Do you often go down to the "Seymour Hotel" in the evening?—Not very often except at electioneering times.

35,718. Have you been there a good deal since this Commission has been sitting?—I have not been there above once.

35,719. Whom did you meet there at the time you were there?—I saw Miss Weeks and Miss Satchwell.

35,720. And some gentlemen?—I think not.

35,721. Are you quite sure of that?—As far as my recollection serves me, I do not remember it; I might remember it if you were to mention the names, if such a circumstance occurred.

35,721*. Have there not been regular meetings of some of the influential persons on the Liberal side, a sort of a committee, at the "Seymour Hotel" since this Commission has been opened?—Not that I am aware of. If there have been such meetings I have not attended them.

35,722. Did you not hear discussed what evidence the Liberal party should give before this Commission, and what they should withhold?—I never heard of that; I can swear it most positively.

35,723. You never heard of any such meetings?—No; I never heard of anything of the kind; it took me by surprise when you mentioned it.

35,724. (*Mr. Coleridge.*) Have you been to see Mr. Brooking Cuming and talked about the Commission?—I have not.

35,725. Or Mr. Parnell?—No.

35,726. Do you know anything about Nicholas Manning coming down and getting a cheque of Mr. Pender for something to do with the screen of the church?—I have heard of such a thing, but I was not personally aware of it.

35,727. Did you see Mr. Nicholas Manning about there?—I think I saw his figure.

35,728. Were you not surprised to see him, as he voted for Pim and Dawkins, about the "Seymour Hotel"?—I was surprised that he came there.

35,729. Under what circumstances had he been there before?—That was in 1852.

35,730. Have you any recollection of his being there in 1863?—No.

35,731. You were surprised to see him there in 1865?—I was.

35,732. Did you ask any one whether he was going to vote for you?—No.

35,733. Did you ask him yourself?—No.

35,734. Did you say anything to anybody about his being there?—I cannot tell.

35,735. Did you say to Mr. Pender he had better be careful what he had to do with him?—I do not think I did.

35,736. Do you not recollect saying about his being a dangerous character?—I did about *that.*

35,737. What was it you said about that?—I forget now.

35,738. You can tell us something to the effect of it?—I thought it was rather surprising that he should come there asking for money when he invariably voted against us.

35,739. Do you know what he got?—No.

35,740. Do you know what he asked for?—I do not.

35,741. Did you talk to John Crocker about staying at the hotel at the last election?—Did I talk to him?

35,742. Did you and Mr. Jenkins order him away?—No.

35,742*. Did you not say he ought not to be there, for he was on the wrong side, and was a spy in the camp?—Yes.

35,743. Did you complain to Mr. Beazley about it?—No.

35,744. Who did you complain to about it?—In No. 5 room we stated jointly to Crocker if he went into the enemies' camp as often as he did, he could not be expected to stay there.

TWENTY-SIXTH DAY.

T. Holman.

24 Sept. 1866.

35,745. Had he been going to the "Stars"?—No, to Screach, and that is worse.

35,746. That is a more dangerous place to go to?—Yes.

35,747. Did you suggest to Mr. Pender to get Ann back?—No.

35,748. Who did?—It was his own idea I think.

35,749. (*Mr. Bere.*) I want to ask you about a man of the name of Hole who came back and voted for Dawkins and Pim?—No, he voted for Pender and Seymour.

35,750. Was he not canvassed by Captain Pim?—I am not aware.

35,751. What money was given to Mr. Charles Michelmore for that man?—I am not aware of any.

35,752. Are you sure of it?—I am not aware of it.

35,753. Did not some money go through Thomas Jacob Searle for him?—Not that I am aware of.

35,754. You do not know how he was brought down to you?—I do not.

35,755. He was living away from Totnes?—He lived somewhere up in the neighbourhood of London; and Mr. Pender had been a great friend to him.

35,756. Was it not discussed at the committee that he should be brought down?—No, not in my presence; indeed my impression is that we calculated the night previously that he would not be here at all.

35,757. Do you know a man of the name of Sanders?—Yes.

35,758. Did you canvass him with Mr. Seymour?—At no time or no occasion.

35,759. Did you canvass him without Mr. Seymour?—I did not.

35,760. Did you ever talk to him about the election?—No.

35,761. Did he ever come to you?—Yes.

35,762. What for?—For the purpose of asking me to endeavour to use my good offices in getting a situation for him.

35,763. When was that, in 1865 or 1863?—It must have been in 1865.

35,764. What did you say to that?—I wrote to Mr. Seymour.

35,765. How long before the election; while it was going on?—No.

35,766. How long before?—I think months before.

35,767. When it was well known there would be a general election?—When it was rumoured there would be; the time was not fixed.

35,768. Did he vote for you all right at the last election?—He did not. I remember his asking whether he should ask Mr. Seymour. I said, "If you "do it will have no reference to election matters; it "must be merely friendship."

35,769. Did you succeed in getting him an appointment?—I succeeded in getting him an appointment, but he was too old and could not fill it.

J. Bowden.

JOHN BOWDEN sworn and examined.

35,770. (*Mr. Bere.*) What do you call yourself, a cider merchant?—A general merchant.

35,771. How long have you been a general merchant in Totnes?—From 15 to 20 years.

35,772. And for that length of time you have lived in Totnes?—I have never lived in Totnes I am happy to say.

35,773. Your store is in Totnes?—Yes.

35,774. You are a voter for Totnes?—I am.

35,775. Where do you live; is it very far off?—Five miles.

35,776. Then living not so far off, and having your store in Totnes, I suppose you have taken a great deal of interest in politics?—I have.

35,777. Are you a magistrate of the borough?—I am not, I am happy to say.

35,778. Have you had your name sent up as one of those who were to be made magistrates?—I believe I have.

35,779. You were not selected?—I suppose not.

35,780. Have you proposed the candidates at any election?—I never proposed, I seconded.

35,781. Whom did you second?—It was the opponent of Mr. Dunn first.

35,782. Mr. Mills?—I presume it was.

35,783. In 1859?—Yes.

35,784. Did you second anybody else?—Mr. Pender twice; at the last election I offered for the first time in my life a 5*l.* subscription to get off the employment.

35,785. Did not the speaking come happily to you?—It generally came happy, but I did not wish particularly to speak on politics at Totnes. I offered it *bonâ fide* towards the expenses. The first 5*l.* I ever offered was to get off speaking.

35,786. What funds did you offer it towards?—I cannot tell that.

35,787. To whom did you offer it?—To Mr. Pender himself; he declined it promptly and emphatically; he says, "You must speak."

35,788. In 1859 did you not do a little more than second Mr. Mills; did you not go round with him?—No.

35,789. Were you on his committee?—No, never on any committee.

35,790. Never down at the "Seymour Hotel" consulting about the affairs of the Liberal party?—I have never been consulted by the Liberal party about their affairs, they have invariably selected their own candidates without even consulting me.

35,791. After the election did you do a little kindness in the way of support to the Liberal cause?—Never that I am aware of.

35,792. You spent a little money?—Never on that account.

35,793. Do you know a Mr. Smale?—I do.

35,794. Did you not lend him some money?—No; I can safely say that I never lent Mr. Smale money. I have looked into his accounts and I find the first bill I ever did pay him was on the 6th of July 1860, 50*l.* for goods sold and delivered. That bill was reduced by 4*l.* in September 1860. It was increased by 4*l.* on the 8th of November 1860, and was renewed at the same amount on January 11th, 1861; renewed again for the same amount on March 30th (50*l.*); then on June 1st, 1861, increased by 8*l.* 10*s.* 10*d.*; on September 6th, 1861, decreased by 3*l.* 10*s.* 10*d.*; on December 7th, 1861, it remained at the same; on March 12th, 1862, it was reduced to 50*l.*, and on the 13th of June it remained the same; on the 15th of September it was reduced by 5*l.*, and on the 17th of the following month, December, it was reduced by 5*l.*, leaving a balance of 40*l.*

35,795. He paid you in December 1862; how was it paid?—This was just one bill; it has been renewed.

35,796. You say reduced by 5*l.* in December 1862; how was that?—Mr. Smale would bring in enough to pay the interest of the bill and 5*l.*

35,797. Did he bring up a 5*l.* note at a time?—I am not aware; I could not trace such a thing out.

35,798. Had he voted for Mr. Pender?—No; he was neutral in 1862.

35,799. When did he become a good Liberal?—He was always a Liberal in politics. If you will allow me to make my own explanation about Mr. Smale's politics I will do so. He was formerly in my employ, and afterwards he took a business in Newton. He returned to Totnes as the railway agent; I had always had the highest respect for Mr. Smale, and I considered him to be a man of the utmost probity and honour. In the election time of 1862, which was Mr. Pender's first election, you perceive that about that time he owed me about 40*l.* In a cursory conversation, not at the place.

35,800. What place?—The Plains.

35,801. The polling place; at his house, unfortunately for the Conservative party, he had let them have a room, and without knowing it I found myself

in the hands of the enemy, and I speedily made my exit. But about that time I merely said to Mr. Smale, in reference to politics, which way are you going to vote? He said, "You know my friends are on both "sides, but I need not tell you that my chief sup- "porters in this town are the Conservatives, and I "have made up my mind to be neutral;" and he has done so fully. I said "Mr. Smale, I hope both par- "ties will leave you alone." But I can tell you a little of what took place, because it will just show that it is possible for a little coercion to be used on this side the bridge as well as the other; and I can tell you why Mr. Smale dropped his neutrality and eventually voted for the Liberals in 1865.

35,802. How was that?—It happened in this way. You are quite aware of course that the competition for local senatorial honours in Totnes has been almost as fierce as for the parliamentary affairs, and at one time Mr. Sparke Distin was a candidate for municipal honours, with a view I believe to the civic chair. Mr. Smale was then the railway agent, and he used to deliver Mr. Distin's goods. Mr. Distin applied to him to vote for him. Mr. Smale says, I am a neutral, and intend to be neutral whilst I stay in Totnes; he omitted to vote for Mr. Distin, and Mr. Distin omitted to allow him to deliver his goods from the railway, and afterwards employed some other carrier; he was quite aware of it, and he retaliated. I never made any difference with the Conservatives or the Liberals in dealing with them till that time, but when I went to Mr. Smale and asked him, "Is it true "that you have lost Distin's custom for having voted "at all?" and he said, "Yes." Then I requested Distin to send in my account, and I have done nothing with him since.

35,803. On account of Mr. Smale voting there was a withdrawal of Mr. Distin's custom?—Yes.

35,804. And has he ever paid you the 40*l.* he owed you?—Yes.

35,805. When?—Will you allow me to read this? I shall soon be through it.

35,806. Yes.—He reduced it again on March 19th, 1863, on June 20th it is the same, and on September 22nd it is reduced by another 10*l.*, December 23rd it is the same; March 24th, 1864, from some circumstance or another it is raised to 34*l.* 7*s.*; in the following June it is 30*l.*; September 27th, 30*l.*; December 30th, 35*l.* 16*s.*; April 1st, 30*l.*; July 3rd, 25*l.*; October 5th, 20*l.*; January 6th, 15*l.*; and April 7th, 9*l.*; and it is paid off on July 9th.

35,807. Paid by your receiving actual money, and not giving an allowance to him?—On political grounds?

35,808. On any ground?—I never made any allowance; never did anything of the sort. I never bribed a man in any shape or form, or used any undue influence with any elector in the borough.

35,809. We want to hear a little about a loan that you made to another person, the Rev. Mr. James?—I never made a loan to Mr. James.

35,810. Never?—No.

35,811. You advanced Mr. James some money?—Never a penny.

35,812. Mr. James had some money through you?—No, never through me. I never had any more business transactions with Mr. James than I had with you, but I can explain it without cross-examination, if you like.

35,813. We should like?—Well, on the morning of the election, about 11 o'clock, as near as I can judge, Mr. Pender came to me, I was then nearly a stranger to Mr. James, and he said to me, Mr. James was in difficulties in this way, that he had speculated, I think, in banking shares, and had borrowed the whole or part of the money to pay for those shares from Mr. Edmonds, the lawyer; that Mr. Edmonds, the solicitor, had found Mr. James as usual was going to vote for the Liberal candidates. This is Pender's version, as I understood at that time, Mr. James had really voted; but he said he had notice from Mr. Edmonds to pay off this money, and the screw had been put on in order to induce Mr. James to abstain from voting or to vote for the Conservatives. He said, "Now, under those circumstances, Mr. Bowden "will you change a cheque for me to the extent of "230*l.*?" Mr. Pender knew right well my abomination to any such bribery, and he said distinctly, "It is "not to bribe Mr. James, it is to be a loan, and we "are to have the same security as Mr. Edmonds holds, "and if you will change that cheque for me I will be "exceedingly obliged;" and I drew a cheque for 230*l.*, which I now produce, on the Devon and Cornwall Bank, drew out the money, handed it to Mr. Pender, and Mr. Pender, in lieu of this cheque of mine, gave me a cheque drawn, I cannot tell by whom, but the waste book of the bank will tell, on the Manchester and Salford Bank.

35,814. When did Mr. Pender give you that cheque?—On the day of the election.

35,815. The cheque on the Manchester and Salford Bank?—Yes.

35,816. For the same amount as the one you hold in your hand?—Yes, as far as I know.

35,817. Was it paid into the Devon and Cornwall Bank?—Yes; and you will see the amount; it is the same I believe.

35,818. Did not you think when Mr. Pender asked you to advance that money that Mr. James would not vote without paying that debt?—I did not really understand it so, and I thought that Mr. James had voted at the time; I am not positive what time of the day this was, but I think about 11 o'clock in the morning. I never had anything to do with Mr. James in the matter, only through Mr. Pender.

35,819. But as an experienced man of the world, did not it strike you as a strange thing that Mr. Pender should ask you to advance money to pay off Mr. James' debt on the day of the election?—I did not think about it much, and it is a thing that I should do to-morrow under similar circumstances. Mr. James is a clergyman of the Church of England, and I had not the least doubt, and Mr. Pender reminded me, he said, "Mr. Bowden, this is to be repaid with interest, "and it is not to bribe Mr. James," and I did not believe that he would have taken it.

35,820. Would it not appear a still more extraordinary thing if I were to tell you that Mr. Pender had a balance of 1,800*l.* in one bank and a balance of 500*l.* in another?—I did not know it. I did it innocently. Mr. Pender knew that if he wanted me to change a cheque for bribery purposes I never would have done it, and I would change a cheque again under similar circumstances and run all the risk, because I believed that Mr. James would not accept a bribe.

35,821. That is for us?—You asked me for my belief.

35,822. No; I asked you if you did not think it an odd thing to pay off a debt of a voter when he had not voted at the time?—I was under the impression that he had voted, and I thought it was a desperate hard thing that the screw should be put on a clergyman of the Church of England in any such way.

35,823. And you tried to take the screw off?—Yes.

35,824. Is that all you did with regard to the election of 1865, when Pender, Seymour, Dawkins, and Pim stood?—Yes.

35,825. What did you do in 1863 at Mr. Dent's election?—I saved Mr. Dent about 5,000*l.* in bribery.

35,826. How?—On the morning of the election of 1863 I was requested (and it was the only thing I did myself) to go and see a very worthy man of the town, Mr. Tucker, the grocer.

35,827. Edmund Tucker?—No, no connexion with him; Mr. William Tucker, and to find out whether his health was good enough to allow him to vote. I went to his bedside, because I was on friendly terms with him, and I asked him if he could vote, and he said he was very ill. He said, "I should like to vote, but my "doctor was here yesterday, and strictly prohibits "my voting." "Under the circumstances," I said, "Mr. Tucker, of course I cannot press you for it." About 3 o'clock on the day of the election I saw that

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J. Bowden.

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the poll was coming very near, and I heard that Mr. Dent was prepared to pay some seven or eight people 500*l.*, and, if that would not do, 1,000*l.* a piece to get one ahead and win the election. I went again to Mr. Tucker, and got another interview at his bedside. He appeared ill, and I said, "The poll is eight or "nine in our favour, but bribery is so flagrant that it "is possible that enough can be bought by money "that by 4 o'clock they should turn the scale by one "vote." I said, "I will not ask you to come, but I "put it to you in that way, as to whether you can "come to vote, and if you vote the thing is done "for." Mr. Tucker rose up in his bed; the perspiration oozed out of his forehead; he wiped it away; he said, "I will vote; I feel better already. Have "you a cab?" "Yes." "Will you come with me to "the poll?" I said. "Yes," he said, "drive up "to the side door." He was dressed as speedily as possible, and I took him down in the cab past by the notorious "Stars." They saw us; and it was so unexpected, seeing Mr. Tucker and myself, that I saw horror depicted in the faces of those in the enemies' camp.

35,828. You took your friend to the poll, and he voted for Seymour?—Yes.

35,829. Is he alive now?—Yes; and he has been better ever since.

35,830. Where was it that Mr. Pender saw you?—On the Plains.

35,831. Did you meet him accidentally?—Yes, as far as I am concerned.

35,832. Were you going to vote?—I think I had voted; I generally voted early.

35,833. Had you been to the "Seymour" to see what was going on?—No. I went very little to the "Seymour;" I kept out of the committee rooms. I made a point of keeping away from those places.

35,834. What was the reason that Mr. Pender asked you to change the cheque?—He thought very likely that I was the most likely person among his friends to change the cheque.

35,835. Is money so scarce in Totnes as that?—I attend so much to my own business that I scarcely know what anybody else's business is here.

35,836. You have a large business?—Yes.

35,837. And your drawing a large cheque would not be a suspicious matter?—That would not be called a large cheque; I often draw a cheque for 5,000*l.* at a time.

35,838. (*Mr. Coleridge.*) Did you have anything to do in 1862, when Mr. Dent first retired?—Nothing more than seconding the nomination of Mr. Pender.

35,839. (*Mr. Bere.*) Where are your stores?—Behind the walls, and on the Plains.

35,840. Do you sell liquors by retail?—No.

35,841. Not yourself, but through anybody?—No.

35,842. Did not you once have Liberal committee rooms at your stores?—No.

35,843. Where?—My sister let her rooms.

35,844. Where are they?—Adjoining my offices.

35,845. When was that?—I think on two or three occasions they have been used. They are very near the polling booths.

35,846. Are your offices on the Plains?—Yes.

35,847. And she let her rooms?—Yes.

35,848. For a consideration?—I do not know. I believe she expected something; but as a matter of fact she has had nothing for the past two or three elections, except her windows broken by the Tories.

35,849. Have you shared the same fate?—Only a pane or two.

35,850. How near do you live to Bennett and Stranger?—Just opposite.

35,851. Have you ever been to ask after their vote?—To ask why they have not voted, not to ask after their vote.

35,852. What did you say?—I said if I were in their case I would vote. I knew which way they would vote; and I think Mr. Stranger said that he was staying back for fun. He said he believed some offer would be made, and he just wanted to hear what would be done; and really, as you have heard in the evidence, there was a handsome indirect offer made to them, and immediately after the offer had been made they voted.

35,853. Who came and told you that they had not voted?—The committee rooms were adjoining my offices in my sister's house. I was in those rooms, not the committee rooms, but the place where they cast up the poll.

35,854. Who was casting up the poll?—I think Mr. Holman was there, but I can hardly recollect.

35,855. And so you heard that Bennett and Stranger had not voted?—Yes; and I went and said that I would vote if I were they.

35,856. There was no particular close run at that time?—Yes, I think it was a very close run.

35,857. Was it Pender and Seymour at this time?—I am not quite sure which it was; but I have an impression that it was.

35,858. Did you take the cheque yourself to the Devon and Cornwall Bank?—I think I did, but I am not sure.

35,859. What did you get in exchange, gold or notes?—I cannot tell you; I gave Mr. Pender what I received.

35,860. (*Mr. Coleridge.*) Was it not gold?—I cannot tell you really.

35,861. Was a good portion of it gold?—I cannot recollect; the thing has gone entirely from my memory as to what sort of money I had.

35,862. You are not often in the habit of taking such a large quantity of gold as that in change for a cheque?—Yes, frequently; hundreds of pounds at a time. A foreign captain wants his freight, and will have nothing but sterling money; he knows nothing about Bank of England notes.

35,863. But this was not a foreign captain. Did not you think it would be inconvenient to carry?—I do not know; I think there were notes.

35,864. (*Mr. Bere.*) A note came out of the bank; it was given to you to give to Mr. Pender, and Mr. Pender handed it to Mr. James?—I am sorry I do not remember the amount, and I should be glad if I did.

35,865. If you had banked with the other bank you would not have been able to see, because they do not keep accounts at the election times?—They generally keep very good accounts.

35,866. (*Mr. Coleridge.*) Mr. Yabbicom told us since 1862 they did not keep an account of the change at election times?—Those are exceptional times.

35,867. (*Mr. Bere.*) It would be the 12th July 1865?—Yes.

35,868. Was your cheque drawn on the Devon and Cornwall Bank?—Yes; it must have been the morning part of the day. I can produce the cheque if you please. I have been to the bank and had it this morning.

35,869. This is the cheque that you received, "Barclay and Co., Manchester and Salford Bank, "£233." There is 3*l.* difference. Is that commission?—No; I never charged any commission to Mr. Pender. I will tell you how it happened. I took 3*l.* out of the cash-box to make up the 3*l.* difference, but the book will tell.

35,870. Here it is, "J. Bowden, notes 200*l.*, and "gold 30*l.*"?—I cannot remember.

35,871. Can you remember whether there was a 5*l.* note amongst it?—No, I cannot.

35,872. You have no doubt that is what did happen?—I have no doubt.

35,873. Can you remember at all whether you had the amount of your cheque handed to you in notes and then asked for gold?—It has gone from my memory altogether; and until I looked at my book this morning previously to coming here I thought the cheque was for 150*l.*

35,874. (*Mr. Coleridge.*) Had you anything to do with the election of 1859?—No; I may have voted

in 1859. I have kept out of electioneering as much as possible, except to vote and speak.

35,875. How many men have you in your employ?—I cannot tell you; Mr. Hutchins and Mr. Narramore have a vote.

35,876. Do your men always vote with you?—No; some who have a vote for the municipal election vote the other way. They are bought by the Tories.

35,877. How do Mr. Narramore and Mr. Hutchins vote?—For the Liberals. I was not aware how Mr. Hutchins would vote; he was a voter for the first time on the last occasion.

35,878. Did you canvass him?—No, and I did not know how he would vote.

35,879. Did not you take the trouble to ask him?—No. I think a man in his position ought to be independent. I would scorn to press him. If he likes to vote for the Conservatives he is welcome to do it.

35,880. (*Mr. Bere.*) Did you have any money out of the bank on your own account on that day, the 12th?—I am not aware; we paid in some money.

35,881. Did you not have some out?—I may have had; the waste book would help me perhaps.

35,882. It is rather curious. There are the circumstances, notes 230*l.*?—It is 30*l.* gold probably. I had 230*l.* in notes first, and changed it for gold. That is the most likely explanation.

35,883. (*Mr. Coleridge.*) Did Mr. Pender ask you to get a portion in gold?—No; I cannot recollect.

The Rev. William Henry James sworn and examined.

35,884. (*Mr. Bere.*) Are you a clergyman of the Church of England?—I am.

35,885. Where is your incumbency?—I have no incumbency.

35,886. How long have you been living in Totnes?—Four years; a little over, four and a half years.

35,887. Had you an incumbency before you came to live in Totnes?—Yes, I had.

35,888. Were was that?—I was the first incumbent of the district of Beaufort, in Monmouthshire.

35,889. Were you incumbent of Beaufort at the time you came to Totnes?—I was not; I had resigned it.

35,890. How long had you resigned it?—Oh, many years.

35,891. Where did you come from?—Plymouth.

35,892. After you had lived in Totnes a sufficient time you became a voter?—I did.

35,893. And having become a voter, for whom did you first vote?—For Mr. Pender and Mr. Seymour.

35,894. In 1865; was that your first vote?—That was my first.

35,895. You had never voted before?—I had never voted before in Totnes.

35,896. You had not a vote then in 1863?—I was not here. I beg your pardon, I had not qualified for it.

35,897. Had you had a vote for Plymouth?—No.

35,898. Where had you manifested that certainty of Liberal opinions we have had imputed to you?—Well, I imbibed it with my mother's milk.

35,899. Had you expressed it by the use of the franchise?—I have always been a Liberal.

35,900. Had you voted for the Liberals anywhere?—Yes, I had.

35,901. Where?—In Monmouthshire.

35,902. (*Mr. Coleridge.*) One of your sons manages the Liberal elections of Merthyr, does not he?—My brother does.

35,903. (*Mr. Bere.*) You had, I believe, before the election of 1865 occasion to borrow some money?—I had, unfortunately.

35,904. And you borrowed that from Mr. Edmonds, the solicitor?—I did.

35,905. On what security did you borrow that?—The scrip of a joint stock discount company.

35,906. How many shares had you?—Ninety, 5*l.* a share.

35,907. How long had you had them?—I bought the shares in 1862 or 1863, I believe it was.

35,908. Had you been an original subscriber to the joint stock discount company?—I had not.

35,909. (*Mr. Coleridge.*) Was it 5*l.* or 5*l.* 10*s.* that was paid?—5*l.* paid.

35,910. (*Mr. Bere.*) What were the shares?—25*l.*

35,911. (*Mr. Coleridge.*) It was to meet calls that you borrowed the money?—It was; exactly so.

35,912. (*Mr. Bere.*) What were the calls?—5*l.* a call.

35,913. And you had to borrow money to pay that?—Yes, for the first call.

35,914. When Mr. Edmonds lent you the money did you give him a note of hand?—Yes, there was a note of hand, and also there was a document drawn. I do not know what Mr. Edmonds may call it.

35,915. Was it a bond?—We will call it a bond, or something to that effect.

35,916. (*Mr. Coleridge.*) Beginning, "Know all "men by these presents"?—Yes, I dare say.

35,917. With a stamp on?—With a stamp on.

35,918. (*Mr. Bere.*) What made you go to Mr. Edmonds?—He was the only solicitor that called on me when I came here, and I told Mrs. James when I first got notice of this call, "Well, my dear," I said, "I will call on Mr. Edmonds, he was kind enough to "call upon us when we came, and we will see if he "can help us," and I did so.

35,919. Then you called on him and asked him to advance the money?—I called on him and asked if he could advance a few hundreds to meet my call. I did not like to trouble my friends.

35,920. Did you say you wanted that 100*l.* or 200*l.* only a short time?—I may have said so, but I do not remember it.

35,921. Had not you an expectation of being relieved from the difficulty you were under in a short time?—I had this expectation, that the shares would have advanced in the market, and that I should have been able to lower my responsibility, and so dispose of a certain number of them to repay the loan to Mr. Edmonds.

35,922. There was nothing in your financial position at that time to make it unlikely that you should have said the loan was for a short time only?—Excuse me, I do not see the drift of your question. Repeat it again and I will tell you.

35,923. Was there anything in your financial position that would make it unlikely that the money you wanted from Mr. Edmonds would be wanted for a short time only?—I wanted it for a short time only, that is to say, 12 or 18 months.

35,924. Did not you say three months?—Oh, no; most decidedly not. I absolutely deny it. Upon my sworn evidence I deny it.

35,925. What was the time of the promissory note?—It was on demand.

35,926. When was that given?—It was given the 8th day, if I remember, of November.

35,927. That was 1864?—1864. That was, the call was due the 10th. I merely wanted the money in time to remit it to London.

35,928. You paid your call, and found that the shares did not go up?—The shares got up in the course of a short time, but never reached the point which I gave for them, never touched it. They never rose to par, with the exception of one day, and one day only.

35,929. Finding that you could not sell your shares, did you ever meet Mr. Edmonds in the street and express your sorrow that you had not been able to pay the loan?—Never.

35,930. (*Mr. Bere.*) Did Mr. Edmonds tell you whose money he had advanced to you?—I understood it was Mrs. Michelmore's.

35,931. What interest were you to give him?—5*l.* per cent.

TWENTY-SIXTH DAY.

Rev. H. James.

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35,932. Before three months had elapsed after November 1864 the shares had gone down, had they not?—The shares had gone up.

35,933. Had not they gone down again before that time?—They were at a very low ebb when I borrowed the money. They sunk from 5 in the market down to $2\frac{1}{2}$; they were unsaleable.

35,934. (*Mr. Coleridge.*) They fell on the call?—Exactly so.

35,935. (*Mr. Bere.*) When did you pay Mr. Edmonds any interest?—I paid him the interest at the end of the half-year, at least a few days afterwards.

35,936. Where did you pay him?—In his office.

35,937. At that time did he say anything to you about the repayment of the principal?—Nothing; not a word.

35,938. Are you quite certain he did not say to you that the money ought to have been paid long ago?—Told me the money ought to have been paid a long time ago?

35,939. Yes?—Nothing of the kind. I absolutely deny anything of the kind taking place.

35,940. This is what Mr. Edmonds has sworn, and I will read it to you, "*Q.* How long before the election "had you lent him that money?—*A.* I think in the "month November 1864. *Q.* Had he paid the interest "regularly?—*A.* It was a loan for three months. At the "end of the three months I met him in the street, and "he said, 'I am sorry I have not been able to repay you "'that money, but the shares in the Discount Com-"'pany are down, and it would be the ruination of me "'to be obliged to sell them at the present time,' and "he would be glad if I would let it stand over for a "short period, and I agreed to let it stand over." Is that statement true or false?—It is false.

35,941. "At the end of the six months he paid me "the interest?"—I did; that is true.

35,942. "And I said the money ought to have been "paid as I had told my client it was only a temporary "affair and I had really become responsible." Is that true? Did he ever say anything of that sort to you?—Never anything of the kind.

34,943. When was it that you learnt from him that it was not his money he had advanced, but the money of a client?—I cannot remember that.

35,944. But you must remember it?—I beg your pardon. Let me hear it again.

35,945. When did he tell you that the money he had advanced for you was not his money, but money belonging to a client?—I really cannot answer such a question. I do not remember when it took place. I cannot, really.

35,946. Was it at the time you borrowed it or after you borrowed it?—Well, if it was at any time it must have been at the time I borrowed it.

35,947. But you told me yourself this minute you knew it was not Mr. Edmonds', but Mrs. Michelmore's?—Exactly so.

35,948. When did he tell you that. Did he at any time?—I believe he did, but you ask me the time when I really cannot tell you that. My memory sometimes, unfortunately, betrays me, and I cannot tell you indeed.

35,949. You see the time makes all the difference, when you were told that, because you might have thought, and thought fairly, it was Mr. Edmonds' money, and as he was a friend of yours it was his own money and he might have given you time for repayment, but if you had known the money was that of a client he was liable to have that money at any time recalled to him. So it makes all the difference as to the time he made the communication to you that it was the money of a client?—I cannot be positive.

35,950. You have been able to state positively on oath that the particular conversation did not take place. Did not you read the promissory note before you signed it?—No, I think not.

35,951. To whom was the promissory note payable?—To Mrs. Michelmore, to the best of my recollection.

35,952. Have you the promissory note now?—No, I have not.

35,953. It was handed back to you?—It was handed back to you.

35,954. What did you do with it when it was handed back to you. Is not it in your possession?—No.

35,955. What did you do with it when the promisory note was handed back?—It may have been destroyed, it is very likely.

35,956. Did you destroy it yourself?—It is very likely I did. Oh, it is destroyed.

35,957. What makes you say that?—Well, I believe it is.

35,958. Because you cannot find it. What paper was that your son gave you just this minute that makes you say that note has been destroyed?—These (*referring to packet of papers*) are the receipts that you requested.

35,959. Let me see them. (*They were handed to the Commissioners.*) How came you to think that the promissory note would be in the possession of any of the officers of the Commission?—I sent you all the papers I possibly had in my possession about this affair.

35,960. (*Mr. Coleridge.*) These (*referring*) are other things mixed up with it?—Yes; you asked for all the receipts for the six months, and there they are.

35,961. (*Mr. Bere.*) You must have known at the time you gave that note that it was not Mr. Edmonds' own money, but money belonging to a client. Did not the knowledge that it was money advanced through Mr. Edmonds by a client make you think that it might be asked for early?—No, I did not; no it, was not my impression.

35,962. Then do I understand you to say that at the time you paid that interest Mr. Edmonds did not tell you that he had told his client that it was a temporary loan, and that he had himself become responsible for it?—Certainly not.

35,963. Certainly not?—No.

35,964. At that time did you say anything about the shares when you paid the interest?—I have no recollection.

35,965. Did you say this after some conversation with him, "Well, the shares are still very low, and if "you can let the matter stand over I shall be very glad "indeed"?—I have not the slightest recollection of it.

35,966. Will you swear you did not say so?—(*No answer.*)

35,967. (*Mr. Coleridge.*) Mr. Edmonds has sworn that you did?—I can swear that I did not say so.

35,968. That you did not say so?—That I did not say so.

35,969. Did you say this to him, "I feel you have "been a friend to me, and if I can return you the "favour I shall be glad to do it"?—I have not the slightest recollection of saying that.

35,970. He had been a friend in need to you?—He had simply advanced me this small sum of money.

35,971. Did you really imagine that the deposit of shares in the Joint Stock Discount Company was any security at all?—Most unquestionably.

35,972. With 5*l.* called and 15*l.* not paid up?—Mr. Edmonds expressed himself perfectly satisfied with it at the time, or else he would not have taken them.

Mr. Michelmore.

MR. JEFFERY MICHELMORE was recalled.

35,973. (*Mr. Bere.*) There are some other things we want from you. We want your correspondence with Mr. Alfred Seymour, or any correspondence that took place between your office and Mr. Alfred Seymour, since September 1862, and we also want your account of the distribution of the money paid over by Mr. Seymour to you or to your father at the last election, and private letter book?—You have the cash book.

35,974. All the accounts for the 1862 election?—That is the only cash book we have.

35,975. Do you mean you have not a private cash book of your own?—You will find all the accounts in that book.

35,976. You keep a private letter book?—No; no letter book whatever.

35,977. Do you mean that the letters you have handed in are all the letters that passed between you and the Duke of Somerset?—All that are in existence. We do not keep a letter book.

35,978. (*Mr. Coleridge.*) Do you not keep a press letter book?—No.

35,979. Perhaps you have the letters by themselves?—That is the way we always keep our letters.

35,980. Then we should like to see all those, and the registration expenses since 1863; but in your cash book the registration expenses are charged against the duke up to the end of 1863, and we want the particulars of those registration expenses. And I ask you this question, since 1863 have the registration expenses been charged to Mr. Seymour?—Yes.

35,981. Then we want the particulars of the payments by Mr. Seymour of the registration expenses since 1863, and by the Duke of Somerset before 1863; and all the letters that passed between Mr. Seymour and your firm and the duke and your firm.

The Rev. W. H. James' examination resumed.

35,982. (*Mr. Bere.*) This conversation did not pass you say between you and Mr. Edmonds. Did any conversation to any such effect pass between you and him?—I have not the slightest recollection of it.

35,983. Will you undertake to say it did not?—Well, I may.

35,984. But will you?—Well, I would.

35,985. (*Mr. Coleridge.*) Was anyone ever present at these conversations?—No.

35,986. Any of them?—No.

35,987. Had you any conversation with Mr. Edmonds on this subject when anyone else was present at any time?—I have not any recollection of it.

35,988. (*Mr. Bere.*) Had not there been a conversation at the time of borrowing the money between you and Mr. Edmonds as to the rate of interest to be paid?—Five per cent. was agreed on.

35,989. Had you offered six per cent.?—No.

35,990. Are you quite sure about that; and did not Mr. Edmonds say five per cent. is the proper rate of interest you must pay?—No.

35,991. Did you offer to pay six?—No.

35,992. Have you got an account at the bank?—I had.

35,993. Why not go to your bankers?—The rate of interest was too high.

35,994. In November 1864?—At least I think so; besides it would not do to go to the bank for a temporary loan.

35,995. It was to be a temporary loan?—Yes, for 12 months or so.

35,996. Do you call 12 months a temporary loan?—I do.

35,997. At a bank?—You asked me why I went to the bank.

35,998. No, I ask you why you did not go to the bank?—I never thought of going to the bank.

35,999. Had not you been to the bank at all to ask whether they would not lend you the money to meet the call?—Not before I went to Mr. Edmonds, I think not.

36,000. Did you go at any time?—I really cannot remember.

36,001. Do you mean to say you cannot remember whether you went to two people to ask for a loan for the same purpose?—I have not the slightest recollection that I went to the bank to ask for such a sum of money.

36,002. Did you or not?—I cannot remember.

36,003. What is your bank here?—The National Provincial.

36,004. Did not you see Mr. Yabbicom and tell him that you had to meet the call on these shares, and ask him how you were to manage it?—I may have done so.

36,005. Did not you do so, and did not he tell you it was a security he could not advance money on, and that you had better get it from some friend?—I may have done.

36,006. Did not you do so?—I may have done so, but I cannot recollect all the little circumstances about it. I was terribly knocked up at the time.

36,007. You must remember that your oath and Mr. Edmonds' are in opposition upon certain small circumstances?—That I deeply regret.

36,008. And in other small circumstances you are uncertain, so that we cannot trust yours in those where your memory and Mr. Edmonds' conflict?—I may have consulted Mr. Yabbicom at the time.

36,009. (*Mr. Coleridge.*) Do not you recollect having a conversation with Mr. Yabbicom?—I cannot recollect the identical conversation.

36,010. Did not you have that conversation with Mr. Yabbicom on the subject?—Yes, I consulted him on the subject; yes, yes, I consulted him on the subject.

36,011. (*Mr. Bere.*) You said in answer to a question of mine you would not think of going to the bank for such a loan, when it turns out you consulted Mr. Yabbicom on it?—Why, I could not possibly afford to pay the banking charges.

36,012. What did Mr. Yabbicom say to you?—I quite forget.

36,013. What was the rate of bank interest at that time?—I cannot remember.

36,014. What did Mr. Yabbicom ask you for commission?—I have not the slightest recollection.

36,015. Now was any application made to you about the money before you received Mr. Edmonds' letter after the election of 1865?—I had only one application to me for the money.

36,016. Before the election of 1865 had you been canvassed by the Conservative candidates?—Yes, I had.

36,017. Who had given a call on you in their behalf?—Captain Pim came.

36,018. Did Captain Pim come before or after Colonel Dawkins?—I cannot possibly state which came first.

36,019. Can you remember who came with Colonel Dawkins to you?—Mr. Murchison came with—Colonel Dawkins?

36,020. Colonel Dawkins I asked you?—Mr. Frederick Kellock came, and also another gentleman; I forget his name at this moment.

36,021. Did any conversation take place between you and these gentlemen?—Very little.

36,022. Where did it take place?—In my drawing room.

36,023. What was the conversation that took place?—The conversation with Captain Pim was, I think, exclusively confined to Mrs. James.

36,024. What conversation occurred between you and Colonel Dawkins when Mr. Kellock was present?—The conversation was very general.

36,025. What was it about?—I cannot tell you; I quite forget; it was very unimportant.

36,026. Did you not inform Colonel Dawkins and Mr. Kellock that you were in pecuniary difficulties?—Not a syllable.

36,027. That you swear?—I swear I never gave them the slightest hint about it, for I was not in difficulties at that time.

36,028. In what state were the shares of the Joint Discount at that time?—At a very fair price.

36,029. Why did you not sell them to pay off your debt to Mr. Edmonds?—That was my misfortune.

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Rev. V. H. James.

4 Sept. 1866.

36,030. Had you not a conversation about these very shares ?—With whom ?

36,031. Mr. Kellock ?—Not a syllable.

36,032. Or with Colonel Dawkins ?—Not a syllable.

36,033. What was your conversation about ?—It was very general; I have no recollection of what it was about.

36,034. When did Captain Pim call on you ?—A day or two before the election.

36,035. Did he call with Mr. Murchison ?—Yes.

36,036. Was James Heath outside the door ?—I saw him there after they left my house.

36,037. What did you talk to Captain Pim about ?—I said very little to him indeed; his conversation was entirely confined to Mrs. James.

36,038. Did you hear what passed between him and Mrs. James ?—I have no recollection of what it was about.

36,039. Had you any conversation about money matters ?—None whatever, not a single syllable.

36,040. Did you hear what passed between Captain Pim and Mrs. James ?—I did.

36,041. What was it ?—The conversation, I believe, was very general. He told her who his first love was, and such nonsense as that; he rattled away as sailors generally do.

36,042. Did you tell him who your first love was in electioneering matters ?—I did not.

36,043. On your oath did you not allow Colonel Dawkins and Captain Pim to go away with the impression that you would vote for them ?—I gave them not the slightest reason to anticipate it.

36,044. That you swear ?—I do swear it positively.

36,045. Did you give them any reason to believe you would not vote against them ?—None whatever; they never asked me for my vote.

36,046. Do you mean to tell us they came to see you for the pleasure of your conversation, and not to canvass you ?—I do not know about the pleasure of my conversation; they never canvassed me.

36,047. How was any person to know which side you were going to vote ?—I was a Liberal when I came to Totnes, and I defended my vote.

36,048. To whom had you expressed your Liberal feelings ?—To Mr. Bentall, for one gentleman, in most unmistakeable terms, and to Mr. Bastard too.

36,049. To either of the Mr. Kellocks ?—Mr. Kellock knew I was not a Conservative.

36,050. How did he know that ?—From the conversation which once took place between us.

36,051. What conversation was that ?—It was some time after I came to Totnes.

36,652. When did you first get on the register ?—I cannot give you the exact date.

36,053. Was it in the end of 1863 or 1864 ?—I think I was put on the register in 1864.

36,054. Was there an objection taken to your vote ?—There was.

36,055. Was that objection argued before the barrister ?—It was.

36,056. What was the objection ?—As far as my memory serves me, about a rate which was left unpaid in the house, and which I did not pay and would not pay. That was the objection. If I am wrong let me be corrected.

36,057. Did the barrister overrule the objection and allow your vote ?—Yes.

36,058. Was it the Conservatives who took the objection ?—Yes.

36,059. Had you ever voted in the election for the council ?—Never.

36,060. As far as as your voting went in Totnes, you had never shown in that way your Liberal tendencies ?—I never took an active part in any election. I simply recorded my silent vote and walked home again.

36,061. Your Liberal tendencies not having been proclaimed by your voting, do you still mean to say that Colonel Dawkins and Captain Pim did not come to canvass you for your vote ?—They never did.

36,062. What do you mean by canvassing for a vote ?—Asking me to vote for them.

36,063. They did not express a hope that you would not vote against them ?—They might have expressed a hope, but I gave them not the slightest encouragement to expect it.

36,064. Did you not tell them you would not vote against them ?—No.

36,065. Did Mrs. James ?—Nothing of the kind.

36,066. (*Mr. Coleridge.*) Did they canvass Mrs. James ?—I believe not. Captain Pim told Mrs. James one very significant thing, "If I am here with you "long you will turn me too."

36,067. Were you canvassed by Mr. Pender and Mr. Seymour before or after Colonel Dawkins and Captain Pim ?—I did not see Mr. Pender at all in my house. He called three times, but I happened to be engaged and did not see him.

36,068. Did he see Mrs. James ?—No.

36,069. Or your son ?—He was not there.

36,070. Where did he see you at any time ?—I believe, to the best of my recollection, that I met him in the street. Of that I have a very indistinct recollection.

36,071. When was that; how long before the election ?—It might have been a day or two, or three days.

36,072. Did you speak to him as to how you were going to vote ?—I promised Mr. Pender my vote.

36,073. When did you promise him that ?—During that time.

36,074. Was that after Colonel Dawkins' visit or before ?—I cannot tell you.

36,075. You must tell us that. At the time Colonel Dawkins called on you had you promised your vote to the other side ?—I promised it to the Liberals.

36,076. To whom ?—To Mr. Pender.

36,077. When had you seen Mr. Pender to give that promise ?—A day or two before; I cannot say.

36,078. Was it a day or a week before the election ?—It may have been a week; I cannot possibly say the exact time.

36,079. Will you undertake to say that you promised or told Colonel Dawkins and Captain Pim that you promised your vote to the other side ?—They never asked me for my vote, and there was no necessity to answer them.

36,080. Do you really mean to tell us that two candidates for the representation of the borough, who knew nothing of you, called on you and did not ask you how you were going to vote ?—They did not ask me for my vote.

36,081. Did they ask someone in your presence ?—I do not know; I can only answer for myself.

36,082. (*Mr. Longe.*) Captain Pim says in his evidence, "He gave us a hope that we should have his "vote" ?—I gave them no such hope.

36,083. (*Mr. Coleridge.*) You stated that Captain Pim said to your wife, "If I stay here much longer, "you will convert me" ?—They were not talking of politics; but you can take Mrs. James's evidence.

36,084. What was it that made Captain Pim say this to Mrs. James ?—I really cannot tell you; it is useless pressing me in this way.

36,085. You recollect the expression, "If I stay "here much longer you will convert me;" what led to Captain Pim's saying that ?—As far as I recollect, Captain Pim was descanting on some topic or other; I am not prepared to state on oath what it was.

36,086. What made Captain Pim say, "You will "convert me if I stay here much longer;" you must remember that ?—I do not remember.

36,087. I do not ask you the words; what was the topic which made Captain Pim say to Mrs. James, "If I stay here much longer you will convert me" ?—I do not know whether or not it was an allusion to the contest which took place some years ago in Monmouthshire.

36,088. That was a political conversation ?—Yes, it was political.

36,089. Did they ask you how you had voted then ?—That I cannot say.

36,090. Were you talking to Colonel Dawkins at this time?—Colonel Dawkins was not with Captain Pim.

36,091. Whom were you talking to when Mrs. James was talking to Captain Pim?—I had some conversation with Mr. Murchison.

36,092. Did Mr. Murchison say he hoped you would vote for his friend Captain Pim?—Nothing of the sort.

36,093. What brought them there?—I cannot tell you.

36,094. Did not Captain Pim say he was going to stand for Totnes?—Nothing of the sort.

36,095. You had met him in the street some few days before, what did he say to you then?—What I hope no man will ever say to me again.

36,096. What did he say?—He asked me for my vote, and I complained that I had been ill used by the other side, or by the opposite party.

36,097. When was this conversation?—Some two or three days before the election.

36,098. Was that before or after he had called on you?—Before.

36,099. And then he asked you for your vote?—He asked me for my support.

36,100. So that when he called at your house, having asked you before, he had no need to ask you for your vote?—I told you he never asked me in my own house.

36,101. What does that matter where it was; he asked you for your support, what did you say?—I told him I could not give it to him.

36,102. That you would not give it him, or that you would consider of it?—I said no such thing; I gave him most unmistakeably to understand that I was on the other side.

36,103. Do you recollect what you said?—I cannot.

36,104. What did you say about being ill used by the other side?—He turned round and said to this effect, "What shall we do for you; shall we do any-"thing for you?" I lost my temper, and was it not for the credit of my cloth he would not have asked that question a second time.

36,105. Did he ask you the second time?—No.

36,106. When you lost your temper what occurred, did you part?—We parted.

36,107. He said he was sorry he had put you out?—Nothing of the sort.

36,108. You have not told us how the other side had ill used you?—When I was a clergyman in Wales I had voted for Lord Granville Somerset at the time they attempted to turn him out of the representation of Monmouthshire.

36,109. You voted for the Conservatives at that time?—What of that?

36,110. Was it not so?—He was a Conservative, but he was supported by the Liberals.

36,111. You told us you were known to be a Liberal because you had voted in Monmouthshire?—The Liberals supported Lord Granville Somerset at that election.

36,112. What made you tell Captain Pim that the other side had ill used you?—I then held a church which had been built by Mr. Crawshay Bailey.

36,113. How had you been ill used?—They took away my sacramental plate from me; they deprived me of the use of coal for warming my church; they discharged my clerk; and if they could they would have starved me.

36,114. Mr. Crawshay Bailey is a Liberal, is he not?—I believe not.

36,115. Is he a Conservative?—Yes.

36,116. How do you mean that the other side had ill used you?—I mean the Conservative side; the other side from me.

36,117. Did Colonel Dawkins ever ask you for your vote?—I have no recollection that he did.

36,118. Did he or did he not?—He did not.

36,119. Did you never meet him anywhere?—No.

36,120. Or ask you to support him?—He did not.

36,121. Or hope you would not vote against him?—I have no recollection of it.

36,122. Can you swear he did not?—I cannot swear any more than I have told you.

36,123. Did Colonel Dawkins have any conversation with you about your vote, or how you were going to vote?—Not in my own house.

36,124. I did not ask that?—I do not remember having any conversation with him on the subject.

36,125. Or about your politics?—None.

36,126. Or whether you would vote for the Liberal party or not?—None.

36,127. (*Mr. Bere.*) Before the election did you receive this note from Mr. Edmonds?—I received this note.

36,128. You received a note to this effect:—

"Totnes, July 12th, 1865.

"My dear Sir,

"Being especially interested in the result of this election, I would ask you as a favour of the most deeply personal kind not to vote against Colonel Dawkins, but, if possible, to give him your support.

"Yours very truly,

"T. H. Edmonds.

"The Rev. W. H. James, Totnes."

Yes, I did.

36,129. That was on the day of the election?—Yes.

36,130. What time did you get that?—About 6 in the morning.

36,131. Was that brought you by some messenger?—I cannot tell you by whom.

36,132. What did you do?—I got up and dressed myself.

36,133. What did you do then?—I went down to the "Seymour" and saw Mr. Pender.

36,134. And shewed him that letter?—I did.

36,135. What did Mr. Pender say to you?—Mr. Pender expressed his indignation at the proceeding.

36,136. What did he say besides expressing his indignation?—I cannot exactly tell you the words.

36,137. Did he give you reason to understand that he would pay the debt for you?—Certainly.

36,138. Was that about half-past 7 in the morning?—Yes.

36,139. Before the poll was opened?—Yes.

36,140. And you went up as soon as the poll opened and voted for Pender and Seymour?—I did.

36,141. Mr. Pender having promised you the money, when did you get it?—About 11 or half-past 11 on the same day.

36,142. (*Mr. Coleridge.*) Did you immediately go and pay Mr. Edmonds?—No, I did not.

36,143. When did you pay him?—A few days after.

36,144. (*Mr. Bere.*) About what time did you vote?—I voted No. 8 I think.

36,145. Are you quite certain about that; in the poll book you are put down as No. 238?—I voted very early.

36,146. Here is the poll book?—I cannot help that.

36,147. Probably it is an error in the poll book, the initials are different. Upon your oath did you not vote after you received the cheque?—Upon my oath I did not vote after I received the cheque. I voted before I received the cheque, and I believe my name stands No. 8 or No. 9.

36,148. Did you vote before you received any money?—I did, long before; hours before.

36,149. (*Mr. Coleridge.*) You voted after you had received the promise of this money from Mr. Pender?—Exactly so; I admit that.

36,150. It seems a mistake in the poll book; there is another Mr. James?—I voted early; I wished to get through it.

36,151. In what way did you receive the money?—my impression is, that it was one 100*l.* note, one 50*l.* note, and the rest in 5*l.* notes.

36,152. And the rest in gold?—No, no gold.

36,153. Can you recollect the day you paid the

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money to Mr. Edmonds?—Where is the paper I had in my hand?

36,154. That is not in your handwriting?—That does not matter.

36,155. In point of law it makes all the difference, because you cannot refresh your memory by it?—I repaid Mr. Edmonds on the 24th of July.

36,156. Did you receive a letter on the 18th saying, "I should be glad if in the course of a few days you "could repay the temporary loan I made you last "year"?—I got that note at Plymouth, when I happened to be there.

36,157. On the receipt of that letter did you write the following letter to Mr. Pender:

"Mount Pleasant, Totnes,
"DEAR SIR, "July 24th, 1865.

"MUCH to my surprise Edmonds called up his money. To-day Mrs. James went down to his office and paid him up principal and interest, 232*l.* 8*s.* 6*d.* This conduct is too bad. I can but thank you very much for your help in this matter. Shall I send you some of the scrip of the Joint Stock Discount Company as security, or would you like my note of hand? I should much wish to hold what shares I have till they get to a decent premium, and hope you will have no objection allowing your money to remain with me. I heard from my broker a day or two ago, and he tells me that the account will be a good one. I trust that you have got over the fatigue of the election, and that Mrs. Pender is better. Mrs. James joins me in kind compliments.

"I remain, my dear Sir,
"Yours truly,
"John Pender, Esq. W. H. JAMES."

That is the letter you wrote to him?—It is.

36,158. Had any conversation passed between you and Mr. Pender at the time he promised you the money of what security you were to give him?—The security I offered Mr. Pender was the scrip.

36,159. Had you offered Mr. Pender any security before he promised you the money?—I do not recollect that I had. It all took place in a very short time.

36,160. What do you mean by "Much to your "surprise Mr. Edmonds had called up the money." You borrowed money on the 12th of July to pay him off, was not that in consequence of your expecting Mr. Edmonds to call for his money?—I was very much surprised at Mr. Edmonds calling up his money. I was very much surprised, because he had been on very friendly terms with me, and I thought it a very hard case indeed.

36,161. Why did you tell Mr. Pender you were surprised when you had got his money to repay it?—I merely stated the case to Mr. Pender in order that I might be protected from any sudden demand on me.

36,162. Why did you tell Mr. Pender? What was there in Mr. Edmonds' letter in the nature of a threat?—There was no threat at all.

36,163. Then what made you go to Mr. Pender?—Because it was my impression that Mr. Edmonds would have called up the money if I had not voted for their party.

36,164. Did you go to Mr. Pender and tell him that Mr. Edmonds was putting a pressure on you in order to get your vote?—I never made use of the word pressure.

36,165. What word did you make use of?—I cannot recollect the exact words which I used to express my indignation at the affair.

36,166. At what affair?—At that letter being sent to me.

36,167. What was there in the letter of Mr. Edmonds for you to express indignation at?—I thought he had no business to interfere with my vote.

36,168. How did he interfere with it by that letter?—I looked upon it as an intimidation, and if it was not an intimidation it had something of the appearance of it.

36,169. Then why were you surprised when he called up his money?—Such conduct in my opinion was very dishonourable.

36,170. Did not you say to Mr. Pearce, the manager of the Devon and Cornwall Bank, that you had been threatened by Mr. Edmonds?—I have no recollection of it.

36,171. Did you tell Mr. Pearce, or anyone else that unless you voted for the Conservative candidate Mr. Edmonds had threatened to take proceedings for the recovery of a sum of money due to him?—No, never.

36,172. Mr. Edmonds thought you had said so, and wrote to you for an apology; and in your reply to him you stated that you had made no such charge. Had you not gone to Mr. Pender and told him you considered that letter a threat, which would be carried out if you did not not vote for the Conservative candidate?—I am not aware that I told him that.

36,173. What did you tell him?—I expressed my surprise at the time, and as any man would feel under such circumstances, I expressed my strong indignation at the conduct of Mr. Edmonds. I really cannot say any more.

36,174. What was there in Mr. Edmonds' letter to cause you to be indignant?—Why should he send me up that letter in the morning?

36,175. He sent to ask a favor of you. When you got this money from Mr. Pender, and were in this high state of indignation with Mr. Edmonds, why did you not pay him the money straight off without waiting for him to ask for it?—I never thought of it.

36,176. What did you do with the money?—It was locked up.

36,177. Who locked it up?—I believe Mrs. James locked it up.

36,178. When you did pay Mr. Edmonds, was it in the identical money which you had received from Mr. Bowden?—The very identical money.

36,179. Feeling in that state of indignation with Mr. Edmonds how was it that you did not pay him the money at once?—Because I was in very great hopes that Mr. Edmonds would not have called up the money.

36,180. If he had not, what should you have done with the money?—I should have returned it by all means; have sent it back.

36,181. Would you not rather have become the creditor of Mr. Pender than have remained that of Mr. Edmonds?—No; I was perfectly satisfied with Mr. Edmonds, and Mr. Edmonds was satisfied with me. I was vexed and annoyed about it.

36,182. It was merely a request of you to give one vote to his party; was that all that made you indignant with him?—Why did he interfere with me?

36,183. He asked you not to vote against Colonel Dawkins; was that the only thing which made you indignant with him?—I thought it was a matter of indignation.

36,184. Was that the only thing in which Mr. Edmonds had annoyed you?—No, not at all.

36,185. Had he canvassed you personally?—I do remember that he had been at my house.

36,186. The sole cause of your indignation was that he had requested you not to vote against Colonel Dawkins?—I was annoyed at it.

36,187. You were not so very indignant after all?—I am not easily put out.

36,188. You did not think it necessary to repay Mr. Edmonds; you kept the money locked up?—I should have preferred it if Mr. Edmonds had not called it up.

36,189. When you had got the money from Mr. Pender to meet the chance of the demand of Mr. Edmonds what made you so surprised when Mr. Edmonds did make the demand?—It was very extraordinary conduct in any person having lent you money on what might be considered good and decent security, that they should call it up immediately after the circumstance of your not voting for their party.

36,190. What did Mr. Pender say about the security?—He was perfectly satisfied with it. There was a certain number of scrip put into an envelope and marked.

36,191. Where are they?—They are now at my house.

36,192. Mr. Pender has never had them?—No, never.

36,193. He did not think the security worth having; is that it?—I do not know.

36,194. This security, which was so very good that Mr. Yabbicom would not lend any money on, was all you tendered to Mr. Pender?—That is all.

36,195. At this moment he holds no security at all?—None whatever.

36,196. (*Mr. Bere.*) Did you write a letter of the 26th July 1865, to Mr. Pender to this effect: "I here- "by certify that I hold Joint Stock Disct. Co. shares, "numbered 49,786, 49,795, 79,396, and 79,435, on "your account, an advance of 235*l.* having been "made to me by you, on which interest will be paid "half-yearly until the above sum is repaid. If the "above form does not meet your views I will adopt "any one you send me. All I wish to have done in "this matter is the saving expense." Is this a letter you received from Mr. Pender in answer. "July 29th "1865. I have your favour of yesterday, which is "quite satisfactory. I have no idea of putting you "to any expense. The security is quite safe in your "hands. I hope in time that you will be able to "repay me out of the winnings. Yours very truly, "John Pender." That is the letter you received from Mr. Pender in answer?—Yes; that is the letter.

36,197. Was it not understood between you and Mr. Pender that unless the Joint Discount Company turned out a good speculation you were not to repay the money at all?—No, nothing of the sort.

36,198. Be particular, I used the word understood not expressed?—No, nothing of the kind.

36,199. Do you believe you will be called on to repay that money?—Unquestionably, no doubt of that.

36,200. (*Mr. Longe.*) As to your conversation with Mr. Pender on the morning of the election?—I cannot give it you word for word, the principal thing I impressed on Mr. Pender was simply this; the money had only been borrowed for a short space of time. I had been a heavy sufferer, and I begged and entreated of him not to put me to any additional expense.

36,201. What expense had you been put by Mr. Edmonds?—About 3*l.*

36,202. What ground had you for telling Mr. Pender that Mr. Edmonds wanted the money repaid. You told us nothing took place about his requiring payment of the money. This letter does not exhibit the slightest symptom of a threat; you go to Mr. Pender and make a grievance of this letter?—I anticipated that it would have been recalled; I was afraid of it.

36,203. You knew it was a temporary loan?—Exactly so.

36,204. That it was a loan only from day to day?—Not exactly of so brief a character as that.

36,205. (*Mr. Bere.*) Have you paid interest regularly up to this time on the 235*l.*?—Yes, I have; I believe you have the receipts.

36,206. Is your house your own?—It is my own in a great measure, I am thankful to say.

36,207. Do you happen to remember that you gave the money you received from Mr. Pender to Mrs. James?—Yes I do.

(*Mrs. James*). Mr. Pender gave it to me.

(*Mr. Bere*). This inquiry must be conducted regularly.

(*Mrs. James*). But I must be heard on the facts.

(*Mr. Bere*). We must conduct this inquiry as we please.

(*Mrs. James*). But the truth must come out.

(*The witness*). Will you allow me to make one remark. My memory has become exceedingly defective, and has been for some years, and I must beg the court therefore to put the best construction that it can upon my apparent hesitation that I may have in answering the questions.

36,208. (*Mr. Bere.*) I will put the case plainly before you. Certain allegations have been made in this court. Circumstances have been alleged which you have been examined about. You have given in some instances a denial of those circumstances, and we must in the proper discharge of our duties as Commissioners determine by all the means we have, if we have any means in our power, which of the two persons who have made statements on oath is speaking the truth, and therefore if you cannot trust your recollection do not depose to any fact that you are not certain about.—I shall not do so; certainly not.

36,209. Was Mrs. James with you in that interview with Mr. Pender?—She was.

36,210. Did she actually receive the notes?—She received the notes.

36,211. The notes that she received and afterwards paid to Mr. Edmonds were in all probability the notes that she had on that occasion?—Exactly so.

36,212. Did you see the notes yourself?—I did

36,213. Now I am going to call your attention to a serious charge that you have made against Mr. Edmonds, namely, that on one of those notes there was a name endorsed?—There was a name upon a note sent up to me for my endorsement.

36,214. In the number of notes that either you or Mrs. James received, was not there a 50*l.* note with an endorsement upon it?—That I cannot swear to.

36,215. Will Mrs. James be prepared to swear to that.

(*Mrs. James*). Yes.

36,216. (*Mr. Bere.*) Did you make a charge against Mr. Edmonds that he had forged the name upon one of those notes?—

(*The witness*). No.

36,217. Or that he had substituted one note for the other?—There was a charge made that the notes were forged.

36,218. Who made that?—I did.

36,219. On what ground did you make that charge?—I supposed it.

36,220. What made you suppose it?—Because there was an air of mystery thrown upon that note, and mystery was attached to it which I never attached.

36,221. Probably you knew nothing about it?—No.

36,222. There was a great deal of mystery attached to that note?—Yes.

36,223. Have you a brother, Charles Herbert James?—Yes.

36,224. Is he a solicitor, at Merthyr Tydvil?—Yes.

36,225. Did you authorize him to write certain letters to Mr. Edmonds?—Yes.

36,226. Not only authorized him to write those letters, but did you see a letter sent by him to you, and forwarded by you to Mr. Edmonds?—Yes, I did.

36,227. When was the accusation originally made?—Early in the year.

36,228. In this year?—I believe so.

36,229. Was it not made by you before the petition?—About the time of the petition.

36,230. Was it not before the committee sat?—Not before.

36,231. Is this the letter you authorized your brother to write. "Merthyr Tydvil, 19th April "1866.—Sir, What my brother means to say is this, "that you sent a note to him, to be endorsed by him, "which he had not paid to you, and that you used "such note before the committee. It will be well to "have the matter well aired, and that, if possible, "before the bill for redistribution of seats is gone on "with, so that we may, if possible, get rid of those "places that are such a stigma to the English name. "You can send me any process." Did you see that letter?—I saw that letter.

36,232. Was that letter intended to induce Mr. Edmonds to bring an action for libel?—No, not to my knowledge.

36,233. Did you at that time believe that Mr. Edmonds had forged the note?—I did believe that there had been some foul play about it.

36,234. Mr. Edmonds wrote this answer "Sir, You

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" must be well aware that your letters are so written " and your charge made in such a way that I cannot " use it against your brother in a court of law, the " communication made by him to you being in the " first place privileged, and in the second place not " a sufficient publication to bring it within the reach " of the law of libel. I must therefore *at present* " content myself with stating that I most indignantly " deny the gross imputation which you have attempted " to cast upon me."

36,235. Did you receive after that letter a letter from your brother, dated the 23rd April 1866, enclosing this letter (*referring*) ?—I did.

36,236. "The enclosed will show that Mr. Edmonds " declines a move at present. What does Pengilley say " to his signature to a 50*l.* note. He can't sign so many " as not to know when and where he signed this one."

36,237. Had you either before you made this charge or after you had made the charge inquired of Pengilley whether he had signed the note?—I had not. I had not seen him at all.

36,238. Now I asked you a question some time ago about your house. Had you bought your house ?—I had agreed to buy it.

36,239. Have you ever completed the agreement for the purchase?—I have completed the agreement.

36,240. Have you paid the money ?—Not the whole of it. I have paid 200*l.*

36,241. Did you ever wish to sell it ?—I did.

36,242. Did you ever express that wish to Mr. Evan Evens ?—Yes, I have.

36,243. Did you mention the sum that you wanted for it ?—No.

36,244. Did you never say to him that you wanted 700*l.* for it ?—No, I distinctly deny it.

36,245. Had you spent any money on the house ?—Yes, a good deal.

36,246. What had you agreed to give for it ?—400*l.*

36,247. Had you been enabled to make it worth 700*l.* ?—I spent 150*l.*

36,248. That would make it worth 550*l.* ?—Yes.

36,249. Did you mention any sum to Mr. Evan Evens as the value of what you thought the house was ?—I have not the slightest recollection.

36,250. Would you undertake to say you did not ?—I think I may.

36,251. Did you see Mr. Evan Evens at all before the election of 1865 ?—Yes.

36,252. At his shop ?—Yes ; that was in the month of April.

36,253. Did you talk to him about selling the house then ?—This conversation took place on the 5th of April to which you allude now.

36,254. What conversation do you allude to ?—The conversation that he represented took place.

36,255. You have read his evidence ?—Yes, I have.

36,256. Having read his evidence, did any such conversation take place about the selling of your house ?—Yes.

36,257. What was that conversation ?—If you will allow me a moment or two, I will state to you what I said.

36,258. Certainly.—I called there to have a lease signed on the 5th day of April, and I asked Evens the simple question in conversation, " Mr. Evens, if you " hear of any person likely to buy my house, let me " know," and to my very great surprise, and to my very great annoyance, in the course of that conversation he asked me one question, I think of it with great pain to myself to the present day, " I suppose, Mr. James," he said, " you would not vote against any person that " bought your house ?" I shook my head ; the conversation ended, and it was never renewed, never ; no mention about the price ; nothing of the sort.

36,259. Did you not say, at that conversation, "I " shall not be particular which way I vote " ?—Never said anything of the sort.

36,260. Did you mention what you wanted for your house ?—I have no recollection that I did so.

36,261. Did you say that you wanted a profit ?—I believe not ; the conversation was a very brief one, and it took place in about three or four minutes.

36,262. Did you not say the house had cost you 400*l.*, that you had spent 150*l.*, and you wanted a profit ?—That is impossible, because I had not spent it then.

36,263. Did you not say you had paid 400*l.* for it, and you wanted a profit on 400*l.* ?—I had not spent it.

36,264. Had you made any improvements in your house ?—I was about them.

36,265. Had you contracted at all ?—I had.

36,266. For the sum of 150*l* ?—Oh, no.

36,267. How much ?—About 75*l.* the contract.

36,268. Then it has been doubled ?—Yes ; at all events, I was summing up the whole the other day, and I spent as near as possible a sum of 150*l.* on my house.

36,269. How much before the election of 1865 ?—I believe I paid it all.

36,270. This conversation with Mr. Evens was in the April of 1865 ?—Yes, in April.

36,271. At that time had you not paid the 150*l.* ?—No, I had not paid it.

36,272. Nearly ?—Yes ; at least the tradesmen's bills had not been rendered.

36,273. You knew the improvements would cost you about 150*l.* ?—Not then. I anticipated that they would cost about 100*l.*

36,274. I will read you what Mr. Evan Evens has sworn to :—" I really forget the exact time. I might " have had some conversation with him. *Q.* Something " about the sale of a house ?—*A.* I heard him say he " would be happy to sell his house if I knew anyone " of my own party or any other person who would " buy it. *Q.* Was he particular that it should be " some one of your party ?—*A.* He had no objection " to my suggesting it to my friends. *Q.* Did he say " what he wanted for it ?—*A.* He said he wanted " 700*l.* *Q.* What had he given for it ?—*A.* I have " heard he gave 400*l.* *Q.* So that if anyone would " give him a profit of 300*l.* he should be happy to " dispose of it ?—*A.* Yes ; but he had made many " improvements in it. *Q.* Did he say that if he got " 700*l.* he would not be particular on which side he " voted, or even in going away ?—*A.* He said he " should not be particular or care on which side he " voted provided he got 700*l.* for his house. This is " really a breach of confidence in my telling what " took place in my own shop. *Q.* We must not have " any breach of confidence complained of here. Did " he not say that he would either go away and not " vote, or he was not particular on which side he " voted if he could get this money for his house ?—" *A.* I do not think that he suggested leaving the " town. *Q.* He said he should not be particular on " which side he voted ?—*A.* Yes. *Q.* He gave you " to understand that he would vote for that side which " purchased his house ?—*A.* Just so, at that time." Is that a true or a false representation of what took place ?—It is a false representation.

36,275. Was there any conversation about your vote ?—None. Merely allow me to correct myself. The question was put to me, and that is the question I told you of just now ; he asked me, " I suppose, " Mr. James, you would not vote against or oppose any " person that bought your house ?" but, as I told you before, I shook my head most significantly, and I said, " No, I could not do that."

36,276. Did you leave the shop immediately ?—I did.

36,277. Had you any more conversation with him ?—Never, upon that subject.

36,278. Was that the end of the conversation ?—That was the end of it.

36,279. You gave him no reason to believe that

you would vote for the person who bought it?—None whatever. None in the slightest degree. I declare solemnly before this court, none whatever.

36,280. (*Mr. Coleridge.*) There was some mess you got into about the London Joint Stock Discount Company?—There was a difficulty made.

36,281. But I want to know what was the actual name of the Company in which you had shares at the time you wanted to borrow this money of Mr. Edmonds?—The Joint Stock Discount Company. There is no secret about it. It is well known. It is commented on in every paper published in England. It was a regular swindle, and I was one of the parties who suffered.

36,282. You received a letter from Mr. Pender on the 10th March this year on that subject?—Yes.

36,283. "My dear sir,—I have your favour of 8th. "I deeply regret the misfortune that has overtaken "you in connection with the London Joint Stock "Discount, but do not let the loan that I have made "to you on the security of the shares influence you "in any way. You can, if you think it desirable, sell "them. So far, however, as I can learn the business "will not prove so bad as it looks at present, but it is "most difficult to get reliable information. I hold "200 shares, but I am not attempting to sell them at "present. The petition question is very annoying, "but it is done to extort money, but this they will "not succeed in, so they must do their worst." Did you, upon that, sell those shares?—No, I could not; they were too low.

36,284. Nor transfer the security to Mr. Pender?—No.

36,285. They remain as they were, sealed up in an envelope?—Yes.

36,286. Mr. Pender has neither the shares nor a note of hand?—No. He has nothing but my word of honour, and that I will redeem.

Mrs. JANE JAMES sworn and examined. *Mrs. J. James.*

36,287. (*Mr. Bere.*) You are the wife of the Rev. Henry James?—I am.

36,288. He has been living in Totnes for about four years?—Four years and a half.

36,289. Were you in the house on the morning of the 12th July when this note was sent to you?—Yes. We were in bed.

36,290. The note was brought up to you?—No; we heard the bell ring. Our room is near the back door and our servant was not up. Mr. James dressed himself, went down, and found the note under the door.

36,291. And then he brought it up?—Yes.

36,292. Was it your suggestion that you should go down to Mr. Pender?—No, it was Mr. James'; but I accorded with it.

36,293. Did you see any peculiar threat in this letter?—I took it as an intimidation. I consider no man has a right to ask another how he intends to vote.

36,294. Had your husband told Mr. Edmonds how he was going to vote?—I do not know at all.

36,295. Had you?—I do not know at all. On the Saturday before the election we met Mrs. Edmonds, and among other things she said, "I am so sorry Mr. "James is not on our side." I said, "Mrs. Edmonds, "we have a side of our own;" and then she began about the duke, and I said, "Would any of your "party behave better if they had the duke's power?"

36,296. Did you tell Mrs. Edmonds which way you were going to vote?—I said we had a side of our own; that meant that we were not on their side, and she said she was so sorry that we were not on their side.

36,297. Were you present when Colonel Dawkins and Captain Pim called on your husband?—I was present when Captain Pim and Mr. Murchison called. We were on the green at the flowers; we met them, and returned to the house.

36,298. Do you remember what passed?—Yes. Captain Pim commenced when he sat down by saying, "Oh, he had heard such dreadful things about the Duke of Somerset, in fact, that all his tenants were obliged to go to the same tailor. I said, no doubt he had heard a great deal of untruths; and he commenced directly on politics, and I said, "I cannot "agree with you;" and we talked politics the whole of the time, and I told him what I thought.

36,299. You talked politics the whole time?—Yes, and I told him, Mr. Commissioner, that they had a very offensive man in their employ, that is, the man Harris; that he had behaved very badly to Mr. Slatter.

36,300. Did he speak of it?—I do not know. He told me, as a gentleman, that he would.

36,301. When your husband wanted this money borrowed, did he consult you on the matter?—Yes.

36,302. Did not you recommend him in the first instance to go to the bank?—No, we had employed Mr. Edmonds. He was making a conveyance of the Mount Pleasant property.

36,303. Did you suggest that he should go to Mr. Edmonds?—I do not know.

36,304. Did you happen to know that he went to the bank and saw Mr. Yabbicom?—Mr. James often saw Mr. Yabbicom.

36,305. The bank refused to advance the money?—I believe not. Mr. Yabbicom could not advance more than a certain sum. He was not allowed to do so if he wanted, and I believe Mr. James never spoke to Mr. Yabbicom about advancing the money.

36,306. Mr. Yabbicom will give us his version. You yourself did not go to the bank?—Decidedly not.

36,307. Did you see the note of hand before it was given to Mr. Edmonds?—I saw the paper Mr. Edmonds had drawn out.

36,308. Did you read it?—Yes.

36,309. Do you remember to whom the note was payable?—I believe it was not in the form of a note of hand, to pay anyone at any specific time. It was a paper drawn with a stamp for the money.

36,310. It was to pay any person when they chose to ask for it?—I do not know.

36,311. I want to know what you know yourself?—I wish to give you every statement.

36,312. Do you remember the name of the person to whom it was payable?—It was Mrs. Michelmore's money, I believe.

36,313. Do you know whose name was on the paper?—I believe no one.

36,314. What did you do with the note?—I burnt it. After I paid the money I took it home and burnt it.

36,315. At that time did not you read it?—Yes. But do you suppose that I can recollect all that I read? I have an excellent memory, but documents I cannot keep in my mind.

36,316. Was it not "I promise to pay Mr. Edmonds "or Mrs. Michelmore the sum of 200*l.*"?—It might be.

36,317. Can you say whether it was Mr. Edmonds or Mrs. Michelmore?—I cannot say. I understood it was Mrs. Michelmore's money.

36,318. Which Mrs. Michelmore?—Mrs. Michelmore.

36,319. Did not you know Mrs. Michelmore?—Yes, I knew her well.

36,320. Had you not told her?—Never a word passed between Mrs. Michelmore and me. In fact, Mr. Edmonds called one morning and asked Mr.

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James if a sum of 200*l.* would be of use. It was a larger sum at first which Mr. James asked him to find on interest.

36,321. You knew Mrs. Michelmore was your creditor and not Mr. Edmonds?—I knew that Mr. Edmonds had got it for us as a lawyer.

36,322. Then, going from the borrowing to the repaying, you went to Mr. Pender?—Yes, we did.

36,323. What time did you get down?—I should think about half-past 7.

36,324. Where did you see him?—We were shown upstairs in the sitting room.

36,325. Was he up?—He was at breakfast, and he rose from his breakfast table.

36,326. He spoke to you in the room in which he was taking breakfast?—Yes.

36,327. You were introduced to him in the room on the ground floor?—No, he came out and met us in the passage.

36,328. What passed between your husband and him in that room?—As far as I recollect, Mr. James showed him the note, and said, "Just look and see "what I have received." I cannot swear to the exact words, but to the sense of it I do. And Mr. Pender said, "Well, it is very annoying," or "I am very "angry" (I think that was the expression) "that you are served so.

36,329. What did he say about it?—In fact he did not tell us.

36,330. Do you mean to say you came away without being thoroughly well aware that Mr. Pender would lend the money?—No, I do not mean to say so.

36,331. What did he say he would do then?—In fact he did not tell us. We did not ask him to lend the money.

36,332. Do you mean to say you came away from Mr. Pender without being thoroughly well aware that he would lend the money?—No, I do not say that; he said, "I am very glad you came to me instead of going "elsewhere."

36,333. You came away with the full belief that it would be paid?—Yes.

36,334. And did you part with him on that understanding?—I did.

36,345. What time was the money paid?—It was at about half-past 11, or from that to 12. Do you mean when Mr. Pender brought it?

36,336. Yes.—He brought it up to our house.

36,337. And paid it to you?—He gave it to me.

36,338. What did you do with it?—I went and locked it in the cash box.

36,339. What was it in?—One 100*l.* note, one 50*l.* note, and other small notes, which I could not swear to.

36,340. Was there any gold?—There was not any gold whatever. There may have been a 10*l.* note, but no gold at all.

36,341. What did you do with it?—I put it in the cash box.

36,342. May I ask why you did not go and pay Mr. Edmonds?—Because we thought Mr. Edmonds might think better of it, and if he had done so we did not wish to have any altercation with him, and he would have been our solicitor, as he was before.

36,343. When he wrote the letter of the 18th July, did your husband show it to you?—We were at Plymouth or Stoke, and I saw it immediately.

36,344. Did you repay the money?—On the Monday following Mr. James acknowledged the receipt of the note when we came back, saying it would be paid on Monday at 11 o'clock.

36,345. Did you pay back to Mr. Edmonds exactly the sum of money you received?—I positively swear that; they were all locked in the cash box.

36,346. You took it down yourself?—I took it down myself. I went down to Mr. Edmonds.

36,347. When you were at Mr. Edmonds' office to whom did you pay it?—I paid it to Mr. Edmonds himself. I was there punctually at 11 o'clock; he kept me a quarter of an hour. I went up to the room with him and paid it to him himself.

36,348. Did any conversation take place?—In fact nothing that I recollect.

36,349. Did you count the notes at the time?—Mr. Edmonds counted them; I believe I counted them to him.

36,350. On the 50*l.* note at that time did you see any writing?—I never did at the time I counted them over. I never saw it.

36,351. Was the 50*l.* note a Bank of England note?—It was.

36,352. Did you not take the numbers of the notes?—I never took the numbers.

36,353. In consequence of Mr. Edmonds writing that letter of the 18th of July, asking for the loan to be repaid, you were angry with him, and you ceased to be in friendship with him?—I could not imagine we could continue to employ him as our solicitor.

36,354. Did you write to him, or did your husband?—No.

36,355. Did you not on or about the 12th or 14th of August?—No.

36,356. Just look at that letter (*handing a letter to the witness.*) Do you know that your husband received such a letter from Mr. Edmonds?—(*After reading the letter*), I believe we may have received such a letter. Yes, we had such a letter, and Mr. James enclosed a cheque for Mr. Edmonds' bill with his compliments in reply to it.

36,357. That is all that took place?—That is all that took place.

36,358.

"Totnes, August 14th, 1864.—Signed T. H. Edmonds."

"Sir,—Although you expressed yourself to be under a deep obligation to me when I last year procured you the advance of 230*l.*, and although you stated at the time you would only require it for about three or four months, yet because at the expiration of a much longer period I (having an opportunity of putting out the money on good landed security) asked you to repay it, it seems that all sense of obligation fails, and that the friendship which you previously professed towards me suddenly terminates. I had an intimation from Mrs. James (given with no little bitterness of manner,) that as I had called in the money you could not think of allowing me again to act professionally for you, and this morning I received through the Devon and Co. Bank an authority from Mr. Hatter to place the deeds in their hands. Before, however, I can do this it is necessary that I should receive from Mr. Hatter the memorandum I gave him, so that I may be freed from all further responsibility, and in the meantime, as you have intimated that all business relations between us are at an end, perhaps you will be good enough to pay my costs."

This is a copy.—There is an error in it. I will send the original to the Commissioners, I believe it was "three or four months;" and in the original it says "temporary loan," as Mr. James said to me at the time. That is as far as my memory serves me. I cannot swear to it, but you shall have the original letter.

36,359. Why has it not been sent here before?—I did not think it of any consequence; you can have it.

36,360. It makes all the difference between one letter and another?—You can have it, and I believe you will find there is a difference.

36,361. Did Mr. James show you the letter?—Yes, and he immediately drew a cheque and sent it with his compliments.

36,362. He returned no answer to the statement that it was a temporary loan for three or four months?—None whatever; nothing but his compliments with the bill enclosed, which he received back receipted.

36,363. Will you be kind enough to let us have the original?—I will, sir.

36,364. Do you know anything about this conversation between your husband and Mr. Evan Evens?—I was not present, and when we saw the account in the papers we were greatly struck. Mr. James at once said it was a false statement, and was very cross.

36,365. (*Mr. Coleridge.*) Mrs. James, when you counted the notes over you saw their faces, there might have been writing on the back of any one of them, and you would not have seen it?—I swear I never saw it.

36,366. You did not look at the backs at all?—No, I did not.

36,367. There might have been 20 names and you would not have seen them?—No, I should not.

36,368. (*Mr. Bere.*) Mrs. James, were you personally acquainted with Mrs. Michelmore?—Very slightly, I have spent the evening in her company.

36,369. You were on visiting terms with her, as a daughter of Mr. Edmonds, did she herself speak to you about money?—No, never. She never spoke to me about money, nor did I to her. Will you allow me to make a statement about Commander Pim?

36,370. (*Mr. Coleridge.*) What was the conversation that took place that led to what your husband has told us to-day?—We talked over politics altogether, about Lord Palmerston's appointments in the church, and a great many things more than I could repeat. He said they had been trying to persuade our worthy vicar to vote, and he said that Mr. Borrough was perfectly right to do so; he said if he had been alone he should induce him to vote. Mr. Murchison said to him, "What do you mean to do now?" He said, "As an independent gentleman it is a different "thing."

36,371. Was this on the nomination day?—No, Mr. Murchison came in the morning; he had been travelling all night, and he complained of being fatigued. Commander Pim spoke of having lost a great deal of rest, and having had a sick child.

36,372. Do you remember the day?—On Monday.

36,373. Do you remember his leaving the Sunday night?—That I will not be positive about, but it was the day following his arrival here. There were a great many other things said, and when Commander Pim was leaving I said, "I cannot wish you well." Mr. James reproved me, and I said "I cannot wish "you success." And when I was shaking hands I said, "Have I not a right to have an opinion?" and he said, "Yes, you have." Those were his last words.

36,374. (*Mr. Bere.*) Did he express an opinion that he thought your husband would vote for him?—No, he never asked him to vote. When Mr. Murchison talked a great deal to Mr. James about politics, and that the Tory cause was so much better than that of the Whigs, Commander Pim turned to me and said, "He has brought his statistics along with him from "London.'

36,375. To what do you attribute Commander Pim and Mr. Murchison's visit after your husband refused to vote?—I understood him to say that he had not any hopes; what he meant by it I do not know.

36,376. He has sworn that he has had a reason to hope that he would, did he make any apology for coming?—No, he did not.

36,377. He did not tell you he should come again?—No. When he came he complained of fatigue and want of rest, and we offered him some refreshment.

36,378. What were you given to understand by the second visit?—There was no first visit with Commander Pim, we met him in the street.

36,379. When he came in did he say whether he came to you for the vote?—No he did not; he commenced by finding fault with the duke.

36,380. He was trying to make a prejudice against the duke in his own favour?—I told him when those papers came up to our house it was an annoyance to have them, and I should get them to light the fire with them. There was a great heap of papers.

36,381. You did not care to read them any more than we do?—No.

36,382. Did Colonel Dawkins ever come to your house?—He came once, he was sent by Mr. Frederick Kellock and Mr. Edmonds; the interview was a very short one.

36,383. You do not know anything about that?—I do not.

HOWARD DRAKE PEARCE recalled.

H. D. Pearce.

36,384. (*Mr. Bere.*) Do you remember on the 12th of July a note being paid to your bank by George Pengilley?—I do.

36,385. A 50*l.* note of the Bank of England?—Yes.

36,386. 0,5847?—I had the number then I did not know him personally.

36,387. Were you present in the bank when that note was paid in?—I was.

36,388. Did you yourself ask George Pengilley to sign his name upon that note?—I did.

36,389. Did he do so?—He did.

36,390. Some time after that did Mr. John Bowden come in with a cheque for 230*l.*?—The same day.

36,391. Did you change the cheque for him?—I did.

36,392. Can you remember what notes you gave him for it?—No, we never took any note of the notes we gave him.

36,393. Have you any doubt that you gave him the note that George Pengilley had paid in among other notes?—I do not remember it personally; we had paid the National and Provincial Bank a note we had to pay them, 800*l.* that day. I must tell you that an accusation has been brought against me by Mr. Tucker, that I obliged a Liberal voter to endorse a 50*l.* note before I cashed it, and further that that note had got into the hands of the Conservative party; he could not have got it without I had given it to him.

36,394. Had you ever given that note to Mr. Edmonds himself?—No.

36,395. Had the note passed into the bank in any way except in the ordinary course of business?—No, it had not.

36,396. Can you at all remember in what notes you paid Mr. Bowden?—I cannot. It is clear that we did pay him 100*l.* and in one 50*l.* and several smaller notes.

36,397. What is the meaning of this entry in the book?—Mr. Bowden pays in gold.

36,398. He drew out in notes?—He drew out in notes.

36,399. You do not adopt the peculiar system adopted at the National and Provincial Bank, of never putting down any notes that you have to do with at election times?—No, I do not. I am not such an electioneerer as Mr. Yabbicom, and I have not had so much practice. We should be found great fault with if we were to do it.

36,400. Did you see Mr. James at any time during this period?—I did shortly after the election.

36,401. Did he come to your bank?—He did.

36,402. Do you remember whether anything passed about the payment of some money?—Yes, he wanted to see me in my room; and in the course of conversation he stated that Mr. Edmonds had served him very shamefully about demanding money of him; and he stated that on the day of the election Mr. Edmonds sent up a note, which was thrown over his garden wall, saying if he did not vote for the Conservatives he would immediately press him for the amount that was due to him.

TWENTY-SIXTH DAY.

H. D. Pearce.

24 Sept. 1866.

36,403. Did he offer to show you the note?—Oh! no.

36,404. Did he say you ought to show it?—No, he did not, he told me he had been used shamefully by Mr. Edmonds.

36,405. How long before the election?—I should imagine about a week.

36,406. Was it between the 12th and 18th of July?—I could not fix the date at all. I am hardly certain that such a transaction took place.

36,407. Would it have been before the end of the month or after?—My impression is it was before.

36,408. Much before?—I think not.

36,409. Did Mr. James tell you the money had been called in by Mr. Edmonds?—I understood from Mr. James on the day of the election this demand was made upon him either to vote for the Conservatives or pay up immediately, otherwise he should issue a writ against him.

36,410. That is what you understood from Mr. James?—Yes.

36,411. I do not know whether you heard Mr. Edmonds' letter to Mr. James read?—I did.

36,412. Should you consider that a threat to issue a writ if he did not pay?—We should consider it so certainly.

36,413. You would?—If we wrote to a man to say he must pay we should not couch it in that way.

36,414. "Being especially interested in the result "of this election I would ask you as a favour of the "most deeply personal kind not to vote against "Colonel Dawkins, but if possible to give him your "support?"—I should certainly not consider that as a threat.

36,415. Is that the sort of letter you would instruct your professional man to write for you to a man who owed you money?—We should dun him rather more than that certainly.

36,416. Have you any doubt from what you have heard about the payment of that note that you paid over to Mr. Bowden this identical note?—I had not the slightest doubt of it until recently, I thought we had paid it to the National and Provincial Bank that day as we had to pay 800*l.*, a balance of 300*l.* and an exchange of 500*l.* But within the last six weeks Mr. Tucker of Ashburton who brought the accusation against me has himself given an explanation of it, that Mr. Pender had given Mr. Bowden a cheque which he had paid into the bank (that is ourselves), and had drawn on the bank and amongst this money was the 50*l.* note, those were taken to the "Seymour," sent by Mr. Pender to Mr. James, and by Mr. James to Mr. Edmonds.

36,417. You cannot give us any more information about these five 100*l.* notes?—I could only do so if I had the cash book.

G. W. Fowle.

GEORGE WEST FOWLE sworn and examined.

36,418. (*Mr. Bere.*) What are you?—A coal merchant.

36,419. Are you the son-in-law of John Wright?—I am.

36,420. How long have you had a vote for Totnes?—I think it was in 1862, I am not sure.

36,421. Did you vote for Mr. Pender then?—No; I was not required to vote. I told Mr. Pender if I was required I should vote for him.

36,422. Was that about the time or afterwards that you had a ship that got into a little difficulty?—I do not recollect. I have not looked at the letters since they have been away from me, I have given them to the Secretary, was it 1862 or 1863.

36,423. In 1863?—In 1863 it must have been I think. September 13th 1864 was the first information I had about it.

36,424. What had you done for Mr. Pender at the election of 1862?—Nothing at all.

36,425. Had you not canvassed for him a bit?—No.

36,426. Do you live with your father-in-law?—No.

36,427. Were you living with him then?—No.

36,428. Was your father-in-law a voter?—I do not know. I do not know how long he had been in the town. I have not lived with him until lately.

36,429. How long have you lived in Totnes?—Only about six years.

36,430. Where do your ships go to?—They are generally employed in the trade between here and London when business is brisk, I send them out for nuts.

36,431. Where was it your ship got in this scrape?—At Dijon, in Spain.

36,432. What was that for?—It appears the vessel was loaded with a cargo of salt, and came from Dublin to go out to Spain after a cargo of nuts. The matter was placed in the hands of a broker in Dublin. It was bound to be in a certain time at Spain to take in a cargo of nuts according to the time charter; he had a short time to do it in. He got to sea; but on the Saturday he went to the broker and asked if he had got all the documents and papers, and when he went to Spain the consul found he was short of the manifest of the cargo.

36,433. That is an important document?—That is to say, that the cargo is of English or Irish manufacture.

36,434. It made all the difference in the duty?—I am not aware of it. The captain writes to me and says that is the fact, and consequently the vessel was detained there. Thereupon the documents are sent over to me; I could not get it done, and blamed the broker for it.

36,435. The end of it was, the ship was detained?—It was.

36,436. Was it fined?—No.

36,437. Did you write to the consul?—I did.

36,438. Before you wrote to the consul did you write to Mr. Pender?—No.

36,439. What did the consul say?—He said the Spanish Government had considered the matter and the vessel had committed a breach of the laws, and she must be detained until the matter was cleared.

36,440. What made you write to Mr. Pender?—For his advice, he being a gentleman whom I knew was well acquainted with shipping.

36,441. What opinion did he give you?—That it was the broker's fault entirely.

36,442. He did not write to the consul for you?—I am not aware that he did.

36,443. What sum of money had you got to pay?—None at all.

36,444. How much had the broker got to pay?—None at all. I am going to try to make him pay by and by.

36,445. What have you paid?—The vessel was released. I belong to a shipping association, and I wrote to the secretary of the association in London, when I found out that Mr. Harris had made this statement about my vessel being in pawn.

36,446. You are in pawn now, I am sorry to say?—It was as utterly unfounded as anything ever was, and untrue. I wrote to the secretary of the society to forward me the documents in his hands that I might take proceedings against the broker.

36,447. What was the end of the business? Did Mr. Pender answer your letter?—I saw him personally at the "Seymour" hotel.

36,448. When was that?—That was before the election of 1865, some considerable time.

36,449. How long before the election?—I cannot exactly say.

36,450. Was it in 1865?—Very likely it was.

36,451. When he came down and gave a fête at the "Castle," was it?—It was before that.

36,452. He was not here in September 1864 or 1865?—It must have been one of those two dates. I went and asked his opinion about the matter, and whether I could not recover against the broker. I asked his advice as I should that of any other gentleman. I said I hoped I did not trouble him. He said, "No, you do not trouble me a bit;" he said, "You come here to ask me to do my duty, and if "you have any grievance I shall be glad to help "you."

36,453. When was that, about?—When I asked the secretary. After seeing Mr. Harris's evidence about my vessel I wrote to the secretary to return me my papers.

36,454. Who is Mr. Wright, of Islington?—A brother-in-law of mine, in London. I asked him to call at the office to ask the secretary to send down the documents.

36,455. "What is more, he has called on me this "morning and has asked permission to publish my "letter of Saturday." What is that?—I have not any other papers than you have there.

36,456. It is a letter of the 3rd of September?—It must be in the other one.

36,457. You have only given me two?—This is the answer to the one you had (*handing in a letter*).

36,458. Now then, you have done with that. You did not get anything in 1862 and 1863, what did you get in 1865?—100*l.* was given to me to work the election, as they supposed with three voters.

36,459. Who were they?—Wright, Drew, and Tucker, of Cornworthy.

36,460. Whom do you mean by "they"?—Mr. Windeatt was the principal one.

36,461. There were a good many other people there, was Mr. Chaster there?—Yes.

36,462. Was Mr. Brooking Cuming there?—Where?

36,463. Was he one of the persons whom you call "they?"—No; not either of them.

36,464. Who were they? Was Mr. Holman one?—Mr. Holman said, you know Mr. Wright, and you would have some little influence with him; but I said, I would rather have nothing to do with him at all.

36,465. You did have something to do with him; how much did you give him?—50*l.*

36,466. How much to Tucker?—I did not give him anything until after the election.

36,467. What did you promise him?—Nothing.

36,468. How much did you give him after the election?—A 5*l.* note. I asked Mr. Holman, after the election was over. I said, I have not spent all the money quite, what shall I do with it? He seemed rather offended, and said, I know nothing about the money at all.

36,469. Were those the only persons you distributed it to?—Yes.

36,470. Did you have any money, except that 5*l.* note, yourself?—No.

36,471. Did you vote at the last election?—Yes.

36,472. How?—The Liberals; always.

36,473. Where do you live?—On the Plains; New Walk.

36,474. Whose house is it?—My own.

36,475. Whom did you buy it from?—From the corporation, it is leasehold property.

36,476. Who is the solicitor to the corporation?—I do not know who the solicitor is. I believe it is charity property.

36,477. Mr. Brooking Cuming is the solicitor to the charities?—It was put up to auction, and bought at the auction.

36,478. Who signed the lease?—It was put up to get the mortgage off.

36,479. Who has got the lease?—It was Mr. Charles Frederick Michelmore.

36,480. He signed it?—I think so.

36,481. Was that the first time you voted, 1865?—No.

36,482. Did you vote in 1863, when Seymour and Dent stood?—Yes.

36,483. How did you vote then?—Liberal.

36,484. What did you get for that?—Nothing at all.

36,485. Whom did you give any money to?—No one at all.

36,486. That was your first experiment in electioneering?—Yes.

36,487. You were quite a new hand were you?—Yes, in fact I should not have minded spending 50*l.* out of my own pocket rather than be bought over as they were buying them. Wright came and told me Mr. Evens had been to him and told him he could have money.

36,488. Have you got a brother?—No.

36,489. Did not somebody come to talk to you about your vote?—No, not a word.

36,490. No Conservative came near you?—They came to my house and wanted me not to vote for our side.

36,491. Do you think any of them came to see Mrs. Fowle?—I believe they did.

36,492. Who came to see her?—Not the Conservatives.

36,493. The other side?—Oh, yes; Captain Pim came and saw Mrs. Fowle while I was away, and she said "I am sure it is of no use your waiting, I am "certain he will not vote for you."

36,494. Was there not somebody else called on Mrs. Fowle to whom she would not promise your vote?—No.

36,495. (*Mr. Coleridge.*) Did he say you were both seafaring men, and you had better vote together?—I believe there was a something about his being a brother chip; he was sure I should support him if he had a chance to see me.

36,496. Did he get a chance to see you?—Several chances, but he never spoke to me.

36,497. He did not call you a brother chip?—No.

36,498. (*Mr. Bere.*) What were you before you took to coal dealing?—The owner of a vessel.

36,499. Always?—Always the same since I have been 21 years old.

36,500. Did you have anything to do with voting here at all before 1862 and 1863?—No, never.

36,501. Do you rent anything from the duke?—Yes, stores in Bridgetown; that is what made me a coal merchant.

36,502. How long have you had the stores?—I think three years this Michaelmas.

36,503. Who had them before you?—Mr. Blackler.

36,504. When did you become a tenant of the duke?—Three years ago at Michaelmas, when Mr. Blackler left them.

36,505. What made him leave?—Because he had money paid him, I do not know more than what I have heard.

36,506. Were you admitted into the stores before the election of 1863 or after?—I forget now when it was.

36,507. Did you see Mr. Michelmore about going into the stores before the election?—Not that I am aware of, I do not know the time.

36,508. Was there not a doubt about your getting the stores before the election?—Not the least doubt.

36,509. You have been a supporter of the Liberal party?—I have been; I was born to liberality and I stick to it from conviction.

36,510. What do you give for the stores?—16*l.* a year.

36,511. Does anybody else vote for them beside you?—No.

TWENTY-SIXTH DAY.

G. W. Fowle.

24 Sept. 1866.

36,512. Mr. Blackler gave them up, and you got them ?—Yes.

36,513. Was not Mr. Blackler turned out for voting against the duke ?—I heard so.

36,514. When did Mr. Blackler get notice to leave ?—I am not aware.

36,515. Was he the tenant at Lady Day or Michaelmas ?—I took it at Michaelmas.

36,516. Then in all probability Mr. Blackler took it to Michaelmas ?—I am not aware he was there many years before.

36,517. All the duke's tenants rent from year to year ?—I am myself.

36,518. You know the reason of his being turned out was his voting against the duke ?—I do not believe it.

36,519. Have you not known of a great many who have been turned out for voting against him ?—I do not know of one.

36,520. What have they been turned out for ?—Taking money.

36,521. Do you rent a house at No. 4, Seymour Place, of the duke ?—No.

36,522. Is there anybody of your name living there ?—Not that I am aware of.

36,523. No. 4, Seymour Place ?—I do not know of anyone of my name in the neighbourhood nearer than Torquay.

36,524. Have you ever lived in a house in Seymour Place ?—No.

36,525. How old is your son ?—I think about 16 months old.

36,526. Then Mrs. Harris's assertion is not correct ?—It is utterly unfounded.

36,527. "His son told me he offered him a large "sum of money before the election?"—It is a palpable lie.

36,528. (*Mr. Coleridge.*) Have you a son as old as that ?—I have not been married six years.

36,529. (*Mr. Bere.*) Have you had any person calling upon you about your vote ?—No, never.

36,530. Some friends of yours ?—No.

36,531. Connexions ?—No.

36,532. Nobody of that kind ?—Nobody of any kind.

36,533. I want to hear about that conversation with Mr. Pender ; what was the name of the vessel ?—The "Pride of the Dart."

36,534. Did you see him more than once ?—I saw him once, I think, when I saw the captain of the vessel when I was in London.

36,535. Did you not see him more than once at the time of the election ?—Many times.

36,536. You were very often with him ?—No.

36,537. How many times during the period when Mr. Pender was down here at the election did you see him and talk to him ?—Only once on that occasion.

36,538. On other subjects ?—I saw him twice.

36,539. Only twice ?—That is all.

36,540. What did you talk to him about then ?—Nothing very particular that I am aware of.

36,541. How long did you stay with him ?—10 minutes to a quarter of an hour.

36,542. Half-an-hour ?—I do not think that.

36,543. What did you talk about at that time ?—I was in company with Wright, trying to persuade him to vote.

36,544. You succeeded ?—I did.

36,545. You knew that Wright had signed the requisition ?—I did not.

36,546. What passed between you and Mr. Pender and Mr. Wright at that interview ?—He tried to persuade him all he possibly could.

36,547. What passed between Mr. Pender and Mr. Wright ; what sort of persuasion ?—He tried to persuade him all he possibly could.

36,548. What was it ?—No further than pressing him to vote for him.

36,549. Did he keep on saying "Do vote for me" ?—No, not at all.

36,550. What do you mean ?—He tried all he could to persuade him to vote.

36,551. How did he try him ?—Only by persuasion.

36,552. What sort ?—To ask him if he would not give his vote.

36,553. Was that all he said ?—I do not recollect all he said.

36,554. He did not say it would be a good thing for him ?—No.

36,555. Did you say it would be a good thing for him ?—No.

36,556. Did you know it would be a good thing for him ?—No.

36,557. Who first led you to believe it would be a good thing for him ?—Wright said, they have given money on the other side, and Mr. Edmonds led him to believe he could have as much as 1,000*l.*

36,558. When did he say that ?—During the canvassing.

36,559. Was it after that that you had gone to see Mr. Pender ?—No, before that, that I saw him.

36,560. Did you see him afterwards ?—Not that I am aware of.

36,561. Will you swear it ?—Yes.

36,562. You did not see Mr. Pender after Wright told you he was offered money ?—Oh, yes, I saw him after that ; I believe I did.

36,563. Did you take Wright down to see Mr. Pender after he had told you he had been offered 100*l.* by the Conservatives ?—I did.

36,564. Did you not tell Mr. Pender that ?—No, I did not.

36,565. Did you give Mr. Pender reason to understand that Wright had been offered money by the Conservatives ?—Not that I am aware of.

36,566. Did Wright ?—No, nothing about money passed between Wright and Mr. Pender in my presence.

36,567. Did you say to Mr. Pender, Wright had been tempted by the Conservatives ?—I do not know whether Wright did ; I probably might have said so.

36,568. Cannot you say ?—I do not recollect.

36,569. You took Wright down for the purpose of telling Mr. Pender that he had been tempted, in order that you might get Wright some money ; were you in the room all the time with Wright and Mr. Pender ?—I believe I was.

36,570. Did you go in first or Wright ?—We went together, I believe.

36,571. How many interviews did you have with Mr. Pender before you got Wright's vote ?—Two.

36,572. How long after the second interview did you get the 100*l.* from Mr. Holman ?—I should think it was the next day.

36,573. What time in the evening was the interview between you and Mr. Pender ?—It was in the morning.

36,574. At what time in the morning ?—About 10 or 11 o'clock.

36,575. Did Mr. Pender tell you to go to Mr. Chaster or Mr. Holman ?—No, there was never a word said to go to any one.

36,576. How came you to go to Mr. Holman ?—Because Mr. Wright told me to go.

36,577. Where ?—Somewhere on the bridge.

36,578. When ?—The day before the nomination.

36,579. Did you meet Wright accidentally ?—Quite.

36,580. Did you stop when you began to talk ?—You see my business lies across the bridge every day ; I cross it a dozen times a day ; and at the time the election is going on at the "Seymour" hotel there is a great deal of traffic.

36,581. There was not much traffic in coals then ?—Not very much.

36,582. What made you travel from one side of the bridge to the other ?—It was my business there, to see what was going on.

36,583. Your business is the sale of coals?—I am always about the stores.

36,584. You met Wright; what did he say to you?—He said they were bribing away all the men they could on the other side, could I induce him to vote? I said I did not believe he would vote unless he was paid. I do not think he thought of money, and this was the first time he was offered by the Conservatives.

36,585. What did Wright tell you to do?—To go to Mr. Holman. He said, how much do you suppose it was? I had no idea Tucker did.

36,586. Is he a friend of yours?—Yes.

36,587. What is he?—A brother-in-law.

36,588. John Drew, what is he?—A coal porter.

36,589. One of your coal porters?—Yes.

36,590. He works for you?—Yes.

36,591. It was your father-in-law, your brother-in-law, and a person who worked for you?—Yes. Tucker had no idea of having money.

36,592. He was glad to take it when it was offered to him?—He had not the least idea of it.

36,593. The 5*l.* you presented to him he put in his pocket, and said no more about it?—That was after the election.

36,594. Did you go to Mr. Tucker of Ashburton?—Yes.

36,595. Did you give him some evidence?—Yes.

36,596. Do you have the same opinion as others that it makes a difference whether you are on your oath or not?—I believe it makes all the difference.

36,597. In one case you tell the truth, and in the other you do not?—No, I want to tell the truth in all cases.

36,598. Does it make a difference to you whether you are on your oath or not?—I would as soon tell the truth without being on my oath as I would with it.

36,599. Did you see Mr. Tucker at the "Seymour" hotel?—I did.

36,600. Did he ask you some questions?—He did.

36,601. Did you give him answers?—I did.

36,602. Did he write down the answers you gave?—I believe he did.

36,603. Did he read them over to you?—No.

36,604. Did you sign the paper?—Not that I am aware of; I do not wish to deny it, but I do not recollect; if I was asked to sign it I did sign it.

36,605. Did you tell Mr Tucker this, "Wright is my "father-in-law; he polled for Pender a plumper. "I did not offer him any money or any promise to "induce him to vote for Pender. I used all the argu- "ments I could to induce him to vote for Mr. Pender, "but I used no improper motive"? Did you tell Mr. Tucker that?—I believe I did.

36,606. Is that true or false?—I believe that is the truth.

36,607. Would it be true that you did give the 50*l.*?—I had not given the 50*l.* then.

36,608, When you gave this evidence to Mr. Tucker?—No, I had not given it then, not for months after the election.

36,609. When?—Some considerable time after the election was over.

36,610. Do you not recollect?—It is impossible for me to recollect when I had the money; it was some considerable time after the election was over.

36,611. You told Mr. Tucker that, though Wright would not vote without money, you got 100*l.*, and you gave Wright 50*l.*, and you gave some other money?—I had not paid him the money at the time; I had promised.

36,612. You knew you had got money for him?—I told Mr. Tucker I had got money for him.

36,613. It is very odd that he did not write it down?—I told him of it at the time.

36,614. Was there something about Drew and a horse and cart?—I gave him the money to buy a horse and cart with.

36,615. When did you give him that?—Some time ago.

36,616. Before the election of 1863?—No.

36,617. What did you mean by telling Mr. Tucker, "When I went into business I lent him some money "to buy a cart"?—So I did.

36,618. It is a cart?—Yes.

36,619. When was that?—Soon after I went in business.

36,620. Near about the election of 1863?—Yes.

36,621. Was not the cause that he was to vote for you?—No; I had not the least idea of anything of the sort.

36,622. Had you canvassed him for Mr. Pender?—No.

36,623. Take care. Did he say he was a poor man, and had been offered 200*l.* to vote on the other side?—No, not that time; in 1865 he said that.

36,624. What did you lend him in 1863 to buy a cart with?—2*l.* or 3*l.*; he had not money enough.

36,625. Has he ever paid you?—He has, weekly, as he earned a little money.

36,626. You canvassed him in 1865, with Mr. Pender?—Yes.

36,627. Did he tell Mr. Pender in your presence that he was a poor man, and had been offered 200*l.* on the other side?—Yes.

36,628. What did he say?—That he was sorry to hear a poor man was tempted, and he was not able to take the money.

36,629. Did he say he would not give him any money, but if he came to want, and you represented the case to Mr. Pender, he would give him something?—Yes.

36,630. Where did that conversation take place?—In my stores.

36,631. Was John Drew present?—Yes.

36,632. He went and voted for Mr. Pender?—Yes.

36,633. When did you pay him 40*l.*?—April or May.

36,634. After the petition?—Yes.

36,635. Were you not told to withhold the money until after the petition?—No, never a word said to me after I got the money; I said to Mr. Holman, "I have "not spent all the money."

36,636. That was when the petition was determined upon?—Yes.

36,637. Had not you given Drew money before that?—No.

36,638. Take care; did not you give him 16*l.*?—No.

36,639. Not a cheque for 16*l.*? You had better take care what you are saying. Some weeks after the election was not there a sale at which Mr. Adams was the auctioneer? Was there a sale?—Yes, there was a sale.

36,640. Now you remember that?—Yes.

36,641. Did you give him 16*l.* to buy a cart?—If he required it.

36,642. Was it for a horse?—Yes.

36,643. He did not buy the horse?—No.

36,644. Did he give you back the cheque?—Yes.

36,645. Take care; did he give you the cheque back, on your oath?—It has never been passed to my account.

36,646. And never cancelled?—No.

36,647. Has he it now?—Yes.

36,648. (*Mr. Coleridge*). Have you stopped it?—No.

36,649. If he presents it, it may be paid?—Yes.

36,650. Having paid him the 40*l.*, he won't present it?—I do not know.

36,651. You had better get the cheque, or you may be out of pocket by the election?—I am out of pocket.

36,652. Did you rent a house of the duke in 1864?—No. I spoke to the duke's steward about it. It had nothing to do with me in any way.

36,653. You asked for it?—Yes; if they could find a house. It was for a man that I brought from Kingsbridge. He did work for me in the stores as foreman,

TWENTY-SIXTH DAY.

G. W. Fowle.

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and I asked Mr. Callard whether they could find a house for him in Bridgetown? I have told you the truth in every respect as far as I know. Could I get the statement that Mr. Harris made with regard to the vessel corrected?

36,654. You have had your explanation?—He ought to make an apology. It is all a tissue of falsehoods.

36,655. (*Mr. Bere*). If you want an opinion about it you probably will get one expressed. You had better not ask for it.

J. Wright.

JOHN WRIGHT sworn and examined.

36,656. (*Mr. Coleridge*). You are the father-in-law of Mr. Fowle?—Yes.

36,657. How long have you been a voter?—I cannot tell exactly; but I have been in the town seven years, or nearly.

36,657*. How many times have you voted?—Three times.

36,658. The last time you voted for Mr. Pender?—Yes.

36,659. You plumped for him?—Yes.

36,660. How was it that you plumped for Mr. Pender instead of voting for Pender and Seymour?—I intended to give one vote on the other side. Mr. Edmonds came and canvassed me. I told him I would give him one vote for either of those two, Dawkins or Pim, which he liked.

36,661. Whom did you tell that to?—Mr. Edmonds.

36,662. What did Mr. Edmonds say he was going to give you for that promise?—Nothing.

36,663. Who was it on the Conservative side who said you might have 200*l.*?—I was never offered anything; never 200*l.*

36,664. What were you offered?—Nothing specified. Mr. Edmonds came to my house and said, I am prepared to do something, and that is all that passed.

36,665. Mr. Edmonds came himself and said, he was prepared to do something?—Yes.

36,666. What was that something?—He did not say; but I judged it would be money.

36,667. Did he tell you who told him to offer money?—No.

36,668. Did not you ask him where you were to get that something?—No; he said he was prepared to do something.

36,669. Did he do something?—No, he did not.

36,670. Where were you to go to have something done?—I did not ask.

36,671. Did not you know where to go?—No.

36,672. Did not you know that the "Seven Stars" was a likely place?—I did not know anything about the "Stars."

36,673. Did not you go there?—No.

36,674. After he said he would do something for you, your son-in-law took you to Mr. Pender?—He did not, Mr. Pender came and canvassed me.

36,675. What did you say?—I promised to vote for him and give him a plumper.

36,676. You did not promise at first?—I did.

36,677. What made you do that after Mr. Edmonds promised you something?—There was some influence brought to bear upon me.

36,678. What was the influence that Mr. Pender brought upon you?—Mr. Pender brought none. It was some one on his behalf. I cannot recollect.

36,679. You can recollect. Was it your son-in-law? I do not know.

36,680. What did your son-in-law tell you, that he could get you something?—He told me that he could get 50*l.*

36,681. Was that before you voted?—Yes.

36,682. Did you know what Mr. Edmonds was going to give you?—No.

36,683. Did you tell your son-in-law that you could have 200*l.*?—No.

36,684. How came he to tell Mr. Pender that he could have 200*l.*?—I believe he did not.

36,685. Did he tell Mr. Pender that you could have 100*l.* of the Conservatives?—He did not.

36,686. Did he tell Mr. Pender in your presence that you could have something from the Conservatives?—I believe I can swear he did not.

36,687. Did Mr. Pender say in your presence to your son-in-law that it was hard for you as a poor man to be tempted so?—No, he did not.

36,688. Did he tell Mr. Pender that you could have 100*l.* from the Conservatives?—I did not; nor any other person.

36,689. Did you tell your son-in-law?—No.

36,690. Did your son-in-law tell you?—No.

36,691. Did you tell him you could have something from the Conservatives?—No, not a word.

36,692. Did Mr. Pender tell you it was hard for a poor man to be tempted?—No.

36,693. If he said so it is not true?—I must tell you one thing, severe sickness has impaired my memory.

36,694. You recollect a good deal; you recollect your son-in-law promising you 50*l.*?—Yes.

36,695. How long before the election?—I cannot say, perhaps a day or two.

36,696. Was it after you had seen Mr. Pender?—I dare say I might have seen Mr. Pender before.

66,697. How often did you see Mr. Pender to speak to?—Twice, I think; once at my own house.

36,698. Another time at the "Seymour"?—No. I think once at a little place called the Island.

36,699. Did he ever on the Island say, it was hard that you should be tempted on the Conservative side?—Never.

36,700. Did you ever tell him anything about being promised money on the Conservative side on the Island?—No; he never asked me a question of the kind.

36,701. Before the election, after you had seen Mr. Pender, your son-in-law promised you 50*l.*?—Yes.

36,702. Did he tell you when it would be paid?—No.

36,703. When was it paid?—I think in three weeks or a month.

36,704. Were you not disappointed at not getting it sooner?—No.

36,705. Did you know that he had got it?—Yes.

36,706. Did your son-in-law tell you that he had got it, but that you must wait for it?—Yes.

36,707. You plumped for Mr. Pender?—Yes.

36,708. What made you plump for Mr. Pender; why did not you vote for Mr. Seymour?—I did not like Mr. Seymour.

36,709. You are not fond of the duke?—Yes; but Mr. Seymour did not strike me as a man to be sent to Parliament.

36,710. Why not?—Mere fancy.

36,711. Did Mr. Edmonds say anything about your breaking your word with him?—No.

36,712. Not after the election?—He never said a word to me about it.

36,713. Have you got a wife?—Yes.

36,714. Did he say anything to her about breaking your word?—I never broke my word.

36,715. You say you promised Mr. Edmonds one vote?—He would not accept it, because he said it was no good.

36,716. You were not to have something if you gave him one vote; it was only if you gave him both?—I suppose so; he said he was prepared to do something.

36,717. You were to vote for Dawkins and Pim?—Yes.

36,718. Did he give you no idea how much the sum would be?—He did not.

36,719. Did you expect that it would be more or

less than 50*l.*?—I did not know what to expect; I made no answer.

36,720. Which way did you vote at the election before?—For the Conservatives.

36,721. Then Mr. Pender converted you?—Perhaps he did.

36,722. Did not your son-in-law try to get you to vote for Mr. Pender in 1863?—No; I think not.

36,723. What did you get for voting at that election?—Not a farthing.

36,724. Nothing at all?—No.

36,725. Did anybody offer you anything?—Nobody offered me anything, and I did not ask for anything.

36,726. Did not your son-in-law offer you something, and say he was disappointed that you would not vote for the Liberals?—No.

36,727. You signed the requisition?—I signed the requisition, but who to I do not know.

36,728. Did not you know who it was to when you signed it?—I did, no doubt; but I forget. I recollect that polished gentleman with the flowing beard met me in the street.

36,729. What is your name?—John.

36,730. Is that your handwriting; John Wright, there?—Yes.

36,731. That was to ask a Conservative to come down?—Yes, that polished gentleman with the flowing beard called upon me.

36,732. It was to ask a Conservative to come down, and what made you sign that, if you intended to vote for Mr. Pender?—I did not intend to vote for Mr. Pender. I met that gentleman (Mr. Harris) in the street, and with his usual fluency of speech he persuaded me to sign the requisition.

36,733. Had you been a Conservative before?—Yes.

36,734. You voted for Dent, and signed this, and then voted for Pender?—Yes.

36,735. Has anybody ever said anything to you about your signing the requisition and breaking faith?—No.

36,736. What did you get at Pender's election in 1863?—Not a farthing.

36,737. Did you get anything as a present in 1862?—I voted three times, twice for the Conservatives, and once for the Liberals.

36,738. There was an election in 1862, when Dent came forward, and Pender as the other member, and then Dent withdrew. There were five voted for Dent, and I do not think you were one?—I do not think I did.

36,739. Did not you vote for Mr. Pender?—I think not.

36,740. Try to brush up your memory. You voted in 1859 for Mr. Dunn?—I voted three times, twice for the Conservatives, and once for the Liberals.

36,741. You voted for Dunn in 1859, when Gifford and Mills were the Liberal candidates, and when Dunn was the Conservative candidate?—I cannot recollect.

36,742. That was about 7 years ago; did you vote about 7 years ago?—I suppose I must, but I do not think I was a voter at that time.

36,743. You say you voted three times?—Yes; twice for the Conservatives, and once for the Liberals.

36,744. You must have voted in 1859 for Dunn?—I do not know.

36,745. Did you get anything in 1859?—Not a farthing, and not a farthing's worth, and never asked for any, nor got any.

36,746. Was the last election the only time you got anything?—Yes.

36,747. When Dent stood and retired, were you promised anything?—No.

36,748. Did not Mr. Fowle tempt you in those days?—No. He never came near me. I never got a farthing till the last election.

36,749. How came you to get it then?—It was a temptation, and I wanted help.

36,750. Have you never been tempted before?—No, not in that respect. I was tempted, I suppose, when I got married.

36,751. What made you run to Widdecombe-in-the-moor when we came?—Only to give my poor sickly wife a change of air. I knew nothing about your coming.

36,752. Where did the clerk find you?—At Widdecombe.

36,753. That is rather an out-of-the-way place?—Yes.

36,754. Had you left word where you had gone?—No; but they all knew.

36,755. Did you lock up your house?—Yes. That was locked up.

36,756. And you left no address behind?—No.

36,757. What did you say when you were served with a summons?—I cannot tell you now. I said that my poor wife was in bed, bad with the diarrhœa, very ill.

36,758. (*Mr. Coleridge.*) How much of the 50*l.* did you spend on your journey to Widdecombe?—3*l.* or 4*l.*

36,759. Was she ill before you went away?—Yes.

36,760. You then, as we came here, went away?—I knew no more about your coming when I went away, than I know now when my end is come.

36,761. (*Mr. Bere.*) How long did your interviews with Mr. Pender last?—Perhaps two or three minutes.

36,762. Not longer?—It might be four or five.

36,763. Not half an hour?—No.

37,764. Are you quite sure?—No.

36,765. Did not Mr. Pender say anything about buying a house at Torquay?—No.

36,766. Nothing of the sort?—No.

36,767. Were you thinking about buying a house at Torquay?—No.

36,768. Have you a house there?—Yes.

36,769. Did you want to sell your house?—No.

36,770. Not at that time?—No.

36,771. Did you want to let it?—No; it was let.

36,772. Where is it?—In Torquay.

36,773. How long have you had it?—Some three or four years, or thereabouts.

36,774. Was it let at the time of the last election?—It was.

36,775. Have you got a mortgage on it?—No, it is free.

36,776. (*Mr. Coleridge.*) Have you voted at the municipal elections?—On certain occasions, not always.

36,777. Did you ever get anything for that?—Never.

36,778. (*Mr. Bere.*) You have got the same morals as your son-in-law; you think it is no harm to say what is untrue when you are not on your oath?—I do not know what you mean.

36,779. Did you give evidence before Mr. Tucker, and did you say to Mr. Tucker that "I had no money "offered me and no improper inducement to give my "vote"?—I do not know; I cannot remember.

36,780. Was it read over, and did you sign your name?—I signed it, but I do not know whether it was read.

36,781. Did you say that you voted for Mr. Pender because he had done a great deal for the town, and you thought him a proper person to represent it?—It might be that was the inducement.

36,782. Did you say that you had no money nor offer of money?—I believe I did not.

36,783. Do you remember speaking to Mr. Tucker?—Yes.

36,784. Did Mr. Pender ever pay you any money in your own house?—No, never. Not a word about money passed.

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J. Wright.

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36,785. Did any money pass?—I would swear with both hands, if it was necessary, that it was not so.

36,786. Were you and Mr. Pender in the parlour together?—We were, but I cannot say how long.

36,787. Did any money pass?—No.

36,788. Nobody could see any money pass?—No.

36,789. At any time?—No.

36,790. Have you ever had money paid to you in your house?—Not on voting occasions.

36,791. Apart from voting occasions?—Many times.

36,792. Did Mr. Pender ever pay you money in your house?—Not a farthing.

T. J. Searle.

THOMAS JACOB SEARLE recalled and further examined.

36,793. (*Mr. Coleridge.*) Have you been attending the committee sitting at the "Seymour Arms" as to what evidence you should give here?—No.

36,794. Do you know of any such committee sitting?—No.

36,795. When did you first know about the general election in 1865?—I really cannot tell you.

36,796. A short time before?—Yes.

36,797. When did you first see Pender and Seymour?—I think they called on me.

36,798. Were you one of the committee?—No.

36,799. What was your position; a runner?—No.

36,800. You put yourself under the wings of Mr Holman?—Yes.

36,801. Had you anything to do with anyone else; Mr. Huxham?—No.

36,802. Or Mr. Parnell?—No.

36,803. Or Mr. Michelmore?—No.

36,804. When did you first see Mr. Holman at the "Seymour Arms" before the election?—I think it was some days before the election.

36,805. Did he tell you that money was going?—He did.

36,806. How long was that before the election?—Several days.

36,807. Was it as much as a week before the election that he said there would be money going?—I should think it was not.

36,808. Some two or three days before the election you heard there would be money going?—He asked me if I could make any interest with parties to get their votes.

36,809. Did he mention the names of the people, or did you suggest them?—He named the parties; he asked me if I could get Blank.

36,810. Who else?—Angel, William Slogget, the two Matchams.

36,811. And Thomas Searle, your father?—No, I had nothing to do with him; I made him a present afterwards.

36,812. And Griffis?—Yes; that is all; there were no more.

36,813. Did you busy yourself to see what could be done with them?—I did.

36,814. When did you see the Matchams?—I saw them on the nomination night; I had asked Thomas Matcham a short time before.

36,815. When did you first see them to talk to them about their votes?—I might have asked Thomas Matcham a day or two before if he could oblige us.

36,816. That was two or three days before?—Yes.

36,817. Was that before or after you had got the money?—I drove him away a week before that.

36,818. Where did you drive him to?—To Teignmouth; he was rather in difficulties at the time, and it was the wish of Mr. Kellock that he should be taken away.

36,819. Which Mr. Kellock?—Mr. Kellock the solicitor. I do not say that he knew of it.

36,820. Did he tell you what his price was?—No; not a word.

36,821. When did you find out what it was that he wanted?—I heard during his absence that he was looking for money.

36,822. Did the whole of the transaction with the Matchams take place with the son?—Yes.

36,823. What did Thomas say?—That he had been offered something on the other side. On the nomination night he told me that there was a cheque drawn for 230*l.* for him and his father.

36,824. By whom?—He did not mention the name.

36,825. Since that have you learnt that it was Mr. John Heath?—I have heard so.

36,826. Did he say that they were going to vote on that side?—Yes.

36,827. And that if money was wanted by them you could spring a little on the 230*l.*?—Yes.

36,828. And you made an arrangement for himself and his father?—Yes.

36,829. How much for each of them?—They were to have 250*l.*

36,830. To vote for Pender and Seymour?—Yes.

36,831. When did you pay them the money?—I think a day or two after the election.

36,832. When did you see Blank?—A day or two before the election.

36,833. Did he tell you they had been at him on the other side?—He told me that he had been offered money on the other side.

36,834. By whom?—By the men at the "Stars."

36,835. Did he say whom he had seen there?—No.

36,836. He had seen one of the "Seven Stars" and had had an offer?—Yes.

36,837. Did he give you to understand how much he required?—He asked me 150*l.*

86,838. And you put him down at 130*l.*?—No; he came at last to 130*l.* I communicated with Mr. Holman that I had got him down to that, and he told me to go and get him as easily as I could.

36,839. Mr. Holman said you had 130*l.* for him; did you give him that?—I gave him 110*l.*

36,840. When did you pay him?—On the morning of the election.

36,841. Before he voted?—Yes.

36,842. He would not vote without?—He would not.

36,843, Angel; when did you see about him?—I asked him to take a ride with me; and I drove him to Ashburton.

36,844. Did you talk to him there?—I did.

36,845. Did he tell you he had been spoken to by a person there?—Yes; I think his name was Luscombe.

36,846. Do you know where Luscombe lives?—I think he has a residence at Newton.

36,847. Did Angel tell you what he had been after him about?—About his vote.

36,848. What did he offer him?—150*l.*, and he was to have some remnants, or pieces of cloth, in addition.

36,849. How had Angel voted before that?—On the Liberal side.

36,850. And you persuaded him to vote for 50*l.*?—He would rather do so.

36,851. Where did he get the money?—I gave it to him.

36,852. Where?—At his own house.

36,853. When?—Some days after the election.

36,854. Did you take any receipt from these people?—No.

36,855. William Sloggett, what did you do for him?—I went down to the "Railway Hotel."

36,856. How long before the election?—A day or two.

36,857. How had he voted before?—As a Liberal.

36,858. How came he to get 100*l.*?—He was rather stiff, and he said that prices were getting higher.

36,859. Did he say what he had been offered on the other side?—He did not.

36,860. Did you pay him after or before the election?—After the election.

36,861. You did not pay your father?—No; Mr. Holman told me two or three days after the election that I was to make him a present of 50*l.*

36,862. Did you not tell your father that you had been told to so?—No, I did not.

36,863. But he knew it, I suppose?—No; I think not.

36,864. How had he voted before?—Always for the Liberals.

36,865. Did he do so when you had some quarrel with that party?—Yes, he did.

36,866. Griffis, you gave him 30*l.*?—Yes.

36,867. When did you give him that?—Nearly a week after the election.

36,868. Whom else did you give any money to besides?—I think these were the whole.

36,869. How much money did you receive in all from Mr. Holman?—590*l.* When I told him he seemed rather surprised. He did not think it was near so much.

36,870. When did you get that money?—I had it at three or four times.

36,871. When did you have the first lot?—I think the day before the election.

36,872. How much was that?—He gave me a parcel; he did not count it; he said, "I think you "will find 150*l.* there.

36,873. You were more prudent, and did count it; did you find 150*l.*?—I found 200*l.*

36,874. Did you tell him you had found 200*l.*?—I went directly and told him.

36,875. Did you get any more before the election?—I do not remember that I did.

36,876. When did you next get any money from him?—The day after.

36,877. What did you get then?—190*l.*

36,878. Where did he give you that?—In his own house, up stairs.

36,879. Did he ever give you any at the "Seymour Arms"?—No.

36,880. When did you get the next lot?—A day or two after.

38,881. How much did you get then?—150*l.*

38,882. What was the next lot?—50*l.*

36,883. Was that all?—That was all.

36,884. Did you get any from anyone else?—That was all.

36,885. Have you got a son a voter?—A step-son.

36,886. You had no dealings with him?—Not at that time.

36,887. Whom did he get his money from at that time?—I do not know; we were not very good friends.

36,888. Was it from Mr. Charles Michelmore, or from Mr. Fox, at Dartmouth?—I should rather think Mr. Fox.

36,889. What is your step-son's name?—John Parnell Searle.

36,890. Did you see Mr. Fox during the election?—I saw him with Searle.

36,891. Do you know if he did anything with anyone else?—I do not know.

36,892. Did Mr. Fox get money from Mr. Holman?—That I do not know.

36,893. Mr. Holman gave you the money for these people?—He did.

36,894. And any others whom you could influence?—No.

36,895. Were you paid as a runner or as an agent?—No.

36,896. What did you get for your share of the business?—Nothing at all; not a farthing.

36,897. None of your men turned against you—None.

36,898. Is that all about the election of 1865?—Yes.

36,899. Had you nothing to do with Frederick George Putt?—Never

36,900. Or with Veasey?—No.

36,901. Do you know whether they were bribed?—I do not know.

36,902. Angel was a man whom you had to do with?—Yes.

36,903. William Byne?—I had nothing to do with him.

36,904. William Farley, jun., do you know anything of him?—No.

36,905. The only men you gave money to you have mentioned?—Yes.

36,906. You are sure you had no conversation with Putt?—Never.

36,907. Had you anything to do with distributing gifts after the election?—No.

36,908. Robert Ryder, do you know anything about him?—No.

36,909. Thomas Roberts, do you know anything of him?—No.

36,910. Or of Shinner?—No.

36,911. Edward Willis, do you know anything of him?—No.

36,912. Richard Andrews?—No.

36,913. Barrett, a baker, do you know anything of him?—No.

36,914. Henry Crawford, you had something to do with him?—I had nothing to do with him.

36,915. You know nothing about any of these parties?—No other persons but those I have mentioned.

36,916. Did none of them come to you?—Not one of them.

36,917. How many people asked you if you could not get something for them?—Not one.

36,918. And you were successful in every case you have spoken of?—I was.

36,919. Did these men come to you, or did you go to them?—I went to them.

36,920. Was there any instance of their coming to you?—No, not one.

36,921. In 1862 you had some grievance with the party?—I had.

35,922. You wanted something done and Mr. Holman neglected it?—Mr. Brooking Cuming neglected it.

36,923. You thought of turning on the other side?—It was out of a spirit of revenge, not the love of the other party, or their gold.

Mrs. Fowle sworn and examined.

Mrs. Fowle.

36,924. (*Mr. Bere.*) You are the wife of Captain Fowle?—I am.

36,925. And daughter to Mr. Wright?—Yes.

36,926. Were you a good deal at the house of Mr. Wright during the election of 1865?—Not particularly so.

36,927. Did you ever see Mr. Pender there?—I never saw Mr. Pender at the house.

36,928. Where have you seen him?—I have only seen him at our own house, and at the "Castle."

36,929. What do you mean by the "Castle"?—At the time the tea was there.

36,930. Did Mr. Pender speak to you while the tea was proceeding?—No, he never spoke to me.

36,931. How many times did he come to your house? I do not remember his having been more than once.

36,932. Once only?—Once only.

36,933. Do you remember how long before the election it was, the time he was here?—I cannot tell how long.

36,934. Was it 10 days before the election, or just before?—It was just as he came here; he never saw Mr. Fowle but that once.

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Mrs. Fowle.

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36,935. He did that once?—Well, I think he saw Mr. Fowle.

36,936. Where?—In the parlour.

36,937. How long did he stay with him?—If he saw him it was only for a few minutes, because he was going to support him. That is all.

36,938. Had you not promised the vote of Mr. Fowle to Mr. Pender before?—Never.

36,939. How often did he call on you?—Only that once.

36,940. Do I understand you never saw your father and Mr. Pender together?—Never.

36,941. Who lives with your father?—His wife and a servant; he keeps a lodging house, and there are lodgers there generally.

36,942. Do you know whether he had any in 1865?—I do not remember, they are frequently in and out, and there are often changes. Some stay a week, some a fortnight, or a month.

36,943. When did your husband first tell you he had got 50*l.* for your father?—He brought it home, did not tell me. I knew it was for him.

36,944. Your husband told you he had been promised 50*l.* for your father's vote?—He did not tell me any particular sum.

36,945. But some money?—Yes.

36,946. What was it in?—Gold.

36,947. Did he bring home more?—100*l.*

36,948. Did you know who it was for?—For father and Mr. Drew.

36,949. Your brother-in-law?—No, my brother-in-law's name was mentioned, but I do not know he said anything for him. It was other people said it for him.

36,950. He got something?—Nothing before the election.

36,951. But after the election?—What he got was trifling.

36,952. He only got 5*l.*?—That is all.

36,953. Do you know when your father was paid?—I really cannot remember; it was sometime during the summer.

36,954. Sometime during the summer?—Yes.

36,955. You are quite sure?—I cannot say to a month or six weeks, or two months.

36,956. Do you keep the key of the drawer?—Sometimes, and sometimes Fowle.

36,957. Did you at that time?—Not more than any other time. I did not keep it more for that than any other time. We do not go out of the house and leave the keys at home.

36,958. Is 100*l.* a common sort of sum for you to keep in the house?—We always take it to the bank.

36,959. Did you that?—No, kept it in the house.

36,960. What made you act differently with that money than you usually dealt with it.—The other money we knew was ours, and that was not, but given to us for other parties.

36,961. Then why not hand it over at once?—There was a good deal said about bribery, and about the petition, and we thought the better plan was to keep it at the time.

36,962. When was the 40*l.* paid to Drew?—I am sure I cannot tell you that; some time during the summer.

36,963. You know Mr. Fowle had 5*l.* himself?—Yes; and I think he dearly deserved it.

36,964. He did not give it you?—No; I should have taken it if I had required it.

36,965. Did not Captain Fowle ever send you as a messenger between you and your father?—Yes, I used frequently to talk to father about it, and about his vote frequently. There were many insinuations on the other side, and I knew he would not have thought of it if that had not been done.

36,966. When did he tell you that he had been sought by the other side?—Soon after the members came.

36,967. Did you suggest that he could have money?—Not till he mentioned to me that he could have money from the Conservatives.

36,968. But when he mentioned to you that he could get money from the Conservatives, did you suggest he could from the Liberals?—Yes, I think very likely I did.

36,969. And then you asked your husband?—Yes.

36,970. In fact, you were the original tempter?—Well, I was very likely; I did it by my husband's request.

36,971. And you went to your husband and your husband got the money?—I told him all father said.

36,972. Did your husband tell you at any time that he was going to see Mr. Pender with your father?—No, he did not; he went out of the house and I think accidentally met Mr. Pender, and then they called on my father.

36,973. Did you hear about your husband and your father going to see Mr. Pender at the "Seymour" hotel?—No, I do not remember that.

36,974. Did not your husband tell you?—I do not remember.

36,975. Are you quite sure?—Quite sure.

36,976. Are you quite certain you were not at your father's house when Mr. Pender came?—As sure as I am sitting here this moment. I never saw father and Mr. Pender speak to each other.

36,977. How near did you live to your father?—Not many doors.

36,978. Did you happen to see Mr. Pender go in one afternoon?—I never saw him at the house or speak to my father.

Mr. J. Yabbicom.

Mr. JOHN YABBICOM recalled.

36,979. (*Mr. Bere.*) Do you remember the Rev. W. H. James coming to your bank and asking for a loan of money?—I do.

36,980. When did he come?—I will turn to the transaction (*referring to a paper*).

36,981. Did you enter his call in your book?—No, but I can recollect it is about the time. My memory is rather bad. I am getting an old man. I think it was in 1865.

36,982. The early part of 1865?—I do not know whether it was the early part, but I know it was 1865. I should tell you first that Mr. James has kept an account at our bank for the last three years, I think.

36,983. Has not Mr. James from time to time consulted you about some shares which he had in the Joint Stock Discount Company?—Yes most certainly.

36,984. Did not he come to you one day and tell you that a call had been made of 5*l.* a share, and that he did not know how on earth to pay it?—He did.

36,985. What did you tell him?—Well, he called on me some time. I do not recollect the month, but I think it was some time in 1865, prior to June, I think. I am not certain with reference to the date, but he came to me and said he was unfortunately involved in the Joint Stock Discount Company, and that calls were being made upon him in respect of his shares that he had, He said he should require some 200*l.* or 300*l.* I will not be certain about the amount, but he asked for an advance of at least 200*l.* or 300*l.*

36,986. Are you quite certain that that conversation did not take place in the winter of 1864?—Well, it might have been.

36,987. Mr. James' version is this, and it is quite clear that it is a correct account, that the call was made in 1864, and not being able to pay, he borrowed the money in 1864 for the purpose of paying that call

from Mr. Edmonds, and the money was clearly lent then. Was not it at that time that he came and asked you?—It may have been, but the circumstance with reference to advancing with respect to those calls will probably meet that point.

36,988. What was it you told him?—He applied to me for an advance in order to meet that call. I asked him how long he thought he would require the amount, and he said, "Well, I think it is very likely "I shall be able to realize some of those shares, and "I do not think the amount will be required but only "a short time."

36,989. What did you think he meant by a short time?—I should say probably four or five months. I formed a different opinion in my own mind with reference to it, and I should state that, having considered the mode of the advance, I rather looked upon it in the character of a loan. Now we never make advances at our bank, except it be commensurate with the amount of business transacted, looking at the responsibility of the party at the same time. If a man comes to us and asks for a loan, of course we have no objection to a loan, but we do not like them except they are for fixed periods. I looked upon it that the Joint Stock Discount Company would turn out a bad affair, and though I did not say so to him, I said, "I think "this comes rather in the character of a loan, and I "think you had better go and consult your solicitor "on the subject."

36,990. And then he did?—I said to him, "Who "is in the habit of doing your business?" and he said, "Mr. Edmonds." I said, "You cannot consult a "better person;" and he said, "He has made the "writings for my house, and he and I are on friendly "terms;" and I said, "You had better go to him."

36,991. That clearly must have taken place in November 1864?—Probably it might.

36,992. Can you tell me what the bank rate of discount was at that time?—I cannot carry it in my mind, but I will tell you a circumstance. I said to him at the time, "If you can negotiate a loan with "your solicitor, Mr. Edmonds, depend on it you will "do it on much better terms than with the bank."

36,993. You never charge less than five, and very often a good deal more?—Yes, we do.

36,994. (*Mr. Coleridge.*) You looked upon this as a *bonâ fide* loan in contradistinction from an advance?—Quite so. Recollect I should most distinctly, if I had not characterised it, or put it in the character of a loan, his credit was quite open to me, and I would have advanced it in a moment if I had not so considered it.

36,995. Did you see him after the election?—Yes, several times.

36,996. Has he ever talked to you about Mr. Edmonds' conduct towards him with reference to the money?—If you ask me what he has said, you call on me to recite one hundred conversations.

36,997. I want the general tenor of his conversations. Did they leave an impression on your mind that Mr. Edmonds had threatened to call in the money which had been lent unless Mr. James voted for the Conservatives at the election?—Not the slightest. All Mr. James said to me was that he considered Mr. Edmonds had acted in the most illiberal way towards him. It is rather hard that I should be called upon between neighbours to give an opinion. I do not want to be placed in an invidious position with my neighbours.

36,998. How long after the election was that?—Several times. When you get a customer at the counter or the consulting room, of course conversations will naturally arise.

36,999. (*Mr. Longe.*) Can you give us the impression the first conversation gave you?—Nothing more nor less than that he considered that Mr. Edmonds had behaved very unhandsomely towards him. I never could gather any more.

37,000. That is all you know about it. Did you know the loan had been repaid?—Yes, I did.

37,001. Did you know how the money had been advanced?—I will tell a little conversation that revives my memory with reference to that. A few months since Mr. James was talking the matter over, and I had learned in the interim that the money had been advanced by Mr. Pender; I learned from him that, in point of fact, it was general talk that Mr. James had the advance from Mr. Pender. He said to me, "Mr. Yabbicom, I am in a fix with reference to "the money Mr. Pender advanced me at the elec-"tion;" and I said, "Why so? Why do not you "send him what securities you have?" and he said, "I have not the means until I can settle with the "joint stock discount company;" and I said, "What do you hold?" and he said, "I hold scrip of "this unfortunate discount company, and I have a "life insurance policy of a thousand pounds;" I think he told me upon his life, and I said, "My dear sir, "why not send up your policy and scrip to him, and "make that right?" Whether he did it or not I do not know, that was my advice to him.

37,002. We only wanted to know what passed about the loan of the money?—Shall I speak with reference to a customer of mine, Mr. Fowle.

37,003. He has spoken about the ship?—I made the advance at all events.

37,004. What advance?—I allowed him to overdraw this account in order to release that ship.

37,005. Mr. Fowle has sworn here that he never had to pay any money at all?—Yes, he had; but he has been repaid by the authorities.

(*Mr. Fowle.*) I returned the money to the bank.

37,006. (*Mr. Coleridge.*) Let us have an account of this?—Capt. Fowle came to me and said in consequence of his ship being detained by the Spanish authorities in consequence of the certificate not having been sent by the ship's broker I think at Dublin. I think he told me that applications had been made from time to time in order to get that ship restored, but that he was ultimately obliged to pay down the penalties the authorities required of him; and he came to me on that occasion and asked if he might be allowed on his credit to overdraw his account for so much money as would release that ship. I asked him the amount, and looking at his credit as I always did in a perfectly respectable point of view, I said he was quite at liberty.

37,007. What was the amount?—I can tell you exactly the purpose to which it was applied, but I advanced it on account of the bank. I think it was 200*l.* or more; I do not know. I can tell you I dare say, but his credit stood well with us, and if he had wanted a larger sum he might have had it.

37,008. When did he repay that?—It was repaid in the course of his general account. I of course congratulated him on the fact that his ship had arrived at the Dart.

37,009. How long ago was it you advanced it?—I cannot tell. If Mr. Fowle is here he has his pass book.

(*Mr. Fowle.*) I have not, but it was in 1864 I believe.

(*The Witness.*) Mr. Fowle might have had the money or twice as much if he had chosen. That is a plain matter of fact.

(*Mr. Fowle.*) I never used the money at all. I paid it back again to you.

37,010. (*Mr. Coleridge.*) How long was the money owing to the bank?—I do not know, because we had an open account. I think I understood the money was restored, and I congratulated him on the fact.

37,011. (*Mr. Bere.*) Did Mr. Fowle tell you or not that he had to pay the penalties though they might be refunded?—To be sure he did.

37,012. He swore on his oath that he never paid

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sixpence?—I understood the amount was drawn for the purpose of being sent to the ship.

(*Mr. Fowle.*) The fact was it was never demanded by the Spanish government, and I have had it refunded to me again.

(*Mr. Bere.*) This transaction is a very fair foundation for saying that the ship was in pawn.

(*Mr. Fowle.*) It was not in pawn.

37,013. You wanted money to pay the penalties?—(*Mr. Fowle.*) I did not; the fact was the vessel was detained there, and I thought I might be bound to release her, and I went away with the intention of releasing her. I never applied to Mr. Pender for any money.

W. Byne.

WILLIAM BYNE recalled.

37,014. Is your memory better than it was?—No.

37,015. Not a bit?—Very little.

37,016. How much better?—That depends upon what it is upon.

37,017. Those lands you got at cheap rents from the Duke of Somerset?—I have got no cheap rents.

37,018. How did you get those lands?—Took them of Mr. Michelmore.

37,019. Had you asked the Conservative party to let you have some land before?—No.

37,020. You have made a statement to that effect?—I had the lands of the Conservative party two years before, and then I expected to be turned out, and Mr. Harris told me I should be, and before Mr. Bryett told me so also. Then I applied to Mr. Michelmore somewhere about Michaelmas last.

37,021. Whose writing is all this (*referring to a document*)?—My daughter's.

37,022. When did she make it out?—Since you told me to bring the account here.

37,023. How did she make it out; from what books?—From a book I have in my pocket.

37,024. Let us see that book (*it was handed to the Commissioners*).

37,025. You had this land from the Conservatives? Yes.

37,026. And having had it from the Conservatives, had you had a formal notice to quit?—Yes; I had a notice since. I had six months' notice to quit at the end of the twelve months.

37,027. Did you go down to Mr. Thomas Creaser Kellock and ask him whether he could do anything about the land?—That was the morning of the polling day.

37,028. What did he say?—He said he could not.

37,029. Did you then tell him you should vote for both the Liberals unless you could have a lease of that ground?—I did.

37,030. Did he say he had no power to do anything of that sort?—Yes.

37,031. Did you afterwards see Mr. Heath?—Yes.

37,032. And told him you would not vote for the Conservatives unless you could get a lease?—Yes.

37,033. What did he say?—He could not do anything without Mr. Bryett.

37,034. You would have an agreement in writing?—Yes.

37,035. Did he say he would see if Mr. Bryett was in the house?—Yes.

37,036. And did he go away and tell you Mr. Bryett was not there?—Yes.

37,037. Did Mr. Heath then tell you to go and vote for Dawkins and Seymour, and you would not be turned out of your ground?—Yes.

37,038. What did you say?—I told him I should not.

37,039. You stayed outside the "Stars" how long?—Till half-past 10 o'clock I should think.

37,040. Had you made up your mind what to do with the second vote when you went away?—No.

37,041. Then did you meet Mr. Jeffery Michelmore and speedily make up your mind?—I met him coming along, and I saw him turn his eye round, and I said, "Shall I do Mr. Seymour any good by voting for "him," and he said he did not know that I should, and I said, "I had better vote for two Liberals as "well as one;" and he said, "You had better go and "do so;" and I went.

37,042. And you had no conversation about the land at all?—No.

37,043. You know Mr. Jeffery Michelmore has told us quite another story?—I did not say anything about land whatever.

37,044. When had you been to Mr. Jeffery Michelmore about the land?—I think I went about Michaelmas, just before or after.

37,045. What year?—Last Michaelmas.

37,046. Do you mean to say you went and voted without having said anything to Mr. Michelmore or anyone on the Liberal side about the land?—Yes, I did.

37,047. Had not you seen Callard?—No; yes, I had seen Mr. Callard; but said nothing about no lands.

37,048. What did you say?—We had a bit of chaff there when I came down. I had a cart there, and some one had in the night upset it, and Callard and Ackrell were coming along, and I called them to help me to get it up, and I remember Mr. Ackrell saying, when he saw Mr. Matcham coming, "He has been "down and has been paid I see, because he is walking "faster than when he went down."

37,049. Who was in the occupation of those fields you now hold?—Joseph Adams.

37,050. Had he had notice to quit?—I do not know.

37,051. Had he given notice?—I do not know.

37,052. When did you first know that they were to be had?—About Michaelmas.

37,053. When did you enter into them?—I think the last week in February.

37,054. Of this year?—Yes.

37,055. What is the holding? A Lady-day holding?—No; I used to pay the rent at Michaelmas, in consideration of the grass in the field.

37,056. Had Mr. Adams given up at Michaelmas?—No, he was still holding possession then.

37,057. Was he to pay rent too?—No; he gave it up at Michaelmas because there was a good piece of grass in it. I pay the rent back to Michaelmas, and all outs, in consideration of the grass.

37,058. And you want to persuade us that you had no conversation with Mr. Michelmore about that land before you voted?—None whatever.

N. Manning.

NICHOLAS MANNING recalled and further examined.

37,059. (*Mr. Coleridge.*) Do you recollect anything more since you were here last?—No. I do not know that I do recollect anything at all. I have just explained to you all that I knew of the circumstances.

37,060. Did you get any money at the election of 1865 from anybody?—No.

37,061. Did not you get some money from Mr. Pender?—I got some money for the church affair; he subscribed 10*l.* towards it. That did not go into my pocket.

37,062. You were several times at the "Seymour Arms"?—No, I only went once.

37,063. And did you see Mr. Pender there?—I did.

37,064. And what did he say about your vote?—He did not then ask me about my vote. I showed him a list of subscribers, and he said he would very gladly give 10*l.* if I would be content with that.

37,065. Was it a cheque or note?—Two 5*l.* notes. This was the morning after the tea took place.

37,066. Were not you at the "Seymour Arms" about the time of the last election?—No.

37,067. You were never seen there at all?—I was never there at all. This was the morning after the tea. We had a subscription through the parish, and he very politely said he would give 10*l.*

37,068. And that was for the screen, was it not?—No, not for the screen. We had not means to pay for the expenses of the church, and twice since I have been churchwarden I have made collections. We have no church rate, or anything of that sort.

37,069. How is it you have not any church rate?—We have not had such a thing since I have been in the parish.

37,070. Did you ever ask Mr. Pender to subscribe for the screen?—No; never thought of it.

37,071. We have heard about the 1852 business, when you got 30*l.* for your brother?—Yes.

37,072. And it has been sworn that you kept half for yourself. Now, from the 1852 election down to the present time have you ever received anything for your vote?—Never.

37,073. At no election between 1852 and the present time have you ever received a present after the election?—No, not even to the amount of a shilling. I never asked for anything or ever received it.

37,074. And had not you any money left at your house after the election?—No.

37,075. Or given to your wife or daughter?—No, I have no daughter and no wife at the present moment, but there was never anything left at my house.

37,076. Do you mean in 1865 and 1863 you did not get a single farthing, not for your vote, but as a present, either before or after the election?—Nothing of the kind; I swear it on oath; I never asked it and I never received it.

37,077. Now about your tenants, you used to make your tenants vote your way?—I never used to interfere with them.

37,078. You never turned a tenant out for not voting your way?—No, I have turned a tenant out, as I told you, because I could make more rent of the house, and another thing, Mr. Farley gave me notice, and went out himself, six months' notice.

37,079. How many tenants have you?—I believe about seven.

37,080. How many voters are there amongst them?—There are six, there is a lady lives in one, Mrs. Manley.

37,081. But all except one are voters?—Yes.

37,082. What are their names?—Kelland votes for whom he feels inclined, he is quite on the Liberal side, I never asked him; Farley, I never asked him in my lifetime, he lived ten years in a house of mine and voted exactly as he felt inclined.

37,083. Who are the others?—Charles Pitts, and one called Briggs, and down in the New Walk is Mr. Butter, exciseman, he did not vote, and now there is a man of the name of Clarke, and I believe he did vote on the Conservative side; I gave him six months' notice to quit, this Clarke.

37,084. Why?—Because I thought I should not get the rent, he was out of his situation.

37,085. Did you ever get any money for any of your tenants?—No, never asked.

37,086. Did you ever give any of them anything?—No; never heard of such a thing. They were in a position to ask for themselves, and I believe they did.

37,087. You mean to say, except the 30*l.* you had for your brother, you never received anything?—Never a shilling. I take a solemn oath I never had a shilling given me. I have dined with the gentlemen, and been to Torquay, but I never received anything.

HENRY BARTLETT recalled.

H. Bartlett.

37,088. (*Mr. Coleridge.*) Have you succeeded in remembering anything more?—I was at the meeting.

37,089. When there was a chaff about the master tailor and the journeyman tailor?—Yes, a mere chaff.

37,090. What was the chaff about, a bribe?—I wanted to know.

37,091. You must know. The chaff stopped when they said, "You had better be careful, because Mr. "Charles Michelmore is here"?—Yes.

37,092. Why did the chaff stop when they said Mr. Charles Michelmore is here?—I do not know.

37,093. You have heard what Mr. Michelmore has sworn?—Yes.

37,094. Do you on your oath deny it?—Yes, most decidedly.

37,095. (*Mr. Bere.*) It is rather peculiar. Here is a conversation in your presence, in which you are charged with having received a bribe; and, as far as I understand, you did not exhibit anger, and did not contradict the accusation?—I said I would bring an action.

37,096. But not at that time?—No; I did not know what was meant.

37,097. When a person is said to be bribed it is intelligible?—I thought it was a joke in electioneering times, and did not take any notice of it.

37,098. (*Mr. Coleridge.*) You were at the "Bull" inn?—Yes.

37,099. You made a mistake about that the other day?—Yes.

37,100. Do you recollect anything about money being paid on a cask?—No.

37,101. What do you know about Nicholas Norrish getting money?—Never had any communication with him.

37,102. About twelve months ago you had some row with Mr. Michelmore at the "Railway" hotel?—Yes.

37,103. What did he say then?—He was beastly drunk, and he said, "Don't you know you were "bribed; that you had 75*l.*?"

37,104. Were there several people present?—Yes.

37,105. Did you deny it?—Yes.

37,106. What did you say?—I said I would bring an action.

37,107. Who was your solicitor?—Mr. Edmonds.

37,108. Mr. Holman was present when this chaff took place at the "Seymour" hotel?—Yes.

37,109. Mr. Holman said he understood it was about a bribe?—If he wants to make it so, I do not know.

37,110. What took you to the "Bay Horse" inn?—It was the election day.

37,111. You had been to the "Seven Stars" previously?—Yes.

37,112. What had you heard at the "Seven Stars" that made you go there?—I heard that the other party were going to take away Nicholas Norrish.

37,113. Did you go to assist in taking him up?—There was a carriage waiting on the other side to take Norrish away.

37,114. Did you see Penwill?—Yes.

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37,115. Did Penwill say, "If anybody can get "Norrish it will be me"?—He did so, and I dare say he made some arrangement before I knew anything about it.

37,116. Did you succeed in getting Norrish?—Penwill went in and we took him away to vote.

37,117. You mean to say you never got anything on any election for your vote?—Never.

37,118. Any present afterwards?—No.

37,119. Or have any bill paid?—No, never.

37,120. Nothing of the sort?—No.

37,121. (*Mr. Bere.*) We received a communication from William Adams that he knows a great deal about you?—He generally comes into my shop about the election time.

37,122. Have you ever been chaffing and intimating that you have been bribed?—Never that I recollect; I always took it in joke.

37,123. It may be that the joke has been supposed to be a reality?—I swear to it.

37,124. What is the story about Mr. Michelmore calling at your shop since we have been sitting?—He was very drunk, and he came in and said, "I "understand Narramore is getting up evidence about "this affair of yours, that is, at the 'Railway' hotel." I said, "If you are such a rascal as to go and swear "that, leave my shop."

37,125. I put it to you again; on your oath, have you ever received or given money at any election, directly or indirectly?—No.

37,126. Has your wife ever received any?—No.

37,127. How many people had you working at the last election who were voters?—I believe I had one voter.

37,128. What did he get?—He can answer for himself.

T. Blackler.

THOMAS BLACKLER recalled.

37,129. (*Mr. Bere.*) You have been examined before?—Yes.

37,130. What have you to tell?—Nothing more than the other day.

37,131. You split your vote because too late?—Yes.

37,132. If you had been paid by the Conservative side you would not have split your vote?—No.

W. Farley.

WILLIAM FARLEY, junior, recalled.

37,133. (*Mr. Bere.*) You have told us you were paid on three several occasions, and received nothing in 1865?—Nothing in 1865.

37,134. You voted for a Conservative and Liberal?—I voted for Colonel Dawkins and Mr. Pender.

37,135. You split your vote?—Yes.

37,136. What was your reason for splitting your vote?—Not being under any obligation to the Conservative party, I thought I had a right to do as I thought proper.

37,137. You had received money before?—Yes.

37,138. Was not your reason the same as Blackler's that you came rather late?—If I had been under an obligation and I had received remuneration, I would have voted.

37,139. It was because you found there was no money going on the election day that you went and split your vote?—I dare say.

37,140. (*Mr. Coleridge.*) You were open to take money if it had been offered to you?—Most decidedly.

J. Diggins.

JOHN DIGGINS recalled.

37,141. (*Mr. Coleridge.*) You were too late?—Yes.

37,142. You would have taken the money if you could get it?—Yes.

Mr. T. E. Owen.

Mr. THOMAS E. OWEN recalled.

37,143. (*Mr. Bere.*) Have you seen Mr. Brooking Cuming to-day?—No, he has gone away.

37,144. To Exeter?—I think so.

37,145. Do you know when he is likely to be back?—I should think to-morrow.

37,146. (*Mr. Coleridge.*) If he is well enough to go to Exeter he is well enough to come here?—It is a different ordeal.

37,147. Did you see Mrs. Cuming after the rising of the Court on Saturday?—No, I have not seen her since.

A djourned till to-morrow morning at half-past 10 o'clock.

TWENTY-SEVENTH DAY.

Tuesday, 25th September 1866.

Mr. JOHN HEATH recalled.

(*Mr. Bere.*) When you were last before us, Mr. Heath, I communicated to you the grave suspicions that seemed to the Commissioners to rest upon you, and requested you to use your best endeavours to remove those suspicions. We have delayed making any further communication to you, because evidence has been daily taken before us of a nature to remove or confirm those suspicions, and inquiries have been elsewhere instituted, the result of which we have been but lately acquainted with. The evidence so taken, and the inquiries so instituted, have had the effect of confirming rather than removing those suspicions; and I have now, as the Chairman of the Commission, to inform you that we are unanimously of opinion that your account of the way in which money was distributed in bribery on the Conservative side, at the last election, is most unsatisfactory, and that the burthen of showing that such distribution was made by the hands of a person, not an inhabitant of Totnes, but a stranger, is upon you. We are unable to rely on the truth of *your* statement of the existence of such a stranger—first, from the generally perverse and inconsistent accounts that you yourself have given, and particularly as to the various matters connected with him, his acts, and his appearance; and secondly, from the strong and clear contradictions to your evidence given by that of other witnesses. On the first day on which you were examined you denied the giving of a cheque to the Matchams, admitted but three cases of bribery by yourself, declared that you did not spend one single sixpence of your own monies, or of those of any one else, beyond the sum of 157*l.*, and you asserted your ignorance of the passing of any actual money to others. Every one of those assertions was corrected by you on the second day of your examinaton; but this specimen of your untruthfulness did not make us hopeful of your revealing to us more than what you imagined we already knew, or your allowing that you were yourself directly responsible for the accounting for the sums of money that admittedly came into your hands. It is also clear to us that your particular assertions with regard to the existence of the stranger in your hotel, to whom the distribution of money was entrusted, cannot be relied upon; as you said, when examined the second time here, that there was but one stranger, with whom you had but little talk, and of whose coming you were unaware, and whom you never saw with Mr. Smith, whose room was No. 13, where you yourself saw him at 9 in the morning, and the number of which you saw written on his notes, and under which number he was entered as your customer. When you were examined at the "Seven Stars," after it was proved beyond a doubt that No. 13 was not occupied by any stranger, you declared your possible ignorance of his having slept in your house, and you said you had gone through the register with him, had had advice that he was coming to Totnes, had pointed out Mr. Smith to him, had seen them, as you believed, talking together, and that two strangers had come down—conflicting statements, not to be reconciled by any possible interpretation of words. Not only do the words coming from your own lips show the untruthfulness of your story, but you are contradicted time after time by witnesses whose testimony is clear, and whose evidence is to be relied upon. William Allery, whom you declared was paid by the stranger, says he was paid by your son James, who brought the money from you. John Godfrey you said had had money in a bag; how much you did not know, yet he says you paid him 40*l.* Mrs. Lombardini is said, by you, to have had a conversation with the stranger, who gave her two bags, whilst she, corroborated by George Evens, asserts that her payment was made by you in an upstairs sitting-room. William Mitchell, you do not know who gave the money to him, and yet he swears that your son, John Heath, junior, gave him 80*l.* Phillips, according to you, met the stranger at the door, and said to you that he did not want to have anything to do with the stranger; that conversation Phillips denies on his oath. John Henry Tope, the strongest case of all, received, according to your account, a bag from the stranger, while in truth he had 50*l.* in notes from you, for which he gave you an I O U drawn to yourself, which you now produce. The witnesses who speak to their having been paid by bribes by a stranger, differ among themselves as to time of receipt, as to appearance of the man, as to place of payment, in such a way as to make their evidence as to his existence worthless, and in no single instance does it uphold the accounts which you give of the dealings with him. The most important witness, however, is your late boots, Pack, with whom you or your sons had not the opportunity of tampering as you may have had with the other servants in your house. He declares positively that no stranger engaged in the distribution of money was ever in your house at the time of the election; your other servants could not be brought to swear to the presence of the stranger, but expressed an entire forgetfulness as to the events of the election. On your own statement, therefore, and on the evidence of the other witnesses, we cannot at present come to any other conclusion but that you, with the aid of your sons, either with or without other help, distributed such portions of the money that came to your hands as you thought fit; and not being able to account for the distribution of the whole, and finding a deficiency of more than 1,700*l.* existing, you now throw the blame on a person whom you are unwilling or unable to produce. All the money either passed into your hands or not; if it did you must account for it, if it did not those who had to pay it over to you must help you to give an account. With this well-grounded disbelief in your assertions, we must put in force the powers we possess, to compel a statement of the truth, and, therefore, we desire you to be in attendance during the sitting of this Commission from day to day until such account be rendered.

37,148. Now, I ask you, have you any further explanation to give?—I am ready to answer any questions My statement, as I have before stated respecting the bags containing the money, was that I never counted them; they were handed to me by Mr. Edmonds. I delivered those parcels to a person who came from London, and who came to my house. My trade account has never been doubted, though I am sorry to hear those strictures of the court; but that such a person was here there is abundant evidence to show. I never counted the money that was handed to me in those bags and I never knew what was in the bags, never parcelled out the money to anyone who had the distribution of it afterwards, with the exception of the cheque to the value of 500*l.*, and that cheque to the value of 500*l.* was handed to me by Mr. Edmonds on the nomination day. I, instead of giving up the vouchers claimed to retain them, but I believe the vouchers have gone to London, and that the whole of the parties, Mr. Smith and Colonel Dawkins, and all those who have had an interest in the election and in keeping those things, not to connect Colonel Dawkins in the event of his being elected, and they are aware how the whole of the money was distributed.

TWENTY-SEVENTH DAY.

Mr. J. Heath.

25 Sept. 1866.

37,149. Where did the stranger come from?—He had a north-country accent. He was seen about the town; seen in my office on the election day with a gentleman. I think he went to Plymouth to sleep on the Monday and Tuesday. He was seen in my office, I believe, by some of the voters themselves, and paid their travelling expenses—for instance, Colonel Willoughby's servant-man; and as to the existence of a person for distributing that money, it is as well known to both candidates themselves as you know I am sitting in this chair. I positively swear to it (and I flatter myself I know the nature of an oath as well as a good many), that from the time Mr. Edmonds handed me those parcels of money, which money I never saw, except what he saw. You mentioned the case of Mrs. Lombardini. As to the two 50*l.* notes, she went into a room first of all where the stranger was, and I believe he heard the whole that transpired in the presence of George Evens and his mother-in-law; and I hope sufficient light will be thrown upon this during the investigation to satisfy the court and the public that the statement I have made on oath was literally and truly correct. I am satisfied of it.

37,150. I am afraid I have not clearly explained to you the opinion which we have arrived at. It was, shortly, this. In this uncertainty with regard to the assistance of the stranger at all, the burthen upon you is to relieve the commissioners' minds of the difficulty under which they are labouring, and if you cannot do so their belief will remain that you were the person actively concerned, and you must find him?—This gentleman had a north-country accent, and knew Mr. Pender's affairs as well as I do mine in this town. He saw him crossing the Plains when I went into No. 13 with the bag which was said to contain money, but, for aught I know, it might have been lead, for I never counted it. He came there unknown with brass and little elastic bands to count out the money, as if he was accustomed to the business; and I now declare that, with the exception of a 500*l.* cheque which I had on the nomination day, I never counted up a penny. I think it was handed to me according to the calculations made.

37,151. (*Mr. Longe.*) Did not I understand you to say that both the candidates knew that the stranger was down?—I believe they did.

37,152. Can you give us more evidence on that point?—I know Mr. Smith was aware of it, for I pointed him out to him.

37,153. That you said before, and Mr. Smith denied it?—Mr. Smith was in an excited state all the time he was here.

37,154. What reason have you for saying that Captain Pim knew it?—I believe both of them knew it.

37,155. What reason have you for saying that either of them knew that there was a person here?—Only from the general understanding that there always has been before. Captain Pim was not engaged in any bribery at all. He would not pay anything towards the expenses of bribery, but it was generally understood by everyone connected with the election that there was a person there distributing the money.

37,156. We have had it denied by every person in your house that there was a stranger?—The very person who waited upon us in my office on the election day and the day before, who was never consulted until a day or two ago, she came there to work again and attended that side of the house, Susan Brown, who brought the lunch and stout, and we had same Burgundy there, which these gentlemen drank, and some of the electors who came there the last day.

37,157. (*Mr. Bere.*) Who are those electors?—I will refresh my memory about that. And I think I shall be able to show that people were paid there. Certainly Colonel Willoughby's servant was the 5*l.* for his travelling expenses.

37,158. (*Mr. Longe.*) At all events, as far as my question was concerned, you have no reason for saying that either Captain Pim or Colonel Dawkins knew that there was a stranger down, except some supposition on your part that they supposed there was?—I know Mr. Smith was told over and over again, and that in the presence of Colonel Dawkins.

37,159. Which Mr. Smith has denied upon his oath?—I am upon my oath too, and I am charged with this affair, which I know nothing whatever about. With regard to Pack, he left my service not upon very good terms, for he had been drinking and smoking for some months before he left, and the place got a little too warm for him. What he has stated I do not know, but he did not sleep in the house, he did not even clean the boots; the boots and the underboots did all that kind of work. It is impossible that he could know everyone in the house.

37,160. (*Mr. Coleridge.*) Have not you stated since you were examined here that you wished you had seen him before he gave his evidence?—Never. An allusion was made to my servants being coached by the chairman; I most distinctly deny that the person in the bar or any servant has been spoken to by me since the Commission was opened.

37,161. You could not have failed to observe that both your waiter and your chambermaid forgot everything connected with that election?—The chambermaid has told me that Mr. Smith slept in No. 15, and she is certain of it now, and she stated it before the Court.

37,162. We have had Mr. Smith's clerk, who states that he slept in No. 15, and Mr. Smith, who swears he slept in No. 13?—Whatever Mr. Smith or his clerks may swear, to take the onus off Mr. Smith's shoulders and put it on other people, I am not answerable for, but I believe it is well known that they know where the person came from and know where to put their hands on him.

37,163. (*Mr. Bere.*) You must remember this, that the contradictions that appear already on your evidence are contradictions that might be made the grounds of an indictment for perjury?—There may be slight discrepancies, but I think I have made the name of every person known whenever I have heard of it. I perfectly well know that I am on my oath, and I say that this person had two registers with him, which I saw on the Saturday morning; he went through those and there were ticks which he had, from what source I am not at all aware. I never went out of my doors to call on any voter and offer any money; the few I gave to must have been sent for by or through him or his messengers, and brought to our house, and he either paid them himself or handed me the money, which must have been arranged as to the amount with some other person than myself. I did not, for I never knew the amount. I asked in some cases, "What have you done?" and he said, "Agreed to give 20*l.* or 50*l.*, as the case may be.

(*Mr. Bere.*) You had better have some time, and unless you find that person, our impressions will remain just as they are now.

(*Mr. Longe.*) You see the contradictions are not slight discrepancies, as you call them.

(*Mr. Heath.*) I gave the name of every individual I paid, and that has been fully borne out by the persons who have come here. As to the mode in which it was carried out, I did not negotiate the thing, or make the bargain with one in ten.

37,164. (*Mr. Coleridge.*) Do you still repeat that the money, whatever it was, was paid in bags, and that you did not know the amount?—In a great many cases. It is impossible that I should remember each time.

37,165. You have not told us yet a single case in which you paid any money, and you have sworn the money was an unknown sum to you, and given in a bag?—I have given the secretary vouchers which were found in my son's office, of the gross amount.

37,166. Now you have, but until now you never acknowledged paying a single voter notes or money. You knew something was in the bag, but you did not know what?—Excepting 500*l.* was distributed with my knowledge, and the vouchers have been produced making that sum.

37,167. That is the first time you have told us that?—I gave the secretary the vouchers as soon as ever they were found. They were found in my son's office, looking for the gross amount.

37,168. That was only yesterday morning. Do you mean that the only way you have of recollecting that you had paid that 500*l.* was from from finding those?—Yes, entirely so.

37,169. When you found the vouchers you recollected you had paid the money?—If you asked me whether it was in notes or gold I should not know.

37,170. I asked you over and over again, and you every time asserted that it was in a bag, and you did not know the amount. Did you forget you had given any of the sums of money not in bags?—I could not prove so.

37,171. You swore on your oath that you had given away no money, either in gold or notes, to your knowledge of the amounts. Do you wish to withdraw that now, and say that 500*l.* you did give away in notes and gold?—I told the secretary at the beginning that I was privy to the outlay of 500*l.*, and I think my evidence will prove that.

37,172. The impression left by your evidence was that whatever money you gave away was an unknown quantity to you because it was in bags. Do you wish to withdraw that now, and say that this 500*l.* was distributed by you in gold and notes, and you knew the amounts you gave to the respective people?—I only distributed 300*l.*, and then this gentleman was in my office when I collected that cash and gave it to him on the nomination day, and he counted it.

37,173. Of that 500*l.* you distributed something like 300*l.* in gold and notes to different voters?—When I gave the 200*l.* and odd to this gentleman in my office, on the nomination day, the names were there of the parties who had to be paid.

37,174. How came these vouchers in your son's office?—They were in my son's office and were not found until lately. If we had had them when I first came up the thing would have been explained.

37,175. Are you sure those vouchers do not relate to 1863?—They belong to the last election, which the parties can prove who received the different amounts. Perhaps I may take this opportunity of stating what may be something in extenuation, if not in justification, of the course adopted by the Conservatives. As to the legality of it I will say nothing, because we are all aware of the law with respect to corrupt practices. But from the time that the Duke of Somerset broke his contract with the Conservatives, we have felt bound to fight him with his own weapons. He has lent himself to the minority to swamp and subdue the majority of this town, and in addition to the influence brought on the electors through the land, I believe that the duke's agents have been privy to bribery, and have acted in concert with those gentlemen who have given them the money to distribute here. The duke came here in 1835, after voting against the Reform Bill in Parliament, and he introduced himself to the electors in this hall as a Conservative, and as professing Conservative principles, on account, as we supposed, of his own borough of Oakhampton being included in Schedule A. He came here, and the Conservative electors took him up in consideration of his Grace of Somerset being the owner of some 8000 or 10,000 acres of land, as well as the impropriator of the tithes in Totnes and Berry Pomeroy. He was opposed by the Radicals, 73 of whom voted for Mr. Mayne; but the majority of the Conservatives supported Lord Seymour, and he was elected by a majority of 80. From that time he was supported by the Conservatives. After that an agreement was entered into between the present Duke of Somerset and the Conservatives at Mr. Tracey's house in Bridgetown, whereby they were to give each other mutual support.

37,176. (*Mr. Coleridge.*) We have heard all about that already.

(*The Witness.*) He came here when he accepted office under the Government in the Woods and Forests, and the Liberals came to us and proposed that they would vote for any Conservative we liked if we would throw the duke over, and we kept that agreement faithfully and supported him. The next time he came here with Mr. Mills, the banker, who was a very rich man, and Mr. Parnell met me in the street and said, "We shall beat you this time; we have got the money." And true enough, at 3 o'clock the duke turned over a certain number of his tenants to the other side, and we were beaten; and from that time we felt aggrieved, and were determined to fight for our independence.

37,177. Was not the first occasion that any money was spent when Mr. Baldwin came here?—I do not remember that. In 1839, when Baldwin and Blount were just on a level, they would have given 100*l.* for a vote, or even 500*l.* to turn the scale.

37,178. Mr. Baldwin had spent all the money he had in this place?—I have heard that he spent a great deal of money.

37,179. That was before the time of the duke breaking his agreement. The bribery on the Conservative side was rampant in this place long before the duke broke his agreement?—It must have been when Mr. Blount was a candidate. From that time to this we have found gentlemen to come and fight the Liberals with their own weapons. That, I hold, may be a justification to a certain extent of the mode in which we have conducted the business.

37,180. Had you the slightest notion that you would have been able to carry two conservatives at the last election?—We were certain of one if the men who signed the requisition had not been over bought.

37,181. But not to carry two?—It was considered necessary to have a second candidate to take off the votes.

37,182. (*Mr. Longe.*) At the last election do you know from whom the money came that was spent in bribery at the "Seven Stars"?—I only know from what Mr. Edmonds told me.

37,183. From whom do you suppose it came?—From Mr. Smith or Colonel Dawkins.

37,184. Did the money pass through your hands?—Not as cash.

37,185. But in some shape?—In parcels.

37,186. It came in that way from Mr. Edmonds?—It did.

37,187. Did you ever take the trouble of getting any receipt or acknowledgment from Colonel Dawkins or from Mr. Smith, in order to protect you from any difficulty about the distribution of the money?—I gave the receipts to Mr. Edmonds.

37,188. How many receipts did you give to Mr. Edmonds?—I think it was three.

37,189. For what purpose did you give those receipts to Mr. Edmonds?—To satisfy him; that if he enclosed a bill of parcels, notes, 500*l.*, gold 500*l.*, so far as I was concerned my hands were clean—I had nothing to do with the money.

37,190. Did you write out the receipts?—I did not.

37,191. Who did?—The person who counted the money.

37,192. In what form was the receipt?—I think I never saw above one or two; one was, I believe, "I acknowledge the correctness of this;" one of these was handed to me by a party in my office, and two of them were sent to me in an envelope some time after. I never saw a penny of the money, with the exception of the 500*l.* cheque. When we found that the prices offered on the other side were so high that they had gone out round the country and offered 100*l.* or more for a vote, although Colonel Dawkins, as I heard Mr. Smith say, was ready to have gone 1,000*l.* further, I consulted Mr. Edmonds on the subject, as well as Mr. Smith himself, and I said it was useless to drag Colonel Dawkins into any further outlay when there was a chance of our being beaten after all. If we had had the other 1,000*l.* there were persons who had been promised money, and who only received part, who would have been paid; but, inasmuch as that 1,000*l.* was never received they have not been paid.

TWENTY-SEVENTH DAY.

Mr. J. Heath.

25 Sept. 1866.

37,193. Do you know the form of these receipts?—I saw one when Mr. Edmonds opened it.

37,194. What form was it in?—Received 1,000*l.* or 1,500*l.*, or whatever it was.

37,195. Who was it signed by?—The gentleman whom I gave the thing to.

37,196. Was that the gentleman in No. 13?—I think it was.

37,197. What was the name?—I think it was Jackson. I am almost sure of it. I have always thought so. Whether he signed it A. B. or C. D., I am not certain.

37,198. So far as your memory serves you, you saw this name on a piece of paper?—I am convinced, and those who know me in this neighbourhood are convinced, that a gentleman was sent here from the Carlton club, or from Mr. Smith, or through his clerks; they want to get the odium off their own shoulders and cast it on mine, and I am convinced that Mr. Smith or his clerks, if they do not know the person, know there was such a man here. Mr. Smith's clerk swore that I was in Mr. Smith's room during the nomination. I swear that I never was in his room while he was in the house, nor do I know the room in which he slept.

37,199. Were you never at No. 13 during the day of the nomination?—Was I?

37,200. Yes?—I do not remember it, it is possible that I may have been, but not with him.

37,201. Now about this receipt; you saw a receipt?—I saw the form of a receipt opened by Mr. Edmonds in my presence.

37,202. Give us, as far as you recollect, what the form was.—I really do not remember.

37,203. Did you see the name it was signed by; was it "Jackson"?—I think R. J. or some such name; that has been the impression on my mind.

37,204. What sum of money was it a receipt for?—I do not know whether it was 1,000*l.* or 500*l.* or 700*l.*, or what. I know that if there is any imputation on me for having undertaken anything, or in any way having interfered, it was only thrown in my way by my being the proprietor of that house; if I had not been, the chances are that I should not have been mixed up with it.

37,205. Was the word "Mum" on the receipt?—I think I saw "Mum" on the 700*l.* receipt; the 700*l.* or the 1,000*l.*

37,206. Do you mean that he signed at one time "Mum" and at another time "J," or "R. J.?"—I saw the name of "Mum" most distinctly. They have always been described as "Mum;" we have had a man for the last three elections since I have lived in the house, strangers, to prevent the thing being traceable to the persons who advanced the money.

37,207. You passed over the receipts to Mr. Edmonds?—I did.

37,208. (*Mr. Bere.*) For this sum of 700*l.*, did you have a receipt?—I do not know that it was 700*l.*, but whatever the amount was I did.

37,209. Did you swear that you ever took or saw a receipt for 700*l.*?—I thought there was one for 700*l.*, but I do not know it; Mr. Edmonds opened the letter in my presence, and it was signed "R. J." or "Mum." I saw the word "Mum" on a receipt most distinctly; Mr. Smith and Mr. Edmonds will hold me harmless with respect to that.

37,210. We wish you to understand this, that your position, in our judgment, is not that there was no stranger, but that you are responsible until the stranger is proved to have existed.—But I never fetched him, or knew where he came from. I should imagine that it devolves upon Mr. Smith's shoulders.

37,211. Have you used all your efforts to find him?—I went to London, and I will go to Manchester and the neighbourhood to find him. I know he is a north country man, and that he knows Mr. Pender's affairs.

37,212. (*Mr. Coleridge.*) Did he tell you that he knew Mr. Pender personally?—Yes, he had seen Mr. Pender; he was in No. 13 when I handed him the first bag of money, and he said, "There goes John Pender." He was going across to Mr. Wright's house.

37,213. Are you still convinced that No. 13 was the room in which he was?—The room in which I paid him the first amount.

37,214. That is the room Mr. Smith swears was his room during the whole of the time, and his clerks?—So I am told, and it seems strange for Mr. Smith to say that. I know he was about the house in a highly excited state all the time he was there. It is my testimony against his.

S. Saunders.

SAMUEL SAUNDERS recalled and examined.

37,215. (*Mr. Bere.*) When you were examined before, you told us that at the time of the election you received 20*l.* for your services, is that all you received?—That is true, that was for Richards, not for me.

37,216. (*Mr. Coleridge.*) You never told us about that before?—Nothing was asked me on that subject.

37,217. Do you not know that you are sworn to tell the whole truth?—As far as I was asked. I did not know I was to say anything about him; I thought he would answer for himself.

37,218. Who paid you this 60*l.*?—It was a man on the ground floor, I do not know the man.

37,219. What do you mean by "I O U, John Heath, 60*l.*"; who was present?—A stranger was present, and Mr. Heath was there.

37,220. Mr. John Heath?—Yes.

37,221. Anyone else?—No, sir, I did not see any person else.

37,222. What sort of a stranger?—I do not know; I did not look at him to see what he was like.

37,223. Who handed you the packet, Mr. Heath or the stranger?—I took it off the table.

37,224. What was it in?—Brown paper.

37,225. Did you count it?—No, I did not.

37,226. Did you give the I O U for 60*l.* before you counted the money?—Yes; there was some of it for Richards.

37,227. Who told you it was 60*l.*?—I did not know it was 60*l.* I was told to put my name to a bit of paper.

37,228. Who wrote the I O U for 60*l.*?—I could not swear positively who did.

37,229. Did Mr. John Heath write it?—I could not swear.

37,230. Did the stranger write it?—That I cannot swear.

37,231. Did you write it?—No; I wrote that under.

37,232. Who wrote in pencil "for Richards"; did not Mr. Heath write it?—I do not know who wrote it.

37,233. Was it written at the time you signed it or afterwards?—I merely put my name to a bit of paper for Richards.

37,234. Do you mean to say you put your name to this man's I O U for 60*l.*, without knowing what you received?—I took up a little parcel on the table and I was told to give it to Richards. I gave it to him.

37,235. Who told you it was 60*l.*?—He told me when I gave it to him.

37,236. Do you mean to say that anyone in his senses would sign that acknowledgment, without knowing it was 60*l.*?—I took up the parcel off the table and carried it away.

37,237. Was it the stranger or Mr. Heath?—I suppose it was one of them.

37,238. Which of them told you?—I cannot recollect which.

37,239. Did one of them tell you?—One may, no doubt, because he told me that it was for Richards.

37,240. Did one of them tell you it was 60*l.*?—He may have.

37,241. Had you agreed with Mr. Richards to get

60*l.* for him ?—I had agreed to see about getting some money for him.

37,242. Had you agreed to get 60*l.* for him ?—It may have been.

37,243. Had Richards told you how much you were to get ?—He did not tell me how much I was to get.

37,244. How did you know ?—I saw Mr. Heath the night before, and he told me I was to have something for Richards.

37,245. Did he tell you what ?—I do not know.

37,246. How did you know it was 60*l.* ?—I saw it after.

37,247. When ?—When I gave it to Richards. If it was only 20*l.* I should have signed it just the same. It was not for me, it was for Richards.

37,248. Suppose he had asked you to sign and it turned out to be 40*l.* ?—I should have done it; that is the reason I have for it.

37,249. Would you have signed your name for 60*l.* if he had given you 20*l* ?—I do not know.

37,250. Was it not counted out ?—No ; I took it up, it was in a little brown paper.

37,251. Nobody told you you were to get 60*l.* ?—No.

37,252. You signed this I O U for 60*l.* in utter ignorance of what it was ?—I signed the paper and did not know what it was. I gave it to Richards.

37,253. You saw it counted out afterwards, was it in gold or notes ?—Gold.

37,254. What is Richards' christian name ?—Henry.

37,255. Where does he live ?—He went from here to Bristol. I heard he was gone up to London. I do not know where he is now.

37,256. Has he been in Totnes since the election ?—Yes.

37,257. How long has he been gone ?—About two months.

37,258. Is he any relation of yours ?—None whatever.

37,259. How came you to manage it for him; were you intimate with him ?—Yes.

37,260. Did you tell him you had any for yourself ?—I did not have any.

37,261. Did you tell him what you were going to get ?—I was told I was going to have something as well as the rest. I did not get any.

37,262. You got 20*l.* ?—Yes, I got some then.

37,263. Is Mr. Richards in Totnes now ?—No.

37,264. What is he ?—A brush maker ; he went to work for Mr. Reeves.

37,265. Where did he live ?—Up where Mr. Reeves lives.

37,266. Has he got a wife ?—Yes.

37,267. Is she here ?—No ; gone away with him to Bristol. I heard he was going to London, but whether he has gone I do not know.

37,268. Has he got any relations in this place ?—Yes, a mother.

37,269. Where does she live ?—At the "Kingsbridge Inn."

37,270. Is there a brother of Mr. Richards here in court ?—Yes.

37,271. (*Mr. Bere.*) You know that you are bound in answering the questions to tell us what you know; is there anybody else you bribed at the last election ?—No.

37,272. Or that you got money for ?—No.

37,273. That you swear ?—Yes.

Edmund Richards sworn and examined. *E. Richards.*

37,274. (*Mr. Coleridge.*) When did your brother leave this town ?—About two months ago.

37,275. What made him go away ?—Something about the rent affair. I think it was agreed he would leave it altogether.

37,276. Do you know where he has gone to ?—He went to Bristol.

37,277. When did you last hear from him ?—I saw him last Sunday week. He is in Plymouth now.

37,278. Where ?—Stopping at No. 36, Adelaide Street, Stonehouse.

37,279. Do you know anything about his having money at the last election ?—No.

37,280. Who is he working with ?—Mr. Watts' the brush manufacturer.

37,281. Have you a vote for the borough ?—No.

37,282. Did you know that your brother got money at the last election ?—I have heard so.

37,283. Did he tell you so ?—No, he actually denied it to me.

Mr. Thomas Hunt Edmonds recalled and examined. *Mr. T. H. Edmonds.*

37,284. (*Mr. Bere.*) What became of the receipts which were handed to you by Mr. Heath ?—I destroyed them.

37,285. What made you destroy them, they are your vouchers ?—I did not know that there was any use in keeping them. Mr. Smith left the matter entirely to me. He told me from the first he would have nothing to do with money matters. He wished to leave it in my hands ; he did not wish to know anything about it. I was satisfied myself in receiving it.

37,286. Did you ever receive any account of the way in which the money had been distributed by the stranger ?—Never.

37,287. (*Mr. Longe.*) You never saw him ?—I am not aware that I ever saw him. In fact when Mr. Heath was there he told me, after the man had arrived, that he was there, and asked if I should like to see him. I said, "No, I beg you will not point him out to me."

37,288. As a professional man you satisfied yourself with taking a piece of paper with "Mum's" receipt, and tearing it up with no other proof of the payment ?—At such a time as at an election time.

37,289. (*Mr. Coleridge.*) Was there much money received from Mr. Heath ?—First, 1,500*l.* ; the second, 1,000*l.* ; and the third, 700*l.*

37,290. In what form was the first ?—"Mr. Mum acknowledges the receipt of 1,500*l.*"

37,291. No signature ?—None.

27,292. What was the second ?—Just in a similar form.

37,293. What was the third ?—I said the other day I was not sure whether I had a third or not. Now Mr. Heath mentions it, I did receive it.

37,294. Was it signed Jackson or R. J. ?—No.

37,295. Do you recollect the 700*l.* receipt ?—One was 1,500*l.* ; the second was for 1,000*l.*, and the third was for 1,000*l.*

37,296. No 700*l.* at all ?—No.

Richard Andrews recalled and examined. *R. Andrews.*

37,297. (*Mr. Bere.*) Have you anything more to tell us now ?—No. I do not know whether this paper will help you (*handing a paper to the Commissioners.*) That is a voter of the same name.

37,298. That is not yourself ?—No, my name is Richard Andrews.

37,299. Do you mean Richard John ?—John Andrews.

37,300. The facts against you are that you have admitted at one election you received 50*l.* ?—I do.

37,301. The suspicion attaches, having received that 50*l.*, that you would not be unwilling to receive bribes

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at other elections, upon the information we have received, and from persons who have carefully considered the matter, that you are a person likely to be bribed?—I should be most happy to hear anyone if anyone, can bring a charge against me.

37,302. Have you at any election either directly or indirectly received any benefit whatever from your vote?—None whatever.

37,303. No benefit?—None.

37,304. Have you directly or indirectly influenced any person to give a vote?—I have not.

37,305. At any election?—Never.

37,306. Except the one you have spoken of?—The one I told you of in 1852.

Capt. B. Pim.

Captain Bedford Pim recalled and examined.

37,307. (*Mr. Bere.*) I think you made a little mistake down here the other day by saying you called upon Mr. James with Colonel Dawkins?—I do not think it is at all material with whom I went.

37,308. Did you go with Colonel Dawkins?—My impression is, I went with Colonel Dawkins. I may have been mistaken.

37,309. The facts as deposed to by other witnesses are, that you called with Mr. Murchison?—Mr. Murchison could prove that; my recollection does not go so far as to enable me to swear that.

37,310. Did Mr. Murchison go with you to canvass?—He certainly did not go round with me canvassing; he may have gone on that occasion. I am not prepared to swear he did.

37,311. Do you remember a conversation that passed between you and Mr. James upon that occasion?—You must be perfectly well aware in going round among 300 or 400 people, as I had, it would be impossible for me to repeat verbatim any conversations with any of them.

37,312. We do not ask you for that, we ask you whether you cannot give your impression of the conversation that passed between you and Mrs. James?—I read Mr. James's evidence in the papers this morning, and I think it very probable that he was quite right, and it was said in reference to my speaking of my first love, and so on.

37,313. What made Mrs. James state if you stayed much longer you would be converted?—She is rather an amiable woman.

37,314. In politics or what?—I do not mean politics.

37,315. She was not talking of politics at that time, was she?—She was talking about all sorts of things.

37,316. We have heard a good deal of evidence given this morning, or rather there is a want of evidence about the presence of a stranger at the "Seven Stars" during the election, a person concerned in the distribution of the money; did you yourself ever see any such person?—Never.

37,317. Were you ever in No. 13 bedroom?—As I told you before, I was, I think, in every room in the house.

37,318. What made you go into that bedroom?—I took a very great interest in it; I was learning, and I got interested in the whole election, not only every room in the house, but every house in the town.

37,319. What interest in the election had you to take you up to No. 13 bedroom?—I was seeing what was going on.

37,320. Do you consider that electioneering matters are conducted in bedrooms?—I never had anything to do with electioneering matters before the general election, which was my first essay.

37,321. Though you did not yourself see the distributor, did you hear that such a person was there?—Not till after the election was over.

37,322. How long after?—When the election began to be talked about. I had no idea of Mr. Mums in those days.

37,323. Did you hear of it in London or here?—In London possibly.

37,324. Who was the first person who told you about it?—Really I cannot tell you.

37,325. Did you hear of it before you saw Mr. Spofforth about the petition?—I do not think I did.

37,326. Was there not a discussion with Mr. Spofforth whether you were not the best person to petition?—No. The feeling was that we were certain to carry the petition, and that Colonel Dawkins deserved the seat, and I do not remember any conversation otherwise.

37,327. Did not Mr. Spofforth suggest to you to claim the seat for yourself?—He may have done so, but I should not have entertained it if he did.

37,328. You saw Mr. James at his house. Did you also canvass him in the street?—I dare say I may have spoken to him in the street.

37,329. Did he make some complaint to you as to how he had been treated?—Yes.

37,330. What did he say to you?—There were such a number of complaints and conversations that it is impossible to say exactly what it is. I should have forgotten Mr. James altogether if it had not been for his name coming up so prominently lately.

37,331. Did he lead you to understand that he had been ill-treated by the Liberals or the Conservatives?—I think by the Conservatives.

37,332. Did not you say to him, "Cannot we do something for you?"—I went upon two principles. I told everybody that it was not my intention to bribe in the least, and whenever people said, "I should not like to vote against you," I said, "Well, I must beg "of you as a personal favour to vote dead against me "if that is your inclination." Those were the principles.

37,333. One of those two principles you did not act up to?—I did.

37,334. You did not abstain from offering bribes?—I did.

37,335. Did you see Mr. Narramore?—Perhaps I did.

37,336. Did not you ask him to offer bribes?—No; and as everybody well knows I did not intend to bribe.

37,337. Do you know Narramore by sight?—Yes, perfectly well.

37,338. Did he come to you early on the morning of the election?—He may have done.

37,339. Did you go through the poll-book with him?—I took little interest with him. I left it entirely with others; but it is hard to say against another man's oath that I did not.

37,340. I put it to you, did not you suggest to Narramore to go and offer a certain number of Liberal voters sums of money, so as to induce the Liberals to pay more for the votes?—No.

37,341. Did not you suggest it yourself?—No; it is so highly improbable.

37,341*a*. Did you go out on the morning of the election in a carriage with young James Heath to a place called ?—I do not know; I went everywhere.

37,342. Did you go out with Mr. James Heath on the morning of the election?—I do not know.

37,343. Did you go to a man's house called Earle?—I do not remember the names, but I went to a number of electors.

37,344. Who suggested to you to go that time of the morning?—I was entirely in young Mr. James Heath's hands as regards the canvassing, and he advised me. I knew nothing of this town personally, not the name of a voter.

37,345. You had canvassed some of those people before, I suppose?—No; I do not think I had canvassed. You must remember that I only came here on the Friday, and I was only two or three days in the town.

37,346. You were very active?—Yes.

37,347. You went round and saw most of the people?—Yes.

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Capt. B. Pim.

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37,348. What made you go out on the morning of the election to see those various persons?—Because Mr. James Heath told me it was necessary.

37,349. What did he tell you?—He said it was necessary to see the voters to obtain their votes if possible, and I put myself unreservedly in Mr. James Heath's hands, as he took me everywhere.

37,350. Did not you know when you went with Mr. Heath that those voters you were going to were persons that wanted to be bribed?—No, I did not.

37,351. Do you remember going to a house where you were asked whether you would have a cup of cider?—I was asked to have a dozen cups of cider. Everybody asked me to have a cup of cider, and I had many a cup of cider.

37,352. (*Mr. Bere.*) Did you go to the house of a man called Pearce?—I do not remember the name.

37,353. Between four and five miles off?—I do not remember the name at all.

37,354. As you were standing at the door of the "Seven Stars," during the day of the election, did you see a voter called Hole crossing over the Plains?—I do not remember his name.

37,355. Did you see a voter whose name you asked, and, on learning about him, did you walk over and talk to him about his vote?—I spoke to everybody who had a vote.

37,356. Did you go and have a private conversation with a voter on the morning of the election, on the Plains?—I may have done so; but it is impossible for me to answer these things on my oath; I cannot do it.

37,357. It is a matter I should think that you can remember. It is an unusual thing to hold a conversation with a voter about 4 o'clock in the morning?—I really do not remember. I would tell you directly if I remembered, because I have nothing to conceal.

37,358. (*Mr. Longe.*) There is a man named William John Willis; he says, he, you, and Narramore, made up the poll-book?—I have not the slightest recollection of it.

37,359. (*Mr. Coleridge.*) Narramore has sworn this; this is Narramore's examination:—"Did you "know George Penny?—Yes, I knew him. Did "you offer him some money?—Yes, I offered him "350*l.* About what time was that?—I think on "the morning of the election, or on the nomination "day. Was it after 9 o'clock?—About 9 o'clock "on the day of the poll. Who had authorized you "to offer him 350*l.*?—I was authorized to do so by "Captain Pim." Is that true or not?—Most distinctly not true.

37,360. You swear that is false?—Yes, most distinctly.

37,361. Had you said chaffingly, he might go over and offer what he liked?—I do not know.

37,362. You came here on purity principles?—Yes, and I stuck to them.

37,363. If you had been beguiled into chaffing about that, you might recollect it?—I cannot.

37,364. Had you commissioned Narramore to offer Penny any money?—No.

37,365. You swear that is a false answer?—Yes, most decidedly.

37,366. "Where had you seen Captain Pim, so that "he could have authorized you to do this?—I had "been up the whole of the night with him." Is that true?—Most likely. The place was full of people.

37,367. Try and recollect. Did you go over the poll book with Mr. Narramore, and did not you ask him who were suspicious persons, and afterwards send him out to try them?—There was a committee sitting all night.

37,368. Did not you go through the poll book with Narramore?—It is very hard to swear; the time was too exciting and one cannot remember.

37,369. During the night were you with several persons, or with Mr. Narramore alone?—I do not believe that I left the house all night at all.

37,370. Was Narramore with you at the "Seven "Stars" at any time between 2 in the morning and 5 in the morning?—He may have been.

37,371. Did you send for him to come to the "Stars" after he had gone home?—I do not think so.

37,372. Do you recollect sending for anybody at 3 o'clock?—Certainly not.

37,373. Can you swear that you did not send for Narramore?—No.

37,374. Do you swear you did?—No.

37,375. You have no recollection?—No; but if you let your mind run upon the circumstances of the two days of the election you will understand it.

37,376. Here is a man swearing to this?—A great deal of the conversation may have passed in a chaffing spirit.

37,377. Did you tell Narramore in a chaffing spirit that he might go and try certain voters?—I do not believe I did.

37,378. If he had taken it seriously you would have been surprised?—Yes.

37,379. You think Narramore is wrong?—I think he is mistaken.

37,380. That he has invented it?—I do not like to say that.

37,381. I will put the questions to you seriatum:—"Where had you seen Captain Pim, so that he could "have authorized you to do this?—I had been up the "whole of the night with him. Where was that?"—At the 'Seven Stars' hotel, he had a private "room to himself there." Do you recollect going through the poll-book with him?—No.

37,382. Do you recollect going through the poll-book with Willis?—No; I think Narramore must be mistaken. I took little interest, and what interest I took was with Captain Veitch; he made up my poll-book.

37,383. Was he present when he went through the poll-book with Narramore?—I cannot say.

37,384. Had you not sent Narramore to Dartmouth on the day before?—No.

37,385. No recollection of sending him to see a voter?—No.

37,386. Did you send Harris?—I do not recollect.

37,387. Did you send anybody to Dartmouth?—How could I have sent anybody to Dartmouth unless I was told.

67,388. You may have been told, and then sent somebody to see somebody. Do you recollect sending anybody to see anybody at Dartmouth?—No.

ROBERT HARRIS recalled and further examined.

R. Harris.

37,389. (*Mr. Bere.*) What happened about that case at Dartmouth?—To the best of my recollection, to give you the particulars, I think you will find in my evidence that I stated before, I was up the whole of the night. Powning was with me and two or three other parties, and I remember Narramore coming in once or twice into the room. I was the poll man at that time and there were several parties that we considered ought to be seen. I remember Captain Pim coming in once or twice, and also a gentleman that I thought then was Mr. Mum, and who turns out now to be Mr. Murchison. I told you before that I had never seen Mr. Mum to have a conversation with him. Murchison came into the room about 4 o'clock, and there was a man called Paddon living at Dartmouth, and it was deemed advisable that I should go to Dartmouth and see him. I had a carriage and went and saw Paddon, but I found that he had promised his vote, and there was an end of it; and he came and voted.

37,390. To whom did you report that?—I do not think I did report it.

37,391. Was Captain Pim in the room when you were directed?—I was not directed. I do not think it was Captain Pim who ordered anything to be done. It was a general conversation. There was Willis and Narramore there, and I think they are both right. I

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do not think there was anything directly said by Captain Pim.

37,392. What were you prepared to offer him when you went down?—No money; nothing said about money.

37,393. But the general instruction was that you had power to offer money?—No, I never had power to offer money.

37,394. You had power to find out what money was wanted, and then to communicate?—My office was rather to see individuals and learn what position they were in.

37,395. To learn what they expected, and then come back and give your information to those who were to furnish the money?—Yes. But I found Paddon had promised his vote to Mr. Pender, and there was an end of it, and I think Captain Pim and Narramore are both right. There was a conversation, and I remember it well, about going up the hill at 4 o'clock in the morning, but I think Narramore was ordered to go to this man; but I do not think it was Captain Pim who ordered him; it was amongst ourselves. We said, "Let us go and see so-and-so."

37,396. Was Captain Pim near enough to hear?—He was in and out.

37,397. He went himself and saw one of the voters early in the morning?—I do not know. I went away about half-past 4.

Captain Pim.

Captain Pim recalled and further examined.

37,398. (*Mr. Coleridge.*) The next question is, "What was the number of the room in which you "saw him at the 'Seven Stars'? I think it was "No. 7." Was that your private sitting-room?—Mr. Heath can tell you, I cannot.

(*Mr. Bere.*) Was that a committee-room Mr. Narramore?

(*Mr. Narramore.*) Yes; that was the committee-room.

37,399. (*Mr. Coleridge to the witness.*) "Was "Colonel Dawkins present at the time you are "speaking of?—He was not present. What time in "the morning was it when Captain Pim as you say "gave you these instructions?—Between half-past 3 "and 4 o'clock in the morning." Is that true that you gave him instructions?—I think Mr. Harris has put a right construction upon it.

37,400. But this is another affair?—I do not know anything about it.

37,401. "Did he mention any voters to you at that "time or did you to him?—We went through the "poll-book together and suggested a number of "names." Is that true?—I do not remember. I have not the faintest recollection of it.

37,402. Have you any recollection of Mr. Narramore and Captain Veitch going through the poll-book in your presence?—He may have done so. If I remember right, Captain Veitch went home to bed about 2 or 3 o'clock in the morning.

37,403. If anybody went through the poll-book with you, it would be Narramore?—I do not think anybody did.

37,404. Are you prepared, in opposition to what he has sworn, to say that you did not, and did not make comments on the voters?—I cannot.

37,405. You will not contradict him?—No.

37,406. This is the following: "I offered George Cole 500*l.* for a pig;" do you remember that?—I do not remember anything about it. Everybody kept bribery questions from me.

37,407. So I thought till I had had this evidence.—I contradict that I authorized or bribed a shilling in this town.

37,408. Did you authorize chaffingly to offer money to put up the bribes on the other side?—I do not consider that I did offer it chaffingly; if I had done it chaffingly I should consider that I should have to pay it.

37,409. "I offered George Cole 500*l.* for a pig." "How was it that you did not get the pig?—"He "seemed rather astonished when I first made him the "offer. You should understand that I began at a much "lower figure than that, and at last got up to 500*l.*"

37,410. Did he tell you anything chaffingly about offering 500*l.* for a pig?—I do not think he did.

37,411. I suppose he thought that it was all chaff on your part?—"He promised me that he would meet "me in the Stores Field. He had to go to Newton "market, and I believe a telegram had been sent there "that morning stating that it was all up with the elec-"tion on our side, and I suppose Cole must have heard "of that, for he came back earlier than I expected "him. I suppose that you never meant to give him "this money?—Never. Did the same thing take place "with regard to Sloggett?—I had previously offered "him 200*l.*, and he would have had it." Did you know anything about that?—No.

37,412. "In reality, should you have given any of "these men these large sums?—I certainly should "have given Sloggett the 200*l.* Should you have "given Penny the 350*l.*? Captain Pim told me that if "I could get him up on the Tor I might keep the "150*l.* and give him 200*l.*" Did you ever do that?—No.

37,413. Did you ever tell Narramore that he might keep a portion of the money?—No, I had nothing to do with it.

37,414. He has sworn this, and I am reading you what he has said, and asking you whether it is true?—No.

37,415. "Did you think there was any chance of "getting the 150*l.*?—No.—What was Sloggett, that "you offered him this large sum; was he a valuable "person or not?—He was a member of what has been "called the 'Slippery Company.'"

37,416. (*Mr. Longe.*) Do you remember early in the day of the election, about 4 o'clock, going out of the "Stars," "running out," I understood the expression to be, and getting hold of a man just on his way from the trains to the "Seymour Arms," and trying to bring him into the "Stars?"—I do not remember; but if a voter was passing me and I had not seen him, it is likely I would go and speak to him. I was very active indeed in my canvass, and if I had been told that there was in any room in the house a voter who had not promised his vote, I should have gone out if it was 1 o'clock in the morning.

37,416*a*. Four o'clock in the morning Willis swears he told you that a man called William Hole was coming by the 4 o'clock train. You suggested that Mr. Heath should be communicated with, did you do that?—I have no recollection of doing so.

37,417. Do you remember Narramore and Willis coming back on the morning of the election about 4 o'clock?—I could not tax my recollection on oath as regards any of those incidents of the nomination day and the polling day, I really could not.

37,418. It is the only transaction of this kind we have heard of.—I was up all night myself; the house was full of people, and Mr. Murchison made a speech there in the ball-room. There was the greatest excitement.

37,419. (*Mr Bere.*) Not only has Narramore sworn, according to the evidence read to you, but Willis and Barker have all made statements implicating you, if those statements be true, with bribery. And if you cannot recollect sufficient facts to be able to depose to the untruthfulness of those statements, we may be obliged to rely on those statements as true, and put you down among the list of bribers.—I have given you on my oath that I did not bribe directly or indirectly in this town, and I can do nothing more.

37,420. (*Mr. Coleridge.*) "John Elford, what did "you try to do with him?—I think I offered him "200*l.* or 300*l.* Was that on the morning of the "election?—Yes. And was done at the suggestion "of Captain Pim?—Yes. Did you, at the sugges-

" tion of Captain Pim, offer these various sums to " these persons in the way of a joke?—We went " through the poll-book together; we had heard that " the election was lost." Do you recollect going through the poll-book after you had heard the election was lost?—I should say not. We did not believe the election was lost up till 9 o'clock in the morning.

37,421. You had hopes up to 9?—Yes.

37,422. " Did you make up the poll-book at half- " past 3 o'clock in the morning?—The poll was made " up between 12 and 1 o'clock. I think Mr. Edmonds " had said he knew the election was gone, and that " he had told Captain Pim so, and Captain Pim's " object in telling me and Willis to offer these large " sums was to make the Liberals pay dearer for their " votes." Is that true?—No.

37,423. Had Mr. Edmonds, at half-past 2 o'clock, told you that the election was as good as gone?—No, I think not. I think it was the impression up to 9 o'clock, till those 11 men went against us, that we had a fair chance.

37,424. " Then supposing that one of these gentle- " men had said 'Yes,' what would you have done?— " We made up our mind if we could have got him down " to the 'Seven Stars,' we would have put them into " one of the cellars there and kept them. Was that " a suggestion of Captain Pim's?—That was a sug- " gestion of the whole of us I believe." Do you recollect that suggestion?—No.

37,425. You do not recollect any suggestion to get voters to the " Stars " and lock them in the cellar?—No.

37,426. Nothing said about that?—Perhaps a great deal of joking and laughing about it.

37,427. In fact, you contradict the whole of the evidence of Narramore?—No, there are two ways of doing that.

37,428. Will you contradict the questions that I have put to you?—I will on oath contradict the statements that have been put to me as seriously.

37,429. I ask you chaffingly?—Chaffing conversations, how can you expect a man to remember?

37,430. Did you have a chaffing conversation on the subject of bribery?—To remember all the chaffing conversation that took place on those two days is too much to ask any man's memory.

37,431. Coming as a pure candidate, is it likely that you should have had a chaffing conversation on the subject of bribery?—I might, most decidedly.

37,432. Do you recollect the chaffing conversation?—No, I cannot give the details of the conversation which passed between each individual and myself.

37,433. Assuming this is all true and that that took place, and made in a joke, and Narramore taking it as a joke, will you undertake to swear that there was no conversation of the sort?—No.

37,434. This may be all true, and your explanation is, if it is true, you did it in a joking manner?—Yes, if such a conversation took place.

37,435. Have you any recollection on that night of going through the poll-book with Narramore, and making suggestions, or receiving suggestions as to voters?—No; I have no recollection of going through the poll-book with Narramore, but I may have done so with Captain Veitch.

37,436. You cannot swear you did not?—I cannot.

37,437. He swears you did?—I cannot swear I did not.

37,438. And that those conversations did not take place?—I cannot. Mr. Narramore had one special object in the thing, and I had a host of things to think about.

37,439. Did you send for any man on the morning of the election about half-past three o'clock? Did you send the under-boots?—I do not recollect doing so.

37,440. Do you know young John Sandford Screach?—Yes.

37,441. Did you see him on the morning of the election in the committee-room about half-past 3?—Yes, I think he was there. There were a good number of people there.

37,442. Do you remember his coming out of the room, and stopping on the stairs, and having a conversation with anybody?—No.

37,443. I will read you what Samuel Heard has sworn. He swears, " I went to bed, and at half-past " 3 I was called up by young Mr. Screach, and he " said, 'I must come down to Captain Pim directly,' " So I went down and he went upstairs before me. " I stopped at the front door, and I spoke to young " Mr. James Heath." Was young James Heath up with you all night?—I think he was.

37,444. " At that time young Mr. Screach was gone " into the room. As I was going up over the stairs, " I made a stop, and he asked me if I had not been " about Crook. I told him 'Yes.' I told him I saw " the wife the evening before, and I told him what she " told me. He said, 'Will you go immediately, and " 'see if you can see him, and get him to the "Seven " 'Stars," and offer him any money you like.' I said " 'Yes.' He said, 'Offer him 150*l*.' Did you see " Captain Pim?—He was in the room; the door was " half open." Then he is asked, " Are you quite sure " Captain Pim was in the room out of which this " person came?—I did not see him come out. I saw " the door opened, and I saw Captain Pim inside; he " was sitting down at the table. Who else was in the " room?—I could not tell you. You would know him " well if you saw him again?—Yes, I would. Did " you go to Crook?—Yes. Did you offer him 150*l*.?— " Yes. What did he say to you?—He said he would " not take it. Where were you to meet him to pay " it?—He promised to meet me on the bridge at 8 in " the morning. Did you go to the bridge?—I did. " Did he come?—Oh, no, sir. Did you see anything " of Farley at the 'Bridge Inn?'—Yes. What did " you see of him?—When I went on to the bridge I " waited for Crook. I walked up and down 20 mi- " nutes. I thought I would go to the Farleys and " have a glass of something, or a bottle of ginger " beer. The old gentlemanwas cleaning up, and he " said, 'What do you do over the bridge?' I said I " wanted to find out where Fox Green was. He said, " 'Are you after money?' I said, 'Yes.' He says, " 'Can I do anything for you?' I says, 'If you can " do it, all the better.' He said, 'What side are you " going to vote for?' I said, 'I do not know that I " have made up my mind yet.' He says, 'I have " been told of 200*l*.; would you like to vote for 150*l*.?' " I says, 'Where is the money?' 'Oh,' he says, 'the " money is all right enough.' I said, 'Where can I " go?' He said, 'You will have to go over to John " Elliott, and wait till Mr. Prout comes.' I said, " 'I shall not have to be there all to myself?' He " says, 'No; there is Elliott and Green over there.' " 'I shall have company,' I said. 'Make sure, if I " 'see Green, I will see if I cannot make a 200*l*. out " 'of it,' and so I went away again.' He said, 'I " 'think 150*l*. is about the market price for a Con- " 'servative man;' and he said, 'If you go down " 'there and wait, you will have plenty to come to " 'you.' Did you go to Mr. Elliott?—No. Why?— " Because I did not want to; I wanted to find out " where Green was. Where did you go to see Mr. " Pender?—I did not go. Had you not been to see " Mr. Pender?—No; he canvassed me. When did he " canvass you?—Two or three days before the elec- " tion. Who was with him?—He came two or three " times. Who was with him at either time?—He " came by himself; no one was with him. Are you " quite sure it was Captain Pim that the boots told " you wanted to see you?—He will answer for him- " self." I see it was not John Sandford Screach, but it was the under boots who was sent to bring a person who was employed to bribe voters. He was sent with a message that you wanted to see him, and he went and saw you; and out of that room where he was sitting, a person came, and was authorized to go and bribe a voter. In the first place, have you any

TWENTY-SEVENTH DAY.

Captain Pim.

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recollection of any person being in the room—any person whom you did not not know?—No.

37,445. Was Mr. Smith in the room that night?—Very likely he may have been, but Mr. Smith, as Mr. Edmonds has told you, was dreadfully excited the whole time.

37,446. Did Mr. Smith go to bed, or did he wait up that night?—I think he was up, but he did not take an active part that night; he could not.

37,447. Can you give us any explanation of those statements that you were in the room, out of which a person came—a strange gentleman—who authorized one of the bribers on the Conservative side to go and offer a voter 150*l.*?—I cannot give any explanation of it at all; I cannot believe it. Of course there might have been half a dozen Mr. Mums in the town, and I should not have known who they were.

37,448. (*Mr. Coleridge.*) Do you mean that that night, as well as other nights, Mr. Smith was in such a state that he did not know what he was doing?—Yes; perhaps that is the kindest way of putting it for Mr. Smith; he had had a great deal too much champagne while he was down here, and he did not know what he was doing the whole time.

37,449. (*Mr. Longe.*) Was he in a position to take the part of Mr. Mum?—No; He could hardly stand at times; I heard Mr. Smith's evidence impugned, and it is as well to tell you that he was quite "screwed," as we call it.

37,450. (*Mr. Bere.*) Was he in such a state that he might do things and not remember them?—Yes.

37,451. After the election did you hear of cases of bribery on the other side, and did you express your opinion about them?—On the hustings I did; I mentioned the case of the eleven men, and you will find it in the Torquay paper.

37,452. Can you describe the man at all who came to you?—Not the least.

37,453. Did not you take notice of the man who came to ask such an odd question at that time?—No; I dare say I took a great deal of notice of him at the time, but I could not swear to him now.

37,454. When did you first have any communication with Mr. Spofforth about the petition?—I gave Mr. Spofforth's letters to Mr. Bowen, and you will find the date there; we had a meeting with Mr. Cooke, the Queen's Counsel, and Mr. Spofforth, Mr. Smith, Colonel Dawkins, and myself, but I cannot tell you the date; I have given Mr. Spofforth's letters to Mr. Bowen.

37,455. (*Mr. Bere.*) Here is a letter from Mr. Spofforth to Messrs. Smith and Guscotte, which we have already had on the notes—"6, Victoria Street, Westminster Abbey, S.W., 18th January, 1866.—Dear Sirs, I had a letter from Edmonds to say that he has now got his evidence as perfect as possible, and proposing to come and lay it in its present state before me. I have written to him, appointing next Tuesday, the 23rd, at 11 o'clock, for this purpose, and shall ask Mr. Cooke, Q.C., to attend the consultation. Commander Pim came in whilst I was writing the letter, and I told him of it. He has written to Colonel Dawkins, suggesting that, at 11.30 on Wednesday, the 24th, Colonel Dawkins, he, and yourselves shall have a meeting here, finally to decide on the course to be taken, and the nature of the petition to be presented to the House. Will you tell me if this appointment will suit you?—I am, dear sirs, yours faithfully, M. SPOFFORTH." Do you remember agreeing to that meeting?—Yes.

37,456. Do you remember going to it?—Yes.

37,457. What passed?—I think Mr. Cooke took the principal part in the conversation; he went into the pros and cons to say what the chances of success were.

37,458. At that time the conclusion was come to that Colonel Dawkins' hands were not clean, and he could not petition for the seat?—I suppose so.

37,459. Were you interested in the conduct of the petition from that time till its close?—I took a great deal of interest in it.

37,460. Did you agree to share the expense?—Between Colonel Dawkins and myself, as gentlemen, there has no deed passed, but there is an understanding that I am to pay half and he pays half.

37,461. You have not paid yourself yet?—No more has he; there has been no settlement yet.

37,462. Did you know there was an offer of a compromise made?—Indirectly there was one.

37,463. Was it indirectly? Is that gentleman a friend of yours (*showing a name on a piece of paper to the witness*)?—Yes.

37,464. Had he a cousin interested on the other side?—Yes. That is the way it came, indirectly.

37,465. What position did this gentleman hold with regard to you?—He is my legal adviser.

37,466. And his cousin was private secretary to Mr. Pender?—Yes.

37,467. And those two persons had a conversation about the withdrawal of the petition?—I believe so.

37,468. For what sum did you authorize your friend to consent to the withdrawal of the petition?—I do not think he was authorized to withdraw for any sum.

37,469. Was not 5,000*l.* mentioned as the sum for which the petition would be withdrawn?—Not by me.

37,470. By Colonel Dawkins in your presence?—He may have said that he would take 5,000*l.*

37,471. Was not your friend authorized to communicate that to the Liberal party, and make that offer?—No.

37,472. Did not he do so?—Not that I am aware of.

37,473. I do not suppose he put it in such plain language as "We will take 5,000*l.* to withdraw the "petition," or "We want 5,000*l.* to withdraw the petition." But was it not put in more delicate language by him?—I do not know that my friend was authorized to make any offer to Mr. Pender's private secretary.

37,474. That is to say, the offer he made would not be binding upon you and Colonel Dawkins?—He was not authorized by me to do it.

37,475. Was it not suggested by you, that he would be a good means of communication between the two parties to sound Mr. Pender as to whether he was willing to pay the money?—No. The sounding came from Mr. Pender's side.

37,476. Had the sounding come from the private secretary to your friend?—So I was given to understand.

37,477. Do you mean to say no sum of money was mentioned on Mr. Pender's behalf, and refused by you on your side?—The whole thing was a mere conversation; I did not believe there was anything in it at all. It was thrown out by Mr. Pender's side, and first came to me in that indirect way.

37,478. You are aware that some negotiations did take place, but there was no definite result?—No. I set my face against a compromise at all, and I carried the point myself. I had some voice in the matter, and I carried the point.

37,479. Were you consulted by Messrs. Smith and Guscotte with regard to the compromise?—No.

37,480. Was anything arranged between you and Colonel Dawkins, that if that sum of money were paid to withdraw the petition, you should each take your expenses out of it?—No; I never made any arrangement about my expenses at all.

37,481. Was it entirely to recoup Colonel Dawkins?—I should say so. I am not aware that anything would have come to me, but I am aware that I would not have accepted anything.

37,482. Can you tell us the exact day that Mr. Murchison came down?—I wrote to him at Mr. Bowen's request, and he wrote to me and told me that he had written to you and told you.

37,483. When did he go away?—He went round by Tavistock.

37,484. Was he in the room with you that night?—Yes; and he made a long speech in the ball-room.

37,485. Did not he come back from Tavistock to Totnes?—He says distinctly not. He says he spoke to a gentleman out of the window at the station, and asked how the election was going on.

37,486. Between the nomination day and the election day he was up all night?—Yes.

37,487. Did he go away the morning of the election?—Yes, I think so. But his note will give you the exact date, and all about it.

37,488. Do I understand that all the money that you paid directly or indirectly for the expenses of the last election is the 300*l.* that you gave Mr. Kellock, and the 50*l.* you afterwards sent down?—Every farthing.

37,489. I will read you Mr. Murchison's account of it, and show you that your account and his do not agree. "I beg to say that I arrived from Totnes by the night "mail train from London on Monday morning, the "week of the election, and that I left by an early "train on Tuesday morning—?"—That is the next day.

37,490. "— for Plymouth. I was on my way to "Tavistock and my sole reason for stopping at Totnes "was the interest I took in your candidature for that "borough, and to learn what were your chances of "success." Now if that account is true it is quite clear that Mr. Murchison must have come back after he had gone to Tavistock in order to sit up with you on that Tuesday night?—On the Monday night you mean.

37,491. No, the Tuesday night?—Well, I told you I could not tell you the date, but if you will refer to the letter you will see the exact date. It was Monday and not Tuesday.

37,492. (*Mr. Bere.*) I ask you whether Mr. Murchison set up with you the whole night between the day of the nomination and the election, and you said yes?—He sat up in the hotel one night, and I said "If you will refer to his letter you will see the exact date."

37,493. I want to know what your memory is?—Mr. Murchison's note will give you the exact date.

Miss Helen Fogwill sworn and examined.

Miss H. Fogwill.

37,494. Are you the sister of John Reed Fogwell?—Yes.

37,495. And he is now post-master of Teignmouth, is not he?—Yes.

37,496. Do you remember that your brother took a great deal of interest in the election of 1865?—He did.

37,497. Were you living with him at that time?—No.

37,498. Where were you living?—At my mother's.

37,499. Do you know anything about some money being left at your house. Was it left at your house or your brother's?—At our house.

37,500. By whom?—By Mr. Parnell.

37,501. When?—Some time during the election.

37,502. Before or after the election?—I am not certain.

37,503. You cannot say?—No.

37,504. Did he tell you anything about the money before he brought it?—No.

37,505. What time of the day did he bring it?—In the morning.

37,506. In what did he bring it?—I could not exactly say.

37,507. Was it a bag or a paper parcel?—I think it may have been a paper parcel.

37,508. Where did he put it?—In my hands.

37,509. What did he tell you to do with it?—Asked me to take charge of it until Mr. Worthy would call for it.

37,510. Mr. Worthy did call for it did not he?—He did.

37,511. How long afterwards?—Some time during the day.

37,512. But did you give it to him?—I did.

37,513. Did you know how much it was?—No, I have no knowledge.

37,514. You did not know whether it was in notes or gold?—No knowledge whatever.

37,515. You could tell from its weight whether it was gold or notes?—Well, I really could scarcely say.

37,516. Can you tell whether it was heavy or not?—No.

37,517. Can you show us at all what size parcel it was?—I could not indeed.

37,518. Was it as large as that, or as long as that, (*describing*)?—No, I really do not know.

37,519. What did you do with it after Mr. Parnell gave it to you?—Merely placed it on the side table till Mr. Worthy called for it, in the front room.

37,520. How long after did he call?—I could not say.

37,521. Was it five minutes or an hour or two?—I really am not aware; some time during the day; it might be some hours afterwards.

37,522. You knew what the money was wanted for?—No, I was not aware. I had no knowledge, but that the parcel was given to me and I delivered it.

37,523. Did you not think it rather a curious thing for a parcel to be delivered to you to hand over without any reason given to you?—I have no curosity indeed.

37,524. Was that the only parcel of money left at your house at that time?—The only time.

37,525. Had you any money left before at any election?—Never.

37,526. Had you never anything to do with any election before?—Not anything.

37,527. Nothing at all?—No.

37,528. Not to see voters or talk to them about it?—No.

35,529. Was any room in your house ever used as a committee-room by the Liberals?—No.

37,530. Not at any time?—Not at any time.

Margaret Lorimer sworn and examined.

M. Lorimer.

37,531. (*Mr Bere.*) Are you the wife of Robert Lorimer?—Yes.

37,532. What is he?—A travelling draper.

37,533. He goes about the country selling drapery goods?—Yes.

37,534. How long have you lived at Totnes?—12 years.

37,535. Did you come here from Glasgow?—No.

37,536. What part of Scotland did you come from?—Dumfriesshire.

37,537. Had you known Mr. Pender before you came here?—No, not till he came.

37,538. Is there any reason for saying that you had some connexion as a servant, or anything in Mr. Pender's house?—Never, we never saw him till he came here.

37,539. There was no peculiar reason for Mr. Pender coming to call on you except that your husband was a voter?—Nothing else.

37,540. And that you were a countryman of his? Yes.

37,541. When did your husband first vote?—He voted for Mr. Dunn.

37,542. Had your husband a vote when he was living in Dumfriesshire?—No.

37,543. It was not till he came to Totnes that he had a vote?—No.

37,544. Then the first time he voted was for Mr. Dunn?—Yes.

37,545. And Mr. Dunn was a Conservative?—Yes.

37,546. What did he get for voting for Mr. Dunn?—Nothing.

37,547. What did you get?—Nothing.

37,548. Who canvassed you for Mr. Dunn?—Mrs. Dunn.

37,549. Did Mrs. Dunn give an order or Captain Phipps?—No.

TWENTY-SEVENTH DAY.

M. Lorimer.

25 Sept. 1866.

37,550. Had not you a good deal of your goods bought about that time ?—No.

37,551. You got nothing at that election ?—No.

37,552. When did you first get anything for your vote ?—Never had anything yet.

37,553. What has Mr. Lorimer had ?—Never that I have heard.

37,554. Has not he ever told you about any money that he has received ?—He has told me that he received for Samuel Hill 150*l.*, and 60*l.* for Mr. Reeves.

37,555. When was that ?—This last election.

37,556. When did Mr. Pender first come and call on you ?—I do not know how long he was in the town.

37,557. Can you remember how long before the time he was elected first ?—No.

37,558. Did he come to see you frequently ?—Yes.

37,559. Was the conversation used to go on about the election ?—No, not between Mr. Pender and I.

37,560. Did not he ask you how your husband was going to vote ?—I think he asked my husband when he came in first.

37,561. And did your husband say he was going to vote then ?—He did not give any decided answer when he first came in, but he did after.

37,562. What did he tell him after ?—I do not know what he told him.

37,563. How did your husband vote at that election ?—For Mr. Pender.

37,564. How did he vote in Seymour and Dent's time ?—He did not vote at all, I believe, for them.

37,565. Where was he in January, 1863—was he on his rounds ?—Yes.

37,566. Are his rounds extensive ones ?—From Torquay to Kingsbridge.

37,567. Not further round than that ?—No.

37,568. Do you know whether he received anything after the election of 1862 ?—No.

37,569. Did you find no envelope with any note for services rendered on your table ?—No.

37,570. Whom did your husband deal with as wholesale merchant—with Mr. Pender ?—No, never.

37,571. Did Mr. Pender give him any introduction to a wholesale draper ?—No ; he did not require it.

37,572. Then did Mr. Pender come to see you when he was down here in November 1864, speaking to the electors ?—I do not think so.

37,573. He came to see you when he gave the tea at the Castle ?—I saw him in the Castle.

37,574. Did you have a talk with him ?—Yes.

37,575. Did not he talk to you about your husband's vote ?—No.

37,576. Nothing at all ?—No.

37,577. In July 1865, when he came down, how many times did he call on you ?—Several times.

37,578. Was it always to ask about your husband's vote ?—No.

37,579. What was it principally about ?—Sometimes he did not ask about anything.

37,580. Except about old friends at Glasgow, or anything of that sort ?—Not anything about election matters.

37,581. Were you friends of Mrs. Harris ?—Yes.

37,582. Did Mr. Pender ever talk to you at all of Mr. or Mrs. Harris ?—I asked Mr. Pender for a situation for Mr. Harris, as Mrs. Harris had asked me to do so.

37,583. Can you remember about what time that was before the election ?—No.

37,584. Was it a week or a day or two ?—I cannot say.

37,585. Had Mrs. Harris come to you and asked for a situation for her husband ?—Yes.

37,586. When ?—As soon as the election was going on.

37,587. More than once ?—Yes, I asked twice for it.

37,588. And what did Mr. Pender say ?—He said he could not, under present circumstances, give him a situation or anyone else.

37,589. When did you communicate that to Mrs. Harris ?—When I saw her ; I do not know when.

37,590. Did you tell her that before the election or after ?—I do not know—rather before than after, I believe. I know the day of the nomination we spoke of it, that I had asked Mr. Pender.

37,591. And that he said he could not do it ?—Yes, he could not under present circumstances.

37,592. Did he say after the election was over he might be able to do it ?—No, I do not think he did.

37,593. He did not say so in so many words, but did not he lead you to understand that the time might come when he might possibly give him a situation ?—That the time might come when if he could do anything for Mrs. Harris he would.

37,594. Was that all that passed between you and him about that appointment ?—Yes.

37,595. What was it that made your husband take such an active part on the Liberal side in the 1865 election ?—I do not know.

37,596. Did you know he was employed in distributing money ?—No.

37,597. Did he seem to you to have been very often down to the "Seymour Hotel ?"—He was down there several times.

37,598. Was he up there, do you remember, the night before the election a considerable part of the time ?—No.

37,599. As far as you know he never received anything whatever ?—He never received anything whatever.

37,600. Did he never receive any money for his vote ?—No.

37,601. Did Mr. Pender never make you a present of anything ?—Never.

37,602. Or lent you any money or anything of that sort ?—No.

37,603. Or lent your husband any money ?—No.

37,604. Do you know of a letter written by Mrs. Harris to Mr. Pender ?—Yes.

37,605. Did you see that letter worded ?—I saw it in the papers.

37,606. You did not know it at the time ?—No.

37,607. Was the last election the only time you ever received any money for voters ?—Yes.

37,608. Do you know of some people named Hill being paid in 1863 ?—I never heard of it.

37,609. You know them ?—Yes.

37,610. Do they live near you ?—No.

37,611. Are you in the habit of visiting them ?—Sometimes.

37,612. Did you visit them about the election of 1863 ?—No ; not that I am aware of.

37,613. Had you some talk with Hill about his vote ?—I do not know that I had.

37,614. Did you receive a large sum for their votes ?—No ; I heard that they had received money ; I do no know who from.

37,615. Did you not hear from whom ?—No.

37,616. Or when ?—No.

37,617. Did you hear why they had got the money ?—I did not.

37,618. Have you or your husband either directly or indirectly received any sum of money or any benefit whatever from his giving his vote ?—Never.

37,619. Have you directly or indirectly used your influence over any other person to cause them to give their vote ?—No.

37,620. At no time ?—No.

37,621. Has anything ever passed through your hands ?—No.

37,622. To give to any voter ?—No.

37,623. Were any orders sent to your shop by Mr. Pender ?—Never.

37,624. Did Mrs. Harris ever tell you anything of a conversation her husband had with Mr. Pender ?—She told me that her husband had told her that Mr. Pender would get him a situation.

37,625. Did she tell you when this conversation took place ?—No.

37,626. Or what Harris was to do if he got the situation?—No.

37,627. That he was to turn round and vote for Mr. Pender?—She did not say anything about that.

37,628. When did she tell you this?—I do not know when the conversation took place.

37,629. How long after the election?—It was before the last election.

37,630. The day before?—I believe it was.

37,631. It was a day or two before the election?—It was.

37,632. (*Mr. Longe.*) When did Mrs. Harris speak about asking Mr. Pender for a situation?—I cannot say when it was.

37,633. How long before the election?—When they were canvassing.

37,634. Did you not remark that it would be absurd to make such a request of Mr. Pender?—I did not know anything about it.

37,635. Tell us that a little more fully?—She should, she said, like very much for her husband to get out of the town on account of politics, and if I would do her the favour to ask Mr. Pender if he could get him a situation; I said I would do so, and I did.

37,636. Did she say why she thought Mr. Pender would wish Harris to be out of town?—No, she did not.

37,637. Did you think there was any chance of success?—I did not know whether Mr. Pender might do so or not.

37,638. Had you no more conversation with her as to your chance of success in your endeavour to get a situation for her husband?—No, I had not.

ROBERT LORIMER sworn and examined.

R. Lorimer.

37,639. (*Mr. Bere.*) Are you a travelling draper, living in Totnes?—Yes.

37,640. How long have you lived here?—12 or 13 years.

37,641. Where did you come from?—From Dumfriesshire, in Scotland.

37,642. Did you know Mr. Pender before you came here?—No.

37,643. Had you had any dealings with him?—No, not in the least. I believe that Mr. Pender's father was in business in Glasgow, and my wife's uncle was a small manufacturer or linen weaver in Scotland, and the linen used by them was bleached at Mr. Pender's bleach-field; when we got into conversation I found there was a connexion in that way.

37,644. That produced a good deal of familiarity?—Yes; Mr. Pender said he had been supported in his earlier days by my uncle.

37,645. When did you first see Mr. Pender?—He called at my house with Mr. Michelmore and a few others, canvassing my vote.

37,646. Had you voted in Totnes before?—Yes, I had voted for Dunn and for Mackenzie.

37,647. Was Mr. Mackenzie a Scotchman?—Yes.

37,648. And was that the reason you voted for him?—Pretty much.

37,649. Did you get any money for that?—No.

37,650. Were you offered anything?—No.

37,651. No one came to see you on the other side?—Mr. Mills called and solicited my vote, and I believe Lord Gifford's party called; but there was so much talk of the "chains" in Totnes that I wished to try and relieve them from the chains; and when the Somerset party came I told them they would have no support or favour from me..

37,652. Had you anything then to distribute on the Conservative side?—No, I wish I never had.

37,653. In 1859 you voted for Dunn?—Yes.

37,654. You were still constant to the Conservatives?—He was another Scotchman.

37,655. Did Mrs. Dunn call on you?—No, I do not think she did; they may have called once together; she did not personally.

37,656. Was it the influence of nationality which caused you to vote for Mr. Dunn?—We got acquainted after he called a few times; it was friendship more than anything else.

37,657. You became pleasant companions in consequence?—I meant to have voted for Mills. I met Mr. Distin and Mr. Dunn, and they asked me who I was going to vote for. I said I was going to vote for Mills to relieve them from the chains. They said, "Do not vote for Mills, give a plumper to Mr. Dunn." I said it did not matter to me, I would as soon vote for one as the other.

37,658. Had you no good reason for plumping for Dunn?—Not the least.

37,659. What was Mr. Dunn?—A gentleman.

37,660. Was he not in trade?—Not that I am aware of.

37,661. Was he not a partner in some auspicious house in Totnes?—I do not know that.

37,662. You knew he was in trade?—No, I heard he was made a Mason when he was down here.

37,663. Who was the master of the lodge?—I do not know.

37,664. Are you a Mason?—I am not, I am an Odd Fellow.

37,665. Is that all you had to do with the election of 1859?—Yes; we walked up and down the street, and went into the "Seven Stars" and had a glass of beer; they told me to vote for Dunn, and the next day I found that those parties who said they would vote for Seymour voted for Dunn. They sold me, and I said, "The next time the election comes on I will sell you."

37,666. Who did you tell that?—Those were my own thoughts. I do not tell all I think.

37,667. You determined to vote for the next Liberal who turned up in the person of another Scotchman?—Yes.

37,668. Did you promise Mr. Pender as soon as he came?—No.

37,669. When did you promise him first?—When Mr. Pender solicited my vote and interest I told him I thought the best man was he who had the most money; that there was a report my wife had had a gold watch and chain at one election and I had had 50*l.* at another. Mr. Pender looked at me and thought I was as free as the air I breathed on the Scottish hills.

37,670. It was not true that you had ever received any money?—I never received a halfpenny for my own vote. I got 150*l.* for Samuel Hill; he was indebted to me in 50*l.*, which I kept.

37,671. Did you vote for Mr. Pender at the first election?—Yes.

37,672. Did you get anything?—I went to Kingsbridge, which is 12 miles off, and I got 30*s.* for the expense of a horse and trap.

37,673. Who paid you that?—Mr. Brooking Cuming.

37,674. Did you go and ask him for it?—I did, on the night before the election.

37,675. Was that all the money you got?—Yes.

37,676. In the election of 1863 did you vote for Seymour?—No.

37,677. Did you not vote at all?—No.

37,678. Where were you?—I was in my shop, looking over the counter at the people running down the street.

37,679. Did anyone come to tempt you?—I think Mr. Mitchell came to me with a note, saying there were four or five persons down at the "Stars," to say that I might have any money I liked to name, if I would come down and vote. I said if they would give me the value of half the town of Totnes, I would not vote for Mr. Dent.

37,680. Why not?—I had heard him say that his politics were in a nutshell, and that is a very small compass in which to put a man's principles.

37,681. You would not vote at the election, because

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you did not like Mr. Dent's small politics?—I should have liked to support the man whom I thought would best serve and protect the interests of the town. I thought the Conservattves got down any man out of whom they thought they would be able to get money, and they did not care twopence whether they returned him or not, so as they got a good deal of money out of him.

37,682. When you voted for the Conservatives, you knew that there was money going about?—Yes; I got 50*l.* for Samuel Hill, senior.

37,683. At which election?—The election of Dent and Seymour. Mr. Heath asked me if 150*l.* or 200*l.* would be any good to me. I knew that Hill was in poor circumstances. Mr. Heath asked me to see if he would not vote for them. I then saw him, and Mr. Heath gave me 200*l.* for young Hill, and 50*l.* for the old man, making 250*l.*

37,684. Did you take that up to them?—Yes, I did.

37,685. Where did you see Mr. Heath about this?—I met him in the street.

37,686. He knew you had voted for Mr. Pender?—Yes, he had offered me money many times. I told him I would not vote for him.

37,687. Mr. Heath met you accidentally in the street?—He came out of the "Stars," and saw me passing when I was going to the "Seymour." He asked me if 100*l.* would do me any good, and then he rose time after time. Sometimes I used to go in there to see the commercial men.

37,688. That was for your own vote?—Yes.

37,689. You would not sell your own vote, but you were willing to act as the buyer of other persons votes?—Of Mr. Hill, if he was willing to vote for Mr. Dunn.

37,690. Who mentioned Hill's name first, you or Mr. Heath?—Mr. Heath, I think.

37,691. Are you quite sure of that?—I should not like to swear it.

37,692. Did not Hill owe you money then?—No.

37,693. None at all?—I had signed a bill for him. I knew he was in difficulties.

37,694. You were responsible for him for some money?—Yes.

37,695. How much?—50*l.*

37,696. Did you take that out of the 250*l.*?—Yes.

37,697. What did you do with the 200*l.* which Mr. Heath gave you?—I got 250*l.* in a bag, and I carried it up. When I got there, young Hill said that he would not vote. I saw old Hill and gave him the bag with all the money in it. I had not made any arrangements with him. Mr. Heath gave me the bag, and I told him to take what he, old Hill, was to have himself; and so I suppose that he took 50*l.* out of the bag. I took the bag and carried it back, and delivered it to Mr. Heath myself, and said that Samuel Hill had changed his mind, and was not going to vote for them.

37,698. At that time did old Hill owe you any money?—No.

37,699. Had you accepted any bill for the old man?—No.

37,700. Did you get any of the 50*l.* which was given to the old man?—No.

37,701. You were surety at that time for the young man?—I was. He was in difficulties, and old Hill and I were sureties for 100*l.* between us.

37,702. You did not mention Hill's name to Mr. John Heath at this time?—I do not believe I did; he asked me if I would go to a man of the name of Baring, who lived down the Ashburton Road, who died last night. I said I would not go there.

37,703. Had you anything to do with Hill before?—No; he was our mason.

37,704. Had he been a customer of yours?—He has dealt with me a little ever since I came here.

37,705. Why did you become security for young Hill?—He was going to buy a house, I think, in 1862, and he borrowed the money from a loan society at Plymouth, and was to repay it by instalments.

37,706. How much did he borrow?—I think 100*l.*

37,707. Did you have to pay any of those instalments yourself?—No, he became a bankrupt.

37,708. Did you not mention Hill to George Heath in 1862?—No.

37,709. Or to any of the Heaths?—No.

37,710. Did you get any money from them?—No; not at that time. I had nothing to do with it then.

37,711. Or in 1859?—No.

37,712. The first time you got money was in 1863?—Yes; that was the first time I dirtied my fingers.

37,713. In 1865 Mr. Pender came here again?—Yes.

37,714. You distributed a good deal of money in 1865?—I got Reeve 60*l.*, and 150*l.* for young Hill.

37,715. Out of that 150*l.* you kept 50*l.* for yourself?—Yes.

37,716. Who did you get the 150*l.* from?—Mr. Holman told me where to get it.

37,717. Where did you get it from?—I got it on the piano.

37,718. In whose house?—In my own house.

37,719. You found it there?—Yes.

37,720. Mr. Holman put it there?—Mr. Holman put it there.

37,721. Was it wrapped up or open?—In a little canvas bag.

37,722. Did you distribute that before the election or after?—It was two or three days after the election before I got it myself.

37,723. When did Hill become bankrupt?—Shortly after the election of 1863.

37,724. Had he received his certificate or discharge at the time of the election?—No.

37,725. Did not the 150*l.* belong to his creditors generally?—It was not a lawful or legal transaction.

37,726. You put the 50*l.* in your pocket, you being the principal creditor. Was that all the money that he owed you, 50*l.*?—There were a few pounds besides that.

37,727. Had you proved upon his estate?—No; I have not proved yet.

37,728. What was your debt for which you were scheduled?—50*l.*

37,729. That you will not prove for in all probability now?—It was not scheduled in my name; only in that of the society. I was only a surety; I did not act.

37,730. Have you paid the 50*l.* to the society?—Yes.

37,731. When did you pay that?—I would tell you in private how we managed to pay it.

37,732. You must be good enough to tell us here?—I paid it to Mr. Kellock. He acted for us. We applied to him when we got into difficulties to get us out.

37,733. Was Mr. Thomas Creaser Kellock your attorney in the matter?—I do not know.

37,734. How came you to go to Mr. Kellock?—It was old Hill who went to him.

37,735. What for; you must tell us?—They came on us for the money which we were indebted to the loan society for.

37,736. Did they come on you for that money before the election of 1865?—Before.

37,737. How long before?—I think it was October or November 1863 or 1864.

37,738. You went to Mr. Kellock to get you out of your difficulties?—Yes.

37,739. Did they bring an action against you?—They sent us a copy of a writ.

37,740. Did Mr. Kellock appear for you?—Yes.

37,741. Did the action go on to trial?—I do not recollect.

37,742. Was it brought in the county court or in one of the superior courts?—In one of the superior courts.

37,743. Where was it to be tried?—In London, I think.

37,744. Did the action come on?—The action was brought for 75*l.*, and the expenses were 25*l.*; that made up the 100*l.* Hill had not got any money, or

very little, and I had very little; but he advanced 5*l.* and I got 15*l.*, which reduced it to 70*l.* We drew out a bill, and Hill accepted the bill, and I asked the bankers to discount it.

37,745. A bill for how long?—For three months.

37,746. Who discounted it?—It was discounted at the Devon and Cornwall Bank.

37,747. What discount was taken off?—I do not recollect.

37,748. When the bill became due what happened?—Hill got about 10*l.*, and I got 10*l.* more. We put it together, and renewed the bill again for 50*l.*

37,749. For how long?—I think about three months.

37,750. When those three months expired what happened?—We got about 10*l.* more each and put it together and reduced it again. I think I gave old Hill some money to make up his account.

37,751. You lent old Hill the money?—Yes.

37,752. How did you get it?—Out of my business.

37,753. That reduced the bill to about 30*l.*?—Yes.

37,754. Was that renewed for another three months?—I think four months.

37,755. It did not become due till after the election?—Yes; it was all paid before the election.

37,756. Are you sure of that?—Yes.

37,757. How did you pay the last instalment?—I think the last instalment was about 15*l.* or 20*l.*, and we had 10*l.* each to raise to finish it.

37,758. Did not Mr. Kellock lend you the money to pay this?—No; we went to him for advice.

37,759. Then why were you unwilling to tell us this?—I was not unwilling at all.

37,760. Did Mr. Kellock give you any advice about your vote?—Not a word about it.

37,761. At any time?—No.

37,762. Are you sure of that?—Yes.

37,763. Did he ever lend you any money to meet the bill?—Not a halfpenny; the bankers advanced the money.

37,764. When you paid the 50*l.* originally had he not lent you a portion of the money?—Not a halfpenny.

37,765. (*Mr. Coleridge.*) Did Mr. Kellock advise you to defend the action?—I cannot say what advice he gave.

37,766. You know what he told you, was it that you had a good defence to the action or that you had no defence?—We had got no defence.

37,767. Did he not tell you that the best thing you could do was to get out of the way?—No.

37,768. What did he tell you to do?—Not to get out of the way but to pay the money.

37,769. Did you plead to the action?—We acknowledged that we were liable in the action.

37,770. And then judgment was signed against you?—Yes.

37,771. Mr. Kellock did not say anything about getting out of the way?—No; we acknowledged it.

37,772. (*Mr. Bere.*) Did Samuel Hill want to sell the house he built with the money he had from the loan society?—He did not buy the house.

37,773. What did he do with the money?—He put it into his business.

37,774. Had he a house he wanted to sell?—No.

37,775. Did you ever communicate with Mr. Presswell about the sale of a house of Hill's?—No; that was the house I was living in myself.

37,776. What happened about that?—I took the house from Mr. Presswell who had it to let and who wanted to sell it. I said I could not buy it; I had no more money than I required in my business, but provided the house was to be sold he would please to give me the refusal of it. He gave me the price. I knew that with my brothers and sisters I should get about 1,000*l.* and ultimately I would thus be able to pay for the house.

37,777. What was the price of the house?—330*l.*

37,778. Were you to borrow the money from any person to pay Mr. Presswell?—Yes.

37,779. From whom?—From my sister.

37,780. What was the end of the bargain about the house?—A Mr. Eden in London wrote down to say that the house was to be sold and that if I wanted to have it I might have it at a reserved price; if I would not other parties would buy it. I wrote and asked what was the lowest money for the house, and they sent down 330*l.*, and I directly paid the deposit money.

37,781. When was this?—That might have been about 1861 or 1862. I cannot say positively.

37,782. Was it not in 1862?—It might be. I cannot charge my memory positively.

37,783. Was it not about the time of the election?—I do not think any election was going on at that time.

37,784. Did you get the money from your sister?—Yes.

37,785. Have you repaid it?—No, not a halfpenny, further than paying the interest.

37,786. Has your sister got a mortgage on your house?—No; Mr. Bryett holds the deeds as a security.

37,787. Has he a mortgage on your house?—No.

37,788. Is there a memorandum on the deeds that the house is your sister's?—Mr. Bryett holds the deeds.

37,789. Does your sister live in Totnes?—She lives with me.

37,790. Was there another transaction about Samuel Hill being turned out of his house at the time of Dent's election?—I do not know; I may have heard of it.

37,791. Did not Mr. Presswell send you to Hill to see about his being turned out of his house?—I never spoke to Mr. Presswell about electioneering matters or about Samuel Hill.

37,792. Was it your wife who was sent?—No.

37,793. Mr. Presswell did not send you to Hill to tell him he would buy the house if Hill would vote for Mr. Dent?—No.

37,794. Did you tell your wife of the little transaction with Hill in 1863?—Most likely; no doubt she knew of it.

Mrs. LORIMER recalled and further examined.

Mrs. Lorimer.

37,795. (*Mr. Bere.*) Did Colonel Dawkins call at your house?—Yes.

37,796. Who came with him?—James Heath, I think.

37,797. Did James Heath ask you in Colonel Dawkins' presence whether your husband wanted any money?—Yes.

37,798. Did you make any observation on that?—I told him that he did not want it.

37,799. Was your husband there?—No.

37,800. On your saying that, what did Colonel Dawkins say?—He said it would be all right.

37,801. You do not remember the exact words that he used?—I could not.

37,802. Did you understand that Colonel Dawkins meant the money was to be had from him if it was wanted?—That came into my mind after I heard what John Heath said.

37,803. You knew nothing of the transaction with Hill in 1863?—I do not.

37,804. You knew that at the time from your husband?—Not at the time.

37,805. But afterwards you did?—Of course I knew it afterwards; everybody knew it. I did not know of the transaction at the time.

37,806. Has Mr. Pender ever sent anything in the nature of charitable contributions through you?—Never but once.

37,807. What was that?—10*l.*

37,808. To whom did he send that?—He gave it me himself.

37,809. For whom was it?—For a person in Totnes.

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37,810. The wife of a voter?—Yes it was.

37,811. Who was it?—Samuel Hill's wife.

37,812. She was confined at the time?—She was shortly after.

37,813. When was that?—Before the election.

37,814. How long before?—I could not say, it might be a week.

37,815. Had you spoken to Mr. Pender about her?—Yes, I had.

37,816. Did you say what sum she would want?—I did not.

37,817. Did he give you the 10*l.* himself?—He did.

37,818. In a note, or in gold?—In a note.

37,819. Did you give that to Mrs. Hill?—Yes, I did.

37,820. The wife of Hill the elder, or Hill the younger?—Hill the younger.

37,821. I asked you, was there anything transmitted through you to a voter?—I do not call that a transmission.

37,822. Did it pass through your hands?—Yes, it did.

37,823. Is there anything else, either in the nature of a charitable contribution or in any other character, which has passed through your hands to a voter, or a voter's wife, or any relation?—No.

37,824. That is the only instance?—That is the only one.

37,825. To any person at all from Mr. Pender?—That is the only one.

ROBERT LORIMER recalled.

R. Lorimer.

37,826. Have you anything more to tell us about the election of 1863?—No, I have not; I have nothing further to tell you about that.

37,827. On the Liberal side, had any person been to canvass you?—Yes, Lord Seymour canvassed me.

37,828. And you refused him?—No, I did not; I said I would not vote against him.

37,829. Did you say you would not vote for him?—I said I would not vote against him. On the day of the nomination, when I saw him, I said I would not vote against him.

37,830. Had you not given the Liberals to understand you would have nothing to do with voting for the Somerset interest?—No, I had not.

37,831. You told us already that you had made up your mind to do so?—I said that I would leave them to themselves.

37,832. You said you had made up your mind to relieve the borough from the chains. You meant the influence the Duke of Somerset was supposed to exercise?—That was my first idea. The first two elections after that I saw that the Conservatives only wanted to have a man with some money; it did not matter whether they returned him or not.

37,833. When you first came your principles were Conservative?—My father had rented under the Duke of Buccleuch.

37,834. Had he exercised any influence over you?—Of course parties having farms under him would many of them vote in the Duke's interest.

37,835. Had you any communication with your father as to your voting?—Not in the least.

37,836. Then why did you vote in this way, because your father rented a farm under the Duke of Buccleuch?—He did not interfere with my vote here at all.

37,837. In 1865, what made you take an active part on the Liberal side?—Mr. Pender and I got acquainted, and I was very anxious to see him returned.

37,838. Had you seen Mr. Pender betwen 1862 and 1865?—Not that I recollect.

37,839. Had you been to London?—No.

37,840. Or to Manchester?—No.

37,841. Or to Glasgow?—No.

37,842. Mr. Pender was here in 1864, did he not come to see you?—I do not recollect.

37,843. He and Mr. Seymour came down to give an account of their stewardship, as young Mr. Pender said?—I do not doubt I saw him, but I might be on my rounds; I cannot recollect.

37,844. Had you any correspondence with Mr. Pender at all?—Only once.

37,845. What was that about?—The committee of the British school. Mr. Pender had left 550*l.* for the British school, and they got an architect who made out plans on too expensive a scale. I was not pleased with the plans and specifications, and thought it might be done in a more economical way. The committee made some proposition, and I wrote to ask Mr. Pender whether he wished to complete the school himself, or that we should get subscriptions. He wrote back and said we had better get subscriptions to make up the money which was deficient.

37,846. How much was deficient?—The plans and specifications would make the building cost 1,200*l.*

37,847. Were those plans carried out?—No.

37,848. Were they altered or reduced?—They were reduced.

37,849. By how much?—I do not know anything about it; it was left in the hands of Mr. Cuming.

37,850. Can you say ultimately how much was subscribed?—I think Mr. Bowden put down his name for 20*l.*

37,851. Were any of the subscriptions paid?—I did not collect the money. Colonel Willoughby subscribed 20*l.*, and Mr. Mills gave us 25*l.*

37,852. What Mr. Mills?—Our late member, before he died.

37,853. After Mr. Pender was here you had a contract for the school?—We were gathering subscriptions before that.

37,854. What was the amount of your subscriptions?—I suppose about 60*l.*

37,855. What was to be the cost of the school?—I believe about 200*l.*, or something like that.

37,856. Your views had enlarged after Mr. Pender came here?—Not my views.

37,857. But the views of those who had to do with the school?—Yes, they had.

37,858. Out of the 1,000*l.* given by Mr. Pender to the charities of Totnes, did you not set apart 550*l.* for the purposes of this school?—Yes.

37,859. Did you change your architect?—Yes.

37,860. And had fresh plans and specifications?—An amendment on them; we had two lots of specifications.

37,861. What was the amount of the cost of the amended plans?—The first lot was paid for by Mr. Pender.

37,862. What was your school to cost you?—We thought it would cost 600*l.* or 700*l.*

37,863. Your architect's estimate was how much?—1,400*l.* or 1,500*l.*

37,864. What was that reduced to?—About 1,100*l.*

37,865. You had 60*l.* subscriptions, and 550*l.* made 610*l.*; how was the 490*l.* to be made up?—It was put into the hands of Mr. Cuming to reduce the two plans.

37,866. How much were they reduced?—I cannot tell.

37,867. What deficiency was there before you wrote to Mr. Pender?—I cannot say; I should suppose about 300*l.*

37,868. When you wrote to Mr. Pender did you say how much you wanted?—No, I did not.

37,869. Mr. Pender wrote and said you had better get up a subscription?—Yes.

37,870. Did you try to get up a subscription?—No.

37,871. Was the work proceeded with on the second amended contract?—The second contract was not a contract at all.

37,872. Was the work proceeded with on the reduced plans?—No. Mr. Powell made the first plans.

37,873. Mr. Cuming reduced these plans from 1,400*l.* to 1,100*l.*?—I should think about 1,100*l.*

37,874. Have the schools been built?—They are not quite finished.

37,875. What will be their cost?—About 700*l.*

37,876. Had Mr. Pender promised to pay you any deficiency?—When the foundation stone was laid he said he would erect schools, and make up the deficiency. That was when the treat was; he gave a treat to all the children in the town.

37,877. At the castle?—Yes. He laid the foundation stone, and he said he would pay all the required expenses to make up the deficiency.

37,878. What money had you to distribute in 1865?—210*l.*

37,879. To whom did you distribute it?—Reeve, 60*l.*; and Samuel Hill, 150*l.*

37,880. Where did you get that which you gave to Hill?—It was on the piano.

37,881. Where did you get the money you gave to Reeve?—I got it in a room in the Seymour hotel.

37,882. What is the number of the room?—A little room on the left-hand side.

37,883. A room at the end of the passage on the ground floor?—Yes, No. 5 or 6.

37,884. Was it on the right or the left?—The left.

37,885. Who told you to go there to get it?—Mr. Holman.

37,886. Was it open on the table, or in a parcel?—Wrapped up in a piece of paper.

37,887. Had you made a bargain with Mr. Reeve before you went for the 60*l.*?—No.

37,888. How did you know that Mr. Reeve was to have 60*l.*?—He was down at Dartmouth at work on a vessel down there; the Conservatives had waited for him; I was down on business there, and I went on board, and I asked him if he was going to vote for Mr. Pender; he said he was going to vote this way this time, but he made out that there was something wanted. I said "I will try and get a little remuneration for you," but there was no sum mentioned at the time; indeed, money was not mentioned by him, but there was an understanding that he would have a remuneration.

37,889. Who gave you the 60*l.* for him?—Mr. Holman.

37,890. He thought that was about the market price?—Yes. He went and had a conference with some one or other.

37,891. In which room?—I do not know. I was kept in the little room.

37,892. Do you know whether he went into the next room, or whether he went farther down the passage?—I do not know.

37,893. (*Mr. Coleridge.*) Who showed you where it was?—Mr. Holman did. When I went in I did not see any person in the room.

37,894. None of the servants of the house?—None.

37,895. (*Mr. Bere.*) You say you went to Dartmouth for business?—Yes.

37,896. Was it not to get William Reeve's vote?—No.

37,897. What was your business?—Going round with Mr. Wilson.

37,898. Did you not go down with Samuel Reeve?—Not at all down there.

37,899. You went down to Dartmouth with Samuel Reeve?—I might go down with the steamer and come back with the steamer.

37,900. Did you not drive down?—No.

37,901. Do you travel for yourself?—Yes.

37,902. What do you mean by going on Mr. Wilson's business?—He was the person I served my time with.

37,903. Do you remember whether the 60*l.* was in notes, and how many?—I think three 20*l.* notes.

37,904. What did you do with them?—I put them under the cover of the piano, and intimated to Mrs. Reeve to look there, and she would find something.

37,905. She came in and found it?—Yes.

37,906. Who told you to go to Mr. Holman?—Mr. Pender intimated to me that Mr. Holman was doing the business.

37,907. Where was he?—In general terms, he had not given me the particulars about Reeve; but he intimated to me to go, if I wanted any instructions, to Mr. Holman.

37,908. Where did this happen?—I cannot say.

37,909. Yes, you can; this is the important conversation?—It might be in my own house.

37,910. Was it not in your own house?—Most likely it was.

37,911. Just repeat, as well as you can, the exact words Mr. Pender used?—Well, I think Mr. Pender said that Mr. Holman and Mr. Windeatt were doing the business.

37,912. Did he explain what the business was?—Of course he intimated that he believed there would be some money wanted, because the other side were spending money; and he said, to prevent the money from being taken away he would give a present, or something like that.

37,913. You said would be "wanted?"—Yes.

37,914. He said more than that?—No, he did not; he said he must know nothing about money matters himself.

37,915. (*Mr. Coleridge.*) Before you said that did he tell you there was money going; what led to his saying that?—Nothing about money matters.

37,916. Had you asked him if there was money at the time?—No, I had not.

37,917. How came you to make use of the expression that he must not know about money matters? What led up to the conversation—come, now?—I do not know.

37,918. Do you recollect what it was; what was it?—I have not got a good memory.

37,919. Yes you have a good memory, and it requires a little eliciting what made Mr. Pender say that?—Mr. Pender, when he came, informed me that he had shut the door as to election matters when he shut the door; and then we talked over the thing on each side, in a general way.

37,920. That is the reason that he said he must not know anything about money because he shut the door on electioneering matters. What made him say to you he must not know anything about money matters; what was it you had said to him, you did not ask him for money, or where money was to be got?—No, I do not think I did.

37,921. What had you asked him that the man was to do; had you told him all you knew about the Hills, and that they would have to be bought?—No, I did not.

37,922. Had you mentioned Reeve, and said you should want money for him?—I suppose he knew it.

37,923. I want to know what you said to make him say he was not to know about money matters; Mr. Pender will tell us if you do not?—I will tell you all I can.

37,924. What was it made him say that, it is so remarkable a thing; had you told him you knew a man who would want money?—The only person I knew that wanted money was young Mr. Reeve.

37,925-6. And the Hills?—Yes.

37,927. Did you tell that to Mr. Pender, and was it in consequence of your telling him that, that he said he must not know anything about money matters?—I believe I told him about Reeve.

37,928. What did you tell him about Reeve?—Well, I told him that he was going to vote for him and Mr. Seymour, and that he would expect a present, or something of that kind.

37,929. Was that what made Mr. Pender say, "I must know nothing about money matters?"—Yes, I believe it was.

37,930. Was that all? What else did you tell him?—I am saying that, but I am not correct that that is a right statement.

37,931. What is correct?—I am sorry I cannot recollect.

37,932. You cannot recollect what made Mr. Pender

say he must know nothing about money matters. Now, do you recollect that he said that; did he say it?—I believe he said it, but I should not like to say.

37,933. You have sworn it before. Now I ask you again, what led to his saying that?—I know of nothing, if it was not saying I had seen Reeves.

37,934. Was it owing to that that he said that?—I believe it was.

37,935. When he said he must know nothing about money matters, he told you to go to Mr. Holman, who was doing the business?—Yes.

37,936. Was it immediately after he said he must know nothing about money matters he told you to go to Mr. Holman, who was doing the business?—I should like to tell the truth.

37,937. Did he say you must go to Mr. Holman, who was doing the business, before he told you he must know nothing about money matters?—I would like to tell the truth if I could.

37,938. Was it in consequence of your telling him about Reeve that he said you were to go to Mr. Holman, or in consequence of your telling him about Reeve that he said he must know nothing about money?—I believe it was on both accounts.

37,939. Was that all your conversation, "You must "go to Mr. Holman, but I must know nothing about "money matters;" was it something of that kind?—It was something of that kind.

37,940. Was it not in consequence of what you said to him about Reeve that Mr. Pender first of all said what he did, and told you to go to Mr. Holman, and told you he must know nothing about money himself; was that not so? I am putting it to you once more, to make it plain?—I have said that before, and I believe it was in consequence of that.

37,941. I want to know if it was not. Will you swear it was not so?—I am very sorry to say I have got a bad memory and I cannot recollect.

37,942. I want to know whether it was in consequence of what you said about Reeve that Mr. Pender said Mr. Holman was doing the business, but he himself must know nothing about money matters; that was so, was it not?—I believe it was.

37,943. Will you not swear it?—I would rather be excused. I cannot swear it.

37,944. It was something of the sort?—It was something of the sort. I came here to tell the truth.

37,945. You had been examined by Mr. Tucker, had you not?—Yes I had.

37,946. Did you not make a statement and have it read over to you, and then sign your name to it?—No, not that I recollect.

37,947. Did you see him take down in writing what you said?—Yes.

37,948. Do you know that at that time you said, "I never received any bribe, or offered any bribe, at the last election." Did you tell Mr. Tucker, that?—I did not receive any money from anybody, and I did not give any money to anybody.

37,949. Do you mean to tell us you were telling the truth to Mr. Tucker when you said you had not received or offered any bribe?—I told him the whole truth. I told him all about it.

37,950. Now I will tell you what you did tell him; it is not very long. Did you tell him any more than this: "I am an elector. I voted for Pender and "Seymour. I had voted before for Pender. Mr. "Pender gave 1,000*l.* two years ago to a committee "for the benefit of the town. I was on the com- "mittee; the committee divided it, some part being "applied in the purchase of bibles for the Church, "some part for the Wesleyan Chapel, another part "for a new organ for the Independent Chapel, and "the remainder for building the British schoolrooms. "I was at Dartmouth on business, taking off Mr. "Wilson's business of travelling draper; I saw Mr. "Reeves, grocer, of Totnes; then there was an elec- "tion; I asked him if he would vote for Mr. Pender; "he said 'Yes,' but he would not promise to vote "for Seymour; also, he said his circumstances were "bad, and he should like to have a little. I replied, "that I had no authority to offer any money, which "was the fact. I never received any bribe, or offered "any bribe. Mr. Samuel Hill has borrowed money "of me since the election, and I have taken I O U's "from him. I found 60*l.* the day before the election, "on the table at the 'Seymour Hotel;' I gave it, "after the election, to Mr. Reeve." Is that the whole of what you told Mr. Tucker? Did you tell him about the piano and the Hills?—Yes, I did. I will explain that to you. When Hill was promised some money from the Liberals, at the time before, he did not get it; when he took the money he said, "I "take it as what I ought to have had at the election "before, and I will accept it as a present, but not as "from this election."

37,951. Was that the old one?—The young man.

37,952. You offered the young one 200*l.* at the election before?—It was from the Conservatives; he would not take it from me.

37,953. Now, did he not take it from your own side?—Not the Liberal side. I know he did not have anything.

37,954. Not in 1865?—I do not know.

37,955. (*Mr. Longe.*) You know he had a promise?—He told me.

37,956. Do you know that there was an arrangement to pay off the money?—No.

37,957. (*Mr. Coleridge.*) You told me you had to go on renewing these bills for Hill; where did you get the money to hand over to Mr. Wilson for the business?—I did not require any.

37,958. Do you mean that Mr. Wilson let you have his business for nothing?—He took me when I had got no money, and put me in business. I served my time with him, and he put me in business when I had got nothing; he raised me up, and it is him I have got to thank for what I am.

37,959. Did you not pay him anything for going to take his business?—I had to pay all in to the bank here.

37,960. (*Mr. Bere.*) Did Mr. Pender lend you any money?—Not a farthing.

37,961. Have you borrowed any money from anybody?—No; not excepting my sister.

37,962. Was there not a man named George Please to whom you went?—He was a customer of mine, and I was told if any person was in difficulties I might give him 5*l.* or 10*l.*, and I was to look to him for it.

37,963. Did not Mr. Pender give you instructions if anybody came to you and said he wanted an advance of money, you should advance it, and he would repay you?—Yes.

37,964. Are you quite sure of that?—Yes, I am quite sure about that.

37,965. Say, a person coming to you and saying, "I am in difficulties, I am a Liberal voter, I want 10*l.*" Had not Mr. Pender told you you might advance 10*l.* and he would repay it, or smaller sums?—He has said, "If you know any person in difficulties, and "a pound or two will do him good, you may give it to "him."

37,966. Did you ever have any applications?—I do not know particularly, only one.

37,967. Who was that?—Light, the blacksmith.

37,968. He was not a voter then?—He is now.

37,969. When was that?—After the election; the bailiff was put in the house.

37,970. When he came up to you what did he say?—I do not recollect.

37,971. How much money did he have?—I gave him 20*l.*

37,972. Has Mr. Pender repaid you?—No, I lent it on an I O U.

37,973. Did you tell Mr. Pender you had lent it?—No. Mr. Pender knows nothing about it.

37,974. Did you tell Mr. Brooking Cuming?—No.

37,975. Have you told nobody about it till what you have told it here to-day?—Not that I recollect.

37,976. Have you any doubt, if this petition had not been presented, and the Commission instituted,

that 20*l.* would have been repaid by Mr. Pender?—I believe I would have had it if it had not been for that.

37,977. (*Mr. Longe.*) When was it that Mr. Pender gave you these instructions?—He did not give instructions particularly.

37,978. There is something very definite about it; you might dispense charities in some shape or other for Mr. Pender, and he would repay you?—It was not done to me, sir, it was my wife that told me that.

37,979. Mr. Pender told Mrs. Lorimer?— Yes; that if she knew any person in difficulty I might advance a few pounds, and look to him.

37,980. You never expected Light would pay you?—He put a new stove in my kitchen for it; that is part of it.

37,981. (*Mr. Coleridge.*) How much is that?—About 7*l.*

37,982. If Mr. Pender had paid you the 20*l.* you would have paid him the 7*l.*?—Yes.

37,983. (*Mr. Longe.*) That charity is not done to *any* person in Totnes?—Not to anybody.

37,984. You told us before it was for Liberals?—No. As far as my instructions went, and what my wife told me, she was to do it; I had to make it right with Mr. Pender, and he would return it.

(*Mr. Coleridge.*) Your wife is in contradiction to you in this; she had no orders to transmit money.

37,985. (*Mr. Bere.*) The difficulty is this: unless we put the exact question in the most exact words, the witnesses do not answer them. They forget the real purpose of the oath, that is to speak the truth, and nothing but the truth; they forget the other part of it, and that is the whole truth?—I have told you the whole truth.

37,986. You have only told half to the questions that have been put to you, and that you could not help answering, and if you had answered before you would have cleared the matter up. What makes you think Mr. Pender would have repaid you that money?—I do not know that Mr. Pender would have paid me any money.

37,987. What makes you think he would have repaid you the money?—Only from the instructions I got from my wife.

37,988. (*Mr. Coleridge.*) Do you know of any other instances in which money has been advanced in charity and repaid by him?—No.

37,989. Have you yourself advanced any money at any other time?—No.

37,990. Before, or since?—No.

37,991. Do you mean that is the only case of need that came before you since you had this power?—No.

37,992. No other person?—No.

37,993. Not ever before, or since?—Yes; I believe my wife had to pay part of the rent of a cottage for a person who was going to be turned out.

37,994. Whose was the cottage?—Hardin's.

37,995. How much did your wife pay?—I do not know that; it had nothing to do with the election.

37,996. Is that Thomas Hardin?—I do not know; I know it was a Mr. Hardin.

37,997. A voter?—No voter at all, a labouring man.

37,998. Are you sure he is not a voter?—He is a a customer of mine, and I have known him for the last 18 years.

37,999. What relation is he to the Hardin who is a voter?—No relation at all.

38,000. Is there any more about the last election in any shape or way that you know that you have not told us?—I know of nothing that I have not told you, and if I have omitted anything I shall be very glad to give you any information at any time.

38,001. (*Mr. Bere.*) Excepting what you have told us, have you, either directly or indirectly, through yourself or through anybody else, ever received any money or benefit from your own vote?—Nothing in the least.

38,002. Any benefit?—No benefit, with the exception of the money I kept back from Mr. Samuel Hill.

38,003. With the exception of the voter whose name you have mentioned, have you ever, directly or indirectly, known of any funds being raised, directly or indirectly, to influence any persons to give their votes?—Not to my knowledge.

38,004. (*Mr. Coleridge.*) In 1863, when you were sent by Mr. Heath to the Hills with 230*l.*, did you know you were a guarantee for a debt of one of them, and was it on that account you thought he would be a good person to vote?—Really I do not know whether I signed it.

38,005. Did you not tell Mr. Heath you had signed it?—If I could recollect I would tell you.

38,006. Whom were you directed to go to, to the Hills?—Mr. Hill's father. Mr. Heath had made an arrangement before for the 50*l.*

38,007. Whom were you directed to go to by Mr. Heath?—To young Mr. Hill.

38,008. Mr. Heath knew you were surety, and he thought you were a good person to go; he did know that?—Perhaps he did.

38,009. You know that he did?—I did not know it.

38,010. Do you believe he did?—No, I do not.

38,011. Do you think he did not?—I cannot say that he did.

38,012. (*Mr. Bere.*) I thought you said that Mr. Heath made the agreement?—With old Mr. Hill. I had nothing to do with him in giving the money.

38,013. Did you not know you were co-surety with Mr. Heath?—I do not think I was.

38,014. Do you not know that Hill had told him he was co-surety with you for the son's debt, and that therefore he wanted 50*l.*?—Perhaps he was told it.

38,015. Have you the least doubt that Mr. Heath knew you were co-surety, and did he not say something to lead you to believe he had sent up the money through me of the Hills in the hopes that you would pay yourself, and thereby be induced to vote for the Conservatives?—Not to my knowledge.

38,016. Did he say nothing of the sort?—Not to my knowledge.

38,017. Did he not say it would be a good thing for you to take the money up to young Mr. Hill, or anything to that effect?—Not to my knowledge.

38,018. Did he not say he wanted it to go through you to do you a good turn as well as young Samuel Hill?—No.

38,019. Now I ask you this question, if Samuel Hill had not refused the 200*l.* should you have taken the 50*l.* out of it for yourself?—No, I would not have taken a farthing of it.

38,020. Why not?—Because I was not liable for the money, and I had not paid the money.

38,021. You were not liable as surety?—I was not liable.

38,022. (*Mr. Bere.*) You took the 50*l.*?—I had paid it then.

38,023. Did you tell Mr. Holman when he gave you the money for the Hills, the 65*l.*, that young Hill owed you 50*l.*?—Everybody knew it.

38,024. Did Mr. Holman come to you and say, if young Hill owes you this money you are the proper person to deal with him?—No.

38,025. "Do you go to ask Mr. Holman for the "money, you are the gentleman to go, as you had had "the handling of Hill's money?"—No. I saw young Hill, and he told me then he was owed money from the opposite side, and he did not wish to vote for them.

38,026. You went to get this 150*l.* from Mr. Holman?—Yes.

38,027. And recouped yourself the 50*l.* you paid for him, and gave him the balance?—Yes, I did.

38,028. (*Mr. Bere.*) Did you see any others of the principal members of the Liberal committee about the money spent?—I saw no person but Mr. Holman; he was the only person I had any conference with.

38,029. Have you told us all you know?—I have told you all I know except one thing. I think Mr. Reeve made a mistake. Young Mrs. Reeve brought me one of the 20*l.* notes to get changed for her; it only came to my mind that she had done so by Mr.

TWENTY-SEVENTH DAY.

R. Lorimer.

25 Sept. 1866.

T. H. Edmonds.

Hill saying what he had done with the other two twenties. I heard she had given them to her father-in-law. I got one of them changed.

38,030. That is all you really know?—That is the whole I know about it. I am sorry that the other day I forgot it.

THOMAS HUNT EDMONDS recalled and examined.

38,031. (*Mr. Bere.*) I wish to ask you a question about the evidence given yesterday with regard to the advance of money to Mr. James, in order that the matter may be cleared up. Did you ever tell Mr. James that it was Mrs. Michelmore's money you had advanced to him?—I did.

38,032. Do you remember in whose name the promissory note was made out; was it in the name of Mr. Henry Michelmore, and the memorandum of deposit in your name?—Yes.

38,033. Did he sign it?—He did.

38,034. Was it handed over?—It was.

38,035. Was the memorandum of deposit and the note of hand signed by Mr. James at the time of the advance?—Signed at the time of the advance.

38,036. Did Mr. James say anything to you about coming down about the advance before he came to you?—He did not.

38,037. You did not know he did not?—I did not.

38,038. Was the security he offered you a security you would have recommended to any client for whom you could not yourself feel personally responsible?—Decidedly not. I told my client so when I advanced the money.

38,039. Mr. James does not remember any conversation about the interest; do you remember any?—I distinctly recollect he offered to pay me a higher rate of interest than usual. I said 5 per cent. would be quite sufficient. He said, "I am ready to give 6 per cent."

38,040. May I ask why you did not take it?—I thought it was a friendly matter as between myself and him, and I did not wish to do anything that would look usurious.

38,041. During the period succeeding the election of 1862, while the canvassing was going on, did you have a discussion with Colonel Dawkins about the possibility of getting some voters?—I never had any conversation with Colonel Dawkins.

38,042. Did you ever suggest to Colonel Dawkins you yourself could put a pressure on Mr. James?—I never mentioned the subject. I did not suggest an idea of anything of the kind.

38,043. Do I understand you still to say you had come to the conclusion on the night before that the election was lost?—I considered that we were in a desperate condition. I considered the election was virtually gone about 9 o'clock at night.

38,044. Then what made you in the morning send up to Mr. James a note to ask him to vote for Colonel Dawkins?—My idea was that inasmuch as according to my poll-book made up I was satisfied we were only two or three behind; in that case every vote might be of great importance, and if things should turn up better than before we might possibly squeeze in Colonel Dawkins.

38,045. You were discussing the influence to be put on the voters by the active Conservatives; had you never intimated that you could put a pressure on Mr. James?—Never.

38,046. I see you entered Mr. James in your poll-book as likely to vote one and one?—I did.

38,047. There is a cross there, what does the cross mean?—I think the cross is "doubtful."

38,048. Did Mrs. Michelmore ever direct you to call in the money?—No; I told her when I made the advance it was only a temporary loan for about three or four months.

38,049. There was not any suggestion that you should call in the money after the election?—No, there was not; she left the matter entirely to me.

38,050. Was it not in consequence of Mr. James having voted against the Conservatives?—Decidedly not; it had nothing to do with it. If it had not been for the election coming on so shortly after the expiration of the note, when he paid the six months' interest, I should have demanded the money then, because the security was not of such a nature that I could recommend to my client in the first instance.

38,051. (*Mr. Coleridge.*) Had the shares of the "Joint Stock Discount" been going down?—They had been, and I was anxious to get the money in.

38,052. When did you first hear that Mr. James had got the money from Mr. Pender?—I did not know it all till after the election petition. We had a consultation with counsel in London, and he asked me to say whether I thought Mr. James had been bribed. I said, "No, certainly not." I did not think he had been.

38,053. Was there any report about that Mr. Pender had been helping Mr. James at the time you called up this money?—No.

38,054. You were rather surprised to get the money?—I was uncommonly glad to get it. I thought I should have had some trouble in getting it.

38,055. Did that open your eyes to the way in which he got the money?—I had a suspicion of it.

38,056. Then came the fortunate vote that gave you more information?—Yes.

38,057. How comes it Mr. James told us he offered you 6 per cent., and you said you would only have five, on a temporary loan?—I did it as a friendly thing towards him, and I thought that 5 per cent. would be sufficient.

38,058. He did offer you six, did he?—Yes.

38,059. I do not know why you sent up that note on the morning of the polling day unless he had this money from you. I do not understand that. You would not have sent that note up to him unless you had some object?—When he paid me the six months' interest he expressed himself that I, having been a friend to him, he hoped on a certain occasion he might be able to do me a favour, and it was in pursuance of that; and from the way in which I have drawn the letter no one can say it contains anything like a threat.

38,060. It is a most carefully drawn letter. I suppose you were very careful not to write anything like a threat?—I had not the slightest idea of it.

38,061. You took care to say nothing more?—I told him what I felt.

38,062. Did you have any consultation with counsel as to the writing of the letter?—It was written between 6 and 7 o'clock on the morning of the polling day.

38,063. You were an intimate acquaintance of Mr. James' before the election?—Yes.

38,064. Had you formed an idea of his politics?—No, never mentioned the subject.

38,065. You did not know whether he was a Liberal or a Conservative?—No.

38,066. When did you first come to the conclusion that he was a Liberal?—When we canvassed him.

38,067. Had he ever told you about the Somerset grievance?—No; but he told me he intended to vote for Mr. Pender, but as to his second vote he could not give it to Mr. Seymour.

38,068. Did you not by your long-suffering think you could obtain one of his votes if you allowed the money to stay on a little longer?—I never gave the matter a thought, and I never proposed such a thing.

38,069. (*Mr. Longe.*) You said you did not press for the debt because the election was coming on?—Yes, because a lot of ill-natured people in Totnes would say that I had put the screw on.

38,070. Which they did?—Yes.

THOMAS JACOB SEARLE recalled.

38,071. (*Mr. Coleridge.*) We have got to the end of 1865; but there is one question I wish to ask you. You heard of some person coming to the "Seven Stars" to offer the Slippery Company to Captain Pim?—No, nothing about it.

38,072. You heard Captain Pim say so?—No.

38,073. Did not you hear him, in his evidence, say early in the morning someone came to offer the Slippery Company for 1,000*l.*?—No, I did not.

38,074. Were you the person who went?—No.

38,075. Do you know whether it was "Slippery Jack" who went?—I do not know.

38,076. You had to watch him closely?—Yes, I was obliged to look after him.

38,077. What has become of "Slippery Jack?"—He has gone to America.

38,078. What took him to America?—Expectations.

38,079. What did he receive at the last election?—I had nothing to do with him.

38,080. You knew what he got?—No, never a word.

38,081. He voted at the last election?—Yes.

38,082. You had the Slippery Company?—I had nothing to do with any company.

38,083. You have heard who paid him; who was it?—I do not know.

38,084. Who have you heard?—I have heard of Mr. Charles Michelmore, and Fox, of Dartmouth.

38,085. Did he come to you before he went to America to say good-bye?—Yes.

38,086. What did he tell you about going to America after getting his summons to appear here?—I do not think he had a summons.

38,087. What did he tell you?—He never told me anything.

38,088. Why did he think of going to America?—He has got a father-in-law there pretty well off.

38,089. Was he going to invest the money he received at the last election here?—I do not know.

38,090. Did not you know he had been summoned here?—No.

38,091. Did he ask you if you had been summoned?—No.

38,092. When did he go?—I think a month or five weeks ago.

38,093. Before we came here?—Yes.

38,094. How long?—Not a great while.

38,095. The day before, was not it?—I do not know.

38,096. What day of the week was it he left here?—I do not know.

38,097. Did Sloggett go with him?—No, he went afterwards.

38,098. What has become of him?—He is gone to America.

38,099. The Slippery Company seem all to have gone to America?—I do not know about that.

38,100. Did not he go away to avoid being here?—I do not know. He had been sent for months ago.

38,101. Have you heard from him since he went away?—No.

38,102. Has your wife?—No. I think Mr. Jordain, of the "King William," has heard.

38,103. Where is he?—New York.

38,104. Is he likely to come back?—I do not know.

38,105. In 1862 you had somewhat of a grievance with the Liberal party?—Yes.

38,106. You would not vote for Mr. Pender?—I would not promise.

38,107. What time did you go to the "Stars?" How long before the election?—I think Mr. Pender canvassed me.

38,108. Did you tell him the reason of your grievance?—No; I said I shall not support the Liberal party.

38,109. Did you tell him that you had had a quarrel with Mr. Brooking Cuming?—No.

38,110. Not only you would not support him, but you were going to act against him?—Yes.

38,111. You went to the "Seven Stars?"—Yes.

38,112. How long before the election?—I think a week.

38,113. Whom did you see?—I went to the smoking room, and stayed there a few minutes.

38,114. Was John Heath there?—He was.

38,115. What was it Mr. Heath said to you?—He said, "Well, neighbour—"

38,116. Let us have it all out. I will tell you it all. He said, "How are times in general?" and I said, "The man that has got the most money is the best man."

38,117. Did not he say that Dent would win in a canter?—Yes. He said there was plenty of material, and Dent would win in a canter.

38,118. What did you say?—I said, "With all my heart."

38,119. That rather let him into a secret about your heart at that time?—Yes.

38,120. What did you say?—I think he said, "Can you do anything for us?"

38,121. And did you say you would not vote for Mr. Pender?—Yes.

38,122. What did he say?—He asked if I could do anything for the party.

38,123. After he asked that mysterious question, what took place?—He said, "Brother Searle."

38,124. Are you both masons?—Yes. "Whatever "passes between you or I or whatsoever is said or done "shall never be divulged," and I said "All right."

38,125. You pretty well trusted Mr. Heath not to divulge too much?—Yes.

38,126. You have known his character for a long time?—Yes.

38,127. That rather opened your mouth, his promise of reticence; and then did he not ask you about a certain company?—He asked me what I could do, and I enumerated a few names.

38,128. Who did you say you could square?—I think I named Sloggett, John Veasey, Thomas Searle, John Parnell Searle, Edward Angel, and Griffis; and I named Griffis and Mogridge, but I think he had said he had already arranged with those two.

38,129. What did he say he had arranged with them; did he tell you?—He did not tell me.

38,130. Did he tell you what the price was to be?—No.

38,131. You stood out for a good deal, did not you? What did you put the price of your men at, keeping out Griffis and Mogridge?—No price was mentioned then.

38,132. Did you have no conversation about the price then?—No. He asked me, and I told him about these men, that they could be brought to be neutral, or to vote.

38,133. Did you put a different price upon their neutrality and their voting?—I do not know that I did.

38,134. Did you tell him that 1,000*l.* would be required?—I did.

38,135. You thought 1,000*l.* would buy those five, Griffis and Mogridge being already done with? How much would you have required if Griffis and Mogridge had not been already done with?—That I do not know.

38,136. About 200*l.* you put them at?—Yes, I think so.

38,137. What did he say about yourself?—He asked me how about myself, and I said I should not vote.

38,138. Did he say anything about your being paid?—Yes.

38,139. What did he say then?—He said if you will not vote, and will not have anything for voting, will you accept a retainer? You shall have as much as any lawyer in the employ.

38,140. We should like to know how much any lawyer got. Have you any notion what the retainers were on that side?—I do not know.

TWENTY-SEVENTH DAY.

T. J. Searle.

25 Sept. 1866.

38,141. You were virtuously indignant, and said you should not be paid?—Yes; I did not wish to be. He said, "If you will work for us I will place a thousand or two in your hands."

38,142. As a retainer?—Yes.

38,143. Did he tell you what the retainer was to be?—No. And then he said he would consult the heads of the party.

38,144. The committee did not take the same high value of your services as Mr. Heath did, and would have nothing to do with you?—Yes.

38,145. How did you vote?—For Pender.

38,146. Were you in earnest in those negociations with Mr. Heath?—I was at the time in the spirit of revenge.

38,147. How did the reconciliation take place?—I happened to meet some days afterwards with Mr. Bowden, the merchant, in the street. He expressed his regret that I should be going to leave the party, and hoped I would consider it.

38,148. Then he sent Mr. Holman to you?—Yes.

38,149. (*Mr. Bere.*) Is that Mr. John Bowden?—Yes.

(*Mr. Bere.*) He never told us anything about it yesterday.

38,150. (*Mr. Coleridge.*) After that you began to act?—Very little.

38,151. How much money did you spend on the election?—I had 150*l.* from Mr. Holman, and I expended 100*l.*

38,152. You knew the night before the election that Mr. Dent was not going to the poll?—I think so.

38,153. It was pretty well known?—I met Mr. Kellock on the bridge, and he asked me to go and see Mr. Cuming and ask him to come and see him on the bridge.

38,154. Were you present at the interview?—No.

38,155. You did do so?—Yes.

38,156. Those people that you paid on that occasion, were they paid before or after the election?—After.

38,157. How long after?—A few days.

38,158. You gave 50*l.* to Sloggett?—Yes.

38,159. And 50*l.* to your father, Thomas Searle?—Yes.

38,160. What did you do with the other 50*l.*?—I carried it back to Mr. Holman, and he said I was to keep it until it was required again.

38,161. When was it required again?—At Seymour's election.

38,162. You had not kept it all that time?—Yes, I had, it was not very long.

38,163. How did you keep it; was it in gold or notes?—I think in notes.

38,164. You never changed them, but kept them in the same condition?—Yes.

38,165. There was no poll, but you felt in honour bound to pay those men?—I was instructed to do so.

38,166. Did you hear much grumbling about the voters on the other side having been promised and getting nothing?—Yes.

38,167. Did any of the voters come to you and complain, and say they were not going to be done in that way?—I think one or two came to me and said I had spoilt their game.

38,168. How many of the Slippery Company had voted for the Conservatives after you had deserted, or rather promised for the Conservatives?—I do not know.

38,169. Did Thomas Searle, your father, vote for Pender in 1862?—Yes.

38,170. Did Slippery Jack?—Yes.

38,171. Did John Veasey?—I do not know.

38,172. William Sloggett?—Yes.

38,173. Edward Angel?—Yes.

38,174. Griffis?—I do not know.

38,175. Mogridge?—I do not know.

38,176. They had been done by John Heath?—Yes, I think so.

38,177. And all, except those two, voted for Mr. Pender?—Yes.

38,178. What did you get for your own trouble at the election?—Nothing; never looked for anything, and never asked for anything.

38,179. Did not your wife?—No.

38,180. Is it not the way for people who trouble themselves to be paid as well as the lawyers?—I do not know; I did it for the good of the cause.

38,181. When the next election came I suppose you told Mr. Holman, as usual, your instructions?—I did not.

38,182. Tell us what you did do in 1863. Did you go to Mr. Parnell?—No.

38,183. Whom did you go to for instructions?—Mr. Holman had nothing to do with money matters.

38,184. Had you not 50*l.* for John Parnell Searle from Holman?—Not from Holman. That was the 50*l.* I had in hand.

38,185. Did you not give 50*l.* to Angel?—I went to Holman, but there was no money going, and I advanced 20*l.* to Angel myself, and he was obliged to wait some time for the remainder. At last I spoke to Mr. Holman, and he said, "I have no money, I would advise you to speak to Mr. Jeffery Michelmore." I wrote to Mr. Jeffery Michelmore, stating the circumstances, and he sent me a cheque for 50*l.*

38,186. Then you cashed it and paid Angel the remainder?—Yes.

38,187. Those are the only two you paid?—Yes.

38,188. There was no money going in 1863?—I do not know.

38,189. Had you not gone, as usual, to Mr. Holman to know what you should do at that election?—I did not.

38,190. You had got money before for voters at elections? In 1859, you paid one voter at least?—Yes.

38,191. You paid John Parnell Searle 50*l.* then?—Yes.

38,192. Whom did you get that from?—Mr. Holman.

38,193. Whom else did you pay?—No one.

38,194. Did you not go, in 1863, and ask for some?—No.

38,195. You were about the "Seymour Arms" about that time?—Yes.

38,196. Were those the only voters that were entrusted to you on that occasion?—They never asked me.

38,197. You did the Slippery Company in 1863?—I do not know.

38,198. As you had been the person who had the management before, were you not asked?—No.

38,199. What was the origin of the Slippery Company?—I do not know anything about the company.

38,200. Did you get it up?—No.

38,201. Who was it?—I related the circumstances at the "Stars," and that is all I know.

38,202. Mr. Heath first of all told you of the Slippery Company, and not you him?—Yes. I was not aware of it till I saw Mr. Harris's statement.

38,203. These were the people whom you mentioned you could get a hold of?—Yes.

38,204. What made you associate those men together, putting them at 1,000*l.*?—In relating my grievance to them they said they would stick by me.

38,205. And you would stick by them, and get them 1,000*l.* for their services?—Yes.

38,206. Was 1859 the first election that you ever got any money?—Dunn's election.

38,207. In 1859 had you any?—Is that the first time Mr. Mills came here?

38,208. Yes, Mr. Mills' first election. How did your father, Thomas Searle, vote?—He always voted for the Liberals, I believe.

38,209. John Parnell Searle, did he vote in 1863?—Yes.

38,210. Did Veasey?—Yes.

38,211. I suppose they were all paid?—I do not know.

38,212. They never did vote without being paid, to your knowledge?—No.

38,213. Sloggett voted for Seymour. Do you know who paid him?—No.

38,214. Mogridge voted against you?—I do not know.

38,215. Five of the Slippery Company voted for you, and two against you?—Yes.

38,216. Did not you know who paid them in 1863?—I have related the names.

38,217. You have only mentioned two who paid the others?—I do not know.

38,218. Did they come and ask you?—No, and I never asked them.

38,219 Excepting the cheque that you got from Mr. Michelmore, all the elections that you had to do with you got the money from Mr. Holman?—Yes.

38,220. Never from anybody else?—No.

38,221. Whom else did you offer money to in any election excepting those that you paid?—I never offered anyone a penny.

38,222. Did you offer a present to the men's wives after the election?—No.

38,223. Have you had the distribution of money since?—No.

38,224. What have you to do with the municipal elections; are you busy at them?—Yes.

38,225. What is the average sum of money given there? What is the highest you have given for a vote?—4*l.* or 5*l*; I gave once 5*l.*

38,226. How much have you spent at one election in bribery?—I cannot tell.

38,227. A hundred pounds?—I never did.

38,228. How much have you distributed at one election?—I think 20*l.*

38,229. At that time, when you gave one man 5*l.*, how many others did you bribe?—I think that was the only one.

38,230. Were the votes running high then?—Yes.

38,231. Who was it?—Sethbridge of the "South Devon Inn."

38,232. Was he a voter for the borough also?—I do not think he was.

38,213*a*. How often have you paid him?—Only once.

38,214*a*. Do not you find that people that have been paid once generally come again?—Yes.

38,215*a*. Was it at the last election that you paid him?—Some years ago.

38,216*a*. Has he never asked you since?—He has left the town; in fact he is dead.

38,217*a*. How often have you ever paid any one man for voting at the municipal elections?—I cannot tell.

38,218*a*. A dozen times?—No.

38,219*a*. Half a dozen?—No, twice perhaps.

38,220*a*. Who have you paid oftenest for voting at the municipal elections?—I do not know that I ever paid one more than once.

38,221*a*. Have you ever paid Slippery Jack?—No.

38,222*a*. William Sloggett?—No.

38,223*a*. Edward Angel?—No.

38,224*a*. Griffis or Mogridge?—No.

38,225*a*. There are different classes?—Yes.

38,226*a*. Can you tell us who you paid more than once?—No.

38,227*a*. What was the arrangement; 5*l.* and half a crown?—I do not think I paid them less than a sovereign.

38,228*a*. Whom did you get the money from at municipal elections—Holman?—I do not think I did.

38,229*a*. How often have you paid Thomas Blank? Only once.

38,230*a*. What did he get?—I think 3*l.*

38,231-2*a*. How many times have you paid him at parliamentary elections?—Only once.

38,233. Which was that?—110*l.* the last time.

38,234. You never paid him before?—No.

38,235. Nor his father?—No.

38,236. Blank is the only man who has received your favours both at the parliamentary and municipal [illegible]s?—Yes.

38,237. Did you never pay the Matchams?—No.

38,238. Nothing to do with the Matchams in 1863 or 1862?—No.

38,239. Is there anything about the elections from 1857 that we have not asked you that you can tell us?—I recollect that in 1859 I was ejected from my house and land.

38,240. Who were you holding from?—Mrs. Farwell.

38,241. The Gerston property?—No, the cottage property.

38,242. Are you a tenant of the Duke of Somerset?—No.

38,243. Have you had much to do with making up votes?—No.

38,244. Who manages that part?—I do not know.

38,245. (*Mr. Bere.*) On what land are you a tenant?—At the Cottage on the Plymouth Road.

38,246. What do you occupy?—I was renting at 150*l.* from Mrs. Farwell, which I was ejected from after Dunn's election.

38,247. Was that for voting or bribing?—I was not told, but I considered which it was for.

38,248. When you were turned out did you go and explain that, and were you not asked to be helped?—No.

38,249. Were you helped?—I was not.

38,250. When did you first get the land from the other side?—I think some two years ago I got a couple fields from the duke.

38,251. Was that just before the election?—No.

38,252. What is the name of the field that you occupy?—I have two meadows.

38,253. Tucker's Field and Ropewalk Meadow?—No, I do not occupy them. It is two fields near the station. I do not know the names, but I think they call them the Lucky Fields.

38,254. Who pays the rent of Tucker's Field and Ropewalk Meadow?—Mr. Tucker.

38,255. How much do you pay him in the course of a year?—I really do not know. I put in cattle there.

38,256. Does anybody else put cattle there?—Yes.

38,257. Who?—I do not know. He puts cattle there himself.

38,258. Does he put a single head of cattle there?—Yes.

38,259. How many?—I do not know.

38,260. How many do you put there?—I put my cows there.

38,261. Are not they there nearly all the year round?—No.

38,262. Except when you change the pastures?—No.

38,263. How long?—Two or three weeks at a time.

38,264. How many times?—Very often.

38,265. Forty weeks out of the 52?—No, they would be starved to do that.

38,266. How long are they there?—I cannot say.

38,267. Are they there as long as they have anything to eat?—Yes.

38,264. Are they the only cattle?—I put some colts there.

38,269. Upon your oath does Mr. Tucker put cattle there?—He has.

38,270. Where does he live?—At Cornworthy.

38,271. How far is that?—Three or four miles.

38,272. How often does he put cattle there?—Rarely.

38,273. Is it not that you are the real occupier of the land, and this is an arrangement to make a vote?—I am not the occupier, and I do not pay the rent.

38,274. How much do you pay him?—5*l.* or 6*l.*

38,276. Do you not pay him as much as 10*l.*?—Not that I am aware of.

38,276. Do you keep an account?—We make it up every market day.

38,277. How much do you pay him?—For a bullock 4*s.*

38,278. Have you ever paid him as much as 16*s.* a week for cows?—Yes.

TWENTY-SEVENTH DAY.

T. J. Searle.

25 Sept. 1866.

38,279. Have you not paid him 10*l.* a year for the land?—Yes.

38,280. That you swear?—Yes.

38,281. Who else puts cattle in besides you?—I do not know; he stocks it when he thinks proper.

31,282. How long has Tucker had it?—Three or four years, I think.

38,283. Did you have it before him?—Yes.

38,284. How long had you had it?—Several years.

38,285. Was not the arrangement between you and Mr. Thomas Michelmore and Mr. Jeffery Michelmore that you should go out of the land and Mr. Tucker should be the nominal tenant, and you continue to stock it?—No. I agreed to give it up to Mr. Michelmore, and I believe it was to make him a vote.

38,286. You were asked if you knew anything about the election matters, and you said "No," and it was only by chance that I asked you the question?—I did not think that I was called upon to answer anything of the sort.

38,287. Was there some transaction between you and Mr. Brooking Cuming about your house in 1863?—Yes.

38,288. What was that?—I was going to give up the business to my daughter, and I wanted some place to go to. I applied to take the house at first, but they would not let it; they would rather sell it.

38,289. Did you buy it?—After a good deal of negociation, I believe I did buy it.

38,290. What did you give for it?—800*l.*

38,291. Where did you get it?—When I was ejected from the lands I had a large stock to sell. I was renting nearly 300*l.* a-year at the time, and I had three sales of hay, cattle, and corn, which realized 1,000*l.* and upwards. Mr. Harris has forgotten to state that the proceeds of this paid for my house.

38,292. How long ago was it that you were ejected?—I think it was after Dunn's election.

38,293. Did you let the money stay in the bank till you had to buy a house?—No.

38,294. What did you do with the money?—I worked upon it. I was carrying on the farming and fellmongering business, returning many thousands a year.

38,295. Had you to add to your capital in your fellmongering business?—I have increased my trade considerably.

38,296. Had you 800*l.* left when you came to buy your house?—I had not; I was obliged to take some out of my trade.

38,297. Did not you go and borrow some of some one?—

38,298. Of whom?—Frederick Bowden, of Totnes, the confectioner.

38,299. Did you get that money from Brooking Cuming?—No.

38,300. Any money of any sort from Brooking Cuming?—No.

38,301. What has he had to do with it?—He conveyed it to me.

38,302. You bought his house?—No, it was Mrs. Douglas's.

38,303. Was the house valued?—No; they asked me 1,000*l.*, and I offered them 700*l.*, and stuck to that for months.

38,304. And they took 800*l.*?—Yes.

38,305. What rent did you give for the house before?—I had not rented it before. I offered to rent a part, and I let a part at 28*l.* a year.

38,306. What is the rest that you keep worth?—30*l.*

38,307. 58*l.* a year?—Yes.

38,308. 58*l.* a year for 800*l.* is not a bad bargain?—I think not.

W. Adams.

WILLIAM ADAMS sworn and examined.

38,309. (*Mr. Longe.*) What is your trade?—Professor of music.

38,310. Do you make pianos as well as play them?—I do not.

38,311. Are you an organist at the present time?—Yes, at Harberton Church.

38,312. How long have you been there?—I was there in 1857 and since.

38,313. How long have you been resident in Totnes?—I was born in the place.

38,314. How long ago is it that you first voted?—The first active part I took in electioneering was in 1847—Ricardo and Seymour. I voted for Gisborne before quietly.

38,315. But you have taken an active part besides recording your vote?—I was sent for by Mr. Tom Michelmore, the Duke of Somerset's steward, to come to the "Seymour Hotel," and he asked me to try and get a vote which belonged to the Baldwin party. I did so, which I paid 50*l.* for to Thomas Hardin, a brushmaker.

38,316. You being liberal at that time you acted for the Liberal party and bought a vote from the Conservatives?—I should not have taken an active part if I had not been sent for.

38,317. That was in 1847?—That was in 1847,

38,318. At that time you were an organist at Totnes?—At Bridgetown Chapel.

38,319. Who paid your salary?—Voluntary contributions, and 10*l.* a year from the Duke of Somerset besides.

38,320. 10*l.* a year guaranteed by the Duke?—A subscription rather from the congregation in addition to the 10*l.* a year.

38,321. The Duke's subscription was always paid?—Yes, the Duke's subscription was always paid.

38,322. The next election was in 1852?—Yes, in 1852 was the next election.

38,323. You were still organist at Bridgetown?—I was still organist at Bridgetown.

38,324. You were an active man at that election?—I was active at that election for Mr. Mills and Mr. Seymour.

38,325. Whom did you act under then?—I beg pardon, I do not understand.

38,326. I suppose you acted with somebody at that election?—I paid 20*l.* to one William Satchwell.

38,327. Who authorized you to make that payment?—I was met in the street by William Satchwell, and he asked me to secure him 20*l.* for his vote, otherwise he should go to the other side. I mentioned it to the party and he told me I must secure him.

38,328. Whom did you mention it to?—To Mr. Samuel Huxham.

38,329. The old Mr. Samuel Huxham?—The old Mr, Samuel Huxham.

38,330. Was that the only person on the Liberal committee you had any dealings with at that time or communicated with with regard to voters?—There were many persons belonging to the committee. He was the person I met in the street promiscuously, and I spoke to him.

38,331. I believe you were at the "Seymour Arms" a good deal?—Not before 1852. In 1852 I used frequently during the election to go there.

38,332. You took an active part?—Yes.

38,333. In the consultations?—Yes.

38,334. And in the managing of the election?—I had nothing to do with the managing of the election, but if there was a voter to be picked up I did it if I could so.

38,335. Was there no one else but Mr. William Satchwell whom you operated upon?—Mr. Edward Langidge, a currier; I gave him 50*l.*

38,336. Did you go and ask for his vote?—No, he called me at the bottom of the town and took me round by the "Oxford Arms." I wondered where he was going to take me, and he led me into the stable and said, "I have something to communicate to you;

I am going to vote for the Liberals provided I get 50*l.*" He said, "I am not going to trust anyone; I am not going to vote without the money." I said, "I would rather you would get some one else. I would rather not have anything to do with it."

38,337. He knew you were the right man seemingly?—I suppose so; he pitched on me. I received that from Mr. Huxham also; he paid me in the counting-house of his grocer's shop.

38,338. What did he give you for your own vote?—Not a farthing. I never got anything from any party.

38,339. When you made yourself active for your party did not you receive anything?—Not the slightest. Every glass of grog I drank I paid for out of my own pocket, and I have been many pounds out of pocket.

38,340. Your salary was not increased?—Not at all.

38,341. That is in 1852 you are speaking to?—Yes.

38,342. How long were you organist at Bridgetown Chapel?—From August 1834 down to 1857.

38,343. In 1857 there was another election. Which way did you vote then?—I never voted from 1852 to 1862 for anything in the borough.

38,344. But in 1857, had you a vote at that time?—I had a vote all the time.

38,345. Were you organist at the time of the election in 1857?—I was.

38,346. Then why did you not vote at that election?—I will tell you.

38,347. Yes, explain that?—There was a jolly meeting at the "Seven Stars" one evening, and there was a chairman appointed, I forget now who the chairman was, but the room was cleared and put in order, and I recollect a good deal of talk about the slave trade on the other side of the bridge, and how they worked on board the hulks in chains, and all that sort of thing, and they spoke to me, and I said, "Gentlemen, I am the organist there, and I tell you "you will never catch me voting again whilst I am "organist at Bridgetown," and I never did.

38,348. You were not organist much longer, were you?—I was organist from 1834 to 1857.

38,349. But this was in 1857?—This was in 1857.

38,350. Did you vote in 1857?—I did not vote.

38,351. (*Mr. Bere.*) What time in 1857 did you cease to be organist?—In November 1857.

38,352. (*Mr. Longe.*) That election was in March?—In 1857?

38,353. Yes?—I did not vote.

38,354. But the election was in March 1857?—I do not know I am sure now. I know there was an election in 1857.

38,355. How soon was this meeting at the "Stars" before that 1857 election? What time of the year was it?—Very soon after the election of Mills and Seymour in 1852.

38,356. But this is 1857 we are speaking of; do you mean that it was very soon after the election of 1852?—Very soon after the election of 1852.

38,357. Five years before the election of 1857?—Yes, five years before the election of 1857. This meeting took place soon after the election of 1852, when they were talking of the slave trade across the bridge.

38,358. In 1857, were you canvassed then for your vote?—I was always, at every election.

38,359. Were you canvassed by the Liberal party?—I was canvassed by both parties, by the candidates always.

38,360. Who canvassed you, then, in 1857?—It was Lord Gifford and Mr. Mills.

38,361. Who canvassed you for Lord Gifford?—I never voted for Lord Gifford.

38,362. But who canvassed you on the part of Lord Gifford?—I do not recollect that now.

38,363. You were at that time organist at Bridgetown?—In 1857 I was. One of the Mr. Michelmores was with them, I know; old Mr. Michelmore or his son.

38,364. What answer did you make to them?—I told them that I intended to be neutral.

38,365. The first time your vote was asked for by the Liberals you told them what?—That I should not vote for anyone, but remain neutral.

38,366. Were you canvassed by the Conservative party?—Yes, I was canvassed by both parties.

38,367. Who canvassed you for the Conservative candidates; Mr. Mackenzie and Mr. Gregory were the candidates?—They all canvassed me as they came into the field.

38,368. What answer did you make to them?—I told them all that I should not have anything to do with the election. I had given it up, in fact. I was thoroughly disgusted with the proceedings I took myself, that was the reason I declined to take any part in it at all.

38,369. Do you swear that nothing was offered to you?—Never anything on either side.

38,370. You took nothing?—I took nothing from them at all.

38,371. And nothing was offered to you on either side, or given to you before or after the election?—Nothing in any shape or form was ever offered to me.

28,372. Now the next election in 1857, did you vote at that election?—I did not vote again till Mr. Pender made his appearance.

38,373. At that time you were no longer organist at Bridgetown?—From 1857 to the present time I have been organist at Harberton.

38,374. Where you are now?—Where I am now.

38,375. Did you go straight from Bridgetown to Harberton?—Yes, I was at Bridgetown one Sunday and Harberton the next.

38,376. What was the cause of your going from one to the other?—Having a better situation.

38,377. You left of yourself?—I did leave of myself.

38,378. Did you vote in 1863?—I voted in 1862 for Mr. Pender, and I voted in January 1863 for Mr. Alfred Seymour, and in 1865 I voted for Colonel Dawkins and Captain Pim.

38,379. Can you explain those votes, for Mr. Pender in 1862, for Mr. Seymour in 1863, and for Colonel Dawkins and Captain Pim, the Conservatives, in 1865?—Yes.

38,380. What did you receive at the last election for changing sides, having been a Liberal to go over to the Conservatives?—No one ever canvassed my vote but the candidates, and no one ever offered me a penny. No one ever spoke to me on my vote.

38,381. Did Mr. Pender canvass you at the last election, having already got your vote in 1862?—I met Mr. Pender at the Priory Gate on his last election. He came to shake hands with me, and said, "I shall see you again;" and I did not see him again before the nomination day.

38,382. Did Mr. Pender make an offer to you?—He did not.

38,383. Was not there an offer of a situation for a son of yours from Mr. Pender? Was not that made known to you that Mr. Pender was ready to help you with a situation for your son?—Well, early in 1863, after Mr. Seymour's election, I was at Mr. Chaster's tuning a pianoforte, and after that was done he and I took a glass of grog together, and entered into conversation. He said, "Have not you a son who is a draper?" I said, "I have;" and he said, "Mr. Pender "is connected with one of the largest wholesale houses "you could wish to place him in, and I would advise "you to apply to him." I said, "I never asked a favor in my life from any candidate." "Well," he said, "I "do not see but what you should. You have an un-"doubted right to it; you have served us well all "your lifetime." A few days afterwards I had to go to Mr. Brooking Cuming's, where I was engaged in giving music lessons, and he said, "I am about to "write a business letter to Mr. Pender, and, if you "like, I will ask him;" and I said, "It is in better

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"hands than mine;" and he did so, and I saw the reply, which was very satisfactory.

38,384. This was in 1863?—In 1863, after Mr. Seymour's election. The reply was very satisfactory. Mr. Pender came down here two or three times afterwards, but I heard nothing more about it. Nothing further was said.

38,385. What was the reply?—That I was a deserving man, and that my son should have it.

38,386. When Mr. Pender came down did not you see him?—When Mr. Pender came down in 1864 I saw nothing of him. He called on many voters, but I saw nothing of him.

38,387. Did not you speak to Mr. Chaster or Mr. Brooking Cuming?—No. I saw in the paper that he said I felt aggrieved. He made a mistake. I never heard of such a conversation with Mr. Chaster after that time.

38,388. Do you mean to say that after authorizing Mr. Brooking Cuming to write, and then getting this answer, you never mentioned the subject again?—I did many times to Mr. Cuming. I frequently said that I had been served bad, and I said whenever I have a chance I shall vote against him.

38,389. You complained?—I did.

38,390. What did you say?—I said whenever I have a chance I shall vote on the other side. I was afraid I should not have the chance to tell you the truth; it did not look like candidates coming into the field.

38,391. When did you say that?—Before the Conservatives put any candidates in the field. I met him round Lake Garden for a walk.

38,392. You told Mr. Cuming that before the last election?—I told him more than 12 months before the last election that I should vote on the other side.

38,393. Did you mention the subject again to him when the election was coming on?—I did.

38,394. What did he tell you?—That I should not vote for the Tories. He said, "I know you better." I said, "I will. You shall see whether I will or not."

38,395. You said, "If your promise is not kept I shall vote on the other side?"—No, I did not say anything about promise. I said, "I would not vote for "your man if you were to write and make it all "right."

38,396. Did Mr. Pender call on you?—I met him by Priory Gate, and he said he had called to see me. He said, "I called on you, and you were not at home." On the nomination day he called, and I happened to be at home, and he said, "What is all this mistake; it must be set to rights;" and I said, "It is not my fault, that's certain." So he sat down and went through it, and he said, "Why not have written this letter yourself?" I said, "I never asked Mr. Cuming to do it; he offered to do so, and I accepted it." He said, "I am very sorry this mistake should have happened." He said, "Well, are you going against me?" and I said, "I am." "And against Mr. Seymour too?" and I said, "I am." He said, "Whether "you vote for me or not your son shall have it; "whether I am a member of Parliament or not he "shall have it; whether I am elected or not he shall "have it." I said, "I cannot expect it, and do not expect it."

38,397. That was all the conversation that took place?—That was all the conversation that took place.

38,398. And then Mr. Pender left?—And then Mr. Pender left.

38,399. Did Mr. Seymour canvass you?—He did in Fore Street. I never saw him afterwards. I told him it was useless to expect my support.

38,400. Did you give any reason?—None whatever. My reason for not voting was that when there is a coalition between the parties I knew they could make my other vote all right.

38,401. You told Mr. Pender you had no reason to expect it, but did you tell him you would not vote?—I did. He said, "Am I to say you will not vote for Mr. Seymour as well?" and I said, "Certainly."

38,402. Were you canvassed by the Conservatives?—By no one but the candidates.

38,403. What did you tell them?—Well, Colonel Dawkins had a very shuffling way. He canvassed me in the street one day, and he had no sooner asked me than he did not wait for a reply scarcely, but passed on. I met Mr. Pim up against Mr. Tucker's door, and I said I should vote against him. I saw him in this hall soon after, and heard him speak, and I told him I would vote for him.

38,404. (*Mr. Coleridge.*) What did you know about Bartlett?—That was in 1852, one of the elections I took an active part in. I stood in Mr. Bartlett's shop, talking to him about the coming election, and he said, "I do not think I shall have anything to do about voting." Well, I had not been very far down the street before I ran against Mr. Windeatt. I said, "I have "had some little talk with Mr. Bartlett, and I do not "think he will vote at this election." He said, "I wish you would go and offer 30*l.* to him," which I did a few hours afterwards; and he laughed at the idea, and said, "I am not going to leave my party," and there was an end of it.

38,405. How did he vote?—For his own party; and I do not believe he ever voted on the other side. That is all that passed between us.

38,406. (*Mr. Bere.*) You have not happened to vote since you have been organist at Harberton Church, except for the Conservatives?—Yes, I voted for Mr. Pender on his first election, and for Mr. Seymour. The first time I ever voted for the Conservatives was in 1865.

31,407. (*Mr. Coleridge.*) You are quite sure about making this offer to Mr. Bartlett?—Yes.

38,408. (*Mr. Longe.*) Do you remember going to William Oldrey's house at the last election?—I was not near his house at the time of the election. I was there on the nomination day.

38,409. Who were present there; who took you there?—Young Mr. Oldrey and Mrs. Oldrey and Mr. Oldrey were there. I do not remember anyone else being there.

38,410. That was the first time that you were associated with the Conservatives at election time?—I was as friendly with the Conservatives as with the Whigs; quite as friendly.

38,411. Was not there some offer made to you on that occasion?—Never by any party, nor on any other occasion. Nobody ever offered me anything.

38,412. (*Mr. Bere.*) Did you ever take anything?—No.

38,413. (*Mr. Coleridge.*) Did you help yourself?—I helped myself from my own pocket.

38,414. Did not they have a piano, or anything of that sort?—I had some jokes with the mayor about a pianoforte.

38,415. What was that?—I sold him a piano in May 1865, and somebody told me I had 100 guineas for it. I said I should be very glad to see it. It was a school-room instrument, and he paid me 26 guineas, I think, for it.

38,416. Did you ever find any money under the lining?—No. I did find a shilling one time, which I returned to the parties, under the roof.

38,417. (*Mr. Bere.*) Have you ever, directly or indirectly, been influenced by the receipt of money to give your vote to any party?—No, never.

38,418. Not at any time?—Never.

S. Parnell.

SAMUEL PARNELL sworn and examined.

38,419. (*Mr. Bere.*) You are the postmaster of this town?—Yes.

38,420. How long have you been such postmaster?—About a month.

38,421. When did the appointment become vacant?—The latter part of June, I think.

38,422. When did you receive your appointment, or the promise of it?—In July.

38,423. Did you receive it from the Postmaster-eneral of the retiring Government ?—Yes.

38,424. And the vacancy had taken place before e Government went out ?—Yes.

38,425. Whom did you succeed ? — Mr. William annaford.

38,426. How long have you lived in Totnes ?—All y life, or nearly so.

38,427. Engaged in trade, or what ?—I have been accountant for the last seven or eight years.

38,428. Was that in consequence of the bankruptcy usiness of Totnes that you became an accountant ? -No ; not on any particular occasion, or for any rticular reason.

38,429. What had you been before ?—A boot and oe maker.

38,430. And had you been that from the time you gan work ?—Yes.

38,431. A master shoemaker ?—Yes.

38,432. Employing a good many hands ?—Yes.

38,433. And were those hands voters ?—No ; some them were.

38,434. How long have you had a vote ?—Since 32.

38,435. Since the passing of the Reform Bill ?—ince the passing of the Reform Bill.

38,436. Have you voted at every election ?—Yes.

38,437. On one side invariably ?—Yes.

38,438. Which side was that ?—The Liberal side.

38,439. Were you actively employed on the Liberal de at the election of 1832 ?—No.

38,440. When did you first begin to be actively nployed in elections ?—I think principally in 1852 was that I took any part.

38,441. What part did you take in 1852 ?—Going und and seeing the voters.

38,442. Was there a committee then formed of the iberals ?—I do not think there was.

38,443. Which party of the Liberals do you con-ler you belonged to, the independent party or the ke's party ?—The independent party.

38,444. Then you went and canvassed for the dependent candidate principally, then ?—Yes.

38,445. That was Mr. Mills ?—Yes.

38,446. What sort of persons did you direct you tention to ?—The middle class of voters.

38,447. People who were accessible to bribes ?—es, or persuasion, some of them.

38,448. To how many people did you offer persua-on in 1852 ?—Four or five.

38,449. Who were they ?—Two, I think—Mr. John vary Elliott.

38,450. Where did he live ?—The higher part of e town.

38,451. How much did you offer him to persuade m ?—I did not offer him anything.

38,452. How much was it that you gave him ?—I ink it was 40*l.*

38,453. Did he vote for the Liberals in consequence that ?—Yes.

38,454. Did he vote for Seymour and Mills, or only ills ?—I think he only voted for Mills.

38,455. How did you vote ?—For Seymour and ills.

38,456. What were the names of the others you rsuaded ?—I do not think there were any others en.

38,457. You said four or five ?—But I do not know at there were at that time.

38,458. Yes ; come, let us have some more.—I do ot think there was any more in 1852.

38,459. You said you had offered persuasion to four five in 1852. Come, who were they ?—In 1852 I not think there was any more.

38,460. Do you mean to say that John Savary lliott was the only person whom you influenced in ? ?—I cannot say exactly.

38,461. How came you to go to him ?—I went for r. Windeatt.

38,462. Was Mr. Windeatt managing for the ens then ?—Yes.

38,463. Did Mr. Windeatt ask you whether you could do anything to persuade Mr. John Savary Elliott ?—Yes.

38,464. Had you any particular influence you could exercise over him ?—Nothing particular, otherwise than that I knew him well.

38,465. Was he a man you were in the habit of meeting to talk to a great deal ?—Yes, I used to talk to him on politics.

38,466. Did you go to him before you arranged he was to have the 40*l.* ?—Yes.

38,467. And ask him for whom he would vote ?—No. I think the conversation was this, as far as I recollect now. He said, "Well, how is the election going ?" "I think very well." He said, "Well, I have been offered a good deal of money by Baldwin's party." I said, "I cannot help that ; do as you like." He said, "Well, I suppose you can do something for me." After some little time I waited on him again.

38,468. Did you go down and see Mr. Windeatt between the times ?—Yes.

38,469. And you told him that Elliott wanted some money ?—Yes ; at least he said he wanted 50*l.*, and after some time he consented to take 40*l.*

38,470. Did Mr. Windeatt tell you how much they could afford to give him ?—No.

38,471. Did you go and tell Mr. Windeatt that 50*l.* was the right thing ?—Yes, that he wanted it.

38,472. And then Mr. Windeatt told you he could not give more than 40*l.*, and you went back and offered him 40*l.* ?—Yes.

38,473. Where did you get the 40*l.* from ?—He gave it to me himself.

38,474. At his own house ?—At his own house I think it was. I cannot tell you exactly.

38,475. Where did you give Elliott the money ?—At his own house.

38,476. Where did he find it ? You did not go in and hand it to him ?—No, I paid it to his wife, I think.

38,477. Did you not put it into a teapot ?—No, I do not think I did.

38,478. Are you quite sure ?—I would not say I am sure. I do not recollect.

38,479. Did not you tell Mrs. Elliott where she was to find it ?—I have no recollection of it.

38,480. Where did you put it ?—I think I put it on the table in the room inside the shop.

38,481. Was she there when you put it there ?—Yes.

38,482. Was it wrapped up ?—Yes, I think it was wrapped up.

38,483. Now just think for a moment whether there were not any other people you had to deal with in 1852 ?—I do not think there was, now.

38,484. Did not Mr. Windeatt give you more money in 1852 ?—No ; I went and took the money just as I wanted it.

38,485. Did not you go to him for other monies in 1852 ?—I do not think I did.

38,486. Just consider for a moment ?—I cannot now, really.

38,487. Was that the first voter you had ever been to to give money to ?—I do think it was the first.

48,488. Had not you been asked to go to anybody in Ricardo's time ?—What date was that ?

38,489. That was in 1847 ?—I do not think so. I do not recollect anything at that time at all.

38,490. Were not you actively employed by the Liberals in 1847 ?—No.

38,491. Just think again. You succeeded admirably with John Savary Elliott. How long before the election was it that you succeeded with him ?—You asked me at Ricardo's election.

38,492. We will keep to 1852 now. How long before the election was it you succeeded with Elliott ?—A very short time.

38,493. When you had succeeded you went back and reported your success to Mr. Windeatt ?—It was only a day or two.

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38,494. You went back and reported your success to Mr. Windeatt?—Yes, I did.

38,495. Did he tell you to try your hand at other voters?—I do not think he did.

38,496. Just think. Were there not two people named Light you went to see?—I do not think I did see them.

38,497. In 1852?—If it was in 1852 I do not think I did anything with them whatever. I do not think it was 1852.

38,498. Satchwell, did you see him?—Yes, I did.

38,499. In 1852?—I am almost inclined to think they were both at one election, but whether 1852 or not I cannot say.

38,500. Did you go to a man named Pearce?—Yes.

38,501. Was that in 1852?—I will not be certain whether that was in 1852.

38,502. Was it?—I will not be certain whether it was or not.

38,503. But you did have to do with them at some time?—Yes.

38,504. Can you remember if that was not at the election of 1852, at what election it was? You know you had to do with John Light last time?—Yes.

38,505. When was the time?—It might have been 1852. I had to deal with them; I will not be certain.

38,506. Had he a vote in 1852?—Yes.

38,507. Have not you always as a rule bought his vote?—No.

38,508. When were you unsuccessful?—In 1863, I think.

38,509. He went and voted on the other side?—He did not vote at all.

38,510. Then, if there was nobody else to influence in 1852, whom did you operate upon in 1857?—Some of those whom you speak of, I think.

38,511. Was not your method of dealing with Light to go to his half brother, Thomas Worthy, and give him the money, and let him deliver it to Light?—Yes.

38,512. Did not you give Worthy 20*l.* for Light in 1862?—I would not say that I did not.

38,513. Light has said that you did?—Well, then, I admit it if he did.

38,514. You must think about this, because you must have had some more money from Mr. Windeatt?—I do not know that I got it from Mr. Windeatt.

38,515. Whom did you get it from?—I think I got some from Mr. Cuming.

38,516. Where did you get it from Mr. Cuming?—It must have been at his office, I think.

38,517. Just before the election?—Yes.

38,518. Mr. Cuming told you to come down and get some money?—Yes.

38,519. Did he give you a list of people you were to go and see?—No.

38,520. Never?—No.

38,521. Did you suggest the names of the people you were to go and influence yourself?—They came to me.

38,522. You were a person who was recognized, then, as a Liberal agent at that time?—No.

38,523. Had you done a great deal at the council elections?—No, I had not been a great deal.

38,524. But you had been pretty active on the Liberal side?—Yes.

38,525. Had you to do with the dispensing of money at the council elections?—Not at that time.

38,526. How was it that people came to you if you had not the distribution of money?—They knew that I took an active part, and asked me if I could do anything for them.

38,527. Did not both John Light and his son come to you in 1852?—I do not think the son did.

38,528. It was the old gentleman, the schoolmaster?—Yes.

38,529. In 1857, what did you do then?—About the same.

38,530. We must have it. Do you remember who the people were?—There was William Satchwell.

38,531. What did you give him?—I think it was 20*l.* or 25*l.* then.

38,532. Did you find that there was a pretty certain sum wanted?—They would generally say, "Well, now, you must do the best you can for me."

38,533. Then did you do better for some than others?—No, it was generally the same sum within a few pounds.

38,534. For the Liberals?—Yes.

38,535. Were they people who had always voted for the Liberals?—Yes.

38,356. If you wanted to turn a man from his party it would cost more?—I never did.

38,357. Or recover a man to his own?—Perhaps it did, but I do not know that I did that.

38,538. You recovered John Light the time before? He did not vote the time before.

38,539. But he was under good influences?—Yes.

38,440. Can you give us the names of anybody else in 1857?—Pearce and Crawford, I think.

38,541. You went to Crawford in 1857, what did give him?—I cannot tell whether it was in 1857, but it was 20*l.* or 25*l.*

38,542. Did you give that to Crawford, or to Mrs. Crawford?—I think I gave it to her.

38,543. In her house?—I think it was my own house.

38,544. Did she come down for it?—Yes.

38,545. Where did you give it to her?—I think in my sitting room; I think so, to the best of my recollection.

385,46. You remember Crawford, did you give Light 20*l.* that time?—I think he got 25*l.* at that time.

38,547. Who else was there, Pearce, what did you give him?—The same amount I think, 25*l.* or 30*l.*, I do not know which.

38,548. Did you get that all at once and then distribute it and give an account of it afterwards?—No.

38,549. Was it given in small sums as you wanted it?—Yes it was.

38,550. And sent down from time to time to the several parties who wanted it?—Yes.

38,551. Was that all you did in 1857?—Yes.

38,552. And you got nothing for your services?—No.

38,553. Were you an accountant then?—No, not in 1857.

38,554. What made you change from being a shoemaker to an accountant?—I liked it better.

38,555. Do you mean to say there is business enough in Totnes for an accountant?—I was clerk to Mr. Cuming as well.

38,556. Mr. Cuming the solicitor?—Yes, I used to engross for him.

38,557. While you were a shoemaker, did you?—Yes.

38,558. How long had you united those two capacities?—For some years.

38,559. Did you draw his conveyances for him?—Yes.

38,560. Did you go to his office and sit there?—No, perhaps I went an hour a day.

38,561. Were you paid for what you did, or by the week?—For what I did.

38,562. Then I suppose you were so intimate with Mr. Cuming that he employed you on the Liberal side?—Yes.

38,563. He did not send you to anyone else 1857?—No.

38,564. And you and he used to discuss from time to time what people you could influence?—Yes.

38,565. We have heard that there were convivial meetings on the Conservative side; were there any such meetings, do you know, on the Liberal side?—Occasionally there were.

38,566. Used you to attend to them?—Very seldom.

38,567. Where were they held principally?—At different public-houses.

38,568. Was the "Castle" a place where they were held?—Yes, some few were held there.

38,569. Did you live near the "Castle?"—No.

38,570. Where used you to go when you attended them?—It was very seldom that I attended them at all.

38,571. But when you did?—I have been up to the "Commercial Inn."

38,572. That is Condy's?—That is Condy's.

38,573. Whom used you to meet there?—People from all parts.

38,574. Were there not meetings where you used to discuss how things were going on on the Liberal side?—Yes.

38,575. Were there not such meetings held at which the Conservatives would not be admitted?—No.

38,576. Then you used to talk over what the chances of the Liberal party were, and who was likely to get in?—Yes.

38,577. What did you do in 1859—that is Dunn's?—Yes.

38,578. I will ask you this question in passing, at any time in those earlier elections did you get any offers from the Conservative side?—No.

38,579. Were you canvassed from time to time by the Conservative candidates?—Yes.

38,580. Did any of the agents of the Conservatives come to you at any time?—No.

38,581. You were canvassed?—Yes, and there was an end of it.

38,582. You told them you could not vote, and there was an end of it?—Yes.

38,583. Did you continue, after you became an accountant, to be Mr. Cuming's clerk?—Yes.

38,584. And were you his clerk after the time you became Postmaster?—No.

38,585. Are you now?—No.

38,586. When did you cease to be his clerk?—In April.

38,587. But do not you do work for him now?—None at all now.

38,588. If he sent down a conveyance for you to engross, would not you do it?—No, nothing of the sort; but I keep his books for him.

38,589. You are his accountant?—Yes.

38,590. In 1859, when Mr. Dunn stood, did you have to do with the same persons you had to do with at the former elections?—Yes.

38,591. And paid them?—And paid them.

38,592. The same sums as in 1857?—Yes, the same sums within a pound or two. It might be 25*l.* or 30*l.* I paid Light 30*l.*

38,593. Did not you increase the number of persons with whom you dealt in 1859?—No.

38,594. You have not given us the name of John Huxham before. You had a good deal to do with him in 1859, had not you?—No.

38,595. Who was Mr. Huxham?—He was originally a grocer in Totnes, and tallow chandler.

38,596. Did he become unfortunate?—Yes.

38,597. When did that happen?—I cannot tell you the date of that.

38,598. Do you know a man called Edward Baker?—Yes.

38,599. Had you anything to do with him in the election of 1859?—No.

38,600. Did you send him to Mr. Huxham to give Mr. Huxham money for his vote?—No.

38,601. Had you left money in the room in the "Seymour Hotel" for Mr. Baker?—I have no recollection of doing so at all. I had nothing at all to do with him.

38,602. Were you down at the "Seymour Hotel" during that election in 1859?—Most likely I was.

38,603. Did you see Edward Baker there?—Yes, I should say so, very likely I did.

38,604. Where did you get the money from to pay the people whom you saw?—I think I had some from Mrs. Charles Michelmore, and some from Mr. Charles Michelmore.

38,605. Did not you get some by going into the "Seymour," and taking it up in a room at the right-hand side of the door, and finding it in a parcel?—I have no recollection at that election.

38,606. Did not you tell Edward Baker where to go and get the money?—No.

38,607. At no time?—No.

38,608. Are you sure?—Yes.

38,609. If he said that you are the person who he did tell to go, it is incorrect?—Yes.

38,610. Had Huxham been to you at any time to ask you to get money?—I do not recollect his coming at all.

38,611. Had he been unfortunate at that time?—I cannot say whether he had at that time.

38,612. Was he in difficulties?—I do not know.

38,613. Mr. Huxham complained of being deceived by your party, and he mentioned your name?—I have no recollection of having anything to do with it at all.

38,614. Had you nothing to do with him?—No.

38,615. Were you a creditor of his?—No.

38,616. Was Mr. Brooking Cuming concerned as his solicitor?—I really cannot tell you; I do not think he was; but that I would not be positive about.

38,617. Had you nothing to do with copying any of the accounts which Huxham made up?—No.

38,618. Are you quite sure of that?—Yes.

38,619. Will you undertake to say you did not?—No, I would not undertake to swear at the moment, unless I considered about it.

38,620. Are you quite sure that you did not know Huxham was in difficulties, and suggested that he was a man that might be got for a little sum?—I do not recollect that at all.

38,621. Do you mean to say that you did not?—No.

38,622. Have you the least doubt of it?—I do not think I did; I have no recollection about it whatever.

38,623. How many did you influence in 1859?—Whose election was that?

38,624. Dunn's?—The Satchwells, I think; the two Lights, in 1859; Pearce and Crawford, I think. I think those were the only ones.

38,625. Had you not something to do with Samuel Hill, junior?—No.

38,626. Never had anything to do with him?—No.

38,627. At any time?—No.

38,628. Did you get some money for him?—No.

38,629. In 1859?—No.

38,630. Did you have anything to do with a man named Hill?—No.

38,631. At any time?—At any time.

38,632. Did you know a man named Hill had money on your side?—No.

38,633. Did you hear that he had?—Yes.

38,634. From whom did you hear it?—From various parties.

38,635. Who was the person who gave him the money?—Mr. Prout, Mr. Michelmore's clerk.

38,636. Did you see what the sum of money was he got?—No.

38,637. Where did he live?—Under the walls.

38,638. Was he a tenant of the Duke's?—No.

38,639. Are you a tenant of the Duke's?—No.

38,640. Is that all you had to do with in 1859?—Yes.

38,641. Where did you get the money from?—I got it from Mr. Michelmore and Mrs. Michelmore.

38,642. Did not you get any from Mr. Holman for distribution?—No.

38,643. Did you give anyone 50*l.* or 60*l.* at that time?—I do not know.

38,644. Did you give any one voter 60*l.* in 1859?—Yes.

38,645. To whom did you give that?—To Crawford, I think, in 1859. I would not be certain, but I gave him 60*l.* at one time, and the only time.

38,646. Did you give anybody else at that time 60*l.*?—No.

TWENTY-SEVENTH DAY.

S. Parnell.

25 Sept. 1868.

38,647. That was the largest sum that you gave ?—Yes.

38,648. Did you give any person 50*l.* in the election of 1859 ?—No.

38,649. What was the largest sum that you gave in the election of 1859 ?—30*l.*

38,650. Did not you receive sums of 100*l.*, and did not you distribute that money to certain voters, and then account ?—No.

38,651. Do you mean to say that every time you wanted 30*l.* you went and asked for it ?—No. I had at one time 85*l.* from Mrs. Charles Michelmore, I had something sent to me in a book.

38,652. Was that the same book that she sent the money in to Mr. Holman, "The Adventures of Ledbury ?"—I do not know.

38,653. Was it sent in a parcel ?—The book was in a parcel.

38,654. When you opened it it contained notes ?—Yes.

38,655. To whom did you give the 85*l.* ?—I gave 30*l.* to Satchwell, 30*l.* to Light, and 25*l.* to Pearce.

38,656. Did not you give a sum of money to old Mr. Hill ?—No.

38,657. That you are quite certain about ?—Yes.

G. Corney.

JOHN CORNEY recalled.

38,658. (*Mr. Bere.*) You voted at the last election for the Liberals ?—In 1859 I did.

38,659. Have you refreshed your memory as to what you got for voting then ?—I have no occasion to do so, as I told you before I never had anything.

38,660. Did not George Mitchell let you off your debt to him because you were going to vote for the Liberals ?—Not likely. The debt was in 1863 when I was no voter. I ceased to be a voter after 1859.

38,661. Did he undertake not to press you if you voted for the Liberals ?—Never.

38,662. Did he at any time press you ?—Never.

38,663. You owed him 70*l.* in 1859 ?—There or thereabouts.

38,664. You got into difficulties in 1863 ?—I think so.

38,665. You were beginning to be in difficulties in 1859 ?—No.

38,666. Had you made up your account then ?—No.

38,667. Or talked over your affairs with him ?—No.

38,668. Have you ever directly or indirectly received any money, or the promise of any, or any benefit for your vote ?—No, never.

38,669. Or used your influence with any one to obtain their votes ?—No.

38,670. Has any money passed through your hands for any purposes, charitable or otherwise, to be delivered to voters ?—No, never, in no shape or form.

38,671. You do not distribute even the alms ?—What do you allude to ?

38,672. You have had money to distribute for charitable purposes ?—Never at any time.

T. Worthy.

THOMAS WORTHY sworn and examined.

38,673. (*Mr. Bere.*) What are you ? — A shoemaker.

38,674. Where do you live ? — In Fore Street, Totnes.

38,675. How long have you had a vote ?—I never had a vote.

38,676. Are you the clerk at the Independent chapel ?—No ; I look after it.

38,677. Is that the chapel with which Mr. Windeatt had a good deal to do ?—Yes.

38,678. Are you half brother to John Light ?—Yes.

38,679. When were you first employed about the election ?—I have been employed by Mr. Windeatt and Mr. Cuming for the last 20 years on the registration.

38,680. What was your business ?—Serving notices.

38,681. Used you to sign the notices of objection ?—I did. Of late years Mr. Windeatt has done it himself.

38,682. How has Byne succeeded to your duties ?—Since the last registration Mr. Windeatt has died, and his son succeeded him, and in consequence of his son not being on the register he was not able to sign the objections. He proposed to me to suggest some one who should sign them. We talked it over together, and I thought of Byne, and as I was going up the Plymouth road I met Byne coming along in his cart. I asked him if he had any objection to sign the notices, and he said he was willing to do so ; and he went down to Mr. Windeatt's office and did so.

38,683. What did you get for that ?—I am paid according to my time, so much a day.

38,684. Were you ever paid so much for each objection ?—No, I am paid nothing more than for the day's work.

38,685. Have you been in the habit of attending to the registration matters yourself ?—Always.

38,686. Who had signed these notices before ?—Mr. Windeatt and Mr. Brooking Cuming.

38,687. And who does it now ?—Byne has done it of late.

38,688. Were you employed by Mr. Windeatt and Mr. Brooking Cuming in other work besides the matters of registration ?—At election times I have been engaged by Mr. Cuming and Mr. Windeatt to be in attendance as a messenger.

38,689. Where did you attend upon them ?—At the "Seymour Hotel."

38,690. In what room were they generally ?—They were generally in No. 6 or No. 7.

38,691. You mean those two little rooms at the end of the passage ?—Yes.

38,692. The one was the room for the candidates, the other was where the general business was carried on ?—Yes.

38,693. What were your duties as a messenger ?—There were a great many electors, and I had to take circulars round the town, and to take letters to the post-office, and sometimes to the railway station.

38,694. And had you occasionally to take money ?—I believe so.

38,695. When did you first take any money ?—The first time, I think was after the election in 1859.

38,696. Did you know anything of any money going about in 1852 and 1857 ?—I have heard of it.

38,697. You had an opportunity of often being in and out of No. 6 and No. 7 at the "Seymour Arms ?"—Yes.

38,698. Did you ever see any money in No. 6 or No. 7 ?—Not that I am aware of.

38,699. And I suppose you did not fail to make use of your eyes when you went in there ?—I never saw any money about there.

38,700. Had you anything to do with Blank before 1859 ?—I believe I spoke to him on one occasion, asking him how he was going to vote.

38,701. Did you ever take any money to him ?—No.

38,702. Did he say that he wanted money for his vote ?—He told me what he did want, and I said if 20*l.* would be of any service to him he could have it.

38,703. Did you tell that to Mr. Windeatt, do you remember ?—I did.

38,704. And did he give it to you ?—No. Blank was not wanted, and therefore he did not get the money.

38,705. In what year was that ?—I think it was in 1859 ; I do not recollect exactly ; I kept no memoran-

dum of it; I cannot say whether it was in 1857 or in 1859.

38,706. You did take money in 1859?—Yes.

38,707. To whom?—John Light, senior; that was after the election.

38,708. Who gave it to you?—I had it from Mr. Parnell.

38,709. Where did he give it you?—He gave me 30*l.* for John Light on the Plains, and 30*l.* for William Satchwell, and after that 20*l.* for John Light, junior, at the same election.

38,710. Was that all that he gave you?—That was all.

38,711. What used they to pay you a day?—I call myself very badly paid; for some days I had 10*s.* a day, for other days 5*s.* a day.

38,712. Used you to be going on pretty much in the same way?—I have always been employed.

38,713. What did you get for your services at the Independent Chapel—had you a pretty good salary?—Not very much—I had about 30*l.* a year.

38,714. Are you a voter on the council?—Yes.

38,715. What did you have for that vote?—Never a penny,

38,716. Not a breakfast?—I have had a breakfast.

38,717. And your day's work?—Yes; I have had half-a-crown.

38,718. Is that the highest?—I have had 5*s.*

38,719. Have you been paid besides that?—I look to the parties who employ me.

38,720. They gave you 5*s.*?—Yes.

38,721. Besides your breakfast and your day's work?—Yes.

38,722. (*Mr. Bere.*) You have paid men at municipal elections?—Yes.

38,723. How many have you paid?—I cannot tell.

38,724. Have you a hundred pounds?—I do not think it would reach that.

38,725. Very nearly?—I think not.

38,726. What is the largest number, at any election, that you have ever paid money to?—I cannot tell.

38,727. What is the largest sum that you have ever paid?—I do not know; I think I paid 3*l.* once.

38,728. Who was that?—I think Blank, and Samuel Hill, senior.

38,729. Never young Samuel anything?—No.

38,730. Satchwell?—No.

38,731. That is all you did in 1859. Had you anything to do with the distribution of money in 1862?—No, John Light made a statement that I should like to have corrected. He said I paid him 30*l.*, but he admits having the money; he has called my attention to it, but I said, "I did not pay you, but my son John paid you, and he had the money from Mr. Parnell."

38,732. Had you anything to do with taking round envelopes in 1862, circulars?—Yes, a great number. That was when Mr. Pender was here, and there was a general delivery of letters.

38,733. Were the circulars that you took round fastened up in envelopes?—Yes, I fastened a great many.

38,734. Were there many that you took round that you did not see fastened up?—I believe there was a table there, and two or three of us put them in.

38,735. Were those the only circulars that you took round yourself?—Yes.

38,736. About Christmas time, did not you take some more that you got from the "Seymour?"—I do not remember taking any more.

38,737. And leaving them at the houses of some of the Liberal voters?—No; it is all done in a general way, taken round.

38,738. Have you ever taken round envelopes with bank notes in them?—No. That I cannot swear.

38,739. What did you do in 1863?—I did very little. I was employed two days.

38,740. Whom did you take money to?—No one at all.

38,741. John Light had been got to the other side?—He did not vote.

38,742. Did not you go and look after him?—My son did.

38,743. Had not you to do anything with others that you had influenced before?—No.

38,744. In 1865 what did you do?—After the election was over I happened to see my brother, and he told me he was about to go away, and I said, "Well, John, you do not seem to be satisfied; what is the matter?" "Well," he says, "the fact is, I have not seen Mr. Parnell, and I wish you would go and see him;" and accordingly I went, and Mr. Parnell says, "There is a parcel for you at Fogwill's, and I wish you would get it and give it to John," and I went to Fogwill's, and there was a parcel left out, and I took and handed it to him.

38,745. Where did you hand it?—I went to the "Town Arms;" I did not like to give it him in the street.

38,746. How much was in the parcel?—45*l.* in gold.

38,747. Was it after your brother had met Mr. Windeatt?—He went out the back way and went away to the train.

38,748. You had not seen Mr. Windeatt?—No.

38,749. The story that your brother told us, that Mr. Windeatt congratulated him on his pure vote, and that he was not to leave the town till he saw him?—Yes. I did not get anything from Mr. Windeatt; I got it from Miss Fogwill.

38,750. Is that the only thing you did in 1865?—That is the whole.

38,751. Did not Parnell give you any money to hand about?—No, never a farthing.

38,752. No one else?—No.

38,753. Quite sure?—Yes. If there is anybody in court who can say I did, I should like them to say it.

38,754. Did you never receive any money for elections at the council?—No.

38,755. Have you not received money from George Heath?—Never in my life; and I defy George Heath to say that, and I never voted that way.

38,756. Is Edward Wortley a relation of yours?—No. It may be Edward Woodley. There is no other name of mine here.

38,757. Is that all you know about the election?—Yes, that is all.

38,758. Have you ever had anything to do with any election except what you have told us?—No; I have been the one to serve the notices every year for Mr. Brooking Cuming and Mr.
and I give them my bill when it is done, and they pay me.

38,759. Have you ever distributed any money, or left money, directly or indirectly, at the house of any voter except what you have told us?—No.

38,760. Or any passed through your hands?—Never. Nothing passed through my hands to any voter.

38,761. Have you ever had to do with any money being given to any voter in any way except what you have told us?—No, never in my life.

Adjourned till to-morrow morning at half-past 10 o'clock.

TWENTY-EIGHTH DAY.

Wednesday, 26th September 1866.

TWENTY-EIGHTH DAY

H. Bartlett.

26 Sept. 1866.

HENRY BARTLETT recalled and further examined.

38,762. (*Mr. Coleridge.*) You told us on the last occasion that you did not offer, receive, or give a bribe ?—Yes.

38,763. Were you not offered a bribe ?—No.

38,764. Mr. Adams said you were offered a bribe ?—He might have said so.

38,765. What is the history of the transaction ?—He might have called into my place.

38,766. Did he ?—I cannot recollect positively.

38,767. Have you any recollection of his saying, "Would 30*l.* do anything?"—I cannot recollect; it is so many years ago..

38,768. Did you never have anything of the sort from another party ?—Never.

38,769. Now you have had time to think about it, is that the only offer you ever had ?—Yes.

38,770. Never made to your wife ?—Yes.

38,771. Neither directly or indirectly have you had any money for a bribe ?—Never. I have just had a letter from my son. Perhaps you will oblige me by reading it. He is at Torquay, and he used to be often with Mr. Michelmore, unfortunately.

38,772. (*Mr. Bere.*) This is a letter that we may cross-examine Mr. Michelmore upon, but it cannot be read at present. We had the statement he made to us yesterday about this offer, and we thought it should be confirmed or contradicted. It is unfortunate that you will not tell us those things at once ?—I do not recollect one.

38,773. You are asked directly whether you had a bribe or offer made to you, and you said, "No," and it comes out in evidence that you had ?—I could not recollect it at the time.

S. Parnell.

SAMUEL PARNELL recalled and further examined.

38,774. (*Mr. Bere.*) We have come to the election of 1859, and now you will be examined about the elections of 1862, 1863, and 1865. Were you one of the persons who were consulted as to who the Liberal candidate should be in 1862 ?—No.

38,775. Did you hear from any of those persons consulted who the party fixed upon was before he came down ?—Yes.

38,776. From whom did you hear that ?—Mr. Cuming.

38,777. Did Mr. Cuming tell you the reason Mr. Pender was brought down, Mr. Pender being a stranger ?—He told me he thought he was a bribery man.

38,778. Because he was a rich one ?—No.

38,779. Did he tell you he was a very rich one ?—No.

38,780. Did you know from what you had heard that he was a rich man ?—Not till afterwards.

38,781. When did you first see Mr. Pender ?—I think it was the night he came down or the night after.

38,782. Did you learn from him at the time the amount of money that he had brought with him ?—No.

38,783. Where did you see him ?—I think at my house.

38,784. Did he call upon you ?—Yes.

38,785. How long did he stay ?—Not five minutes.

38,786. What passed between you and him ?—Nothing; he only asked me if I should support him, and I said "Yes."

38,787. Did he say that you should be employed in the business of the election ?—No.

38,788. Who was with him ?—Mr. Windeatt.

38,789. Was Mr. Brooking Cuming there too ?—No.

38,790. Although he said nothing to you about it, you were employed on the business of the election ?—Yes, by Mr. Windeatt.

38,791. Were you frequently down at the "Seymour ?"—No.

38,792. Once or twice a day ?—I was.

38,793. Oftener than that ?—No; not oftener than perhaps twice a day.

38,794. When you were there whom used you to see principally ?—Mr. Windeatt and Mr. Cuming.

38,795. Always saw them in one of those rooms, 6 or 7, at the end of the passage ?—Sometimes I met them in the commercial room.

38,796. You saw Mr. Pender ?—I have not seen Mr. Pender half a dozen times whilst he was here.

38,797. But after that time ?—Yes.

38,798. What was done with Mr. Pender ?—Mr. McDougall, I think, was the only person that I saw that I knew.

38,799. Was Mr. Heald there ?—I do not know him.

38,800. Look round the court, and tell me if you see any person that was down with Mr. Pender at the election of 1862 ?—This gentleman, Mr. Heald.

38,801. Was he in the same room with Mr. Pender ?—I think so.

38,802. Was it at the last election ?—The last election I know he was there.

38,803. The election before ?—I do not know. I would not be sure.

38,804. When did you first have any money to distribute in 1862. Not during the election, but after the election ?—I think about a fortnight.

38,805. From whom did you get that money ?—I think Mr. and Mrs. Charles Michelmore.

38,806. Where did you get it ?—It was sent to me.

38,807. How much ?—Some was sent in a book.

38,808. Was that in a book similar to what you had had it sent in to you before ?—Yes. I think 25*l.* at one time, 30*l.* another, two thirties, and a twenty-five.

38,809. What did you do with that money ?—I believe I gave that money to Thomas Worthy.

38,810. Did he distribute it ?—Yes, I believe he did.

38,811. Did you direct him about the persons to whom he was to distribute it ?—Yes.

38,812. Was that all the money that you had at that election ?—No, I do not think it was.

38,813. How much more ?—I do not know. There was one William Ellis.

38,814. How much did you pay him ?—I think that is 15*l.*

38,815. That was 100*l.* Any more ?—I forget the date.

38,816. The time I mean is when Mr. Pender stood against Mr. Dent, and Mr. Dent retired ?—I had not got so much then.

38,817. There was a large quantity of money distributed after the election ?—Yes, but it was not much then.

38,818. How much did you have to distribute then ?—I think not above 75*l.*

38,819. In what sums did you distribute that ?—20*l.* mostly.

38,820. To whom ?—To Pearce and Light, I think, and 15*l.* I paid Ellis.

38,821. From whom did you get that ?—I got it from Mr. and Mrs. Michelmore.

38,822. In that book ?—Part in the book, and part out of the committee room, I think.

38,823. At the "Seymour?"—No, in the Plains.

38,824. Whose house was that committee room in?—I think Mr. Bowden's.

38,825. Was it paid to you open in the committee room, or were you told to go to a particular place and see whether you could not get anything?—There was some put in between some thin slices of bread and butter.

38,826. Do you know that there was a large sum of money distributed amongst those who supported Mr. Pender after that election?—No, I do not.

38,827. Do you mean to say you have never heard it?—No, there was the sum I spoke of. Amongst some of the voters I distributed what I told you.

38,828. How many other voters do you know of who had money sent them at that election?—Many of them I do not know.

38,829. Can you fix any number at all?—No.

38,830. Were there 25?—I would not say.

38,831. Would you say there were not?—No.

38,832. Would you say that the sum of from 800*l.* to 900*l.* might be distributed?—No, I do not think it.

38,833. Will you say it was not so much?—I would not say at all.

38,834. What did you get yourself?—Nothing.

38,835. Did you not get a retaining fee, or anything of the sort?—No, not a penny, never.

38,836. Nor a present after the election?—No.

38,837. Or Mrs. Parnell?—No. Mrs. Parnell was not living then.

38,838. Nor anybody connected with you?—No.

38,839. Son or daughter?—No.

38,840. Did not you give young Kinsman some money?—Yes.

38,841. That was after 1862?—Yes, it was, I forgot.

38,842. That is another 20*l.*?—Yes.

38,843. That is 95*l.*?—Yes.

38,844. Did not you give Mr. Crawford any money then, after the election?—I do not know the date; he had 60*l.*

38,845. That was Mr. Seymour's election, I believe?—I do not think he had then.

38,846. Had he nothing from you in 1862?—I do not know when he had that.

38,847. Pender and Dent's election?—I cannot say whether it was or not.

38,848. In 1863, when Seymour and Dent stood, whom did you bribe then?—The same men.

38,849. You had some few added, had not you?—Yes.

38,850. Who were they?—A person named Tarring.

38,851. Was that 1863?—No.

38,852. I want 1863.—I do not think I had any more in 1863 than I spoke of.

38,853. Then how many are we to consider you bribed in 1863?—A person named Vasey; I do not know whether it was in 1863 or not, I will not be certain about it.

38,854. Satchwell?—Yes, and Light.

38,855. And Coombes?—No.

38,856. Did not you give Coombes some money in 1862?—Yes, but not at the election, some time after the election.

38,857. What was that for?—For his expenses going away.

38,858. Where had he gone?—I thought he went up to Milden Hall.

38,859. How much did you give him?—10*l.*

38,860. Had he come before the election and said he should like to go away?—No.

38,861. What did he say?—I was in his shop, and he said he did not care about voting at all, he would rather go away; and I said "Why do not you?" and he said that he should. "Well," I said, "my advice "would be to go if you do not feel inclined to vote at "all."

38,862. When did you first lend Mr. Coombes any money?—In 1859.

38,863. How much did you lend him?—I lent him in 1859 perhaps not much above 8*l.* or 10*l.*

38,864. When he became unfortunate did not he owe you 200*l.*?—No, 190*l.* principal and about 15*l.* interest

38,865. Did Coombes ever repay you any portion of that?—Yes.

38,866. When?—At different times.

38,867. How much did he ever repay you in his life out of the 190*l.* he owed you?—15*l.* or 15*l.* 10*s.* of that, or something thereabouts. He borrowed money at other times and returned it again.

38,868. Of the 190*l.* he owed you did he ever pay you more than 15*l.* or 15*l.* 10*s.*?—No.

38,869. I will ask you this, if you ever signed a schedule?—Yes.

38,870. Take care what you say about that?—I do not think I have.

38,871. Are not you security under Mr. Coombes' deed of composition, having given a promissory note jointly with Coombes and his brother for the payment of the second and third instalments of his composition?—Yes.

38,872. Have you signed the deed of composition as a surety, or have you entered your name anywhere as a creditor?—I do not know.

38,873. Just look (*handing the deed to the witness*).—No, I have not signed it.

38,874. Turn to the page at the back, and you will see where you did sign?—Yes, I thought it was the same.

38,875. You thought signing as a surety was the same as putting down your name as a creditor?—No, I did not take any notice.

38,876. Do you mean to swear that you thought signing the deed as a surety was the same as entering it as a creditor?—I did not look to see whether I had signed the schedule, or whether I had signed the other.

38,877. (*Mr. Coleridge.*) Have you ever signed any deed in any similar case?—No.

38,878. Do you mean to say you have never been a creditor of anybody who has got into difficulties?—No, I do not know.

38,879. Do you mean to swear that you have never in your life been a creditor of anybody who has gone through the Bankruptcy Court. Be careful. Have you ever signed a composition deed before in your life?—Yes, I have.

38,880. Where did you sign then?—Opposite the seal.

38,881. Then you signed your name as a creditor?—Yes.

38,882. When you had signed it before was it opposite the row of seals with several names of other creditors?—Yes.

38,883. Do not you know that it is a perfectly different thing signing here as a trustee?—I should think it was.

38,884. Do not you know that it was?—No, I did not there.

38,885. Do you mean to say this was an arrangement made with Coombes and yourself as an ordinary creditor?—Not an ordinary creditor.

38,886. (*Mr. Bere.*) Do you wish it to go forth to your neighbours in Totnes that you do not know the difference between signing a composition deed as a surety and entering your name as a creditor?—Yes, I do know, but I did not know I had signed it.

38,887. (*Mr. Coleridge.*) Did you read it before you signed it?—I do not think I did that.

38,888. Are you in the habit of signing deeds without knowing what they contain?—No.

38,889. (*Mr. Bere.*) Try and remember about some more people whom you bribed in 1863. Satchwell?—Yes.

38,890. Tarring?—Yes, I do not know whether in 1863.

38,891. Crawford you gave to in 1862 and in 1863?—Yes, I think it was.

38,892. (*Mr. Coleridge.*) You gave something to Tarring after the election of 1862?—Yes. I do not recollect 1862.

38,893. Are you certain about that?—I am not certain; I think he voted against us or not at all.

38,894. (*Mr. Bere.*) Where did you pay Mrs. Crawford the money in 1863?—It was in my house.

38,895. Do you know a man named Nicholls?—I do not know.

38,896. Did a man come down and did you take him into your house and show him a room where he would find some money?—He came to my house.

38,897. When there did you show him a room where he found some money?—Yes, he told me he was a relative of Crawford's.

38,898. Where did you get the money from in 1863 which you paid to these people?—I think I must have had it from Mr. Michelmore.

38,899. You know perfectly well where you got it from?—I cannot remember.

38,900. You have had the summons for some time, and you knew when you were to be examined; you knew what you had to say, you were told to go through the list and refresh your recollection by it, so as to be able to speak to the facts clearly, in reference to each election. You can do so and will not do it?—I will try; I think I got part of the money in 1863 from Mr. Michelmore, but I am not certain.

38,901. In some part of the "Seymour Hotel?"—Yes.

38,902. What part of it; where did you get it?—I think it was on the stairs, but I will not be certain.

38,903. Was it lying out open on the stairs?—No, I got it from Mrs. Michelmore.

38,904. Did she meet you in a mysterious manner and put a parcel into your hand?—No, she handed me something.

38,905. How much?—I really cannot tell you, I think 75*l.*

38,906. It was much more than that in 1863?—Part of it I got from Mr. Michelmore.

38,907. How much was it altogether?—I should think 200*l.*

38,908. It was more than that?—About 230*l.*

38,909. You mean Mr. Charles Frederick Michelmore?—Yes.

38,910. When did you get it?—I think he let me have part of it himself.

38,911. Where was it?—At the committee room at Mr. Bowden's.

38,912. Had you made arrangements with the people you bribed as to what sums they were to have?—No.

38,913. Did you go and take a lump sum, or did you take each particular sum as you wanted it?—I went and got it as I wanted it, I did not pay them until some days after the election.

38,914. Who were acting as Lord Seymour's committee in 1863?—There was no committee at all.

38,915. You say there was a committee room, who were in and out of that?—Nearly all the voters.

38,916. Who was keeping the poll?—Mr. Holman I think, and Mr. Cuming.

38,917. Who was going through the poll books?—Mr. Jeffery Michelmore.

38,918. Was he there?—No, he was at Bridgetown.

38,919. Was there a committee room at the "Seymour Hotel?"—Yes, I was there at the latter part of the election.

38,920. Whom did you see in that room?—There were a great many there, Thomas Michelmore and Jeffery Michelmore.

38,921. Were you present when Mr. Danby Seymour was there?—No, I saw him during the election.

38,922. Did you see Sir Henry Rawlinson?—I think I did.

38,923. And one of the Barons Rothschild?—No.

38,924. Do not you remember his driving from Torquay on the day of the election?—I heard so, I did not see him.

38,925. Do you remember hearing Mr. Danby Seymour make a speech on the hustings after the election?—I really forget, my memory is not so good as it was 20 years ago.

38,926. Was the 230*l.* which you have spoken of all that you had to distribute?—Yes, I am sure of that.

38,927. Did you get it in notes or gold?—It was part in each.

38,928. Do you know Nicholas Norrish?—Yes.

38,929. Did you see him at the election of 1863?—I might have met him.

38,930. Did you talk to him about his vote?—I do not recollect.

38,931. How had he voted before, for or against you?—I believe against us always.

38,932. Did you keep a poll book?—At the time.

38,933. Have you got it now?—No.

38,934. What did you do with it?—I destroyed it, I generally do after the election is over; I have done so for the last six or seven years.

38,935. When did you first learn that piece of wisdom?—I learned it from Mr. Windeatt.

38,936. I suppose he took care to follow his own advice and destroyed everything he could?—Very likely he did.

38,937. Do you not remember meeting Nicholas Norrish in the morning, three or four days before the election, and your saying to him that anybody who would vote would be paid?—I do not recollect it.

38,938. Will you swear you did not say so?—I do not recollect making use of such an expression at all.

38,939. Did he say 40*l.*?—No, I do not know that I mentioned any sum, I have no recollection whatever.

38,940. Did you agree to give it to him?—No.

38,941. You agreed to give him something if he would vote for you?—I do not know that I saw him, I recollect nothing of the sort at all.

38,942. He has sworn you did, and you cannot recollect it?—No.

38,943. In 1865 what did you do, you were very active then?—I paid Light, at least Light had money.

38,944. Pearce had money?—No, not from me.

38,945. David Manning?—No.

38,946. (*Mr. Coleridge.*) You had paid David Manning before?—Never.

38,947. Did you never have anything to do with David Manning?—No.

38,948. (*Mr. Bere.*) Crawford?—Nothing in 1865.

38,949. Why not in 1865?—Because he was not there while the money was passing.

38,950. How long was it the money was going in 1865?—I do not know, a week or ten days.

38,951. How much money was given to you in 1865 to distribute?—Nothing given to me in a lump.

38,952. How was it given?—In different sums as I wanted it.

38,953. How many different sums were given to you?—Five or six different sums.

38,954. Did you mention or show the names of the persons for whom you wanted the money to any person whatever?—No.

38,955. Did you mention the names to Mr. Brooking Cuming?—No.

38,956. Nor to Mr. Windeatt?—No.

38,957. Nor to Mr. Holman?—No.

38,958. From whom did you get the money?—I had it at the "Seymour Hotel."

38,959. Where did you get it from?—From a bedroom.

38,960. You got 50*l.* for George Pengilley?—Yes, 55*l.*

38,961. Where did you get it from?—It was handed to me, I got it upstairs as well as the others.

38,962. Who told you to go upstairs?—Mr. Windeatt told me whatever I wanted I should find there.

38,963. What room did you go to?—I do not know the number.

38,964. A bedroom or a sitting room?—A bedroom.

38,965. A double-bedded room?—Yes.

38,966. No. 13?—I do not know what it was.

38,967. Where did you find the money?—On the dressing-table.

38,968. Had you been told that?—Yes.

38,969. Did you find 60*l.*; 30*l.* for Harris and 30*l.* for Tarring?—Yes, two thirties.

38,970. Did you give an I O U for it?—No.

38,971. Were you examined by Mr. Tucker at the "Seymour" hotel when the petition was going on?—Yes.

38,972. Did you tell Mr. Tucker that you received Pengilley's 50*l.* note from Mr. Chaster?—No.

38,973. Take care.—If I did I do not recollect.

38,974. Did you tell Mr. Tucker that you received the 50*l.* which you paid to George Pengilley from Mr. Chaster?—I do not know that I did.

38,975. Did you also tell him that you received the two sums of 30*l.* for Harris and Tarring from Mr. Chaster?—No, if I did I made a mistake.

38,976. Did you tell Mr. Tucker also that you gave Mr. Chaster an I O U for the money as you received it?—No.

38,977. Upon your oath you swear you did not tell Mr. Tucker so?—Yes.

38,978. On your oath did you not tell Mr. Tucker you received the money from Mr. Chaster, and did not Mr. Tucker say Mr. Windeatt is Mr. Pender's agent, and it would not do for you to mention his name, and therefore he put in the name of Mr. Chaster?—No; I said this much. I said Mr. Windeatt got the money from Mr. Chaster; that is what I said.

38,979. You passed over Mr. Windeatt, and said you received the money from Mr. Chaster?—No, I said, I believe, that he had it from Mr. Chaster.

38,980. Did you say that you had received the money from Mr. Chaster and that you gave him an I O U for every sum you received?—No, I did not. I know I said something to Mr. Tucker which I thought afterwards was not right.

38,981. Was it when you saw Mr. Tucker that he asked you certain questions?—Yes.

38,982. And did you answer them?—Yes, I think I did. I recollect my seeing him the day after, and I asked him what I had told him respecting Mr. Windeatt. I said I made a mistake, and if I mentioned Mr. Chaster's name I meant Mr. Windeatt.

38,983. You said that, did you?—Yes, and Mr. Tucker said to me, "Very well, I will alter it."

38,984. How much money did you get in 1865 altogether? You got 110*l.*, and how much more?—I think I got 200*l.* and something more.

38,985. 200*l.*, and how much more?—230*l.*, or something thereabout.

38,986. To whom did you give it?—50*l.* to Light.

38,987. Are you quite sure about that?—Yes.

38,988. And if Thomas Worthy only paid him 40*l.* the 10*l.* stuck to his fingers?—I do not know how that was.

38,989. Did you give 50*l.* to Worthy to take to Light?—Yes.

38,990. Did you leave 50*l.* at Mrs. Fogwill's?—No, it was 40*l.*

38,991. Did you send Light 10*l.* before the election?—He had some before the election.

38,992. Did you pay him?—His son had 10*l.*

38,993. He was not a voter, the young man?—No.

38,994. Light altogether had 50*l.*?—60*l.* altogether in the two lots.

38,995. Did you give young John Light 10*l.* for himself and 10*l.* for his father?—I think it must have been about that, he got 60*l.* altogether.

38,996. Where did the rest go?—To Kellow.

38,997. How much did you give him?—50*l.*, and Pengilley 55*l.*, and the two thirties for Harris and Tarring.

38,998. How much did you give George Pengilley for himself?—50*l.*

38,999. Fifty pounds for William Pengilley, and how much for himself?—55*l.* altogether.

39,000. Another 5*l.*?—I know he had as much as 55*l.*

39,001. Did you send George Stoyle to see Crawford?—No.

39,002. Did you go and see Crawford yourself?—Yes.

39,003. What did you say to Crawford about his vote?—I do not know that I said anything.

39,004. Come, you do not go and see Crawford without saying something?—I think there were several there and I did not say anything to him at all. I think I went two or three times to his house.

39,005. What did you go two or three times for, to get his vote?—Yes, to see him. I saw the other party at him, and I went two or three times.

39,006. Did not a man called Hill go with you sometimes?—No.

39,007. Your fellow clerk?—I think he did.

39,008. Used you to go in and he stay and watch?—I think he went in with me,

39,009. Always?—Yes.

39,010. Who used you to see oftenest, Mr. or Mrs. Crawford?—Mrs. Crawford.

39,011. Did not she want money at the last election?—She did not say anything about it, but I daresay she expected it.

39,012. She came too late?—She did not come at all.

39,013. Did she get money?—No.

39,014. Was the reason that the money was exhausted before the time for paying her came?—Yes, Mr. Windeatt had got the money then.

39,015. How many times did you go to the "Seymour" hotel?—Several times.

39,016. Did you always find money behind the, dressing-glass?—Sometimes behind, and sometimes on the table.

39,017. What sized parcels?—Small-sized parcels. Some in notes.

39,018. Wrapped up?—Yes.

39,019. Was that all the money that you had at the last election?—That is all the money.

39,020. (*Mr. Coleridge.*) Just tell me first of all about Tarring. Did not you give him something after 1862, when Dent withdrew?—I think I did not.

39,021. Do not think?—You have got his name twice.

39,022. We have only his name the last time; when was he there?—Whether 1862 or 1859 I do not know.

39,023. In 1859 you had another transaction about purchasing his house. What was that arrangement about his house? Did not Tarring purchase his house in 1859, and did not you arrange the matter?—No.

39,024. Nothing about Tarring purchasing a house?—No; nothing at all.

39,025. It was either 1859 that you had the 30*l.* or 1863?—Yes.

39,026. You do not think it was in 1862?—No, I think not.

39,027. You are certain that Tarring has only had money twice?—Yes.

39,028. When did you first make up your mind to come and give evidence here?—From the very first.

39,029. When did you make up your mind to tell the truth?—From the first moment I got any hint.

39,030. When did you make up your mind to allow another man to tell an untruth?—I never requested a man to tell an untruth.

39,031. What did you say to Mrs. Crawford?—I said, "The best thing is to say all you know about it."

39,032. Was that after Crawford had been kept here a week?—No; the next day.

39,033. Had you not told Mrs. Crawford to take care that your name was not dragged into it?—No.

39,034. Did you have any conversation with her before Crawford came to give his evidence?—I do not think I had.

39,035. No conversation whatever with Mrs. Crawford before Crawford came to give his evidence?—I do not think I saw her.

39,036. How many days was it after Crawford was examined and told to sit in this court that Mrs. Crawford came to you?—I think the next day.

39,037. When Mrs. Crawford came what did she ask?—She asked what she had better do. Her hus-

band had said he had not got anything, and I said it was wrong.

39,038. Did not she ask you for permission to come and tell the truth?—I do not know.

39,039. Come, did not she?—I told her she had better tell the truth.

39,040. Had you not told her before that she was to keep it close?—No.

39,041. What had you told her?—I never saw her.

39,042. When did you last see her before she came and asked you if she might speak the truth?—I think a month perhaps.

39,043. Had you seen her since this Commission was issued?—Not till that day.

39,044. Had you seen her since June?—Not to say anything about electioneering matters.

39,045. Had you seen her to talk to her?—Yes.

39,046. Did she ask you at that time what she was to say when the Commissioners came down?—I do not think she did.

39,047. When did she first ask you that?—I do not think she said anything till she came.

39,048. Did Crawford himself say anything?—No, never saw him.

39,049. It was all managed through Mrs. Crawford?—Yes.

39,050. What was it that was said when you were to give permission?—I gave no permission.

39,051. What did she ask? Did she ask permission?—I do not think she did.

39,052. What did she say?—She said her husband was going to be detained, and I said, "You had better "say all you know about it."

39,053. Had you said nothing to her about it, that she was to try and keep your name out of it?—No.

39,054. Nothing of the sort?—No.

39,055. What conversation had you with old Satchwell?—He came to me too.

39,056. When was that?—After the Commission commenced.

39,057. After he had been summoned?—Yes.

39,058. What did you tell him then?—He said, "You know I got no money in 1865. Then of course "you cannot say anything about it."

39,059. What do you mean by that?—He said, "They can say nothing about it in 1865."

39,060. Did you tell him the first time that he came to ask you that he was to tell the truth?—Yes.

39,061. Are you sure about that?—Yes. "The "best way is to tell them the whole of it."

39,062. Did not he tell you that he had got none, and you told him he had?—Yes.

39,063. How came he to tell you that he had got none?—Because his wife had got it.

39,064. This is the question to Satchwell, "What "did Mr. Parnell tell you about this Commission?—I "asked him if he could recollect what money he gave "me. I do not know. You told us that before. Did "he tell you it would never come out if you kept "your own counsel?—I believe he did. Did he do "so? On your oath?—I asked him if he had got "anything against me. Did he not answer it?—He "did not say whether he had or had not. Did he "not say, 'It will never come out if you keep your "own counsel?' Will you swear that?—To the best "of my judgment." Is that true or not?—No.

39,065. It is not true that you said anything about its never coming out if he kept his own counsel?—Yes.

39,066. That you swear?—Yes.

39,067. What is it you said that led you to say that?—The only thing is, if the election of 1865 was not brought up, whether the previous elections might be brought up.

39,068. And you told him if they got nothing out of him as to 1865 he need not say anything about the other elections?—No. He said, "I suppose they will go back beyond this election of 1865." I said, "I "cannot tell you; but if they do not, it is for you to "say whether you will say anything about it if the "questions are not put to you."

39,069. "On your oath did he not tell you it would "never come out if you kept your own counsel?—I "believe he did. Did he or did he not, on your oath? "—Yes, he did." That was not a chance answer, but it was given after he had been pressed for half-an-hour. That he swears distinctly, that you did say that?—I think he is decidedly wrong.

39,070. Are you aware that Mrs. Crawford has also sworn to the same fact?—I am so.

39,071. Following that question, which Satchwell has sworn to, comes this, "Did not Mr. Parnell also "say something about it never being found out if you "held your tongue?—I went for the express purpose "to him." Did you not say this, "that it never "would come out if he held his tongue?"—No.

39,072. Had you no conversation with him to the effect that if you both held your tongues not a word would ever come out?—Not at all.

39,073. Is this all false that Satchwell has been swearing?—All that part.

39,074. "Did not Mr. Parnell also add, that it "would never be found out if you held your tongue "about it?—Yes, he did." That is the second time. "Why did you not tell us this before?—I could not "recollect myself at all about it." What was it that Satchwell came to ask you, if that was not what he asked you?—He came to ask me what he had better do about it.

39,075. And you told him to hold his tongue?—No.

39,076. He has sworn that you did?—I told him as I have told you, that whatever he had he had better speak of it. He said he had not got any in 1865, and I said, "But you had before, two or three times you "had;" and he said he had not had it at all; and I said, "Your wife had, and that is the same thing."

39,077. Did not he ask you if you had something down against him?—No.

39,078. Is that an invention?—Yes.

39,079. He has sworn that he asked you if you had anything written down against him?—I do not recollect any conversation of the sort.

39,080. The whole of this is an invention of Satchwell's?—Yes.

39,081. On your oath you swear that you never gave him any counsel whatever about splitting?—Yes.

39,082. All your counsel was to tell the truth?—Yes. I told him, if he had not got it his wife had got it, and that was the same thing.

39,083. Was that the first time?—I did not see him but once. He called at my house two or three times, but I did not see him.

39,084. Here are two different people coming and stating the tenor of this conversation. You deny Satchwell's statement on your oath, and now I will ask you about Mrs. Crawford. "Did not you go to "Mr. Parnell and try to find out whether he had let "out anything?—I did." What did she say? Did she say anything?—She asked me if I had said anything to him about it.

39,085. That is not the question. The question is, "Did not you go yesterday to Mr. Parnell and try "to find out whether he had told anything?" Did she ask whether you had told anything, or can you tell anything—"I did," is her answer. "Did he tell you "not to say anything?—No. He says, 'I really cannot "recollect.'" Do you mean that you do not recollect Crawford having the money?—Not the dates.

39,086. You knew that he had had the money?—Not the different amounts.

39,087. This amount was 60*l.*?—Yes; but he had had other money.

39,088. This is her answer, "'No.' He says, 'I "really cannot recollect;' but he says, 'if it comes "to my memory it must come out.'" When did it come to your memory to come out?—When she told me herself the amount that she had had.

39,089. You did not recollect it?—I recollected that she had had money, but not the amounts.

39,090. When was it that she had it?—In 1863 nd 1859.

39,091. How much has she had altogether from you? —I think about 75*l.*

39,092. What sums was it in?—60*l.* one time, and 5*l.* the other, I think.

39,093. When was it that they had the 20*l.*?—I annot tell; but then there was the father.

39,094. How much?—15*l.* or 20*l.*

39,095. When?—In 1852, I think.

39,096. Was it not in 1857, in Mills' election?—I annot tell.

39,097. Where did you give it to the father?—I do ot know; it was before 1858 I know, and it was in ny own house I think.

39,098. How much money did you give away in our own house in 1865?—50*l.*

39,099. What did you give away in your own house n 1863?—I think Crawford's father came.

39,100. Just try and recollect this about Crawford. rawford was not a voter in 1857 or 1859, and you ould not be likely to give him money?—Then it was is father.

39,101. How often has Crawford had money him- lf?—I think twice.

39,102. When were those two times?—I do not now.

39,103. He had no vote till 1862?—No.

39,104. Had you given him money in 1862, after)ent withdrew?—I do not know. I do not think he ad. I cannot recollect.

39,105. What had you told Mrs. Crawford to make er say this, "When did you tell your husband not to tell the truth?—I never told him; not in so many words, but to try and keep it back?—I did not. I do not think he wanted to expose Mr. Parnell and the party. I think Mr. Parnell is the only man to blame." What did you say to her to make her say hat?—I do not know.

39,106. "He came here to try and shield Mr. Parnell?—No doubt, as much as himself. Did you never tell him to come and shield Mr. Parnell? —Last night." Was that the night that Mrs. Craw- rd had been to you?—I do not know, I am sure.

39,107. "Did not you go and tell your husband that Mr. Parnell wished him not to say anything about it?—I do not know. Take care.—I rather think I did. Did Mr. Parnell know that your husband was keeping it a secret?—Of course, when he gave it him." Is that all untrue?—I do not recollect any- hing of the sort.

39,108. Do you mean that those two conversations, oth of Satchwell's and Crawford's, are inventions?— did not say anything of the sort to Satchwell.

39,109. He has sworn to it and Mrs. Crawford has worn to it?—I cannot tell.

39,110. You contradict it?—Yes.

39,111. It is necessary to put it to you. Now, in ddition to the sums of money that you told us you ave away at the last election, what else had you to do ith it in the way of improper practices. (*No nswer.*)

39,112. Come, recollect the little transactions at e "Seymour Arms." Have you tampered with the ooks at the "Seymour Arms?"—I went to the Seymour Arms" and altered the accounts.

39,113. Is that your idea of an accountant's business o alter accounts?—The accounts were carried out in ne sum, and Mr. Windeatt told me it would not do, ought to be carried to the different parties.

39,114. Why would it not do?—Because it was arried to Mr. Pender's name, and it ought to be arried to the parties who ordered it.

39,115. Why carried to Mr. Pender's name?—I do ot know.

39,116. Why alter it?—Because Mr. Windeatt said e gave positive orders about it.

39,117. Was it about the time of the petition?— efore the petition.

39,118. It was when the petition was threatened? —I do not know.

39,119. Do not you know that the petition was threatened on the hustings?—That is often done.

39,120. Was not the reason that you cut out the pages was to try and save the seat, because it might be alleged as treating?—Very likely.

39,121. You went to assist Mrs. Beazley in tamper- ing with her books?—I went there.

39,122. What were the books that you took?— Mine was the ledger.

39,123. Mrs. Beazley did the day book at your instigation?—I do not know.

39,124. Was she present when you cut the pages out of the ledger?—I do not know whether she was or not. The barmaid is here.

39,125. How did you make them right afterwards? —The whole gross amount was taken out and the different amounts were charged to different parties, and they came to the same amount.

39,126. You cut out the pages and reinserted other pages in their place. How many pages did you cut out of the book?—Three or four.

39,127. How many pages did you put back again to make the amount come right?—We opened a different account, I think five or six accounts.

39,128. Where did you put these pages, back in the book?—What do you mean?

39,129. What did you do with the pages you cut out?—I gave them to Miss Weekes the barmaid.

39,130. To take care of?—There they are, they are of no use now.

39,131. Did you tell her to burn them?—No.

39,132. Was she present when you cut them out? —Yes.

39,133. She showed you the amount carried to Mr. Pender, where to begin and where to leave off cutting out?—No, the whole account was taken out. There were other accounts there besides Mr. Pender's.

39,134. How many pages did you put back in the place of those you cut out?—I think, if I recollect right, I went on with the ledger.

39,135. You did not put any pages into the book in their place?—No, I think not.

39,136. Then how did you get the dates right?—I took it from the same leaf.

39,137. Did you paste in fresh pages, or go on making out the account in the ledger in the regular order?—In the regular order, I think so.

39,138. When did you last see the books?—I have never seen them since I put the accounts to rights.

39,139. (*Mr. Longe.*) Will you explain the incon- sistencies in the evidence you have now given with what you undertook to give to Mr. Tucker, or whether what is stated here were his suggestions. You told Mr. Tucker that George Pengilley had 50*l.*, "all the "money advanced in bribery was my own money. I "had no authority from either of the members or "from Mr. Windeatt or Mr. Michelmore to give "money to anyone, nor did I have a shilling from "either; what I did I did for myself, being actuated "by a wish to benefit the Liberal cause as the Tories "were bribing so widely?"—I never said a word of the sort.

39,140. Then you are made to say that you took the money from Mr. Chaster and gave him an I O U, were these your suggestions?—No.

39,141. Did you give that evidence to Mr. Tucker? —No, certainly not.

39,142. This is what Mr. Tucker states he wrote with his own hand from your mouth?—I never said anything of the sort.

39,143. (*Mr. Coleridge.*) Have there been any meetings since this Commission issued amongst people in your own dilemma as to what should be said in evidence here?—Not that I know of.

39,144. Have you attended any meetings at the "Seymour Arms" to consider what you should say or what you should not say?—I never had any conversa- tion with a single individual about it.

39,145. Not with Mr. Holman?—No.

39,146. Or with Searle?—No.

39,147. You had no conversation as to what the

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evidence should be ?—I have seen no one and consulted no one.

39,148. Have you ever been at a meeting at the "Seymour Arms" when a discussion was going on about these matters since this Commission issued ?—No, never.

39,149. Had you no meetings before the Commission issued, when it was threatened, as to the desirability of putting a stop to it ?—No.

39,150. Or was any letter written to Mr. Seymour to ask him to use his influence to get it put an end to ?—No, nothing of the kind.

39,151. In 1863 did you get this money from No. 13 as well as in 1865 ?—I think I did.

39,152. Did Ann Satchwell ever bring you any money ?—No.

39,153. Or show you the room where you were to go and get money ?—No.

39,154. Either in 1863 or in 1865 ?—No.

39,155. When Mr. Windeatt sent you for this money and you found it on the table, did you take all that was there or only a certain portion of it ?—Only a certain portion of it.

39,156. How did you know how much you were to take ?—He told me on what part of the table it was.

39,157. When you took it did you see any other money there ?—I saw some parcels.

39,158. Do you know anyone else except yourself and Mr. Holman who took any money from the room ?—No.

39,159. Did Thomas Jacob Searle ever go up there ?—No ; I do not know that Mr. Holman went to the same place.

39,160. You had nothing to do with David Manning at this election ?—No.

39,161. In all your practice you never had a refusal ?—I never had ; I never went to anyone except those who were known to be on our own side.

39,162. Have they not stood out for larger sums than you proposed to give them ?—Yes.

39,163. Who asked you for more than you gave them in 1865 ?—I do not know.

39,164. Were there any in 1863 who stood out ?—Yes, I think so.

39,165. Who was it then ? Crawford got 60*l.* ; what did he want ?—I believe that was all he wanted ; he said he had been offered 100*l.*

39,166. Who was it who stood out for more than he had been offered in the first instance ?—I do not think I offered them anything.

39,167. Did they make their demand on you and say how much they wanted ?—No ; they would say we have been offered 50*l.* or 60*l.*, and I would say that I cannot do ; I cannot go to that figure.

39,168. Was that the case in 1865 that they came to you, and you did not go to them ?—Yes.

39,169. You never went to any of them ?—Not to one of them.

39,170. Did they all say they had been offered money on the other side ?—I cannot say that every one did.

39,171. Who of those in 1865 said they had been offered money on the other side, and how much ?—I think Light was one of them ; I did not see him myself ; his son told me that his father had been offered a good deal of money.

39,172. Do you know how much ?—I do not.

39,173. How came they to ask you what they were going to have ?—I went to see them first, and asked them whether they were going to support Pender and Seymour.

39,174. Was it then that they told you they had been offered money, or was it subsequently ?—They then said, we will leave it to you.

39,175. When they left it to you did they take what you chose to give without a demur ?—Yes.

39,176. Did anyone come after the election of 1865 and say that they had been promised more and had not got the whole amount ?—No.

39,177. Did they in 1863 ?—I do not recollect any.

39,178. How much do you know in 1862 of being distributed as of Mr. Pender's benevolence ?—I do not know the amount ; I have no idea.

39,179. You only distributed 75*l.* ?—About that ; it may have been a trifle more.

39,180. Were any of the sums distributed after the election of 1862 given on a promise that when Lord Gifford died they would again vote for the Liberal candidate ?—No.

J. Pender, Esq.

JOHN PENDER, Esq., sworn and examined.

39,181. (*Mr. Bere.*) Are you in business in Manchester ?—I am.

39,182. Are you also a member of the Whitworth Ordnance Company ?—Yes.

39,183. Were you one of the original promoters of that company ?—I was.

39,184. How long has that company been instituted ?—It was formed as an incorporated company in 1863 ; it was afterwards turned into a limited company in 1865.

39,185. Was the formation of it proposed before you stood for Totnes ?—No, I had been solicited by Mr. Whitworth to be named as one of the promoters ; he thought he might possibly form his company into an incorporated company.

39,186. You had been solicited by Mr. Whitworth to take part in the company ?—Yes.

39,187. Did that solicitation take place in 1862 ?—I think it was in 1863.

39,188. Are you sure whether it was 1862 or 1863 ?—I have a little uncertainty as to whether it was 1862 or 1863. When I contemplated being a member of parliament I consulted my solicitor in London as to whether I could become a member of the company and a member of parliament at the same time.

39,189. You mean as to its being a contract with the government ?—Yes ; I was not then a member of the Whitworth company.

39,190. Were there not negotiations going on for you to become a member before you came down to stand for Totnes ?—I am not quite positive as to the date when the negotiations commenced ; they were carried on for a considerable time with other parties that never came to anything. The matter dropped.

39,191. Was Mr. Whitworth a great friend of yours ?—No.

39,192. Had you known him at all in Manchester ?—Yes, only in society.

39,193. He had not been mixed up with you in business ?—No.

39,194. How first came you to know of this borough of Totnes ?—I knew that Lord Gifford was dangerously ill.

39,195. You were acquainted with the Marquis of Tweeddale ?—Yes ; I knew that Lord Gifford was ill and not likely to recover, and that led to my looking to Totnes.

39,196. Was Totnes the first borough which you contemplated standing for ?—No.

39,197. Had you been in negotiation for a seat in parliament before that ?—Yes.

39,198. For how long ?—Probably 12 months before that.

39,199. For what place ?—Great Grimsby ; at the time a petition was presented about Great Grimsby against Mr. Chapman's return, in the event of Mr. Chapman being unseated I intended to become a candidate for Great Grimsby.

39,200. With whom had you communicated in London about the Great Grimsby seat ?—I did not communicate with any person in London. It was Mr. McDougall, in Manchester, a friend of mine, who named Great Grimsby to me.

39,201. Is Mr. McDougall a partner of yours ?—No.

39,202. Was he a gentleman who took a great interest in your getting a seat in parliament?—Yes, he did; he was very fond of politics; he looked into these things pretty much for me and communicated with me.

39,203. Did he say from whom he received his information about political matters?—No. I think, with regard to Great Grimsby, he went over there himself and got his information there. He saw some people there and came back and reported the matter to me.

39,204. Did you receive any information relative to the seat at Great Grimsby from the Liberal agents in London?—I should say not.

39,205. When did you first become acquainted with Mr. Drake?—I first became acquainted with him at the time Great Grimsby was being talked about. I went to see Mr. Drake, with one of the leading political men of Great Grimsby.

39,206. Had you met that person in London, the leading political man of Great Grimsby, at Mr. Drake's?—I went by appointment. There was an appointment made by Mr. McDougall, and I went to London and met him at Mr. Drake's office.

39,207. In fact then Mr. McDougall communicated between you and Mr. Drake?—No, I should say not. I do not think Mr. McDougall ever saw Mr. Drake. I believe I saw Mr. Drake long before Mr. McDougall ever saw him.

39,208. Then from whom did the communication come that you were to go to Mr. Drake's?—Mr. McDougall told me that a gentleman from Great Grimsby, I forget his name, was then in London, looking after the petition, and I was to meet him at Mr. Drake's office. I went to meet him at Mr. Drake's office.

39,209. Is he a solicitor?—No, I think he is a timber merchant; the son is a solicitor. I forget his name.

39,210. The negotiation about Great Grimsby having failed, you looked out for some other borough?—Yes.

39,211. Was the next borough that was brought to your notice Totnes?—Yes.

39,212. Earl Gifford I believe had been ill a long time?—Yes.

39,213. Were you introduced by the Marquis of Tweeddale to the Duke of Somerset?—No.

39,214. Before you came down here did you learn from the marquis whether anything had passed between him and the duke about your succeeding Earl Gifford?—I am confident that nothing passed. You are aware that the Marquis of Tweeddale is a Conservative, and I never consulted the marquis about coming here at all. He knew nothing at all about it.

39,215. Did you consult any of his sons?—No.

39,216. Did you know that Lord John Hay's name had been mentioned as a probable candidate for Totnes?—Yes.

39,217. Before you came yourself?—No, I read of it since in the papers.

39,218. You were not aware of it before?—No, it could not be, because at that time Lord John Hay was in China, serving with his ship, and I knew very little of Lord John Hay at that time. I have known a great deal about him since, but not at that time.

39,219. From whom did you first hear about Totnes?—As I have told you I knew the state of Earl Gifford's health. I then mentioned to Mr. McDougall that Earl Gifford was not likely to recover—such was the medical opinion, and his own friends held that opinion; and he had better go down to Totnes and ascertain what the prospects were at Totnes.

39,220. Can you give us the exact date of that?—That must have been in the beginning of October 1862.

39,221. What made you so anxious to go into parliament?—Well, at that time, it was about the time the cotton crisis took place, and I have always taken a very great interest in promoting the growth of cotton. I felt that I had some time on my hands, that my own business was not likely to be so active, and I might be of use in the House of Commons, not only to Manchester, but to the promotion of the cultivation of cotton in India, which I took a very great interest in. That was the first thing that led me to think upon it.

39,222. Was your business connected with cotton then?—Yes, entirely cotton—the manufactures of Lancashire, and those manufactures are sent abroad to India and China and different parts of the world.

39,223. That was the chief reason or the only one?—The principal reason. I had been mixed up very little in politics previous to that, unless it was on one occasion when I did take a part; and I think the only time when I took any prominent part in politics was in that fight that took place in Manchester when Bright and Gibson were unseated.

39,224. That was in 1857?—That was in 1857.

39,225. Then Mr. McDougall came down in October 1862?—I think that was the time; it must have been about October 1862—from the middle of September to the beginning of October, some time.

39,226. Before you took the step of sending Mr. McDougall down, did you make inquiries as to the position of parties in Totnes?—I did not.

39,227. Did you seek for any information as to the state in which the Liberal party was?—I asked Mr. McDougall to get some information as to the state of the borough when he went down.

39,228. How long did Mr. McDougall stay?—I suppose he may have been a day or half a day in Totnes, I am not quite sure.

39,229. Did he communicate with you by letter?—No, he came back at once.

39,230. And saw you at Manchester?—And saw me at Manchester.

39,231. Do you know whom he communicated with while he was at Totnes?—I think the first person he saw was Mr. Windeatt; I think they are both dissenters, and both attend the church of the same sect, and I think Mr. Windeatt afterwards introduced him to the Rev. Mr. Paull.

39,232. He is an Independent minister here?—Yes. And then there was some appointment made to meet Mr. Cuming in the evening. The result of that conversation led to Mr. McDougall's returning almost immediately. It was to the effect that in the event of Earl Gifford's death the seat was likely to be offered to Mr. Alfred Seymour, that Earl Gifford's seat was what was called the duke's seat at Totnes; and that Mr. Mills represented what was called the independent party; that if anything occurred to Mr. Mills that rendered his seat vacant, then the independent party would select their own candidate, and in that case would be very glad to open up communications with me. At that time Mr. Mills was hale and well; there was no idea therefore of getting it, and Mr. McDougall returned, giving up all idea of Totnes.

39,233. And did you hear anything more about Totnes until Mr. Mills' death?—I heard nothing; no, I wiped, as it were, the thing from my mind, and Totnes was given up.

39,234. Did you think about any other place in the meantime?—The time was so short, and I was at Brighton with my family. From the time Mr. McDougall was here until Mr. Mills' death I suppose it could not be more than five or six weeks, therefore I had not given it any attention.

39,235. When you heard of Mr. Mills' death were you in London or Brighton?—I was travelling from Brighton and reading the "Times" I saw Mr. Mills' death.

39,236. He was killed by an accident in the hunting field, was not he?—Yes.

39,237. When I got to London I found at my office a telegram from Mr. McDougall. A telegram had been conveyed to Manchester, and I believe he saw it before I did in Manchester. He immediately

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left Manchester and went to Totnes, or rather I think he telegraphed, if I am right.

39,238. Did he communicate to you that he was going?—Yes, he communicated to me by telegraph that he was going, and I think he telegraphed to Totnes that he was coming, and I think his telegram was the first announcement of Mr. Mills' death to the people of Totnes.

39,239. Then we have heard that he came down here and had a communication with Mr. Brooking Cuming, Mr. Chaster, and other members of that party, and that eventually a deputation went up to London to you?—Quite so.

39,239*a*. Did you ever hear that Mr. Seymour had come down at the time of that vacancy?—I did.

39,240. Did you learn from him that the Liberal party refused to recognize him as their candidate?—I was made quite aware of that.

39,241. Did the deputation communicate with you by telegram?—No, they came. I had a telegram from Mr. McDougall that a deputation would come from Totnes, and I met them at Fenton's Hotel.

39,242. And you made arrangements for their sleeping at Fenton's Hotel that night?—I think it is quite probable that I did for people who were coming to wait on me, but I would not be positive.

39,243. The deputation I believe consisted of Mr. Chaster, Mr. Cuming, and Mr. Charles Michelmore?—Quite so.

39,244. When did you first see them?—I think I saw them about breakfast time. I had arranged to go down to Shoeburyness with one or two friends to see some of the experiments going on there.

39,245. Was one of those friends Sir Emmerson Tennent?—Yes.

39,246. At that time were not you and Sir Emmerson Tennent very much mixed up in ordnance business?—No; as partners, or in what way?

39,247. Perhaps merely in interest?—In interest. I took for years before that very great interest in Mr. Whitworth's concern, long before there was any contemplation of being a partner; and I may as well as you are dealing with the Whitworth question give you all the information I can. I said to Mr. Whitworth, who had been working hard to get his guns introduced into the government, that he had a very uphill fight. I believed that Mr. Whitworth was one of the mechanical geniuses of the age, and I had great faith in his system, and when he was almost despairing I encouraged him. I said, "Go on; this "truth will prevail, as you will ultimately find, if you "will only persevere, and if at any time you feel that "you require assistance"—not pecuniary assistance, because the man is rich, and far beyond anything of that kind—"or want support in any way, I will be "prepared to take an interest in your concern, if at "any time you please to want it." At that time he had no idea of anything of the kind, and the thing went on some very considerable time; then he came to me and said, "That he felt it was a very large con-"cern, and he was a good deal annoyed and bothered, "and it would be better to have some little support," and that is what led to the formation of the company.

39,248. Do not you think that communication had taken place between you and Mr. Whitworth before the deputation from Totnes came to you?—I think it is very likely to have been a couple of years before that—two or three years.

39,249. You saw the deputation at breakfast?—Yes.

39,250. And they questioned you upon your political principles?—Yes; Mr. Chaster did very carefully.

39,251. And finding that your principles agreed with theirs, did they intimate to you that you would be a proper candidate for Totnes?—Yes.

39,252. Is that all that passed between you and them on the morning of that day?—That is all.

39,253. Did they lunch with you?—Yes. They went away, and I commenced to write my address, and they were to return and by that time I should have finished.

39,254. And when they returned to lunch had you the address ready?—Yes.

39,255. After lunch what conversation passed between you and the members of the deputation?—I remember talking to Mr. Cuming, and asking who was the ostensible head of the party. He told me he was the head of the party; he was the legal agent, and managed the Liberal party in Totnes. I then said to him, "Well, can you give me any idea of "what amount of money is required for the election "expenses?" He said, "If there is a contest it "may cost 1,200*l.* or 1,400*l.*; if there is no contest "the sum will be comparatively small."

39,256. When you asked that question as to what the cost would be did any one of the deputation leave the room?—I think Mr. Chaster said, "If you begin "to talk about money matters I will have nothing to "do with that," and I believe he either left the room, or I spoke with Mr. Cuming in the window, or something of that sort; but Mr. Chaster took no part in the conversation about money.

39,257. At that time did Mr. Cuming tell you for what the 1,200*l.* or 1,400*l.* would be wanted?—He did not.

39,258. Had you inquired what number the constituency of Totnes was?—No; well, generally speaking, of course I did, because I had the little book that is published giving the particulars of the constituencies.

39,259. And giving, I suppose, the elections that had been contested in Totnes?—Yes, I knew that.

39,260. From which you could judge fairly of what the relative strength of parties was?—Yes.

39,261. Did not it strike you that 1,200*l.* or 1,400*l.* was a very large sum to be asked for expenses for comparatively so small a borough?—I fancy it did not strike me much, because I had often been talking to members of parliament, asking the expenses of boroughs, the general, what you may call not legal expenses; still they were legalised by use and wont on the part of members of parliament, that every borough more or less had its price; and I simply looked upon Totnes as one of perhaps the least expensive, not the most expensive, of the boroughs that return members of parliament.

39,262. Had you any cost mentioned to you about Great Grimsby?—Yes.

39,263. Was it greater or less than Totnes. It was about 1,000*l.* or 1,200*l.*

39,264. The constituency of Great Grimsby is rather larger than that of Totnes?—Yes.

39,265. I must repeat my question. Did not it strike you as rather odd that so large a sum as 1,200*l.* should be wanted for so small a place as Totnes, for even legalised by use and custom expenses?—As I have told you the sum did not strike me as being unusually large, because I had so frequently heard larger sums named.

39,266. Had you always heard that those larger sums were paid and demanded in consequence of bribery being necessary?—I knew perfectly well that it must go in that way, but as I said before it seemed to have become part of the constitutional system, which I believed it to be.

39,267. You took the smaller of the two sums, I believe?—Yes.

39,268. When did you go down to Totnes?—I think I arrived at Totnes the day after Mr. Mills' funeral?

39,269. Did you bring the money down with you?—No.

39,270. How did the money come to Totnes?—After I had been in Totnes a short time, when it was evident there was to be a contest, I told Mr. Jack, a confidential clerk who was with me at the time, and he is here now to give any explanation, that he had better go to London and get 1,200*l.* or 1,400*l.*, and to take Mr. Brooking Cuming's instructions as to the disposal of the 1,200*l.*

39,271. How much was he to bring down?—Mr. Jack?

39,272. Yes.—He brought 200*l.* down; he paid in London, according to the instructions he received from

Mr. Cuming, 1,200*l.* to the account of Mr. Webber, a draper in Totnes.

39,273. Into what bank did he pay that?—I believe he paid it to a private individual; but he is here to give you the name. I did not know the name until the other day.

39,274. What became of the other 200*l.*?—He will be able to account for the other 200*l.* I believe it is stated in the account.

39,275. Before you sent Mr. Jack up for this money had you had any conversation with your supporters about the necessity of bribery in Totnes, or of spending money even?—I had a very great dislike to spend money illegally, and I was in hopes that there would be no contest; but when I found that Mr. Dent was going to contest the borough I spoke to Mr. Durant. I said to him, although I was not personally acquainted with Mr. Dent, various circumstances led me to be acquained with a good many of Mr. Dent's friends, that there was a grand opportunity for Mr. Dent and myself, both keeping entirely clear from anything like bribery, if we as gentlemen agreed to spend nothing in the borough but strictly legitimate expenses. I asked Mr. Durant to call on Mr. Dent, and state that I would come into any bond or obligation to fight the borough on pure principles, if he would consent to the same practice. Mr. Durant called on Mr. Dent, and the answer that Mr. Durant got was that Mr. Dent was in the hands of his committee, and he could not interfere.

39,276. We have heard in the course of this inquiry that Mr. Durant did call, and was not allowed to see Mr. Dent?—Well, the impression on my mind was that he had seen Mr Dent, and that Mr. Dent had said he was in the the hands of the committee. Well, a short time after that, when I was told that Mr. Dent was beginning to spend money, I wrote a letter to Mr. Dent, of which you have a copy before you, and to which I got no reply.

This is the letter:

"Sir, 5th Dec. 1862.

"I am desirous that nothing shall occur in "the present contest to cause any unkindly feeling "between us. We can I trust hold our political "differences of opinion, and advocate and maintain "them in an honest and not unfriendly manner.

"I have resolved to go to the poll, and I feel "assured of success. I have made a careful personal "canvass. I have not relied solely upon the state-"ments of others, nor upon any doubtful expressions "of voters, but upon positive promises, and I have "made up and checked the canvass for myself. I am "thus enabled *of my own knowledge* to assure you "that there is a considerable Liberal majority in the "borough, and I have a firm belief that this majority "will not violate their pledges to myself.

"Had I found a different state of opinion existing "in the borough I should have retired from the "contest.

"I regret that your late arrival, and subsequent "absence from the borough, cannot have allowed you "the opportunity of in a like manner determining for "yourself from a positive canvass the relative strength "of parties.

"It has been from the first my most earnest desire "that this contest should be conducted purely. It "seems to me not merely to lower the constituency "when corruption is suffered to exist, but to lower the "standard of the representation itself. I desire by "fair means and honestly, and so I shall have nothing "to regret, nothing to be ashamed of to represent "this borough. I desire to exalt not to disgrace "the borough by the election, and I cannot help "feeling you must have this desire in common with "myself, and that in common with myself you will "deprecate all unfair and dishonourable dealings "with the voters. I have felt it due to you, both "as a brother merchant, and from my intimacy with "your uncle Mr. Wm. Dent, to write thus frankly to "you.

"Accept the assurance of my sincere desire that, "the election over, no ill feeling may remain between "us.

"I am, &c.,

"John Dent, Esq. John Pender."

39,277. I understand you to say you received no answer to that communication?—I received no answer. Mr. Mitchell called.

39,278. I want to put one question on that. Who had come down to Totnes with you, or while you were there, of your own friends, who were strangers to the place?—The only friend with me was Mr. Mc Dougall.

39,279. Was not Mr. McHaffie down here?—He came later on.

39,280. After you wrote this letter?—Yes. I think he came the day of the nomination, or the night before the nomination.

39,281. And you had no reply, but Mr. Mitchell called?—Yes.

39,282. And did you see Mr. Mitchell?—Yes; and he stated that Mr. Dent felt very indignant at my imputing to him matters which I had no right to do, that I had imputed to him bribery; and I said if Mr. Dent would write me a letter, I was not prepared to accept the message, but if he would read my letter, and send me a written reply, I would be better satisfied. Immediately Mr. Mitchell retired, and I then wrote a few lines further to Mr. Dent, merely drawing his attention to the first letter, which I think you have also.

39,283. There was a letter written on the 6th of December 1862.

"Dear Sir,

"I have just had the pleasure of an interview "with Mr. Mitchell, who has informed me of your "intention of going to the poll. I learned from him "with some regret that you considered some passages "in my note of yesterday were capable of being "interpreted to imply a disposition on your part "to allow of corrupt practices at this election. On "re-reading, since Mr. Mitchell left me, my letter, I "am unable to find a single sentence capable of "bearing such an interpretation. On the contrary, "after reference in my letter to the evils of corruption, "my own most earnest desire to see them put an end "to, and my resolve to carry this contest through "purely, I state that I cannot help feeling you must "have this desire in common with myself, and that "in common with myself you will deprecate all un-"fair and dishonourable dealings with the voters. I "should have been glad to have heard from you in "acknowledgment of my letter, and accepting this "condition of the contest.

"I reserve to myself the right of publishing this "correspondence.

"I remain yours,

"John Pender."

At that time had you sent up Mr. Jack for the money?—I am not quite satisfied of that; it is very possible I may have done so. I rather think the money was sent when it was quite evident that there was to be a contest, but the figures will show it.

39,284. The entry in Mr. Jack's account is, "December 1865, remittance to Mr. Windeatt on "account of election expenses, 1,200*l.*;" must not your instructions to Mr. Jack have preceded the 5th of December?—What is the date of my first letter?

39,285. The 5th.—Then it must have been the day previous.

39,286. Did you in fact send Mr. Jack up to London in order to get the money before you wrote the letter?—Yes, I was asked for the money by Mr. Cuming. I may mention that when Mr. Cuming told me I must send down this money, he said there will be nothing of this used unless there is a contest.

39,287. Who were the persons who acted upon your committee here?—There was no committee.

39,288. Who were your principal advisers or legal people in Totnes?—The principal were Mr. Chaster,

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Mr. Windeatt, and Mr. Thomas Michelmore; Mr. Brooking Cuming was the legal adviser.

39,289. Mr. Jeffery Michelmore?—Mr. Jeffery Michelmore.

39,290. Mr. Charles Frederick Michelmore?—Yes, he was.

39,291. Mr. Huxham?—No, he was not; there was some feeling at the time betwixt Mr. Huxham and Mr. Cuming. Mr. Huxham never interfered at all; in fact he did not vote; he took no interest in it.

39,292. Mr. Holman?—Mr. Holman was.

39,293. Now besides those had Mr. Bowden anything to do with you and the election?—No, he kept aloof, and only appeared on the talking occasions.

39,294. Did Mr. Michelmore give you to understand that you were to have the support of the duke's interest?—Quite so, I would not have come down under any other idea. I was given to understand in London by the deputation that I would have the duke's interest.

39,295. You know when the deputation came up to you in which the duke was represented, did Mr. Thomas Michelmore lead you to believe that you would have the duke's support?—I did not see Mr. Thomas Michelmore in London.

39,296. Was not he one of the deputation?—No, Mr. Charles Michelmore.

39,297. He was to all intents and purposes the representative of the duke?—No, I think not.

39,298. There was no person directly representing the duke?—No, but it was represented to me that there was an understanding with the duke's party that any candidate brought forward by the independent party would have the full support of the duke, and when I came down Mr. Jeffery Michelmore canvassed with me.

39,299. Did you receive an intimation that some disagreement between the two parties of the Liberals had been reconciled?—No, I was not aware of that.

39,300. You found that it had been, and you had a majority?—That was my conviction.

39,301. Did you find the voters when you canvassed them ready to promise their votes?—There were a few that did not. But I called pretty much in coming up the street at almost every door, whether Conservative or Liberal, and some would not promise.

39,302. When, after you wrote that second letter to Mr. Dent, did you have any further communication with him before the nomination day?—Not before the nomination day.

39,303. When did Mr. McHaffie come down?—I think the night before the nomination. I was a little astonished at Mr. McHaffie coming.

39,304. He is a partner in your house?—He was then a partner; he is now, fortunately, not.

39,305. Was Mr. Percy Salmon your secretary then?—No.

39,306. Was he down here at all?—He came down here, I think, in December 1864.

39,307. Was he not here at the election of 1862?—No.

39,308. Was there a Mr. Moore down here?—Yes.

39,309. When did he come down?—He was a friend of Mr. McDougall. I never knew Mr. Moore before the Totnes election. Mr. McDougall told me Mr. Moore was a very able speaker, and that he would be very useful in Totnes as a great freetrader, and be rather attractive as a speaker, and we might have some meetings where he would be useful.

39,310. How long before the election did he come down?—I rather think he met me and Mr. McDougall at Exeter.

39,311. He came down with you?—I think so.

39,312. After Mr. McHaffie came down did you have some conversation with him about bribery?—No, nothing.

39,313. Did he not say something more than that about it?—No, not that I recollect.

39,314. Did you not tell him that you would prefer not having any bribery?—I do not think I had any conversation with Mr. McHaffie about it. I was rather displeased at his coming down; in fact I saw very little of him indeed.

39,315. Did you not tell him that, and did he not say to you, "You want to win," and did not you say, "Yes?"—I am not aware of it. I am not aware of any conversation of the kind.

39,316. Did he say after the expression, "You wish to win," will you leave that to me?—Oh, certainly not.

39,317. Did that conversation pass with Mr. McDougall?—I do not know what passed betwixt them.

39,318. Between you and Mr. McDougall?—No, because he was as much opposed to bribery as I was.

39,319. I suppose after you had not received any answer from Mr. Dent, and Mr. Mitchell had objected to the strain in which your letter was couched, it then became apparent to you if there was a contest you would have to spend 1,200*l.*?—I had no doubt if the contest went on that money would be spent.

39,320. What communication passed between you and Mr. Dent or Mr. Dent's friends on the evening of the nomination?—On the evening of the nomination, I think it was somewhere about midnight, there was a report, first, that Mr. Dent had retired; immediately after Mr. Brooking Cuming came to me and said a proposition had been made to him that Mr. Dent would retire on condition of my paying 2,000*l.* and Mr. Dent being allowed to walk over at the next election; my answer was, as to the money part of it I could easily give an answer, that was that I would do no such thing, I would entertain no such proposition. As to the other part of it I had no right to give an answer at all.

39,321. Were you not, at the time Mr. Brooking Cuming came to give you that message, sitting in one of the downstairs rooms of the "Seymour," with Mr. Chaster?—I think Mr. Chaster was in an adjoining room.

39,322. Did you go in and consult Mr. Chaster about the offer that had been made?—I declined at once, and then I went in and told Mr. Chaster. Mr. Chaster said I was quite right, and the thing could not be considered for a moment, "Do not entertain anything of the kind."

39,323. Did you yourself go out of the "Seymour Hotel" that night and see any person on the bridge?—No.

39,324. Did you see any person you knew except Mr. Brooking Cuming?—Mr. Windeatt and Mr. Chaster.

39,325. Did you converse on this subject?—No.

39,326. Did you have any conversation with a person of the name of Searle that night?—No.

39,327. Did you hear from Mr. Brooking Cuming that there were large numbers of men holding out, and they would refuse to vote unless they were paid?—No, he asked me to consider the proposition about the 2,000*l.* and I said certainly not.

39,328. Did Mr. Brooking Cuming tell you, when you were desired by him to consider the proposition of the 2,000*l.*, that there might be some doubt about the election, because a number of men were holding out?—It is quite possible he may have used arguments. I do not remember the arguments he used. I remember he urged me to give the 2,000*l.* My mind was quite made up and I declined to enter into it.

39,329. In the course of his arguments did he not tell you there were a number of men holding out who wanted a very large sum of money for their votes?—I should say he did not make that statement.

39,330. Did you ever know, before the election or early after it, that there had been a number of men holding out who had asked 1,000*l.* for their votes?—I heard of it afterwards.

39,331. How long after?—In 1863; not in reference to my election; it was in regard to Mr. Seymour. I never heard that any party were holding out with regard to my own.

39,332. You refused the offer, and Mr. Cuming went over to the "Seven Stars?"—Yes.

39,333. Did he come to you and make a communication to you?—He came back and told me that Mr. Dent had retired unconditionally.

39,334. You were not sorry to hear it?—Of course I was very much pleased, because I felt that the election had been gained without any bribery; that was my impression at the moment. Within a very short time, or at all events on the morning of that day, I, under the impression that the 1,200*l.* I had sent down or ordered to be paid to Mr. Cuming, or that a very small part of that money, would be expended for election purposes, I agreed to give 1,000*l.* for the benefit of the town, for the benefit principally of the poor, but my primary object at that time was that the larger portion of it should go to the British Schools; I found in going over the ground that the British School had a great number of poor children in it. It had been represented to me as a school that was very much in need of a little assistance, and was likely at that time to lose the schoolroom. I believe they did lose it, and went into a sort of loft, a place that was not fit for children. I gave this sum of money, stipulating that a portion of it, 500*l.* or 600*l.*, was to be given towards this school. I believe the school is built.

39,335. Did any person tell you at all what the estimated cost of the school was?—No, they asked me to get a plan of the school made at Manchester by a brother of Mr. Paull. I got a plan of the school, and his estimate was 1,500*l.*; that was far beyond what I had said.

39,336. Was it after you had given the 1,000*l.*?—It was after that we were talking about it.

39,337. Did you nominate certain persons who were to act as a committee for the distribution of the money?—I requested them to appoint a committee.

39,338. Do you know that every member of that committee was a supporter of your own?—I believe so. I believe that at the same time some of the other parties had been requested to act. I beg pardon—I think there is one member of the committee who was a very decided opponent of mine.

39,339. Who is that?—I think Mr. Oldrieve, a surveyor.

39,340. Did you, except expressing an opinion that a considerable portion of it should be appropriated to the British Schools, direct how the rest should be distributed?—No, I took no part in it.

39,341. You went to the poll and certain persons voted for you?—The poll was opened, and I believe there was a legal question whether Mr. Dent had retired before 12 or after 12.

39,342. The candidates had been nominated?—It was considered that to prevent anything like a mistake it was necessary to open the poll.

39,343. You got 160 and Mr. Dent five votes?—170, or something like that.

39,344. How soon after the election did you leave Totnes?—I believe that I left on the day. My family were at Brighton, and I was very anxious to get back to them.

39,345. Did Mr. McDougall stay with you?—I am not certain whether he went away that night or the following day. I could not say exactly when he left. I was going to Brighton and he was going to Manchester, so we went in different directions.

39,346. You heard of the vacancy that took place on Lord Gifford's death?—Yes.

39,347. Had you been to Totnes between that election and Mr. Seymour's election?—No.

39,348. Did you come down at the time of Mr. Seymour's election?—No.

39,349. Or make any communication by writing or otherwise to the people of Totnes at that time?—Not that I am aware of.

39,350. Had you seen Mr. Seymour before he came down?—No; I had a communication that he was desirous of seeing me if I was in Wiltshire. I was in Brighton and I went on to Manchester.

39,351. Did he not write to you, or you to him, or any mutual friend write on his behalf?—No.

39,352. Did not some communication take place between you and someone?—No communication, beyond simply a friendly desire to make my acquaintance, nothing in regard to money matters.

39,353. Did he not consult you about the expenses of contesting Totnes?—No.

39,354. Mr. Oldrieve was not one of the committee?—I was under the impression that Mr. Oldrieve was one of them. I think Mr. Chaster told me that he was.

39,355. When did you first hear anything more about Totnes after your election?—I think the first thing I heard about it was Mr. Seymour's return. I received a telegram to the effect that he was returned.

39,356. When did you get the telegram?—I scarcely remember that, but no doubt the particulars can be had at the telegraph office. I had some friends with me at the time, and I think I received it just as we were going in to dinner.

39,357. Had you directly or indirectly in any way whatever anything to do with the spending the money at Mr. Seymour's election?—I had nothing to do either directly or indirectly in spending money at Mr. Seymour's election in 1862.

39,358. Or authorizing it to be spent?—Or authorizing it.

39,359. Or intimating that you would repay it if it were spent?—Or intimating that I would repay it. I had nothing to do with it. I was never asked, and I never volunteered.

39,360. Have you ever been asked since to repay any of the expenses incurred at Mr. Seymour's election?—No; but about the opening of parliament I was anxious to go into parliament, knowing that every expense had been squared. I asked Mr. Mc Dougall to go down and get an account of the 1,200*l.* that I had paid to Mr. Brooking Cuming; he came down, and instead of getting as I expected an account of my 1,000*l.* to pay for the schools I found there were bills for a considerable amount, which statement I have placed in your hands.

39,361. I want to know, upon that, did Mr. Mc Dougall receive from Mr. Brooking Cuming any account of the way in which the 1,200*l.* was expended?—He went down to Totnes for the purpose; he never could get any account, and instead of getting an account of the 1,200*l.* he found that there were other accounts to be paid.

39,362. 1,000*l.* more to be paid with regard to the election?—Yes.

39,363. So that in reality the unopposed election of 1862 cost you 2,256*l.* 10*s.* 1*d.*?—Quite so.

39,364. When you learned that you began to know in what way the 1,200*l.* had been expended?—Quite so.

39,365. Did you ever make any inquiry about how it was expended yourself?—No, I did not.

39,366. Did you never ask Mr. Brooking Cuming about it?—Mr. McDougall was acting for me when he told me that no account could be got; I then was satisfied that the money had been disbursed in a way that I did not expect, because Mr. Dent having retired I thought I had gone in really clear of bribery. But that led to my getting a different view of my position in Totnes; of course I lamented my folly, the first time I came down to Totnes. Six or nine months after that I sent down a cheque for the 1,000*l.* I had promised to give for the schools, and it gave rise to some feeling on my part about Mr. Brooking Cuming; and the end of it was Mr. Cuming ceased to be my agent.

39,367. (*Mr. Coleridge.*) In this account there is, "To Mr. Tucker by McDougall 317*l.* 6*s.* 1*d.*, do you know what that was for?—I believe it was for the legal expenses.

39,368. There are also two sums of 6*l.* 1*s.* 6*d.* and 39*l.* 12*s.* 6*d.*, then there is to Mr. Cuming 315*l.*, do you know what that is for?—No. I may mention to you that all those accounts have passed through my

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business books, and they are open to be examined as to the different figures.

39,369. (*Mr. Coleridge.*) March 31st, to Mr. Mc Dougall, 32*l.* 3*s.* 10*d.* ?—I suppose that was the hotel bill.

39,370. At the "Seymour Arms ?"—Yes.

39,371. Then the full total is 372*l.* ; and there is the item of 6*l.* odd, and one of 39*l.*, and Mr. Cuming 315*l.* That was not paid till September 2nd, 1863, nearly a year after the election ?—I may tell you there was some little unpleasantness that arose about those accounts, and that gave rise to an estrangement that broke off Mr. Cuming's agency.

39,372. No bad feeling arose between you and Mr. McDougall ?—No, he was merely a friend. He will be able to explain this, I have no doubt, because the difference in date and the sums not being paid no doubt arises from the feeling that I had, that I had been called on to pay sums beyond what I believe I had any right to pay.

39,373. (*Mr. Bere.*) Can you tell whether when Mr. McDougall came back from Totnes he told you that the whole of that 1,200*l.* was expended, and not only that but that there were further sums that would have to be paid ?—He told me that.

39,374. He told you that there were bills unpaid ?—Yes, I have a very good idea of the amounts.

39,375. How did Mr. McDougall pay that money, was it by cheque, or how did he pay it ?—You will find it stated, and how it was paid.

39,376. It is only by Mr. McDougall ; did he draw the cheques ?—No, my house would give him the cheques.

39,377. Was Mr. Jack the cashier ?—He is a confidential party ; he knows all my affairs, and everything is open to him.

J. Jack.

JAMES JACK sworn and examined.

39,378. (*Mr. Bere.*) Have you got the particulars of all these accounts ?—Not of those paid by Mr. Mc Dougall, the accounts current showing what he got from us, and how he disbursed them.

39,379. Cannot you from the books discover the items making out these amounts paid by Mr. Mc Dougall ?—Yes, I know he got several sums.

39,380. There are certain entries of payments by Mr. McDougall on Mr. Pender's behalf of which the items do not appear, have you any means of ascertaining what those items are ?—I have got his own account current.

(*Mr. Pender.*) You must have Mr. McDougall ; I can telegraph for him.

(*Mr. Jack.*) I wrote to him yesterday to come down with me ; I think he said he could not conveniently leave his business.

(*Mr. Pender.*) I am anxious that he should be here, as he knows the whole thing.

39,381. (*Mr. Bere.*) What are those other accounts that you have there ?—How the 2,000*l.* were disbursed ; I have got that, and the name of the person who got the money in London, the 1,200*l.*

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Mr. JOHN PENDER's examination resumed.

39,382. (*Mr. Bere.*) When you found that such a large sum had been expended, and that there were some sums still owing, did it not cross your mind that the sums expended might have had some influence on Mr. Seymour's successful return ?—I have no doubt that my having fought it before Mr. Seymour came into the field, though he did not know it at the time, had some effect. I have no doubt now that the money that was expended more or less may have had that result. That is my impression now.

39,383. (*Mr. Coleridge.*) Fought and fed the borough ?—I fancy it was so ; I suppose the men had got the money then.

39,384. At the "Seymour Arms" ?—I am not aware of that ; I merely presume that it more or less assisted Mr. Seymour's election.

39,385. (*Mr. Bere.*) Did either Mr. Windeatt or Mr. Brooking Cuming or Mr. Michelmore ever say to you that though the expenditure was larger than was expected, it had done the Liberal cause a great deal of good ?—No, there was no apology made to me at all.

39,386. You were still determined to perform your promise as to the payment of the 1000*l.* to the charities ?—Yes.

39,387. When did you pay it ?—I must have paid it about 1863 ; I am not sure whether it was not 1864.

39,388. In 1864 was it ?—You will find the date there ; I was not very often at Totnes ; it was some considerable time after ; it must have been 12 months afterwards.

39,389. On the 26th of May, 1863, were you down here ?—Yes.

39,390. You paid it by cheque to Mr. Chaster ?—I gave Mr. Chaster a cheque, and I remember telling him this. I said, "I am afraid you are slow in Totnes, "and if this school is not completed in 12 months I "must call upon you to return the cheque."

39,391. Can you remember at all upon what bank that cheque was drawn ?—I think it was a cheque on Overend, Gurney, and Co. ; I think I would have received it from them.

39,392. Did you draw it in your own name or "John Pender and Co. ?"—No, in this way : Frequently in the course of business (for I did a large business with Overend and Gurney in discounting commercial bills) I received from them a cheque, a crossed cheque, on their bankers, Messrs. Barclay, and I rather think this was one of Barclay's cheques ; I am not quite sure.

39,393. No, it is not, it is to "Colonel Willoughby, Mr. Chaster, and Mr. Michelmore, 1,000*l.* gift for public purposes ?"—Mr. Jack will be able to give you the information as to who the cheque was upon ; he can easily give it from the books.

39,394. You were down here in 1863 ?—I was.

39,395. Did you have any conversation with Mr. Michelmore at all about the relationship between your party and the duke's ?—I had a conversation which was a very important one. It occurred in 1864, about 12 months previous to the general election.

39,396. I think it must have occurred very early in 1864 ?—No, I beg pardon, it was more likely to be in December, 1863, we came down.

39,397. You came down with Mr. Seymour in 1863 ?—Yes.

39,398. (*Mr. Bere.*) When we adjourned, I was just going to ask you about a conversation that took place between you, Mr. Michelmore, and Mr. Seymour, in December, 1863, when you and Mr. Seymour were down here. Will you tell me what the effect of that conversation was, if you cannot remember exactly what took place ?—I remember very well the heads of the conversation ; I was then very well aware that the duke's influence was very considerable, and it was necessary, in the event of a double election, that I should exactly understand my position, and the conversation was opened upon looking forward to the general election. I then stated that it would be well that we should understand the principle on which that election should be conducted, that I should not like to be made the scape-goat, that I should not like to go on paying money, and that when it came to a narrow press, or a close run, I might possibly, being a stranger, be thrown overboard, and my colleague be returned. It was done with a perfectly frank business-like way, and to the late Mr. Michelmore, I am sorry to say he is not here, I stated the principle must be of dividing the expense, and that the successful candidate, if there was one successful, must pay two-thirds, and in the event of a very close run, if it was necessary that one Liberal should be sacrificed, that the decision must remain with the independent

party, and not the ducal party, and that was recognized as the principle upon which the election of 1865 was to be fought.

39,939. Was that arrangement ever reduced into writing?—It was not, but it was acknowledged by Mr. Seymour, and Mr. Chaster was present; it was not reduced to writing; it was understood, and I acted upon that.

39,400. Did you make any note of that?—No, I do not think I did; I acted upon it.

39,401. Do you keep a diary?—No, I do not; and perhaps I may tell you, being situated as I am in business, my business being a very large one, involving a large amount and a great variety of amounts, I dare not trust myself to keep it with my own head or with my own hands, and I desire to have it all done by my establishment.

39,402. You have a private cash book?—That is not kept by myself, but by one of my cashiers, at least what I call private. It is not open to all the clerks. Mr. Michelmore at that interview stated that at a contested election 2,000*l.* would be likely to carry it. I think some of the gentlemen remarked something less would do, 1,500*l.*, 1,200*l.*, or 1,400*l.* might do; but Mr. Michelmore said, "You must make up your mind, "if there is a severe contest, that 2,000*l.* will be re- "quired," and from that time forward I looked at Totnes, in the event of a double election, as costing about a couple of thousand pounds for the Liberal party.

39,403. Did you find that you could trust any statements of the expense of Totnes after the way in which you had been deceived in the election of 1862, when, thinking it would cost you nothing, or comparatively nothing, it cost you 2,256*l.*?—When I was asked for the money for the election purposes of 1865, I gave it to Mr. Chaster, because I thonght the money would be fairly dealt with, and I had implicit confidence in him.

39,404. Look at that letter (*handing it to the witness*); was that arrangement alluded to which is stated in that paragraph of the letter?—I should say so.

39,405. From time to time, I suppose, you sent money to Totnes for the purpose of paying your subscriptions to the charities?—Yes.

39,406. You had had a dispute with Mr. Brooking Cuming or a misunderstanding with regard to the amount of his account, and I believe you asked Mr. Chaster and Mr. Holman and a third person to go through that?—I asked Mr. Chaster to act as my friend.

39,407. And Mr. Holman and another person went into Mr. Brooking Cuming's bill and struck off certain items?—Yes. I may mention that it has been suggested to me that this large amount in 1862, of which I complained so much afterwards in 1863, that a good deal of this money might have been paid for old scores which Mr. Mills ought to have paid or Mr. Cuming. That has been suggested to me since I have been examined, and a particular bill that you have referred to, the *quo warranto* bill, I believe ought to have been paid by Mr. Mills. Mr. Cuming had rendered an account which was considered exorbitant. That account was looked into by the parties who made the bargain with Mr. Cuming when he took the business in hand, and they decided that 100*l.* as against 120*l.*, or some such sum, was fully more than they considered he was entitled to, and I believe they stated the sum under a hundred pounds, and I sent a cheque for 100*l.*

39,408. Eighty some odd pounds, and Mr. Chaster recommended you to send a cheque for 100*l.*, and you sent it?—Yes.

39,409. That cheque Mr. Brooking Cuming refused?—Yes.

39,410. When the deputation called upon you, did any person give you to understand that the money you were to bring down to Totnes would be required for the payment of back accounts as well as the payment of the expenses of the election?—No. They did not make me aware of anything of that.

39,411. Did you know from anybody before you came to Totnes that there were back expenses?—No, I did not.

39,412. As far as you know, the 1,200*l.* was to be spent on the business of the election?—Yes.

39,413. I want just a little explanation about how the 1,200*l.* came here. Did you give a cheque for it?—No; I instructed Mr. Jack to go to the Joint Stock Discount Company, and if there was no money there——

39,414. Were you a shareholder there?—Unfortunately. But it was not the Joint Stock Company then, it was afterwards. Mr. Wilkinson was then the manager on his own account; and I told him to go to Mr. Wilkinson, and if there was no money to my credit, to get from Mr. Wilkinson 1,400*l.* Mr. Wilkinson I believe did not know Mr. Jack, and there was no money to the account, and he telegraphed to Manchester to pay Mr. Jack a sum of 1,400*l.* They replied that they would pay it, and then they sent up the same evening certain bills of exchange, which he discounted. He took the 1,400*l.* and paid the balance into the Union Bank, and the name of the party that Mr. Jack paid the money to he will be able to state.

39,415. We will ask Mr. Jack about that. But what I wanted to know was whether you had any private account at any time upon which you drew for money?—Nothing of the kind.

39,416. Have you any private account at all?—Yes, I have a small private account, but it is not worth mentioning.

39,417. Why did you not draw upon that?—I had not got it at that time. I am a director in several institutions, and instead of putting the honorarium which I received into my general business I put it there; and I sometimes buy a picture or something or that kind.

39,418. I do not want to inquire into your private business arrangements; but was that private account opened after the election of 1865?—I think it was. I may mention that that account has never exceeded 1,500*l.*, and I can give you the cheque to show you how that has been disposed of.

39,419. Now from time to time I suppose you went either to Mr. Cuming or to Mr. Chaster to pay subscriptions?—Yes.

39,420. How was it?—I gave an order upon Manchester.

39,421. Upon what bank?—It might be upon the London or the Manchester Bank.

39,422. What London bank would it be?—It might have been Overend, Gurney, and Co.'s, or Alexander's.

39,423. Would it not be on the Consolidated?—No, I think not; because my account with the Consolidated is in Manchester and not in London.

39,424. Did you ever draw cheques for the payment of your subscriptions for the charities of Totnes on a Manchester bank?—I should think so. But every cheque that has been drawn, I may mention that I want to give you an accurate statement about, and every cheque that has been drawn will be stated in the account.

39,425. I cannot tell how the cheques were drawn, but did you when you sent a cheque ever send down a cheque drawn upon the Manchester bank?—I think it is very likely; I think more than likely; but if it is not shown there, we can give you the day and date of every cheque sent. It is a matter of detail which there is no difficulty in ascertaining.

39,426. I suppose you receive an income for your private maintenance from your directorships, your business, and estates?—Yes.

39,427. Where are those rents paid?—They all pass through my business books. I am the only partner.

39,428. It is your account and nobody else's?—Yes.

39,429. Then it is your private accounts?—Yes. The only thing is, that for those accounts there is my principal accountant, who keeps an account of the items.

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39,430. Have you any account in Scotland?—Yes.

39,431. At Glasgow?—Yes, quite open to send you everything. I have accounts in Glasgow. It is quite a distinct business.

39,432. When did your partnership cease?—I think it ceased about the middle of 1864.

39,433. Here is the account of the subscriptions which you paid since 1863, down to the 25th January, 1866?—I think there is a statement of them all.

39,434. With regard to the first there is no statement of how the various sums were paid; can you tell from your memory (Mr. Jack will tell us by-and-by) whether you drew cheques for each individual subscription, or sent one large cheque for the number of subscriptions?—As far as I recollect I think there are some of the cheques sent to the different institutions in small cheques, and after the break with Mr. Cuming, I think they were generally sent to Mr. Chaster in one sum, and he disbursed them in the different ways.

39,435. I see there was a different way of managing on the 22nd January 1866, but up to that time I find no entry of a cheque for a large sum of money, but for small sums?—I think they were all sent in small sums.

39,436. I ask the question again, can you say whether any of those cheques were drawn on the Manchester Bank?—I could not positively say; but I should say it is more than likely. But I may say that we can give you every information.

39,437. Had Mr. Jack the power of signing cheques?—No.

39,438. You were the only person?—Mr. Kenworthy has.

39,439. Had any arrangement been come to between you and Mr. Seymour with regard to the proportion of the expenses that you as members were to subscribe to the charities?—No.

39,440. Were you not always to give twice as much as he?—No, no arrangement. I was under the impression, and I believe I named it more than once, that I did not wish, although probably at the time I may have had a little more money to give in the charities than Mr. Seymour, I did not wish to put it forward in any way to Mr. Seymour's disadvantage; I rather wished to be on a fair footing with Mr. Seymour as far as possible.

39,441. Did it practically happen that your subscriptions in a great many instances were twice as large as Mr. Seymour's?—It was quite possible. I asked what subscriptions there were. As occupying the seat that Mr. Mills had held, I asked them to send me a list of those subscriptions that Mr. Mills had been in the habit of paying, and I believe I have conformed to that list.

39,442. You paid what Mr. Mills, and perhaps Mr. Seymour paid what Lord Gifford had been in the habit of paying?—Yes, very likely.

39,443. In 1865 you found there was to be a contest?—Yes.

39,444. Had you at any time seen Mr. Dent between the elections of 1863 and 1865?—Never spoke to him, never met him. I had heard from Mr. Dent's friends little stories of course.

39,445. Did you know that Mr. Dent was not going to stand again?—I always understood that Mr. Dent would not come to Totnes again.

39,446. Did you understand that the reason was that he had spent a great deal of money?—Yes.

39,447. Did you come to Totnes before Colonel Dawkins, or after him?—I think I must have come just about the same time.

39,448. Was it not after?—I am not quite sure. I do not remember.

39,449. Would not this circumstance bring it to your recollection. Were not Mr. Chaster and Mr. Holman both strongly of opinion that you came later than you ought to have come?—Yes.

39,450. Was not that in consequence of Colonel Dawkins being in the field before you?—I think it is very likely.

39,451. When you came down in 1865, you thought, as you told us, that 2,000*l.* would be wanted?—Yes.

39,452. Had you made arrangements as to how that 2,000*l.* should be transmitted if it was wanted?—Yes. The thing was quite clear in my mind, and I came prepared, in the event of 2,000*l.* being required, with cheques in my pocket.

39,453. Did you pay into the National Provincial Bank on the 30th June 1,873*l.*?—No; I will explain that transaction, because there has been a great deal of mystery about it. As I mentioned to you, I had got cheques for 2,500*l.*

39,454. What do you mean by "cheques?"—In discounting certain commercial bills of Overend Gurney, I took part of the proceeds, and there was a cheque upon Barclay's. I took a sum of 2,500*l.* in five cheques, and when I came down here, I placed 500*l.* in the Devon and Cornwall Bank.

39,455. You did not do that till the 4th July?—That is quite possible. I did not mention the date. I placed 500*l.* of that 2,500*l.* in the Devon and Cornwall Bank, and the other 2,000*l.* I had in my possession. During the time that I was here, I received, amongst my private letters, a dividend warrant for 1,800*l.* odd. Instead of sending that dividend warrant as I would have done under ordinary circumstances if I had been in the country anywhere else, I paid that into the National Provincial Bank, they having a branch in Manchester, and also a headquarters in London, so that I might receive the money at any time that I wanted it, and save the risk of transmitting it through the post, and so enable the money to be earlier collected. That money lay there, and never was touched until after the election, when it was drawn out by my order for Manchester, and absorbed in the general business of "John Pender "and Co."

39,456. Were you in the habit of receiving dividend warrants from the Atlantic Telegraph yourself?—It was not the Atlantic Telegraph; it was the Telegraph Construction Company.

39,457. Were you in the habit of receiving money yourself, or was it sent to your business?—My firm in Manchester is John Pender and Co. My name as a shareholder in banks and companies is "John Pender," so that all letters with dividends are addressed to John Pender; and that no doubt went on to Manchester first, and being a private letter, was sent on to Totnes. They did not know what its contents were, and it was sent amongst my private letters. I found it to be a dividend warrant, and paid it to the National Provincial Bank.

39,458. (*Mr. Coleridge.*) You made no arrangement before to have it sent here?—No. And I think Mr. Heald, who is now my secretary, will be prepared to state to you that it is a common thing at the end of the half-year, wherever I am, they are to send to me, because I do not allow my office in Manchester to open my private letters.

39,459. (*Mr. Longe.*) No one is authorized to open the letters of "John Pender?"—No. But "Pender and Co." are all opened.

39,460. (*Mr. Bere.*) Would that be a warrant payable to order?—It was a sort of cheque.

39,461. That crossed would have been quite sufficient to have sent by post?—I do not know whether it was crossed.

39,462. You could have crossed it?—I might have done so.

39,463. Was it not really for the purpose of giving the National Provincial Bank, the manager of which was a good supporter of yours in Totnes, a little profit on the money?—It is quite possible.

39,464. Had not it been suggested to you by Mr. Chaster, that you might open an account at the National Provincial and the Devon and Cornwall Bank?—I think Mr. Chaster was present when I opened the letter, and I rather think I said, "I may as well collect that at once," and I think he suggested it might be sent through the National Provincial, knowing that the National Provincial had a place in

Manchester and also in London. I thought it the perfectly right thing to do.

39,465. (*Mr. Coleridge.*) As your son mentioned it, just explain something. There were a large quantity of telegrams which we got. I asked your son what the telegraphs of Pender to Pender could be, and he said at the time that Mrs. Pender was not in Manchester, and it must have been to your house. They were not Pender to Pender and Company?—In telegraphing, you reduce it as much as possible.

39,466. They were not telegraphs to your family?—No, I think not.

39,467. Your son said that your family was not in Manchester at the time?—I think they would have been to the house. I do not remember whether Mrs. Pender was in Manchester or in Wales.

39,468. I think your son said she was in Wales?—I do not know.

39,469. Telegrams of Pender to Pender would be opened?—Yes. They open all telegrams, but the telegrams would speak for themselves.

39,470. (*Mr. Bere.*) Are you director of any telegraph companies?—Yes.

39,471. What of?—The British Magnetic, and a director of the Atlantic Telegraph Company.

39,472. Has the British Magnetic an office here?—I think not. I think it is the Electric and the United.

39,473. Is the practice in your own telegraph offices that telegrams are destroyed or kept?—I could not answer the question. I rather think they are kept. But as a director, I never looked upon a telegram that passed through the office.

39,474. I am not asking you for that purpose. I am asking you because we have been told by the two companies which have their stations in this town, that the practice is to destroy telegrams to a certain period, and I wanted to know whether the practice of the telegraph offices with which you are concerned is the same?—I cannot answer the question. I can get it answered at once by telegraphing, if necessary. But looking to it as a matter of business, when an accumulation occurs after a certain length of time, I should say it is likely they would be destroyed.

39,475. You sent up somewhere about the 4th or 5th of July, when you found you wanted money?—Yes.

39,476. Did Mr. Brooking Cuming or Mr. Windeatt tell you that the money was wanted?—In 1865 Mr. Brooking Cuming and I were not friendly.

39,477. Mr. Windeatt?—Mr. Chaster.

39,478. He had learnt it from Mr. Windeatt?—Yes.

38,479. How did you understand the money was to come to Totnes?—I gave cheques to Mr. Chaster in an envelope, and Mr. Chaster told me that he might have a difficulty in cashing them at Totnes.

39,480. Had not Mr. Chaster objected to have anything to do with the money?—Mr. Chaster was always unwilling about that, and I told him "I have "faith that you will not unnecessarily expend "money," and I pressed upon him to take it, and I did it from a belief that he would be more careful about it.

32,481. And he said he would have a difficulty in cashing the cheques in Totnes?—Yes.

39,482. Do you know how the cheques were drawn?—They were Overend Gurney upon Barclay and crossed.

39,483. To order?—I think they must have been to order.

39,484. Then you must have signed them?—No.

39,485. Were they payable to you?—No. It was an open cheque.

39,486. To order?—No. I may mention now, that I never looked at the cheques. I just received them from Overend Gurney, and kept them; and there is no doubt that one of the cheques will be now with the bank in Totnes here. That is one of them, and the other four of them are the same as that.

39,487. Mr. Chaster told you that there would be a difficulty in cashing the cheques?—Yes.

39,488. What directions did you give him?—I told him he had better send up to Mr. Salmon.

39,489. Was Mr. Salmon your secretary then?—He was my clerk in London. I may mention that my offices in London are mere offices of call. All my business is done in Manchester, and Mr. Salmon was a mere clerk for keeping the office open.

39,490. A person to give information and answer questions?—Yes.

39,491. Did you direct Mr. Chaster to write him to come?—I did not direct him. I said, "You had better send to Mr. Salmon, but he must write."

39,492. Did he enclose them?—Yes.

39,493. That letter you have seen?—Yes; but I did not know anything about that letter.

39,494. Did he suggest an arrangement that Salmon should be met at Exeter?—No.

39,495. Did you intend Mr. Salmon to come here with the money?—No; I gave it to Mr. Chaster, and left him to make the arrangements to bring the money as he best could.

39,496. Did he tell you that he had made arrangements with Mr. Salmon to meet him at Exeter?—I do not think he did.

39,497. Are you quite sure?—I would not be positive.

39,498. Did not you say to Mr. Chaster, "When you meet Mr. Salmon at Exeter, tell him not to come here, but that he may take a holiday?—No.

39,499. Did you say nothing to Mr. Chaster?—I am not aware of saying anything to Mr. Chaster about Mr. Salmon at all.

39,500. Mr. Chaster told us most distinctly that you intimated to him that Mr. Salmon's presence was not required at Totnes, and that he had better go and take a holiday; that he communicated to Salmon that wish of yours, on which Mr. Salmon said he would go to Bath?—I do not remember the conversation. I knew afterwards that Mr. Salmon brought down the money.

39,501. This is Mr. Chaster's answer: "Mr. "Pender's desire was that he should not come." He said, "When you see Mr. Salmon, tell him he may "take a day's run." I said that to him, and he said, "I will go to Bath." Does not that refresh your memory, and make you believe that you did give such instructions to Mr. Chaster?—I do not remember it.

39,502. (*Mr. Coleridge.*) Was Mr. Salmon in the position to open an account of 2,000*l.* with the Consolidated Bank?—I may mention to you that I never knew Mr. Salmon paid that money into the Consolidated Bank until it came out in evidence before the House of Commons. The moment I knew it I went to the Consolidated Bank, and I then learnt for the first time that Mr. Salmon had a private account, and I then saw clearly that Mr. Salmon must have gone to the Consolidated Bank, he having an account there, and the cheques being crossed, he could only pay those cheques at a bank,-and therefore he paid them into the Consolidated Bank to his own account, drew out the money in notes, as I know in the evidence, and brought those notes here.

39,503. Had you not known that Mr. Salmon had an account at the Consolidated Bank?—No.

39,504. Did not you introduce him yourself?—No.

39,505. Or allow him to use your name?—He may have done so, but not with my authority. It is possible he may have asked me to introduce him to the Consolidated Bank, and I would have done so, because he must bank somewhere, but I was not aware of it.

39,506. Then the money came down, and we have heard how it was distributed. When had you first formed the acquaintance of Mr. and Mrs. Lorimer?—I formed that acquaintance during my first visit. In canvassing I canvassed Mr. Cuming. When we went to Mr. Lorimer's house, Mr. Cuming evidently was not very welcome. I knew at once when Mrs. Lorimer spoke that she was a Scotchwoman; I then claimed nationality. I said to her, "You are a "Scotchwoman, I am also a Scotchman, and I think

"I can calculate at once on your support?" Then it led to some conversation. I asked how her husband was, and how he was employed; and the result was that I got Lorimer's support.

39,507. That was in 1862?—Yes.

39,508. (*Mr. Coleridge.*) He had always had the luck to have a Scotchman one way or the other, and he voted for the nationality?—Yes. But a man in canvassing I think has a right to claim that.

39,509. Yes; but he told us that there were Mr. Mackenzie, Mr. Dunn, and he always voted for the Scotchmen?—Yes.

39,510. (*Mr. Bere.*) You knew that after 1862 he received certain moneys to distribute among the electors, and a portion of that money was beneficial to himself?—I read that in the papers, but it was perfectly new to me.

39,511. In the election of 1865 he also distributed money, and kept back a portion?—I have seen that in the papers, but know nothing about it.

39,512. Have you ever had an application from a person named Hill, for the payment of any money since you have been a Member for Totnes?—I think in 1863 I had a letter from Mr. Hill asking me for a loan of money.

39,513. The amount?—I think about 200*l.* I referred him to Mr. Cuming as my agent, because I did not entertain any proposition for any loan except through my agent. I heard nothing more about it until I came down here to canvass in 1865, when I went to his house with Mr. Windeatt. We went up a sort of loft, and I made a remark to Mr. Windeatt, "This is a sorry place to canvass an elector in." We got to the door. Hill himself opened the door, and it was one of the most wretched sights I think I ever saw. He opened it at once very violently against the party, and he pointed to his wife, and he said, "There "is my wife lying there on the eve of her confine- "ment; she has not a bed under her; she has not a "blanket to cover her, and scarcely a loaf of bread in "the house to keep her from starvation." It struck me as a very melancholy sight altogether; I, having been pretty well abused by Mr. Hill, left the house, and I said, "This is one of the most painful scenes "that I ever passed through." I said, "I wish I could "assist that poor woman in some way or other, because "of the state she is in; she ought not to be allowed "to remain." I went in shortly afterwards to Mrs. Lorimer, and I said, "Do you know Mrs. Hill?" She said, "Yes." I said, "Are you aware of the destitute state she is in?" and she said, "I am;" and she said, "If you were to give her a little money it would be very well bestowed." I said, "It is a very "painful thing altogether for a woman (as her husband "has told me) about to be confined. I wish you "would get some blankets and a bed for her to lie "upon, and food to keep her from starvation; and if "you will do that I will see that you are paid for it."

39,514. (*Mr. Bere.*) And you did give her 10*l.*?—Not at the moment. I went away. A few days afterwards I called again and ascertained what had been done. She then told me that she found that she had some articles in pawn, such things as she required. She had been some years in a better condition, and she had expended altogether 10*l.* in giving her clothes for herself and what was coming into the world, and sufficient to take her through her trial. I went to the house and I gave her 10*l.* I said, "Now, Mrs. Lorimer, this is not to be looked upon in any other light than charity; it is between you and myself."

39,515. Besides that, did you not receive before the election of 1865 a letter from one of the Hills, complaining of a breach of promise on Mr. Seymour's part, and asking you to make up for that broken promise?—I do not think I received any.

39,516. Are you quite sure?—Not to my knowledge. I received such a number of letters every day that I cannot recollect.

39,517. Did you receive a letter from Lorimer, stating that Hill had come to him, and intimating that a promise had been broken which you ought to make up?—No.

39,518. Do you remember at any time receiving a letter from Lorimer?—I do not remember receiving any one but that which I have before referred to.

39,519. What was that letter?—A letter in which he asked me about the loan of 200*l.*

39,520. Did you see a good deal of Lorimer during the election of 1865?—I may have been there three, four, or five times.

39,521. Did you see him at other places besides his own house?—I do not remember having any conversation with him directly. I have seen him at the "Seymour," I think.

39,522. Do you remember his talking to you about some of the voters?—I do not remember his talking to me about anyone.

39,523. At any time?—No.

39,524. Or in any place?—No. I think in one of the conversations with me he mentioned he had influence over certain persons.

39,525. Did he mention Reeve?—He told me that Reeve was going to vote.

39,526. Did you tell Lorimer to go to him?—No.

39,527. Did you intimate that there was some place to which he might go in order that Reeve might have some money?—No, I did not.

39,528. Nothing to that effect?—I would not have listened to any conversation about it.

39,529. Did he know from you that there was money in Totnes?—No, certainly not.

39,530. (*Mr. Coleridge.*) This was the question put to Lorimer: "Who told you to go to Mr. Holman? "—Mr. Pender intimated to me that Mr. Holman "was doing the business?"—I am speaking on my oath, and I had no idea of Mr. Holman dispensing any money until I read Mr. Holman's evidence.

39,531. Is it true that you intimated that Holman was doing the business?—Certainly not.

39,532. "He intimated to me that if I wanted in- "structions I was to go to Mr. Holman." Do you recollect sending Lorimer for instructions to Mr. Holman as to Reeve?—Certainly not.

39,533. "Where did this happen?—It must have "been in my own house. Will you repeat as well "as you can the exact words which Mr. Pender "used?—I think Mr. Pender said that Mr. Holman "and Mr. Windeatt were doing the business." Do you recollect anything like that taking place?—No.

39,534. Do you recollect saying to him that these were the persons to be referred to?—No, I never referred him to those parties or to any other persons about money.

39,535. Then Lorimer goes on to say: "He inti- "mated that he believed some money would be "wanted, because the other side were spending "money, and he said that to prevent the money "being taken away he would give a present, or some- "thing like that?"—I do not remember saying anything like that.

39,536. In your conversations with Lorimer have you any recollection of directing him to go to Mr. Holman as a likely person, and that he told Mr. Holman he came from you?—From what I observe in the cross-examination of Lorimer it is quite possible, as he seemed in great doubt about it, that they were more or less words that were put into his mouth and he assented to.

39,537. The only doubt in his mind was coupling the two conversations together. He did not require any cross-examination to make him say he had been sent to Mr. Holman by you?—It is very likely that Lorimer, who was in the habit of going about the "Seymour," might have learnt, if money was going about, where it was to be found, but he certainly never learnt it from me.

39,538. Lorimer says he was sent by you, and Holman says so too?—I most distinctly deny it. I never sent him to any person whom I had any idea was dispensing money.

39,539. You cautiously abstained from doing so?—Yes, I did.

39,540. This was the second election, and you had learnt something?—Yes.

39,541. "He said that he must not know anything "about money matters himself." Did you have any such conversation with Lorimer as that?—I do not remember having any such conversation with Lorimer.

39,542. Did you have any conversation with Lorimer that could have led to that?—It is quite possible that if Mr. Lorimer had opened any conversation about money, or that other people were doing such things, it is perfectly likely that I would have said to him, "I know nothing at all about money matters."

39,543. You may very possibly have said that?—I may have said that.

39,544. You certainly did not say the other part of it, as to your sending him to Holman?—I am convinced I did not. I had no idea that Mr. Holman was dispensing money.

39,545. Then he says, "We talked over things in a "general way, and Mr. Pender when he came in "informed me that he had shut the door to election "matters." Have you any recollection of saying anything like that to him?—No, I have not. I remember one thing when I was up there, that I said, "I am rather sick of election matters; let us talk "about something else." Wherever I went it was the same story.

39,546. "Had you mentioned Reeve's name to him "and said that you should want money for him?—I "suppose he knew that." Did you know that?—I did not know it.

30,547. (*Mr. Bere.*) You heard Reeve's name mentioned, and was told he was "all right." Did not that lead you to imagine that he either wanted money and had had it or would have it?—No. I was under the impression that Mr. Lorimer's friends were as honest and true as himself. I believe he was a thoroughly honest person, and that he so voted.

30,548. Did you canvass Reeve yourself?—I left a card there.

39,549. Did you see him?—I do not remember.

39,550. Did you hear anything about the chance of his voting when he was in reality at Dartmouth?—I knew nothing about that. All that I understood was that Reeve was going to vote.

39,551. Did you not hear whether he would require any money to come up?—No, I never made any inquiry into those things. I was kept very much in the dark about money matters. I did not even speak to my own committee about money matters. I never had any conversation with him.

39,552. (*Mr. Coleridge.*) Lorimer in his evidence says this: "Had you told him you knew a man who "would want money?—The only persons who I "knew were Reeve and the two Hills. I believe I "had told him about Reeve." Now had Lorimer told you about Reeve?—He told me that Reeve was going to vote.

39,553. What did he add to that?—Nothing.

39,554. "What did you tell him?—I told him that "he was going to vote for Pender and Seymour, and "that he expected a present?"—It is quite possible that he might have told Reeve that, but he certainly never told me.

39,555. Then he goes on to repeat what I have before alluded to as to Mr. Pender saying that he knew nothing about money matters?—That unfortunately is not quite correct. I contradict that portion of it entirely.

39,556. (*Mr. Bere.*) Did you know of any person during the election of 1865 who was to be influenced by money, or did you hear their names mentioned?—I do not remember anyone.

39,557. Are you quite certain about that?—I do not remember anyone.

39,558. (*Mr. Long.*) There is a passage in Mr. Holman's evidence which I must call your attention to: "Had you any conversation with Mr. Pender?—"Constantly. What was your conversation with him? "—On the same subject as for the last 20 years. "Mr. Pender knew what part you were taking?—"Yes." This was after Mr. Holman had given his evidence as to the part he really was taking. What have you to say to that?—Mr. Holman having acted in that way, may have thought that I knew something about it, but I knew nothing whatever of it.

39,559. (*Mr. Bere.*) Who did you suppose was going to distribute the 2,000*l.*?—I had no idea who was going to distribute it.

39,560. You knew that Mr. Holman had been a very active man on your side?—I knew that Mr. Holman was an active man, but I had no idea that he was going to distribute money.

39,561. To whom did you intend to apply for an account as to the way in which the money had been distributed?—I should have asked Mr. Chaster to get an account from Mr. Windeatt; he would have furnished the account as a matter of course as the legal agent.

39,562. Did you not know that some agent must be employed for the purposes of distribution?—I knew nothing at all of the organization of it.

39,563. You did not suppose that this 2,000*l.* was going to be distributed through the legal agent?—I knew nothing at all as to how it was to be distributed.

39,564. You knew perfectly well that the 2,000*l.* was spent in bribery, and that it must have been spent in that way?—It was just my business not to know anything of it.

39,565. And you took good care not to know anything about it?—I took good care not to know anything of it.

39,566. Have you ever asked how it was disposed of?—I have.

39,567. Have you had such an account rendered to you?—I have.

39,568. Of whom have you asked this account?—I asked Mr. Chaster to have the account adjusted so that I might know what amount Mr. Seymour was indebted to me.

39,569. Have you heard what amount was spent in bribery out of this 2,000*l.*?—I was told that Mr. Chaster said the other day he had about 300*l.* left out of the 2,000*l.*

39,570. On the morning of the election do you remember Mr. and Mrs. James coming to you?—Yes, perfectly.

39,571. Will you tell us what passed between you and Mr. and Mrs. James?—I may mention that until I read Mr. James's evidence I was under the impression that they had come to me after eight o'clock. I see Mr. James says it was before eight. My impression was that he came to me after he had polled; he states differently. It is more likely that is correct, because he was more deeply interested in the question that was before us at that moment. He came to me and told me that pressure had been put on him.

39,572. Did he show you Mr. Edmonds' letter?—I think he did.

39,573. Did you read it?—I have been taxing my memory a little whether I am right or not; I merely took for granted what he told me; the substance of it was this, that in the morning there was a good deal of excitement about, and I was anxious to get away. I took pretty much for granted what he said the letter contained. I understood that the letter was an intimation of a strong desire that he should vote for Col. Dawkins and Capt. Pim. Mr. James was in a great state of excitement; he said he looked upon it as an intimation that if he did not do this he would be required to pay the money. He said, I have not the money to pay, and nothing on earth would induce me to sacrifice my conscience. I asked him the nature of the transaction with Mr. Edmonds, and I then said Mr. Edmonds will not call up the money, but if he does call up the money on the same security, if I can do it with propriety on the same security you have given to Mr. Edmonds, I will see that the money is advanced to you.

39,574. Did he tell you what security that was?—Yes, shares in the London Joint Stock Discount Company. At that time it was a comparatively thriving company. I held shares in it myself, and unfortunately hold them now. He went away no doubt under the impression that in case of pressure I would find the money as a loan on the same security.

39,575. Did you express any indignation at Mr. Edmonds' letter?—Yes, I think I did; I think that business and politics must not be mixed up together, and I looked on the loan of Mr. Edmonds' as a matter of business.

39,576. Had you read the letter?—I knew the substance of it.

39,577. Did you see the smallest sign of any intimidation in the letter?—I should say that letter was a request from a man of business to another man who had been under certain obligations to the man of business—that it was a broad intimation to him. It depends entirely on the view which a man takes of that letter. I read the letter in the newspaper, and I hold the opinion that that is a letter which ought not to have been written on the morning of the election.

39,578. Mr. James believed that you would lend him a certain sum?—Mr. James left with the belief that I would find him the money on the same security. I then consulted Mr. Windeatt, and Mr. Windeatt thought there would be no harm in lending money on the same security. I also named the matter to my secretary, Mr. Heald, who is well up in the law, and he suggested, I can give you a cheque on the Manchester and Salford Bank. I said it would be better to do that than draw a cheque on either of the banks here, as it might draw special attention to the circumstance, and then he gave me a cheque on his bank, which is done frequently in the country, in consequence of my having resources which enable me to adjust those accounts when they return to Manchester. In that form I have taken cheques from him on his own bank frequently. I then went to Mr. Bowden and said, I have come to you to ask you to give me money for this cheque, for two reasons. I do not want to draw a cheque on the other banks just now, and I wish you to be aware of the transaction this money is for. I then explained the whole transaction to him, and Mr. Bowden took the cheque and sent for the money to the bank. This occurred some time about 11 or 12 o'clock. The money was brought back in a roll and he gave it to me. I took it up and gave it to Mrs. James, and I said, now the understanding is that if Mr. Edmonds does not call up his money, that this money is to be returned to me. If the money is called up you will put the securities which you have received from Mr. Edmonds in an envelope, and address the parcel to me, and you will hold them on my account until I give you instructions how to dispose of them. Shortly afterwards I got a letter from Mr. James to the effect that Mr. Edmonds had called up the money.

39,579. Are you quite certain that when Mr. Bowden advanced the money you gave him Mr. Heald's cheque?—I am quite certain.

39,580. Mr. Bowden's account is that you asked him to advance the money; that he drew a cheque on his own bankers, got it cashed, and brought the proceeds to you, and that you then gave him a cheque?—That is so.

39,581. That is not the same transaction?—It is.

39,582. You say you took Mr. Heald's cheque to Mr. Bowden and asked him to cash the cheque?—It amounts to the same thing; he took that cheque and gave a cheque on his own bankers.

39,583. No doubt you will find Mr. Bowden paid this cheque into his bankers on the same day?—It might be so.

39,584. The difference is that Mr. Bowden says you came to him and asked him to advance the money on his own account, and that you afterwards gave him a cheque of Mr. Heald's. Your account is that you gave him Mr. Heald's cheque and asked him to cash it?—It is quite possible Mr. Bowden may be under that impression, but it amounts to the same thing.

39,585. (*Mr. Coleridge.*) Mr. Bowden thought it less suspicious for him to draw a cheque?—It would be a very irregular thing for Mr. Bowden to present a cheque of another man at his own bank. The regular mode is that Mr. Bowden puts the cheque into his cash-box, and in the evening sends it with other monies to the bank, and that is the regular course of business.

39,586. The bankers would charge him for cashing a foreign cheque?—I treated the thing as a matter of business.

39,587. Are you quite sure that it was Mr. Heald's cheque?—Yes, he is here. It was a matter of convenience to me; I did it for this reason, that a very great deal of my time was then occupied, and if I took any cheques from him in that way, upon his return to Manchester he would have that repaid to him.

39,588. (*Mr. Bere.*) In what position was he?—He was my secretary.

39,589. Was he down with you in 1865?—Yes, he was not then my secretary.

39,590. Did he wear a white hat with a black band?—The same.

39,591. Was he active in canvassing?—He must speak for himself.

39,592. Should you say so?—I should say he never entered the door of anyone; he knew nothing whatever about it.

39,593. You had a letter from Mr. James, of the 24th of July?—I had a letter from him, stating that Mr. Edmonds had called in the money, and he enclosed a note to the effect that he held those shares on my account.

39,594. Did you write a letter allowing him to keep those shares as a security?—Yes.

39,595. Is that a business transaction?—It is very often done. I have done so.

39,596. Do you call that a business transaction, advancing 235*l.*, and allowing the person to whom you have advanced the money to hold the security which he gives you in his own hands?—A legal gentleman would say it was not a business transaction; in my business it is done very frequently to the extent of many thousands of pounds.

39,597. That may be where you have mutual credit, but not where for the first time in your life you see a man?—I generally measure a man, whether he is an honourable man. I had perfect faith in Mr. James as an honourable man.

39,598. Are you such a physiognomist as to be able to tell that?—I am not very often mistaken.

39,599. Was not a good deal of the negotiation conducted by Mrs. James?—No. Mrs. James struck me as a clever woman; she came down with him, and the reason that I gave her the money was this, that I was told Mr. James was suffering from a heart complaint, that he was a very excitable man, and any further excitement might lead to something very serious.

39,600. Those shares were never transferred to your name?—No.

39,601. (*Mr. Coleridge.*) At the time that those shares were supposed to be your security for this money were they of the same value as when Mr. Edmonds took them for a security, or how much had they gone down in six months?—I do not think they had gone down much. I think those shares, about that time, were rather valuable than otherwise.

39,602. There was no difference in the security given to Mr. Edmonds and to you?—I think not.

39,603. You took no note of hand as well as the shares?—No; and the reason I did not order the shares to be sent to me was because I looked upon it more or less as a temporary loan; it would be only the trouble of sending them backwards and forwards.

39,604. That debt has not been repaid?—No.

39,605. Has the interest been paid?—Yes, regularly, without my solicitation. He wrote me, asking permission to sell the shares, and I wrote him, giving

him permission to sell if he thought it desirable. I held my own shares at hat time and did not sell them.

39,606. (*Mr. Bere.*) In your letter you say, "Do "not let the loan that I have made to you on the "security of the shares influence you in any way?" —Yes. I felt that he was a clergyman, a man in bad health, and that this was a crushing thing to a man with a limited income. I did not wish to make it appear that in any way I had treated him harshly; I wished to make the blow fall rather lightly than otherwise.

39,607. Have you the smallest intention of ever asking Mr. James for that money?—Most certainly I have.

39,608. Do you believe, if you had not promised him the money, that Mr. James would have voted for you?—I believe that Mr. James would have voted for me without reference to any such thing.

39,609. (*Mr. Longe.*) Neither Mr. nor Mrs. James said one word about the return of the money if Mr. Edmonds did not call it in?—I have read their evidence, and I think they say they would have paid the money; I suppose they felt very indignant with Mr. Edmonds; at the same time my system is to keep business and politics apart.

39,610. You told them that if Mr. Edmonds did not call for the money that the money was to be returned to you?—Certainly, if they did not use it.

39,611. If Mr. Edmonds did not call for the money the money was to be returned to you?—That is my impression, because I knew that they would not keep the money unless it was made use of. The nature of the transaction was this, that they could not retain the money unless they held for me the security which Mr. Edmonds had held. If that was given up by Mr. Edmonds, and he got his money, the security became mine, in lieu of the money which I had lent.

39,612. (*Mr. Coleridge.*) Was it a security you would have advanced money upon, other than as a matter of personal favour?—Certainly, I have done it scores of times.

39,613. You took no note of hand, all your security was these shares; was it such an one as to an indifferent person you would have advanced money upon?—From having met Mr. James here frequently I looked upon him more or less as a friend.

39,614. Were the shares of this discount company, at that time, such a security as you would have advanced money upon to any indifferent person?—That is not strictly my business.

39,615. Would any bill discounter have done it?—I believe there was a transaction connected with the London Joint Stock Discount Company, where a very rich man in London, not a very long time before the stoppage of the bank, took as a security 2,000 of their shares and advanced money on them.

39,616. What was the sum?—It was a very large sum. I cannot give you the amount, but it was the talk of the city.

39,617. You couple with the security the character of Mr. James, and take his personal security. Was that a security on which you would have advanced money, when these shares were such as they were?—If you put the question in that way, I must say that at the time these securities were looked upon in a different light to what they have been since.

39,618. Supposing that it had been the most flourishing concern in the world, would it have been a security on which you would have advanced money to that amount, whether any large calls had to be made or not?—As a matter of general business it is not the class of business that I would do.

39,619. A stock broker would not have advanced money upon them?—Yes, he would.

39,620. (*Mr. Bere.*) If Mr. James had not been a voter would you have lent him the money?—If Mr. James had come to me the previous year, when he was not a voter, I think I should have lent him the money. I have done it in similar cases.

39,621. On a similar security?—Yes.

39,622. Was the rate of interest fixed between you and Mr. James?—Yes, five per cent.

39,623. What was the bank rate of interest at that time?—Somewhere about five per cent.

39,624. Do you know a person named Fowle?—I saw him once or twice in London.

39,625. What did he come to you about?—About a vessel detained in some Spanish port.

39,626. What assistance did you give him?—No assistance beyond my advice. I told him he might refer to me as to his respectability.

39,627. Did you advance him any money?—No money whatever. He told me that his vessel had been detained, and from the explanation given to me it appeared that his agent or broker in Ireland was at fault. I think he told me that his difficulty was in getting the vessel to leave without the payment of certain monies. I think I told him, if he would get his broker to write to the Spanish government about the difficulty he was in, he might refer to me as to his character and respectability; he never asked me for money in any shape or way.

39,628. And you did not give him any?—I did not.

39,629. Had you seen him frequently while down here in 1865?—Yes.

39,630. Had you conversations with him about the election?—Yes.

39,631. Did you ask him which way his vote was to go?—I do not know that I asked him, because I knew he was a firm supporter.

39,632. Did you know Mr. Wright?—He told me he was his father-in-law, and asked me to call upon him.

39,633. Did he tell you he never voted without some inducement?—Never anything of the kind.

39,634. When did you see him?—I called on him once. I only saw him once at his own house.

39,635. Did you learn from Mr. Wright anything about his circumstances?—No, he spoke of always having voted for the Conservatives, and his son-in-law was very anxious that he should vote for me, as I had taken some interest in his son-in-law's affairs. He was a long time before he made up his mind, but he never spoke to me about money in any shape or way.

39,636. Did you see Mr. Fowle at all?—I remember walking one morning down, the first time I ever went down to the walk; I think Mr. Fowle was walking with him.

39,637. Did you ask him to use his influence with his father?—No, it was Mr. Wright. I do not remember seeing Mr. Fowle.

39,638. Did Mr. Fowle tell you anything about another person of the name of Drew?—No.

39,639. Are you quite certain about that; did he not tell you about a man called Drew, and did you not say to him, "You cannot do anything with Drew now, "if you should be in a mind, I will tell him about this, "I will take care you shall not suffer?"—I do not remember that, I saw him there, and there was something said about Wright.

39,640. Can you remember whether you had any conversation with Mr. Fowle at all about Drew's affairs?—I do not remember his naming him to me.

39,641. We had a story about your offering Mr. Harris a situation, we should like to hear your accoun of what passed.—I have read Mr. Harris's evidence before the Committee of the House of Commons, and also his evidence before you on this Commission, and I have no hesitation in stating that it is a complete romance from the beginning to the end. I never offered Mr. Harris a situation. He was not a man ever likely to be of any use to me in any way; I never talked to him more than 10 minutes at the particular time at which he states I saw him; and it amounted to this—I went to canvass a man of the name of Allery, somewhere on the Plains, and when I got to the Plains he was in the opening of a doorway to a large cider shed. Mr. Harris said, "I am "before you;" I said, "Mr. Harris, you very often cross

" my path, it is a great pity that a man of your ability " cannot find something better to do than what you " are doing ;" he said, " I wish you would find me " something better to do," I said, " It is impossible " that I can do that." That is the only conversation I had with Mr. Harris.

39,642. So far as this, that you met Mr. Harris on the Plains, and that a conversation took place between you and him, and that the obtaining a situation was mentioned during that conversation, the account tallies ?—Yes, with him.

39,643. But the account differs in this, that you did not promise him a situation; did he ask for it ?—He asked for it.

39,644. Before you met Mr. Harris on the Plains had Mr. Lorimer spoken to you about a situation ?—Mrs. Lorimer mentioned that Mrs. Harris had come to her several times to ask her to speak to me about a situation for her husband, to get him away from Totnes ; that she was thoroughly sick of the work he was engaged upon, and that she was very anxious to get him away from the town. I told Mrs. Lorimer it was impossible to do anything for Mr. Harris.

39,645. Are you quite sure that she said that, because her account is that you said, " The time " would come when you could do so ? "—I did not hold out any hope whatever.

39,646. You undertake to say that ?—I do, that I did not say the time would come.

39,647. Or words to that effect ?—No.

39,648. Or lead her to suppose you might at some future time, though you could not at an election time ?—I do not know what effect she would put on what I said; I stated I could do nothing for Mr. Harris.

39,649. Did you not express yourself in such a way as to lead her to believe that the impossibility of doing anything for him was confined to the time of the election, and not to other times ?—I could not do that. I had formed such an opinion of Mr. Harris that I could not have recommended him to any person.

39,650. Was that subsequent to this conversation with you ?—From a very early period.

39,651. Had you known anything of him in the 1862 election ?—He was one of the men who put questions to me in the Guildhall; but I saw that the position he occupied with his party was such that they did not even bring him on the platform with them, but kept him down in the crowd ; he always appeared to be in a position that was not the position of a man holding any respectable position in the party. I may mention a circumstance connected with the matter. I believe Mr. Seymour was present at the time Mr. Harris wrote the letter to me which you have had before you.

39,652. Before you go to those letters, where had you come from when you happened to meet Mr. Harris on the Plains, had you come from the Fore Street or over the bridge ?—I think over the bridge.

39,653. Were you going to canvass voters on the Plains ?—Yes.

39,654. Did you not yourself call Mr. Harris aside and speak to him ?—No, certainly not.

39,655. Who was with you ?—When I left the hotel I think young Mr. Windeatt was with me.

39,656. And who else ?—We went on to the Plains and I went on to Allery, and Mr. Chaster and Mr. Michelmore came up at the time. Young Mr. Windeatt went to speak to Mr. Chaster and Mr. Michelmore when I went to Mr. Allery.

39,657. When you were speaking to Mr. Harris was Mr. Charles Michelmore in hearing ?—I should think not.

39,658. Can you account for the entry in Mr. C. Michelmore's poll-book, " Harris to be had for a situation," do you recollect hearing that conversation ?—I think it is quite possible, but that might be accounted for in this way, that as Mrs. Lorimer had mentioned on one or two occasions how desirous Mrs. Harris was to get her husband a situation, it is quite possible I may have mentioned that to her, and Mr. Charles Michelmore may have assumed it.

39,659. When Mrs. Lorimer spoke to you about Mrs. Harris wishing for a situation for her husband, did she promise to you that Mr. Harris would vote for you if he got a situation ?—Oh no.

39,660. (*Mr. Longe.*) In canvassing did you call on Mr. Harris at his house ?—I left a canvassing card, as I made it a rule at every house I passed to leave a card. I did not go into the house.

39,661. (*Mr. Coleridge.*) Did you call at every door, whether of a voter or not a voter ?—Every door that I passed. There may have been some country voters that I thought it unnecessary to drive to. I believe that every door I passed I called. But the circumstance I wish to mention and to draw the Commissioners' attention more particularly to is this ; it was Mr. Harris's evidence that unseated me in the House of Commons, and I want to state very distinctly that it was entirely a fabrication and a falsehood on his part, and I am now so far confirmed that at the time Mr. Harris wrote me that letter my first impression was not to take any notice of it. I looked on the thing as not worthy of a thought. The late mayor, Mr. Phillips, and Mrs. Phillips were going to Buxton. I had been before that written to to take part in laying the foundation stone of the British Schools. Mrs. Pender was with me, and she asked Mrs. Phillips if ever she was passing northwards to visit us. Mrs. Phillips wrote to tell her she was going to Buxton, and Mr. Phillips came down, and he then told me of the report in Totnes that I had offered Mr. Harris a situation ; he said Mr. Harris has told me something of the story about some conversation, and he told Mr. Harris it was a thing he ought not to repeat as it was not a thing very likely for me to have done. I told him I had received a letter from Mr. Harris accepting the situation that he said I had offered him. He read the letter, and he said, " This is a plant upon you, Mr. " Pender. You must answer this letter at once ;" and he then stated to me, as I have stated before, how unfounded Mr. Harris's statement was, and he said, You must answer this letter at once, because this may be used against you when the petition is presented to the House of Commons because there is a determination of some parties to petition. I wrote the letter which you have seen. Mr. Seymour was present at the conversation I had with Mr. Phillips, and he read the letter I wrote to Mr. Harris.

39,662. He was staying with you at the time ?—There was an archery party. I had several friends, and amongst the rest Mr. Seymour was staying with me at the time. I sent the letter to Totnes. Now what I wish to draw the attention of the Commissioners to is this, because this is a very important question, and such a statement and falsehood has been of very serious importance to me. I wish to ask the Commissioners to inquire whether that letter was not written at the instigation of other men in the borough.

39,663. (*Mr. Bere.*) Have you heard that the only person who suggested his having written that letter says Mr. Harris wrote the letter with his own hand, and that he had a conversation with a gentleman whose name is suggested, and in the course of that conversation it was suggested by that person ?—That is the letter that unseated me.

39,664. The letter in answer to your letter ?—The letter I wish to have inquired into is the letter he addressed to me in which he stated he was prepared to accept the situation I had offered him in Totnes. My own impression, and I believe it was the impression of Mr. Phillips, is that that letter was suggested by parties who took an active part in getting up the petition against me.

39,665. If you can suggest who they were we can examine them and see whether there is anything in it. —In regard to the other statements made by Mr. Harris against myself, I suppose you are pretty well satisfied that they are wrong.

39,666. The only other statement against you is that when you were at the poll, after the Matchams had polled, he said he could not imagine anything worse than that, to win the election in that way.—

He did say so; he said, when the Matchams polled, "they ought to have polled for us," and he said, "You "cannot expect to win (or something of that kind) "with such votes as those;" there was some such remark as that that he made.

39,667. (*Mr. Longe.*) Were you ever in Mr. Harris's house?—No, never. I was merely at the door.

39,668. Who did you see?—I merely left a card. I did not see anyone.

39,669. Who was with you?—Old Mr. Windeatt.

39,670. On a canvassing tour?—Yes; I remember his making the remark, "it is of no use leaving a card there."

39,671. That was after you had had the application through Mrs. Lorimer from Mrs. Harris?—No, it was early in the canvass, I may have called the very first day or two of the canvass.

39,672. Do you know when it was you had the application from Mrs. Lorimer?—No, but in the course of the canvass, it was not in the early part.

39,673. Are you quite sure you called before that information?—If you wish to ask me did I call with any intention of securing his vote, or anything of that kind, I should say nothing of the kind whatever. I was merely doing to him as I did to others.

39,674. Did you call at the "Stars?"—I believe I did the first time I canvassed; that was in 1862. I called on Mr. Bentall.

39,675. (*Mr. Bere.*) I will read from the short-hand writer's note what Mr. Harris's evidence has been, and I will ask you whether it is true or false. "You have "already given an account of it in the House of Com- "mons, but we must have it on the notes. Will you "tell us what passed between you and Mr. Pender "about the offer of an appointment." You previously said, "The only time I ever spoke to him to my "remembrance was the time that he offered me the "situation on the Plains;" then you go on to say, "I "was on the Plains just by the Wesleyan chapel, and "I had been there to canvass a man called Allery. "I said Pitts before, they were both men in the same "employment. Allery tells me it was him; they were "both there, and I was talking especially to Allery "at the time when Mr. Pender came up to me; there "were several near at hand when Mr. Pender came "over, there was young Mr. Windeatt and several of "his friends beyond the chains that were near at "hand. Mr. Pender came over and shook hands with "me." Did you shake hands with him?—Certainly not.

39,676. Did you tell him you left your card at his house?—No.

39,677. Had you come to solicit his vote?—No.

39,678. I said, I cannot give it, it is quite impossible for me to give you my vote. He said, "A man of your "ability ought not to be here at Totnes, but doing "something better than getting the small stipend you "do. I will give you, or get you, I do not know which, "a situation of 300*l.* a year." Did you say that?—No, that is as false as false can be.

39,679. I said, "Mr. Pender, no situation offered by "you will induce me to vote for you. I have been "employed by the Conservative party, they have always "behaved well to me, and I have no reason to leave "them, and therefore cannot accept it." Did he say that?—No.

39,680. "Allery will tell you he talked with me "about an hour?"—No.

39,681. How long was the conversation with Mr. Harris?—Perhaps six or seven minutes—ten minutes.

39,682. "All on the Plains?—Yes, all on the Plains. "He was conversing with me one whole hour as re- "garded the general corruption of the borough. I "expostulated with him as regards spending money. "I said it was unfair and demoralising to spend "money, and therefore the best way would be to effect "a compromise, and allow Col. Dawkins and himself "to be returned." Did he say anything of that kind?—No.

39,683. "He admitted that there was corruption "going on to a fearful extent, and when he came down "here he was bound to do as others did, using an "expression that when he came to the Jews he had "to do as the Jews did?"—Utterly and entirely false.

69,684. "Then I spoke to him about a man called "James Matcham. I was so much disgusted when "asked for the 200*l.* that I mentioned that circum- "stance to Mr. Pender. I said, 'Here are two men "' very likely going to vote for and pledge themselves "' for Colonel Dawkins, and yet they want 200*l.* to "' vote.' I said, 'Can you conceive anything worse "' than that?' He heard it out, and just shrugged "his shoulders, and said he must fight it through, or "something of that sort?"—All romance.

39,685. "Just as he was about to leave, he held out "his hand and said, 'Good-bye, Harris, I hope you "won't work against me, and I will give you a situa- "tion?'"—Entirely false.

39,686. Then the whole of that account from the beginning to the end, with the exception of meeting him on the Plains, when the situation was mentioned by him, is entirely false and untrue?—Yes, and I must mention that I regret I was not called before the committee of the House of Commons, but I was in the hands of my counsel.

39,687. (*Mr. Coleridge.*) This is what Allery said, "Do you remember seeing Mr. Pender and Mr. Harris "talking together?—Yes. Where was that, on the "Plains?—Yes. Did you hear what Mr. Pender said "to Mr. Harris?—No. Did you hear anything pass "about a situation?—No. No more than Mr. Harris "was talking with me, and Mr. Pender said speak a "good word for me, and he said to Mr. Harris I want "to speak to you." Were you ever talking to Mr. Harris in Allery's presence?—No; my impression is that Harris was talking to Allery, and I went to speak to Allery and we just passed.

39,688. Did you hear Allery say speak a good word for me?—No.

39,689. Did Allery say so to you?—No.

39,690. Had you any conversation with Allery?—Very little. He told me that he was voting on the other side.

39,691. "Mr. Harris was talking to you and Mr. "Pender called him away and said that to him." Did you say that to him, and did you call him away?—No.

39,692. The question is, Mr. Harris and Allery were talking, and you called him away and said that to him, and he says "Yes." Did you call him aside?—I think I went up and I waited a moment, and as he left Allery I said, "Mr. Harris, you are always crossing my path," and the conversation occurred at a little distance from Allery, and it is quite possible that Allery might have been within two or three yards.

39,693. Did you call Harris aside from Allery?—No.

39,694. Did Harris follow you away?—No, we stood in that position.

39,695. Must everything that took place have been heard by Allery?—It must depend on the distance. It was a short distance.

39,696. (*Mr. Bere.*) To finish up these two points about Mr. Lorimer, though you did not tell Mr. Lorimer that he was to go to Holman, might you not have told him he was to go to Mr. Chaster or Mr. Windeatt?—I do not think I could have told him anything of the kind. I never referred to any money matters in any conversation.

39,697. You might not have referred to money matters, but you knew that the money was in their hands, and might you not have told him to go to these persons who had the money?—I do not think I did.

39,698. Do you undertake to say you did not?—I think I would undertake to say I did not.

39,699. With regard to the cheque to Mr. James, had you ever with regard to a Totnes transaction made use of Mr. Heald's cheque before?—Never, at least not that I am aware of.

TWENTY-EIGHTH DAY.

J. Pender, Esq.

26 Sept. 1866.

39,700. Why did not you draw a cheque upon the Consolidated Bank, and not London or Manchester? —I think I stated to you the reason that I got this cheque. I wanted to make a third party conversant with the transaction, to make Mr. John Bowden conversant with it, that he might know the nature of the transaction.

39,701. Was it not that you wanted to keep a good many third persons from knowing anything about it? —No doubt that had something to do with it. It being the day of the election, the cashing of a cheque for 230*l.* might have caused a remark, and I did not wish to place Mr. James in an unpleasant position.

39,702. (*Mr. Coleridge.*) You told us you canvassed everybody indifferently. You went to every house except some country voters?—Yes.

39,703. I suppose you were informed of a requisition being sent to a Conservative candidate, and that a lot of men signed the requisition to Mr. Macleay?—I believe it is the practice in Totnes for the Conservatives always to get up a requisition.

39,704. Was there a requisition to you in the first instance?—A deputation, not a requisition.

39,705. Out of those 150 who signed the requisition to Col. Dawkins, 13 voted for you?—15.

39,706. Do you recollect canvassing John Diggins, of Bridgetown? He was a requisitionist, and voted for you?—The names I cannot say. Mr. Windeatt took me to the places.

39,707. I want to take you through the names. What occurred when you first got to understand they would vote for you?—I paid a great deal more attention to the poll-book in 1862 than in 1865.

39,708. I want to know about the requisitionists, if you can recollect anyone of them who was the subject of your canvass. Do you recollect John Diggins, of Bridgetown?—I cannot recollect.

39,709. Can you recollect a man named James Edmonds?—No.

39,710. William Farley, of Bridgetown?—He is the mayor?—Yes.

39,711. He was a requisitionist and voted for you? I suppose he is one of the oldest Liberals.

39,712. You know he signed the requisition?—I do not know.

39,713. You had not to make use of any special inducement?—No.

39,714. David Manning, of Fore Street. He had always had money formerly. He signed the requisition and voted for you. Do you recollect anything about him?—I do not know.

39,715. Thomas Matcham. Do you recollect canvassing him?—I called up the street, but I do not recollect.

39,716. John Parnell Searle, do you recollect him? —There was an old man.

39,717. He went by the name of "Slippery Jack" of Ugborough, and he is now retired to America?—I do not know about him.

39,718. All those people that you went to canvass, did they tell you that they had signed a requisition on the other side?—No; and I did not know of the requisition till Col. Dawkins stated that I had personally bribed men who had signed the requisition, and I told him it was false.

39,719. (*Mr. Bere.*) The monies that you paid into the Devon and Cornwall Bank, or the National Provincial, how was that done?—My cheque book will show that.

39,720. You say that you heard not a word of the requisition. Did not Mr. Kennard come and see you? —Yes.

39,721. Did not he tell you that a requisition had been sent up by a number of voters of Totnes, and that a requisition had been shown to him?—No, he did not tell me. He called upon me at the "Seymour Arms," and stated that he had come down to Totnes with a view to look at the borough.

39,722. When was that?—In the middle of June.

39,723. The castle treat?—Yes. And he called at the hotel and told me that he had come down. I think he told me that he was sent down by Mr. Spofforth to look at the borough, and he came to me very well satisfied with what he had been shown, and he was sure that a Conservative would come in very easily. There was a majority, in fact, and he was all but prepared to embrace the statement that had been made to him, and to stand. I said, well now, unless you are prepared to spend a great deal of money in buying the Liberals, because there is a Liberal majority, and you can only reduce that Liberal majority by spending a large amount of money, and I do not think with any amount of money that you will be likely to spend that you will gain the seat. He left, and I told him to go and make further inquiries. He returned to London, and I saw his father at the Consolidated Bank.

39,724. He is a co-director?—Yes; and I said, speaking for myself, I should like, if I have an opponent, to have him; but I know he will come back a wiser but a poorer man, and I would strongly recommend him not to go. I may tell you that at that time, that Dent's election there was a great deal of talk of the enormous amount of money expended, and my belief was that there was a great deal of exaggeration; but I thought a prudent man would be frightened, and I looked forward to walking over, and I believe it would have been the case if it had not been for two or three parties who thought of bringing some one down, and then we got the result which we did. But Mr. Kennard gave up and went to Gloucester.

39,725. The result of your figures is, that your first election cost you 2,256*l.* 10*s.* 1*d.*, the second election 2,277*l.* 11*s.* 7*d.* Your subscriptions, including 1,000*l.* to the church, 1,802*l.* 0*s.* 2*d.* Your municipal and parliamentary registrations 480*l.* 1*s.* 0*d.* Travelling expenses and hotel expenses, printing, and sundries, 645*l.* 4*s.* 6*d.*, making a total of 7,461*l.* 7*s.* 4*d.*, which you have expended since your acquaintance?—Yes.

39,726. And to be deducted from that there is 1,000*l.*, which you consider Mr. Seymour owes you? —Yes.

39,727. That is the share of the expenses of 1865? —Yes.

39,728. You consider that he owes you that money in consequence of the arrangement come to between you in December 1863?—Yes.

39,729. Do you remember whether Mr. Seymour was present at a conversation in which it was agreed that Mr. Chaster should go to London for the money? —I do not think he was.

39,730. Mr. Chaster said he was?—I am not sure.

39,731. Had you told him that 2,000*l.* must come down?—No. In fact I had very little conversation with him at all about money. I only ascertained afterwards the amount that Mr. Seymour had paid himself, the amount that he had remitted.

39,732. Do you know how much that was?—He told me 500*l*, and I think you will find that on the statement of the expenses.

39,733. There is one question I want to ask you upon those expenses. There is a sum of 20*l.* paid on the 2nd September 1862 to Mr. Windeatt and Mr. Chaster, going to Manchester. Is that on a visit to you?—Yes.

39,734. Politically or friendly?—Friendly.

39,735. (*Mr. Coleridge.*) Was the arrangement in 1865 that you should pay all the expenses except 500*l.*, and then that there should be an account taken between you and Mr. Seymour?—Whatever Mr. Seymour paid and whatever I paid was to go together and we should divide.

39,736. Was there an arrangement that you should find the ready money, so to speak, and that there should be a settlement afterwards?—No, there was no special arrangement.

39,737. How comes it that you spent a sum of four or five times as much as Seymour if there was to be a general settlement afterwards?—The reason I did it was that I knew Mr. Seymour had not much ready money at that moment, and I provided it, considering that he would impliment the bargain.

39,738. Was the understanding that you should

advance the money, and that Mr. Seymour, when convenient, should pay you?—No; I merely acted upon the bargain made.

39,739. Was there an understanding (I put the question because it has been rumoured) that you should pay all the expenses over and above 500*l.* and receive nothing back, but that you should receive as an equivalent the Duke of Somerset's support?—Nothing of the kind, Mr. Seymour occupies his seat on precisely the same terms as I did.

39,740. (*Mr. Bere.*) There was one question about back elections which I wish to ask you; do you remember in 1862 a poll book being brought you?—Yes.

39,741. Did Mr. Fitzpatrick bring that?—Yes.

39,742. Were you indignant of the advantage that had been taken of the other side?—When Mr. Fitzpatrick handed that to me I asked what was his motive and what was meant? He said, "I wish to "make you aware of the poll on which the other "party are acting." I said, "It is nothing to me." I did not understand it in the slightest degree, and I took it into the room and I showed it to the gentlemen there, and he got it back again.

39,743. Did you not express your indignation as to the way that he got it, and did not you say to Mr. Powning, the first intimation that you had of Totnes ruscality was the obtaining of the poll book, which had been improperly taken or stolen from the other side; perhaps you did not use so strong a word?—I do not know. I know it gave me rather an unpleasant impression.

39,744. (*Mr. Coleridge.*) Do you recollect a gardener of Mr. Durant who voted against you?—Yes.

39,745. You wrote a letter to Mr. Durant asking him not to discharge him?—Yes.

39,746. What made you do that?—I had formed the opinion that the man was more sinned against than sinning.

39,747. After he had got 200*l.*?—I did not know that then. It was represented to me that this poor man had been taken away and made drunk, and that the man was not responsible for his acts.

39,748. At the time that you wrote to Mr. Durant you did not know that he had got 200*l.*?—No; when I wrote to Mr. Durant I thought as the election was past it was a pity that the poor man should have suffered.

39,749. If you had known that he had had 200*l.* you would not have interfered?—Perhaps not.

39,750. (*Mr. Longe.*) With regard to Mr. James, you had canvassed before he called?—I left a private card at his house, but I did not see him.

39,751. Did you see him in the street?—Yes, I had got an assurance from Mr. James 12 months before that I should get his vote, and I thought it unnecessary to canvass him.

39,752. You had no direct promise of his vote at the last election?—Yes.

39,753. When was that?—A long time before.

39,754. You had no particular promise of his vote before the last election of 1865?—When he gave me his assurance that he would vote for me when he had a vote, I considered as a clergyman and a gentleman that he would do it.

39,755. That was the year before?—No, I think it was at the school a month before the election.

39,756. (*Mr. Bere.*) Had you any other reason except that one for believing that Mr. James was a Liberal?—No.

39,757. Did you happen to know that at the only time that he used his vote that he voted for the Conservatives?—No.

39,758. Did he tell you of his grievance about Lord Granville Somerset?—No.

39,759. When you canvassed him in 1865 did Mr. Thomas and Mr. Jeffery Michelmore go with you?—Mr. Jeffery Michelmore. Mr. Thomas was not well, and did not go out much.

39,760. You canvassed all the Bridgetown tenants?—Yes, I think so, I think I was taken to almost all.

39,761. Although you had no communications with the Duke of Somerset before you came here, had you any communication with him since?—Yes, I had one communication; it arose from the British school. Mr. Thomas Michelmore had, as I had been informed, selected a portion of the vicar's orchard to build the school, and I was told this would be of considerable annoyance to the vicar. I had always treated the vicar with great courtesy, though he took no part in the election. Having got the plans prepared in Manchester, I thought I would venture to call upon the Duke, and I asked the Duke to re-consider the question of the site for the schools. I felt,—as my intention was, rather to make peace than to create discord,—I thought it was a grievance to the vicar, and I was anxious about it. I had a little conversation and spoke about the school, and his Grace led me to believe that the thing would be altered, and I think it was altered. That was the only time I ever called upon the Duke with reference to Totnes affairs. I think it is right to state that, so far as the Duke is concerned, I believe in the first instance, when I came down here, the name of a "Manchester man" did not sound particularly well, either to the Duke or the other parties, believing that I was imbued with strong Radical notions.

39,762. In some ways it sounded well?—So I have understood since. Nobody regrets more than I do the position of this borough. I have made my own position in Manchester with my own honour and honesty, and it is not a pleasant position to be placed in, through circumstances over which I had no control.

39,763. (*Mr. Coleridge.*) It was the Liberals who were glad, not the Conservatives?—I am a wiser man now than I was when I came to Totnes.

39,764. (*Mr. Longe.*) I think there is a conflict between you and Mr. James, which ought to be pointed out. You thought he would vote, and did not think it worth while to ask him to vote. The evidence is, "Were you canvassed by Mr. Pender or "Mr. Seymour?—I did not see Mr. Pender at all in "my house. He called at my house three times, but "I happened to be engaged." Did you call three times?—I may have passed more than once; I remember leaving a private card.

39,765. Three times?—I passed the door several times. I cannot be particular to once or twice. I was desirous of calling upon him.

39,766. (*Mr Coleridge.*) Was it your habit, if you called upon a voter and did not find him in, to call again?—With a mere ordinary voter I would not.

39,767. (*Mr. Longe.*) Mr. James says he was out and met you in the street two or three days before, and he promised you his vote?—I think I met him in the street.

39,768. (*Mr. Bere.*) He says he promised his vote then?—I think, if you ask Mr. James, he will tell you that he told me when he had a vote he would vote for me. I think in 1862 there was something of the kind said, and I looked upon Mr. James as a steady supporter.

39,769. Have you ever said that Totnes has cost you 15,000*l.*?—No, never.

39,770. There is one thing I should like to ask you; on the 24th of April, 1863, there is 25*l.* for wedding favors?—Yes.

39,771. What was that for?—It was on the occasion of the marriage of the Prince and Princess of Wales. There was a treat to be given in the town to the children, and it occurred to me at the time that as there had been a great deal of movement about those things, and it would be one of those things pleasant for the children, to have some little memorial of the thing. I gave an order for a great number of favors. I got to know the number of children, and I sent a favor to every child.

39,772. Did you send them or order the favors?—I sent the favors. I think the favors were got in Manchester, from Sir James Watt.

39,773. When you found the petition being presented, I suppose you took good care to defend your

TWENTY-EIGHTH DAY.

J. Pender, Esq.

26 Sept. 1866.

seat. Did you consult Mr. Seymour as to the means to be adopted for its defence?—No, I consulted Mr. Drake, because he was, as I understood, the Treasury solicitor.

39,774. Is he your private solicitor?—No; in some things, but more connected with companies. My private solicitor is at Manchester.

39,775. Then Mr. Drake gave you certain advice with regard to the conduct of the petition. At any time before the petition came on, were you aware that there was a wish or a willingness, on the part of the other side, to compromise?—One morning, or one forenoon, when in my own office, Mr. Salmon stated that parties had called, and stated to him that they were prepared to withdraw the petition, on condition of my paying 4,000*l.* or 5,000*l.*, or something like the expenses that had been expended by the parties.

39,776. Did Mr. Salmon mention the name of the person who had given that communication to him?—No. I asked him who called, and he said, "I am not "prepared to give you any names." I said, "You can "give them in answer, that if *5d.* will withdraw the "petition, I will not pay it, but the proper person to "call upon is Mr. Travers Smith, if they want to."

39,777. Will you come here one minute. Do you know that gentleman (*handing a piece of paper*)?—No.

39,778. Did you ever see him in connexion with the petition?—No.

39,779. Or have any conversation with him in the matter?—No.

39,780. Or receive any communication from him?—No.

39,781. Through any person?—Never. I do not know the name.

39,782. Did Mr. Drake ever speak to you on the subject of the compromise of the petition?—Mr. Drake one day at the House of Commons said there was some preposterous proposition made by Col. Dawkins about having his case brought before the House of Commons, and getting the seat, and one thing and another, provided that he would withdraw the petition if such things were granted.

32,783. Are we to understand that no definite proposition was ever made to you or by you for the withdrawal or compromise of that petition?—None.

39,784. And that the offer of 20,000*l.* is imaginary?—Yes, perfectly.

39,785. And that the sum of 5,000*l.* mentioned to you by Mr. Salmon was rejected at once?—Yes, rejected at once.

39,786. (*Mr. Coleridge.*) I believe some time after the election you and Mr. Salmon fell out, did not you?—No, I cannot say that we fell out.

39,787. I mean, was not there some charge brought against him of having disclosed something he ought not to have done? What were the circumstances of that?—The circumstances were these: When it came out in evidence before the committee about the 2,000*l.* of the Consolidated Bank and the 50*l.* note which was mentioned there, it struck, I think it was, Mr. Drake that some communication must have been made to some parties connected with the petition, and named it to Mr. Salmon. Mr. Salmon was very indignant about it, and I said, "All that I want is your assurance "that you had nothing whatever to do with it."

39,788. When did that take place?—That must have taken place just at the time the petition was instituted.

39,789. What did he say?—He was indignant about it. He assured me he had done nothing of the kind, and I said, "Well, all I want is your assurance, "but you had better go and see Mr. Drake and satisfy "him. If you satisfy him I will be perfectly "satisfied."

39,790. At the time that took place did you know that Mr. Drake had recommended him to get out of the way during the time of the petition?—No, I did not know anything at all about that.

39,791. Did not you know that there was a fear that Mr. Salmon might be subpœnaed, and therefore, at Mr. Drake's instigation, he had gone abroad?—I did not know that.

39,792. When did you know that? Here is a letter in which he asked you to pay the expenses of it?—I have another letter which he wrote to me.

39,793. This is your answer to him of the 13th June 1866. Had not he, just as the petition was coming on for hearing, written and asked leave of absence from you on the ground of ill health?—Yes, he wrote me a letter on the 13th March 1866, which I considered a very impudent letter, and I wrote to him.

39,794. This is it: "72D Old Broad Street, London, "13th March 1866.—My dear sir, I have not been "well the last few days, my throat being the part "affected. I should therefore be obliged if you could "conveniently relieve me of my duties for ten days or "a fortnight, when I hope that milder weather and a "little change will have done the needful for me. "Mr. Dunbar will be at the office as usual in the "morning.—Yours faithfully, PERCY H. SALMON. "John Pender, Esq., M.P.?"—Yes.

39,795. Do not you know he wrote that letter at Mr. Drake's instigation, that if he really was likely to be called as a witness, it was as well he should get out of the way?—I know nothing of the kind. There is another letter he wrote to me of the 16th February.

39,796. "72D Old Broad St., London, 16th Febry. "1866.—My dear sir, I have been thinking that if "Dawkins presses the petition to an issue before the "Committee of the House it would be prudent that I "should go to the continent for 10 days or so, in "order to avoid the possible chance of his subpœnaing "me, which would certainly prejudice your interests "and be anything but agreeable to me. If you will "tell me your lawyers' names I will find out when the "petition is to come on for hearing, unless, as I hope "and trust, the affair may be quashed or the borough "set off against another place, where two Conserva-"tives are in the same position as Mr. Seymour and "yourself. I only suggest this because Dawkins is such "an erratic boulder that nothing he could do would "astonish me, and he can only unseat you, as it seems "to me, by such evidence as would disfranchise the "borough. I may mention, also, that I believe I "was watched whilst at Exeter from the time Mr. "Chaster spoke to me on the platform until my return "to town, and I purposely broke the journey up by "staying at Bath to try and shake off the man, but "he came on to London with me in the mail train. "Please to consider this as private, and if I remain "quietly in London during the fight it will of course "be on your responsibility after having penned these "few lines.—Yours always affy., PERCY H. SALMON. "John Pender, Esq., M.P.?"—I believe I wrote a few lines in answer to that.

39,797. What did you answer to that?—I have no doubt it was a few lines simply to tell him that the letter ought not to have been addressed to me, and if he went to the continent he must go on his own account. I did not wish him to go in any shape or way. I have no doubt he will have that letter.

39,798. Did Mr. Drake ever tell you of any conversation he had had with him?—I am quite aware of all the correspondence that has passed between Mr. Drake and Mr. Salmon, and Mr. Salmon sent the whole of it to me, and his father came to me and was very anxious about his son's character and reputation; and indeed I was as anxious as his father could be for Mr. Salmon.

39,799. When was it, after the suggestion to go away, that you dismissed him?—I dismissed him about the beginning, I think it was, or the end of May.

39,800. Was that on account of what you supposed he had let out as to the election petition?—No, nothing of the kind.

39,801. I believe the circumstances were that you had shut up the London office?—Yes, I was paying a high salary, and he was simply of no use.

39,802. Then there is no pretence for saying that it had anything to do the one with the other?—No.

39,803. (*Mr. Bere.*) In fact, you know now that the fact of the money coming down was discovered

by the accident of that 50*l.* note being paid to Mr. James?—Yes; what led to a little of the suspicion, I think, was that Mr. Salmon had a cousin down here who is in some way connected with Captain Pims' attorney. It was on account of Mr. Salmon's father I took him, and he remained with me several years, and I believe him to be an honourable man, who would not be guilty of anything of the kind.

39,804. You now know he was not?—His father went into the thing, and I was satisfied that he was not. I was very anxious that he should place himself in a proper position and clear himself thoroughly of it. I said, "If you will give me your assurance I will be thoroughly satisfied," and he gave me his assurance; so his dismissal had nothing whatever to do with it.

39,805. But you did not, as he had gone away under these circumstances, think it prudent to pay his expenses?—I declined, because if I had paid the expenses of his going away I should have been a party to it.

39,806. We have a letter from him to you of the 13th June asking for expenses. What answer did you send back?—I always refused to pay. He is a peculiar person, Mr. Salmon, I may mention; and he has written to me two or three times for his account. It is his business to render his account to me, and I have simply requested him to render that account, but he has kept driving away that I should render it. I know the reason he is driving at it perfectly.

32,807. Here is a letter of the 13th June in which he says: "Dear sir,—In accordance with your request "I have had the accounts arranged, and the same, "together with the balance of cash in hand, have been "sent to Manchester?"—That was merely to hand over his petty cash statement of the London house, not his own.

39,808. He says, "In accordance with your request?"—When I told him I was going to close the office in London, I said, "You had better make up the accounts and send them to Manchester." He sent the petty cash accounts, but that did not include his own private account. Then he wrote to me asking me to send him his account, I having asked him to send his account.

39,809. Here is your answer to him; we will put that in. Then Mr. Salmon's letter goes on, "This "seems to me a seasonable opportunity for requesting "the reimbursement of my expenses during my absence "at your solicitor, Mr. Drake's, suggestion, to prevent "my being served with a subpœna as a witness before "the Committee of the House of Commons upon petition against your return for Totnes; they amount to "20*l.*?"—In the beginning of the year on account of his father he asked me for a loan; I sent the money he asked for, a loan, but refused to give any money on account of his going away, because I felt if I did it I was countenancing the act. It was not the 20*l.* expense.

39,810. (*Mr. Bere.*) If the petition had been declared frivolous and vexatious, you would have paid it?—Yes.

39,811. Which Mr. Tucker was it that such a large sum of money was paid to in 1862; was it R. C. Tucker the son or R. Tucker the father, the old Mr. Tucker, of Ashburton?—I do not know; he came down.

39,812. Were you introduced at any time to Mr. Tucker, of Ashburton?—Yes.

39,813. Was he here with you during the time of either election?—He came over and was rather desirous of bringing about a reconciliation with Mr. Cuming, and took some little part, rather an active part, in it; but it resulted in nothing.

39,814. Do you know Mr. Jardine, the member for Ashburton?—I do not know that I ever met Mr. Jardine till the other day.

39,815. Have you known him in business?—I have known his house many many years.

39,816. But not him personally?—No. I knew a little of one of his brothers.

39,817. With the exception of the money you have rendered an account of, have you either directly or indirectly spent any money in Totnes?—No.

39,818. As far as you know has any money been introduced into Totnes for the purpose of assisting the Liberal cause during elections with which you have been concerned except that?—Not to my knowledge.

39,819. Or Mr. Seymour?—Not to my knowledge. Before leaving I should say that this (*handing a roll*) was presented to me by the electors of Totnes after I was unseated. I thought it formed part of the matter.

FREDERICK THOMAS, sworn and examined.

F. Thomas.

39,820. (*Mr. Bere.*) Are you a practical hatter in Queen Street, Exeter?—Yes.

39,821. How long have you lived in Exeter?—About seven years.

39,822. Have you taken an active part in the political matters of Exeter?—Very.

39,823. I believe there you are a supporter of Mr. Coleridge?—Yes.

39,824. Have you often been at Totnes?—Not very often.

39,825. Were you here in June or July, 1865?—Yes.

39,826. What time in June or July, 1865, were you here?—I was here at a very exciting time.

39,827. At the election?—No, the races.

39,828. That is August or September. I asked you whether you were here in June or July, 1865, and you said yes?—I did not understand that. What date were the races?

39,829. September?—Then I was here in September.

39,830. The question is, whether you were here in June or July?—No.

39,831. (*Mr. Coleridge.*) Were you here at the election?—No.

39,832. The day of the election or the week before—No.

39,833. Just read that letter (*handing one to the witness.*) Do you know the handwriting of that letter?—No.

39,834. How long have you known Mr. John Heath?—About—three quarters of an hour.

39,835. Had you never seen him before?—No.

39,836. You never saw him when at the races?—Not to my knowledge.

39,837. Did not you know him by sight?—I should know him again now.

39,838. Had not you known him by sight before you came here to-day?—No.

39,839. Had you not been to the "Seven Stars?"—Yes.

39,840. Have you ever seen him before to-day?—Not to my knowledge.

39,841. (*Mr. Bere.*) What made you when asked about this by the officer decline to answer whether you were at Totnes at the time of the election?—Because I was taken rather at a nonplus by the way the question was put to me, rather mysteriously, and of course I naturally declined to answer for the moment; but before the man left me I told him decidedly I had nothing at all to do with it.

39,842. It was after the summons was served on you, was not it?—No, before the summons was served.

39,843. After you were told you would be summoned?—Yes, very possibly.

39,844. (*Mr. Coleridge.*) You cannot give us any clue to this handwriting?—Certainly not; it is a hoax—no doubt about it.

39,845. Do you know James Heath at all?—No, not to my knowledge.

39,846. He said when he was examined he had the pleasure of your acquaintance. He is a veterinary surgeon, at Exeter?—I may know him by sight, but I do not know him by name.

39,847. (*To Mr. Heath.*) Mr. Heath, is that your mysterious stranger?—(*Mr. John Heath.*) No; I never saw the gentleman before to-day that I am aware of.

Adjourned to to-morrow at half-past 10.

TWENTY-NINTH DAY.

TWENTY-NINTH DAY.

Thursday, 27th September 1866.

J. Pender, Esq.

JOHN PENDER, Esq., recalled.

27 Sept. 1866.

(*The witness.*) I beg to correct one or two little things in my evidence. I stated yesterday, with reference to signing cheques, that Mr. Jack did not sign cheques. What I ought to have said is, that it was not part of Mr. Jack's business; he has not regular power to sign cheques, but in the absence of Mr. Kenworthy Mr. Jack has signed cheques, and Mr. Jack reminded me last night that he had occasionally signed cheques. There was another case when I left the court last night. I think you put a question to me—if Captain Fowle had called upon me about a Mr. Drew. I said I did not remember Captain Fowle's calling upon me about Mr. Drew. Captain Fowle asked me when I left the court last night if I remembered calling at his place, and seeing a workman there. He said that man was Mr. Drew. I was under the impression that it was put to me that he called upon me about Mr. Drew, but there are so many names that I cannot recollect particular names; but upon its being called to my mind I recollected the fact of seeing a man who is called Mr. Drew in his office.

39,848. (*Mr. Bere.*) We have heard a great deal about a farming company, got up really for the purpose of manufacturing votes, the capital of which company was a sum of 800*l.* advanced by some person or another. Have you directly or indirectly had anything to do with the advancing of the 800*l.* ?—I never had anything to do with it directly or indirectly. I may state the circumstance that I knew such a company was being formed, and was formed; and I believe in a letter, I must have become (with Mr. Seymour) guarantee for any loss that might arise on the working of that. I believe it was constituted for the purpose of making votes, but I never found any money, never was called upon to find money; and beyond the simple acknowledgment that I would with Mr. Seymour be responsible for the losses that occurred, I do not know whether anything was said about the profits, but for any losses that we were responsible.

39,849. Did you know that the sum of 800*l.* was required for the carrying on of the business ?—I did not. I was never asked, and I knew nothing at all about the working.

39,850. Did Mr. Henry Michelmore at any time at all apply to you for any money ?—No.

39,851. For no purpose ?—No.

39,852. Nor to Mr. McDougall ?—No; I am certain not.

39,853. Do you know Mr. William Adams. Was not there some correspondence between you and him as to a situation for his son ?—Mr. Cuming wrote to me, asking me if I could do something in the way of procuring Mr. Adams' son a situation, I think somewhere in the year 1863, when we were in rather a depressed state in Manchester on account of the cotton famine. I believe my reply was that I would endeavour, if I found an opportunity, to forward his son; but we were in such a depressed state at Manchester at the time that there was no prospect. When I came here in 1865 to canvass, I was told by Mr. Adams that he was annoyed at some neglect in some way. I was not on speaking terms with Mr. Cuming at the time, and therefore I had no opportunity of having any explanation from Mr. Cuming; I thought if there was anything imputed to me of neglect or discourtesy to Mr. Adams, I should go and have it explained. I called on Mr. Adams, and he said he was pledged to vote on the other side. I said, "Never "mind about the vote; what I want is, to have my "conduct put right; I do not want you to understand "that I made a promise and neglected you in any "way;" and he then told me something of his son; and that he was a draper in Totnes, and he was anxious to push him forward. I said, "It is not a "question of politics, and if I can do anything for "your son in any way I shall be glad, and if he writes "to me I shall entertain anything he wishes for me to "do." I have constant applications from young men to give them a push forward in business, and it is a thing I would do for any person. The end of it was that we did not talk about votes at all; and I merely went there with a view to have this explained.

39,854. Have you ever obtained a situation for young Adams ?—No; the thing dropped.

39,855. For how many voters' sons have you procured situations ?—When you talk of situations, I first got one for Mr. Cuming's son. It was not a situation, because I believe it must have cost his father a hundred a year to keep him. I got him into Whitworth's as a learner, and I gave him a recommendation to Mr. Penn the engineer, and afterwards to the Great Eastern, and he went out to assist in laying the cable.

39,856. We do not wish to go through each one. We merely want to know whether it was four or five, or 20 ?—Mr. Earles' son in the same way was a learner; and one or two men I have in my own place working as packers. I may mention in court, that working men may hear me, that in Manchester we are rather anxious to get labour, and any man who is perhaps earning 12*s.* a week here may get 22*s.* in Manchester. I am glad as an employer of labour to show that such a state of things exists.

39,857. There is one observation you made yesterday which does not seem clear. You said when you called upon Mr. Samuel Hill he abused you. What was it he abused you for ?—Perhaps it would not be a proper expression to say abused me personally, but the party, that he had been badly used. He referred to me personally when he asked me to advance money when in great difficulties, and I referred him to Mr. Cuming. The result was that I turned and left. I believe my expression was, "God help you, poor man, you seem in a destitute state."

39,858. Did he say anything to you about having written for a loan of money and being refused ?—Yes.

39,859. Did he find fault for your not having advanced the money ?—I cannot say. It was from his general abuse of Mr. Cuming, perhaps, more than myself, that I referred him to Mr. Cuming, and Mr. Cuming would not hear him or something of that sort. It was more abuse of Mr. Cuming than myself.

39,860. This misunderstanding with Mr. Cuming, had you any correspondence with him on the subject ?—No; it was principally done through Mr. McDougall; he came down to get the accounts settled, and the misunderstanding arose more in that way. There was one letter which I received from Mr. Cuming, and in which he stated that unless I placed the whole—I offered him a retaining fee in the event of anything occurring, when the misunderstanding took place, and the thing was well broken up between us; I expressed regret that anything should have occurred, but I hoped that at any coming election he would retain his position, and receive a brief from the Liberal party; and he briefly stated in the letter that unless he was the supreme power in every way he could not act in any way, and he acted upon that, and that terminated the whole thing.

39,861. (*Mr. Coleridge.*) Did he vote for you at the last election?—I cannot say whether he did or not.

39,862. After that misunderstanding did you canvass him?—No.

39,863. I see he did vote for you and Mr. Seymour.—I recollect that Mr. Tucker came over and was very urgent that I should call, and there was that feeling that I thought it was more Mr. Cuming's part to call and see me, than that I should call on Mr. Cuming, and I did not call.

39,864. (*Mr. Bere.*) Have you copies of the letters you wrote and received about the election of 1862 and 1865?—No. There may be some stray letters, but very often I am travelling about, and those private letters I receive I very often tear up at the moment, unless there is something of importance in them. If in Manchester they are generally put aside and filed.

39,865. Will you let us see what you have?—Every letter I can. They are in court I believe.

39,866. In your accounts that we have seen we observe a payment towards the latter end of 1862 to the Whitworth Company at Edinburgh. Was not there a company established at that time called the Whitworth Ordnance Company?—A payment in Edinburgh?

39,867. Yes, for rifles. It only struck me, being at that time, it would help you to fix the date of the formation of the company, not as a limited company but as a trading company?—The reason of that being to Edinburgh would be that at that time I was a good deal in Edinburgh.

39,868. On the 26th of November there is "Whitworth Ordnance Company" a certain sum, and I only wish to call attention to it, as it may fix the date?—I had nothing to do with——

39,869. But was their company at that time called the Whitworth Ordnance Company?—Yes, that was long before the Corporate Company; but Mr. Whitworth and Mr. Hulse were the only partners.

39,870. At that time was there any negotiation between you and Mr. Whitworth with respect to your joining that company?—I should think not. The negotiation about forming it into a corporate or limited company had been going on a very long time.

39,871. And were you to be one of the directors of that company?—Of that company; but what makes the thing perfectly clear to me is when I became a member, or before I became a member of parliament, I consulted my solicitor in London, and counsel's opinion I believe was taken as to whether I could become a member of the Whitworth Company and a member of parliament; and therefore it is quite clear that I was not a member of the Whitworth Company, before I became a member of the House; and I may further state about that, that when on the hustings in 1862 I said I should only be too glad to join the Whitworth Company if an opportunity offered, so I was not.

39,872. (*Mr. Coleridge.*) I believe while you were here during the last election you used the telegraph very extensively?—I do not think personally I ever sent a telegram at all, but I believe Mr. Heald, who is here to-day, used it freely, because I find an item of 5*l.* in his hand for telegrams.

39,873. And in your name?—Of course.

39,874. It has been suggested that money came here through some other member who was standing for somewhere else. There is a telegram here from "Hay, Taunton, to Pender." Was that Lord John Hay?—No, Lord William Hay.

39,875. Had it anything to do with the business of the election?—Nothing whatever. It was simply a communication of an offer to visit me.

39,876. There is another one from "Hay to Pender" of the 8th July. Those I suppose you sent personally answers to?—I think it is more likely Mr. Heald sent them.

39,877. They had nothing to do with this election?—Nothing to do with the election I think, as far as my recollection goes. He said, "I will run over and pay you a visit some day," and I think very likely it refers to that.

39,878. There are a great many from Pender to Pender, Manchester. Would those be telegrams on business?—Telegrams on business, simply questions put to me, and the reply would go as a matter of business.

39,879. Then there is a telegram, July 11th, "Salmon to Pender." Do you recollect receiving that, that was after Mr. Salmon had brought the money down to Mr. Chaster?—I do not remember the telegram, but I do not think there can be any great difficulty in tracing it. We generally have a telegraph book in the office where we keep a copy of the telegrams that go out. It is possible that we may have that in London and also that in Manchester.

39,880. Was there anything particular going on between you and Lord William Hay, because in addition to the two telegrams I have alluded to here is another of the 11th July, "Hay to Pender," two telegrams of the 12th, the election day. What were those?—The state of the poll. Of course he took great interest in my election and I took great interest in his, and it was just exchanging that.

39,881. Then one Simpson, Edinburgh?—That is Professor Simpson, a friend of mine whom I telegraphed to I believe at the close of the poll.

39,882. Now here is rather a curious one, "Pender to Liberal, London." Was that to anybody who passed by that name, as a feigned name, on the 12th July?—That was to the Liberal Registration Association, the result of the poll.

39,883. Then "Pender to Latimer?"—Yes, that is the same, the result of the poll; and I think you will find one of the same sort to Brooks's and one to the Reform Club.

39,884. Then Pender to Gibb?—That is T. A. Gibb, a very old friend of mine.

39,885. Pender to Gooch?—Yes.

39,886. Pender to Reid, Sunderland?—That is my brother-in-law.

39,887. Then several from Pender to Bryce (during the election) of Leith?—Edinburgh would it be? There was a Mr. Bryce who is an architect in Edinburgh who was making some alterations in my house in London.

39,888. None of these were more than that sort of thing?—No.

39,889. Lord Torrington?—Yes.

39,890. Pender to Harland, Glasgow?—Yes.

39,891. Pender to Calcraft?—That is Henry Calcraft of the Board of Trade. He was Mr. Milner Gibson's secretary.

39,892. Pender to Brand?—Yes.

39,893. Pender to White, London?—That is Mrs. White, she is the governess. She was in London at the time, and she was a very old and very much attached friend, and she was anxious to know the result, being interested in that.

39,894. Did your son come down during the election of 1865?—I think he expressed a wish to come down on the nomination day, and I did not object. I rather think I said he might come; it was pretty much his own wish; he wanted a few days' leave in and out, and it was a good opportunity for an excuse.

39,895. Was he at that time quartered at Preston?—Yes.

39,896. (*Mr. Bere.*) In asking you who were the members of the committee for the distribution of the 1,000*l.* I suggested that they were all your supporters; had any persons on the other side, so far as you know, been offered to be members of that committee?—I suggested that it should not be considered a political thing, and I observed in the evidence of the mayor, Mr. Kellock, that an offer was made to him and Mr. Edmonds to place them on the committee, but they declined. I mentioned that I thought Mr. Oldreive was on it, but I find that Mr. Oldreive was on the British School Committee.

39,897. There is a Mr. Jenkins whose name has been mentioned here, did you offer to obtain a place for him?—Yes; Mr. Jenkins was desirous of being made a school inspector, and I wrote to Lord Gran-

ville, and I think Mr. Seymour also wrote to him and put Mr. Jenkins forward as a likely person. I understood from Mr. Jenkins that he had been a professor. I knew him to be a well-educated man, and there were a great many Wesleyans, of which body he was rather a prominent member, who thought that if they were appointing dissenters he was a very likely man for such a district as Cornwall or the mining districts.

39,898. He did not succeed?—He did not.

39,899. There is a great discrepancy between you and Mr. Harris; admitting that you talked to him for ten minutes, what was the conversation about?—My impression was that it was summed up pretty much in what I stated, that he said something of being there before me. I said, You are very often crossing my path, Mr. Harris, and I said, pretty much in a chaffing way, It is a very great pity that a man of your talent and ability should be employed doing this class of work, you ought to find something more suited to your ability, that was the amount of the conversation. I beg to draw your attention to some discrepancies in Mr. Harris' evidence in regard to the conversation on the Plains which he imputed to me; he referred to the Matchams, and how it was possible that I could retain my seat after trafficking with the Matchams. I think you will find in his evidence that up to the very evening of the nomination the Conservative party believed that the Matchams were going to vote for them. And therefore, in the conversation he imputes to me as taking place on the Plains, with regard to the Matchams, he could not have been under the impression at that time that the Matchams were going to leave them, because from his own evidence the Matchams had not given up their tie with the Conservatives until the very evening before or the morning of the day of polling.

39,900. You admitted that you had two conversations with Mr. Harris?—Yes, that I admitted yesterday. Before the Committee of the House of Commons he stated that the conversation about the Matchams was on the Plains. It is quite possible that might be so.

39,901. Did you see either old or young Matcham during the election of 1865?—Not to my recollection. I should not know them if they walked into this place.

39,902. Was anything ever said to you about getting a place for young Matcham?—No; the whole thing was rather a surprise to me about the Matchams. They were people little counted on, and in my conversations with Mr. Chaster about the poll the Matchams were always down against me. I was as much astonished as anyone on the morning of the poll when the Matchams were polled. There was another statement made in court by Mr. Harris that I paid Mr. Chaster 1,000*l.* a year.

39,903. Mr. Chaster contradicted that and therefore we did not trouble you about it?—I would simply say that if all my servants or assistants worked as cheap as Mr. Chaster has done, that I should have a very economical establishment. This is a letter which I omitted to put in yesterday:—

"Berkeley Chambers, London,

"Dear sir, 17th August 1866.

"Some time since I asked you to let me have my "account at your convenience, and I now address you "repeating the request. I have recently been sum- "moned by subpœna to appear before the Commis- "sioners appointed to inquire into the recent Totnes "election on the 25th inst., at the Town Hall at Tot- "nes, and I am desirous of placing myself in a posi- "tion to answer promptly and concisely any questions "that can legitimately and with propriety be put to "me.

"Yours truly

"John Pender, Esq. PERCY H. SALMON."

39,904. (*Mr. Longe.*) You said you had no communication with the Duke of Somerset when you first came down?—None whatever.

39,905. You understood you were to have the ducal interest?—I understood that before I came down here; if I had not I would never have thought of coming to Totnes.

39,906. Did you not understand who was authorized to give you that interest?—When Mr. Cuming, Mr. Chaster, and Mr. Michelmore told me they came up as representing the Liberal party, I naturally asked if that embodied the duke's interest; they said it did, that the arrangement was so.

39,907. You did not go further into that arrangement?—I took for granted what they stated about the duke's interest.

39,908. You did not go into the nature of that?—The moment I came to Totnes Mr. Thomas Michelmore called on me within an hour of my arrival, and Mr. Jeffery Michelmore, and told me that the duke's interest would be with me, and Mr. Jeffery Michelmore canvassed with me, and I canvassed all the duke's tenants with him.

39,909. Did you understand from Mr. Chaster or the representatives of that party what the nature of that interest was?—Simply that I was to get the votes of all the duke's tenantry, that any influence which he had would be given to me the same as the Seymour party.

39,910. (*Mr. Coleridge.*) Was there at that time a distinct interest between the independent Liberal candidate and the duke's candidate, as he was termed?—I do not know anything about the arrangement previously, but Mr. Seymour and myself always acted in concert.

39,911. We have heard that there were some voters who not only did not support your own party, but actually split their votes with the Conservatives; had you been told about that before?—No; I had not been told about it, if I had been I would have made a further inquiry. I was not well up in the history of Totnes at all until I came here.

39,912. There is one question I wish to ask you; you had some transactions in 1863 with Messrs. Stranger and Bennett?—I had.

39,913. Was this bond executed [*referring to a document*]?—Yes, it was.

39,914. It is not paid off yet?—No; there is interest being paid. I may mention that when it was proposed to me I would not entertain it unless it was done through the lawyers of the other side, as I thought then it would not be wrongly construed in any way.

39,915. Were you not surprised on hearing that Messrs. Bennett and Stranger had not polled up to 3 o'clock on the polling day at the general election; was any account brought to you of their holding back?—No; because Mr. Bennett always spoke to me.

39,916. Did Mr. Stranger?—Yes.

39,917. Had you any doubt about Mr. Stranger's vote?—No more than I had of the others.

39,918. I think the expression is, he was holding back to hear what people would say; is that the fact?—The fact is I was not here in 1863, and therefore I did not know anything about it. That bond was not executed until December, and that was long after the election.

39,919. You do not recollect any report being brought to you that Mr. Stranger was holding back and not voting as was expected?—Nothing of the kind. I may mention to you that I understood by 10 o'clock in the morning of the 1865 election it was considered that the election was over.

39,920. (*Mr. Bere.*) Mr. McDougall found when he came down here to settle the account of the 1,200*l.* that it had been expended, but he did not know how. We have learned in the course of this inquiry the way in which a good deal of it was expended. There is a considerable sum unaccounted for still, I should think at least 600*l.* or 700*l.* out of that 1,200*l.*, even in bribes in this town; can you assist the Commissioners in any way to get an account of that money?—It was suggested to me yesterday when I left, just at the luncheon time, the matter struck me, and I was very much put out about the additional expenditure. I could not see why it should have been so large,

and it was suggested to me that a good deal of money must have gone to pay old bills of Mr. Mills; that Mr. Cuming, who had the charge of those matters, was sometimes a little negligent in paying, and that in consequence of that Mr. Jeffery Michelmore found a lot of bills which Mr. Mills ought to have paid were not paid, and that my money went to pay those bills. That has been suggested to me, but I have no knowledge of it. I only wish that Mr. Cuming was able to come before you and explain it.

39,921. (*Mr. Coleridge.*) Did you ever charge Mr. Cuming with it?—No, I never did; Mr. Cuming was a very proud man, and he did not wish to be questioned about his accounts in any way, and that gave rise to a sort of feeling that gradually led to an estrangement.

39,922. When you saw those accounts that were read to you, you were not surprised at his not liking to be questioned about it?—I was annoyed at it.

39,923. (*Mr. Bere.*) A part of those expenses would be to a certain extent legitimate expenses, and there could be no hesitation on the part of the person accounting to state the sums paid?—I should think not, there ought not to be.

39,924. Do you not think that some of the other sums Mr. McDougall paid included those back expenses and not the 1,200*l.*?—I think it is much more likely that the accounts which Mr. McDougall paid would be the back expenses.

39,925. We have heard of sums of money being promiscuously cast about the constituency after the election of 1862, in envelopes, with no names, but "for services rendered." I want to ask you are you able or your party to find out who the persons were who distributed them?—I declare I have no idea who distributed them.

39,926. It would be more satisfactory to yourself and to us if you can account for more of that 1,200*l.*?—I tried very hard through Mr. McDougall to get the amount of the money expended. The evidence here and some of the letters will show you how very anxious I was, and how very desirous he was to get the account, and it was given up in despair.

39,927. Was it refused or put off?—It was a sort of shuffling altogether, not a direct refusal. He kept him hanging on here.

39,928. (*Mr. Coleridge.*) Do you know of any portion of the money being spent in order to secure Mr. Seymour's election?—I do not think so. I answered yesterday I was not aware that I either directly or indirectly aided Mr. Seymour's election.

39,929. You have heard that several times, and that raised a suspicion that at your election you paid some of Mr. Seymour's expenses?—Yes, I have heard that, and from reading the evidence I would infer that some portion of the monies expended by me paved the way for Mr. Seymour's election.

39,930. They actually were expended after the election in paying for votes?—I merely state that is what I would infer from the evidence.

39,931. (*Mr. Bere.*) Did you have before you came down in 1862, before Mr. Seymour's election in 1863, and your standing in 1865, any communication with Mr. Brand or any member of the Liberal party about the election?—No; one fact I may mention to you, that when I first came in 1862 I went to Mr. Drake, having been in communication with him about Grimsby, and he rather dissuaded me from coming down, when I read in the "Times" in the morning of Mr. Mills' death. I went and saw Mr. Drake the following morning, Mr. McDougall having gone on to Totnes. I went and saw Mr. Drake, and he rather dissuaded me from going to Totnes, because he thought Mr. Seymour was entitled to the seat. I had learned from Mr. McDougall that the Liberals were wishing to keep alive the two seats, and that I must look to Lord Gifford's seat. I said I had better return to Totnes, and I believe Mr. Seymour and myself travelled in the same train.

39,932. Did Mr. Drake dissuade you from coming down in the same way as Mr. Spofforth dissuaded others?—No; with a view to promote Mr. Seymour's return, he being an intimate friend.

39,933. It was not on account of the expenditure expected?—No.

39,934. (*Mr. Coleridge.*) Mr. Chaster has told us he said to Mr. Seymour, "You may go away," because the duke's seat was full?—Yes; he did go away.

39,935. When you came down here you were under the impression that the Liberals would be divided into two parties that may be called the duke's interest and the independents?—I am satisfied, from my connexion with the borough, that it is impossible that a Conservative can sit for Totnes without a very large expenditure of money; whereas the Liberals can do it with a comparatively small expenditure; that is simply in self-defence in keeping some of the poorer people.

39,936. Do you mean that the duke's member can sit without spending money?—I do not think the duke's member can be returned without regard to expenditure.

39,937. We have heard that the duke himself always sat without expense, or rather the duke's son?—He is a very different person.

39,938. (*Mr. Longe.*) We have heard there was a great deal of feeling about the way in which the duke's power has been exercised here, as a territorial right; have you met with that strong feeling in the town against the duke, from the way in which his power has been exercised at election times?—I only have heard it expressed by the Conservatives. From the knowledge I have of the borough, I do not think there is a nobleman in England who has interfered personally less with the borough than the Duke of Somerset has done.

39,939. But still he has an agent, and he may interfere very strongly through an agent?—As to the agency, I have availed myself of the agency here, and it has answered my purpose. I have no right to complain of anything done. I did not see anything done wrong. I saw the best feeling existing between the steward and the duke.

39,940. Did you not understand the influence of Mr. Michelmore was to a considerable degree based upon the power of ejectment?—I never knew it at all beyond hearsay in the borough. I never saw it in my canvass.

39,941. Was it ever recognized between you and the members of the Liberal party?—No; when you say "recognized," the duke's influence was distinctly recognized, and I would not have come here without having it.

39,942. But as to the mode of exercising it?—It never came before me.

39,943. (*Mr. Coleridge.*) Were you ever told by Mr. Chaster, or any of your party, you were the first independent member, not a duke's member, who had had the services of his agent?—No; I do not think that.

39,944. We have heard all along that they have been kept perfectly distinct; you are the first independent member who ever had the duke's active interference, so to speak, through his agent; we should know how it was acquired, was it by any arrangement made by you with the duke?—I never had an interview with the duke upon the politics of Totnes.

39,945. But with Mr. Seymour; was any arrangement made by which you were to have the personal interference of the duke's agent?—No. I was told that there had been some correspondence between the duke and the Liberal party, the independent Liberal party, and that the independent Liberal party had suggested that in the event of a Liberal vacancy the duke's son should stand; they paid him the compliment and the duke then declined; the duke had written to the party that they were at perfect liberty to select their own man.

39,946. That is one man?—Their own man.

39,947. Do you know when that was written?—I

do not know; it came to me on hearsay. I suppose the letter is in existence.

39,948. Do you know who it was written to?—I do not know even that.

39,949. Do you know, Mr. Chaster?

(*Mr. Chaster.*) Mr. Thomas Michelmore.

39,950. (*Mr. Coleridge.*) Do you know if it is in existence?

(*Mr. Chaster.*) I suppose it is. I mentioned it to you in the course of my evidence; you did not take it.

39,951. (*Mr. Coleridge.*) How do you mean I did not take it?

(*Mr. Chaster.*) You did not catch the idea.

(*Mr. Pender.*) I can so far confirm the matter, that on referring to my notes I believe I paid the duke's steward, Mr. Jeffery Michelmore, as my agent.

39,952. (*Mr. Bere.*) When you were at the Seymour hotel in 1865, there was a very large bill run up there, which first of all was entered as a joint account between you and Mr. Seymour; do you know or were you cognizant of that account being separated and charged differently?—No; I was not. I had nothing to do with it.

39,953. It would have been paid if there had been no petition. You would have expected that out of the 2,000*l.* it would have been paid?—I expected that was to pay everything.

39,954. It is a largish bill, 387*l.*?—Election bills generally are, in provincial boroughs.

39,955. (*Mr. Coleridge.*) Are you aware that a portion of that is still unpaid?—I put the question. I was rather anxious to get some idea of how this 2,000*l.* had been expended, with a view to a settlement with Mr. Seymour; and in consequence of Mr. Windeatt's death and Mr. Michelmore's death some little difficulty arose, and also about the petition. When I mentioned it to Mr. Chaster, he told me he understood that Mr. Jeffery Michelmore had paid the hotel bill, that he had still in his possession about 300*l.*, and it had been understood that it would come out of that and reduce it.

39,956. I think, if you ask, you will find that your private bill was taken out of the general bill?—The rule that I have always had in coming here was, instead of paying the bill out of my own pocket money I generally said to Mrs. Beazley, "Will you "send the bill to Manchester, and a cheque will "be sent," and you will find that in the accounts.

39,957. As regards the private bill, that was taken out, and that you have paid, but the rest has not been paid?—I think you will find I shall not be called upon to pay it.

39,958. I do not know about that. Are you aware of the ingenious contrivance by which they mutilated the books?—I was very sorry to hear it stated yesterday.

39,959. You had not heard of it before then?—No. I have got a little knowledge of political life that I did not possess before.

39,960. (*Mr. Bere.*) Was there any more distinct understanding between you and Mr. Seymour, with regard to the sharing of the expenses at the last election, with the exception of that entered into in 1863?—No. There was a short statement which I was prepared to put before you, and I understood that was all that was required to be before you, from 1864. I think in that statement is set forth the arrangement, and that statement was read over to Mr. Seymour, and he approved of it. I also called upon Mr. Seymour when the petition was going on at his brother's house in Grosvenor Street, and I said, "In case there is "any misunderstanding as to having paid this money, "I may say that I will admit it under any circum-"stances, because it was more convenient to me to pay "the money at the time." (Mr. Seymour and myself have always been on the most friendly terms;) "and "all this of course must be fairly put forward, and "after all, if you have paid 500*l.* and I have paid "2,000*l.*, that would be 2,500*l.*, and that would be "just about what we called the price of the borough, "and it was quite understood that everything was to "be divided."

39,961. Did Mr. Seymour give you a note of hand?—No. In my dealings in these money matters I had it in considerable quantities, and I never asked him for it and would not do it.

39,962. Are you aware that, although Mrs. Beazley has not been paid, she has been satisfied in another way?—I have not the slightest idea of the dealings with Mrs. Beazley.

39,963. Have you heard that Mr. Jeffery Michelmore has set off that bill against her rent; she is a tenant of the duke's?—I have not heard of that.

39,964. You said just now that you did not expect to be called upon to pay?—Considering the fact that Mr. Chaster said it was paid by Mr. Jeffery Michelmore, I consider it was taken out of the gross amount.

39,965. You never heard of its being set off for rent?—I may mention to you that I inquired as little as possible about that.

39,966. If set off against rent, that would be set off as against Mr. Seymour's expenses?—I may tell you that my arrangement with Mr. Seymour would be this: Mr. Seymour might say, "I gave my agent 500*l.* towards the expenses." I might say I gave 2,000*l.* That would be 2,500*l.*, and 1,250*l.* would belong to you. That is the way that I deal with it.

39,967. Have you had an account as between you and Mr. Seymour?—No; that I am rather anxious to have.

39,968. We should like to have that.—I have not the slightest doubt that Mr. Seymour, when you call him, will admit the arrangement as I stated it. It is simply a question of figures.

39,969. If Mr. Jeffery Michelmore has set this off against the rent, that would be taken as a payment by Mr. Seymour?—I should think so.

39,970. (*Mr. Bere.*) This is the portion of the statement: "I understood that the payment was made "by me on general account of the election of myself "and Mr. Alfred Seymour, and was to form a part "of the general expenditure of Mr. Seymour and "myself. It had been arranged between our respec-"tive agents that the expenses should be borne in "agreed proportions, namely, that if both were re-"turned the expenses were to be borne in equal "shares; but if one only was returned, the member "should pay two-thirds?"—That is it.

39,971. That was read over and received his assent?—Yes.

39,972. You have had no settlement with him of his hotel bill at all?—No.

39,973. Did he agree to share the expenses of the petition?—Yes.

39,974. Has the account been made out?—Yes, I have the account in my pocket.

39,975. You know what the charge is?—Yes; but I have not paid it yet, and he has not paid it. He wrote to me, saying that he had been requested to pay his half, and that he had sent on the account to me, thinking I had not seen it; but I had had an account in the meantime. It has not been paid yet; at least I have not paid his half.

39,976. Were you resident in London before you became a member of parliament?—I usually went to London for a month or six weeks.

39,977. Had you a regular house in London before you were a member of parliament?—No. You will find Mr. Gibbs' offices were my head-quarters. I simply had a place of call. I had a little room or two adjoining his offices.

39,978. When was it that you first of all had the London establishment by the giving up of which Mr. Salmon was thrown out of employment?—About two years ago.

39,979. You only kept it a short time?—Yes, I found it was rather a nuisance than otherwise.

(*Mr. Bere.*) That is all we have to ask you.

(*The witness.*) Might I ask you this? Being unseated, as I was, upon the evidence of Mr. Harris, and

as I believe that evidence was false, and that it has been completely contradicted before this Commission, and as it affects my character as an honourable man, will you give me a copy of that portion of Mr. Harris's evidence which relates to myself? It is for the vindication of my own character that I am anxious to obtain it.

(*Mr. Coleridge.*) There are several shorthand-writers for the papers here, and you might get it from them.

(*The witness.*) I have read it in the paper, but there is so much inaccuracy. For instance, to-day, in the "Mercury," it states this: "You have heard Mr. "Harris's story about your having offered him a "situation?—The witness: Oh yes, and I tell this "Commission as I told the House of Commons"—That would appear to my friends in the country that I had contradicted it there and was not believed. It is a very serious inaccuracy, and it is that that makes me apply for the shorthand-writer's notes. I draw attention to it that they may know—although I am quite prepared to excuse any inaccuracy on account of what has to be done.

(*Mr. Coleridge.*) You were not examined before the House, so that must be a mistake; but as soon as the shorthand-writer's notes are published you can have them.

(*The witness.*) It is difficult to contradict it without having the evidence.

(*Mr. Bere.*) What you said was, "I have read Mr. "Harris's evidence before the Committee of the "House of Commons, and I have no hesitation in "saying it is a complete romance from the beginning "to the end." That is what you did say.

(*The witness.*) Yes; that is quite correct.

(*Mr. Coleridge.*) We have no power to let you have anything but your own evidence.

(*Mr. Bere.*) Your own evidence you may have, but you must not publish that evidence.

(*The witness.*) Unfortunately, not being called before the Committee of the House of Commons, the decision was that I was guilty of personal bribery by offering Mr. Harris a situation. I of course deny that completely, that I ever did make any such offer; and this morning, when I read the statement in the "Mercury," I was surprised; and many people who read it would believe that I had been examined.

(*Mr. Coleridge.*) Since you have heard the evidence of Mr. Chaster and Mr. Salmon with reference to your transaction with regard to the 2,000*l.*, you concur in the prudence of your not having been called before the Committee?

(*The witness.*) I think it would have been much better, as I would have stated there what I have done here.

(*Mr. Bere.*) You must understand that if you have your evidence from the shorthand-writer it must be private, and it is only for your own use.

(*The witness.*) Whatever conditions you may impose I will comply with.

(*Mr. Longe.*) Under those circumstances it would be of no use without it could be published.

(*The witness.*) I do not know that my evidence is of much use to me, but I do not wish to have anything that is contrary to rule.

39,980. (*Mr. Bere.*) Do you remember, after your conversation with Mr. Harris, going to the "Seymour Hotel," and having a conversation during dinner with Mr. Henry Michelmore about a situation being offered to Mr. Harris?—I have not the slightest doubt that I narrated the whole that occurred with Mr. Harris at the dinner table.

39,981. Was not there some little chaff at the dinner table?—There may have been.

39,982. You cannot remember?—No. I know that I did state to more than one party what I had said to Mr. Harris on the Plains.

JOHN WEBBER CHASTER recalled.

J. W. Chaster.

(*The witness.*) In the evidence given by Mr. Pender yesterday a question was put to him somewhat to this effect: "Was Mr. Seymour cognizant of Mr. Chaster "going to meet Mr. Salmon?"

39,983. (*Mr. Bere.*) It was, "Was Mr. Seymour "present when it was arranged that Mr. Chaster "should go and see Mr. Salmon?" and you answered, "Mr. Seymour was present?"—It is a misunderstanding. It applies to some other thing. He was present at the understanding.

39,984. (*Mr. Coleridge.*) About the arrangement of the expenses, the division of the expenses?—Yes.

39,985. You say that Mr. Seymour was not present at the time that he arranged or you were pressed by Mr. Pender to go and see Mr. Salmon?—He was not present then; and the question put by Mr. Bere yesterday led me to understand that he had a wrong impression of my evidence.

39,986. (*Mr. Bere.*) As you are here I will ask you this question: Mr. Pender has stated that he did not tell you to send Mr. Salmon back for a holiday, and you said that he had done so?—I did.

39,987. What is your recollection?—That Mr. Pender's memory is incorrect in that instance. I should never have taken upon myself the liberty of sending one of his confidential assistants away for a holiday without his permission.

39,988. (*Mr. Bere.*) This is the question that was put: "Do you remember whether Mr. Seymour was "present at a conversation in which it was agreed that "Mr. Chaster should go to London for the money?—"I do not think he was. Mr. Chaster said he was."

(*The witness.*) Now turn to the portion of my evidence that refers to it. It is an error.

39,989. Was he present when it was agreed that you should go to Exeter?—Certainly not. Nobody was there. I think you mistook what I said.

39,990. I think your evidence was given on the Saturday. Can you remember at all whether you mentioned it when you were called on Saturday?—I fancy there was something said about the arrangement on Saturday, but I do not remember the question being put in that way.

39,991. I had a peculiar purpose in my mind to ask it in a peculiar way, and I think I did?—I do not think you put it in such a way as to convey your meaning to me.

(*Mr. Coleridge.*) This is the evidence: "When did "you have your next consultation with Mr. Windeatt "or Mr. Pender about money?—I saw Mr. Windeatt "again on the following day. He said, 'We cannot "'do without it; you had better take it.'—What did "you then do?—I did not like to do it, but the result "was that I did.—Was it from Mr. Pender?—Yes. "What did you get from him?—He gave me these "same dividend warrants which he had offered me on "the preceding Tuesday; I think that was Thursday. "What did you do with those?—I said to him, 'What "'am I to do with those?' He said, 'You know "'Mr. Salmon, who was down here at the first elec-"'tion; if you send them to him he will cash them "'for you.'—Did you send them to him?—I did.—"Is that the letter which you wrote to him?—It "is.—In consequence of that letter did Mr. Salmon "telegraph to you?—He did.—Did he telegraph "to you 'All right?'—I should say the two words "'All right.'—Did you meet him at Exeter?—Yes. "He kept his appointment by that train, and I met "him.—And you received the money from him? "—I received two packets.—I suppose Mr. Pender "knew perfectly well what the 2,000*l.* was wanted "for?—Quite as well as I did.—And you knew per-"fectly well?—Of course I did.—How was it that "Mr. Pender, having an account of 1,874*l.* at one bank "in Totnes, and an account of 500*l.* at another, did "not draw the 2,000*l.* from his banking account?—"I cannot answer that at all.—Did it not strike you, "when there were these banking accounts, as a rather "odd thing that the money should be got in this round-"about way for the purposes of the election?—I did

TWENTY-NINTH DAY.

J. W. Chaster.

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"not know the amount he had placed in the bank.—"You knew Mr. Salmon's writing?—I scarcely knew "his writing, but I should think that is it; that is all "regular enough.—Were those warrants payable to "order or bearer?—I do not recollect opening them. "I should not like to swear that I opened them.—Did "you not know what the amount was?—I think I "could swear the amount was 500*l.*—And that there "were four bits of paper?—Yes. Whether they were "payable to 'bearer or order' I could not swear.—You "know the way in which these dividend warrants "were cashed was not in the direct way, by being "taken to the Atlantic Telegraph Company and paid "there; but that Mr. Salmon paid them into his own "account with the Consolidated Bank, and then drew "his own cheque, which was cashed?—At Mr. Pender's "suggestion; I would not do it without.—Mr. Salmon "opened an account in his own name at the Consoli-"dated Bank to the amount of 2,000*l.*, and then drew "a cheque to the full amount?—That was a want of "great judgment on the part of Mr. Salmon.—What "was the 2,000*l.* in?—It was in two separate packets. "—There was no gold?—No gold.—You met Mr. "Salmon at the station?—I did.—Did he recognize "you or walk out of the station?—He did not recog-"nize me. I saw him walk into the waiting room, "and I followed him.—Did you bring the money to "Totnes?—Yes, by the same train.—Did Mr. Salmon "come on too?—No. Mr. Pender requested me to "tell Mr. Salmon that he might take a day's holiday, "and he went on to Bath.—At that time was there "not an understanding between Mr. Michelmore and "the independent party that both candidates would "share in the expenses?—There was.—Who was pre-"sent at the meeting when that arrangement was "come to?—I was there, Mr. Thomas Michelmore, "Mr. Windeatt, Mr. Pender, and Mr. Seymour."

39,992. (*Mr. Bere.*) I meant the arrangement to apply to your going up to London, and you took it the other way?—I did.

39,993. (*Mr. Coleridge.*) The next question that follows is: "When you brought the money to Totnes "what did you do with it?"—It did follow.

(*Mr. Bere.*) The question is: "Did Mr. Salmon "come on too?—No. Mr. Pender requested me to tell "Mr. Salmon that he might take a day's holiday, and "he went on to Bath.—At that time was there not an "understanding between Mr. Michelmore and the in-"dependent party that both candidates would share "in the expenses?—There was.—Who was present at "the meeting when that arrangement was come to?—"I was there, Mr. Thomas Michelmore, Mr. Windeatt, "Mr. Pender, and Mr. Seymour. I do not recollect "any others. I am not certain whether Mr. Jeffery "Michelmore was there."

(*The witness.*) That conversation occurred 12 months before.

39,994. (*Mr. Coleridge.*) It will bear either interpretation. What you meant was the arrangement that was come to in 1863 about the share of the expenses?—Yes.

39,995. Mr. Seymour was not present when it was arranged that you should go for the money?—He was not.

39,996. Do you know when Mr. Seymour first knew that the money had come down?—I think Mr. Seymour knew nothing or next to nothing down to this period except what he gets from the published prints. He knows nothing from me or any other member of the independent party. I never had any conversation with him about it.

J. Pender, Esq.

JOHN PENDER, Esq., recalled.

39,997. (*Mr. Bere.*) Did you tell Mr. Seymour that the money had come down?—Not during the election.

39,998. Afterwards?—Yes. Mr. Seymour knew about the time the petition was arranged.

39,999. Was it not distinctly understood at the time of that arrangement in 1863 that a sum of 2,000*l.* in all probability would be wanted to be brought here?—Yes; that is what Mr. Michelmore said.

Mr. R. Harris.

Mr. ROBERT HARRIS recalled.

40,000. (*Mr. Bere.*) What do you wish to correct?—Mr. Pender yesterday said something about some one being behind the scenes inciting me to write the first letter. I distinctly state that no one ever spoke to me in reference to that letter whatever. After Mr. Pender offered me a situation I went home and consulted with my family; in fact such a thing I never anticipated from Mr. Pender. I consulted my family in this matter, and after a little conversation that I had with my wife and Mrs. Lorimer I agreed to accept it; and consequently I wrote a letter without letting any of my party know a word about it. In reference also to Mr. Chaster about 1,000*l.*, I understood that 1,000*l.* a year was sent to me for registration purposes, and the 1,000*l.* was not for him alone; and I may also say that there was a man called Pitts, who has been examined here by you. He is prepared to say——

40,001. We cannot have what Mr. Pitts is prepared to say. This being a direct conflict of evidence between you and Mr. Pender, we must conduct it according to the strict rules of evidence. We cannot have anything sworn to before us which is a matter of hearsay. If you have any person who did hear any conversation between you and Mr. Pender you may bring him.—Not exactly; but to the time that we were speaking together.

40,002. We can have from Mr. Pitts all that he can depose to of his own knowledge to throw light upon the conflict between you and Mr. Pender.—The collateral testimony you have already had.

Mr. R. Tucker.

Mr. ROBERT TUCKER recalled.

40,003. (*Mr. Bere.*) We called upon you to produce certain letters and papers connected with the Ashburton election of 1865. Do you produce those letters and papers here?—They are all here now. I have asked for consent to do so but I have not got it. I do it under protest and compulsion from you.

40,004. You understand that those letters will not be made public unless necessary?—I understood so. I have stated on oath that there is not a single letter or document or word in those papers which I am prepared now to produce which relates to Totnes.

40,005. This imputation, that money came from Ashburton, is a matter that we must inquire into, and we must take the means to find it out, and if we did not see the letters we might be said not to have done our duty.—You required me to produce the books, and I objected as the agent of Mr. Jardine.

(*Mr. Bere.*) As Commissioners we require you to produce every document connected with the Ashburton election of 1865.

40,006. Is Mr. Jardine lord of the manor of Ashburton?—He is not.

40,007. Has he purchased property there?—He has, considerable. I will tell you how these papers are arranged, it will save you trouble. I have every private document here, all my private memoranda and private notes, which I have not the least objection should be seen by every person; but I do not want them published to the world, because they affect other people, and you will see in this all the letters I received from Mr. Jardine in 1865 are tied together. Mr. Coleridge directed my attention to May, June, and July, and all the letters in May, June, and July are tied together. All letters received from other parties

previous to May and subsequent to July are also tied together. Inside this (*another packet*) you will find all my private notes and private memoranda as to the election, and in this you will find my canvassing book with every private account in it. I have not destroyed a single document except this; about six months ago I looked over the papers and found they were so numerous that I burnt great numbers of them, but I did not burn one letter of Mr. Jardine's. Every letter I have of Mr. Jardine's in my possession now is given up to you. I have given the letter book and the bill book.

40,008. Mr. Astell was member for the borough from 1859 to 1865?—Yes.

40,009. Had he purchased a large quantity of property in the borough?—Mr. Astell purchased an estate called Dolbeare, Prigge Meadow, and two or three other fields. All his purchase money may have been about 6,000*l.*

40,010. Has that estate passed to Mr. Jardine?—No.

40,011. Mr. Astell still holds it?—Yes.

40,012. When did Mr. Jardine first become a purchaser of property in the borough?—Mr. Jardine first became purchaser, I think, in 1864, but I do not wish to let you misunderstand; Mr. Jardine became purchaser first in 1864, the early part, but Mr. Magniac bought property of Mr. Astell in 1862 called Somerville, and also other fields.

40,013. What land or property has Mr. Jardine in Ashburton?—If you will allow me to put Mr. Magniac and Mr. Jardine together, Mr. Magniac is his partner, the property is about 30,000*l.* together. When I say that I include Mr. Moffatt's land also.

40,014. Did he sell that to Mr. Jardine?—I understand they are under contract, but it is not yet carried out.

40,015. Did you receive in March 1863 a cheque for 372*l.* 6*s.* 1*d.*?—Never in my life.

40,016. Is it your son?—Very likely. I never received one single shilling on account of Totnes, directly or indirectly, or paid one single shilling. I do not know who Mr. McDougall is.

Mr. Thomas White Windeatt sworn and examined.

Mr. T. W. Windeatt.

40,017. (*Mr. Bere.*) Are you the son of Mr. William Fabyan Windeatt?—Yes.

40,018. He was a solicitor I believe, practising in this town?—He was.

40,019. Was he legal adviser of the Liberal party at the election of 1865?—He was.

40,020. He took considerable interest in former elections?—I believe ever since the Reform Act.

40,021. Are you his executor?—No.

40,022. Who is?—My mother is administratrix.

40,023. What papers were left at his death?—Do you mean regarding elections?

40,024. Yes.—A very few papers; I caused a search to be made, and all I found I handed over to the secretary. Two bill books, a private diary of his, and I think that was about all. I do not think it much referred to the matter; he did not keep anything of that sort.

40,025. No accounts?—No accounts whatever. I caused special search to be made.

40,026. No private account book of his own?—We kept in the office of course a sort of day-book, a diary, but nothing of accounts. I may say this, he kept very few books in his office, and until I was in the office hardly made a memorandum, but used to make up his bills from the papers. There is nothing in the diary. I have handed in everything I can find that has anything to do with the election.

40,027. Have you no copies of letters relating to the election?—No, I cannot find any. I know he used to correspond with Mr. Pender very often. I do not think he kept a copy of those letters.

40,028. Did you give us the letter book?—No; I will hand it in. I found one day in one of the drawers there were a few letters of Mr. Pender's and Mr. Seymour's. I do not know whether on purpose, but, as far as I know, I do not think he kept any accounts of that election. He had a wonderful head and kept most of it there.

40,029. At the last election, 1865, you went in some instances and canvassed with Mr. Pender, did you not?—I think only once or twice I went. I will tell you just how that was. I was in London at the time of the election, and my father wrote to me to say he should want me home, he could not stand it all himself; and when the candidates were announced, and Mr. Pender came down, I came as well. I think I came on the Saturday night week, and then up to the time of the election I canvassed and went about, and anything my father wanted me to do I would go and do. I principally canvassed with Mr. Seymour, but once or twice I was with Mr. Pender.

40,030. Do you remember canvassing with Mr. Pender and calling upon people on the Plains?—Yes, and as far as I can remember that, it was the first time I went out at all connected with the election; the first time I began as I came down, the Saturday night week previous to the election, the 1st of July. I think this must have been on the Monday or Tuesday, the first time I canvassed. My father had an engagement that morning, and said, "You will go with Mr. Pender," and we started.

40,031. What time?—I should think it must have been about 11. I was over there just after they breakfasted, and we talked matters over and started. I do not know whether Mr. Charles Michelmore went with us, at all events he was with us on the Plains that morning some time.

40,032. Do you remember seeing Mr. Harris on the Plains?—Yes.

40,033. Tell us as accurately as you can where you saw him first, where he was, and then what happened?—I will, as well as I possibly can. It is difficult to remember these things during the canvass; but, as far as I remember, when we got on the Plains Mr. Harris was on the Plains, hanging about, as you may say. I fancy he had something to do with the tolls at that time, but Mr. Pender went up to canvass some one, and, as was the custom, Mr. Pender, when introduced to a voter, liked the person who introduced him to drop back, and then I think he went up and canvassed someone,—I do not know whether Mr. Allery or Mr. Pitts, if not both.

40,034. Do you know at what house it was you went to canvass them?—They were not in a house, they were working, or rather this man was, at I do not know whether Mr. Bennett's or Mr. Bowden's stores here. Then I think Mr. Pender canvassed this man, if he did not canvass the two, and then he went to the house of Mr. Bennett the coal merchant, and he went over and stayed some time, and during the whole of this time I kept back, and went the other side of the Plains and there waited, and I think chatted with Mr. Charles Michelmore at the time. Then Mr. Pender came, I think, from Mr. Bennett's, and as he was coming away, whether he spoke to anyone between I do not remember, but he came against Harris; they met and then began to talk.

40,035. Did you see whether Mr. Pender made any sign to Mr. Harris or not?—No; as far as I remember, I should think it was Mr. Harris came to Mr. Pender.

40,036. Which way was Mr. Pender walking?—I think Mr. Pender was coming from Mr. Bennett's.

40,037. Going towards the "Stars?"—The "Stars" way, I think so, and I was opposite. I was standing, I think, just about Mr. Bowden's house, just opposite.

40,038. Where was Mr. Harris?—Walking about the Plains. Mr. Pender, I fancy, had been talking to Mr. Allery, or seeing somebody there.

TWENTY-NINTH DAY.

Mr. T. W. Windeatt.

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40,039. Was he further off or nearer the "Seven Stars?"—Nearer, I think.

40,040. And did Mr. Pender walk towards the "Seven Stars?"—Yes, in fact they met.

40,041. Did you see them in conversation?—Yes; I saw them in conversation.

40,042. How long did that conversation last?—It is a little difficult to remember. I think I can tell in this way: I should think altogether Mr. Pender was away from me half an hour, during which he was a considerable time at Mr. Bennett's, and spoke to some others; and I should think, as far as I can say, he was talking to Mr. Harris about 10 minutes. It might have seemed longer to me, because I remember this circumstance, it was a very hot day and the sun was pouring down, and I was waiting there and got tired of it.

40,043. Do I understand you to say you saw them meet?—I saw them meet.

40,044. Who began the conversation?—I was at a distance and can hardly tell.

40,045. Whose face was towards you?—I can hardly say.

40,046. How far off were you?—You know Mr. Bowden's house, I think there are some rails in front of that house, and I was leaning or sitting on them.

40,047. Was he as far as you are from us?—A great deal further. I was on one side of the Plains.

40,048. The broad part of the Plains?—Yes, just above the Wesleyan chapel.

40,049. Which side of the Plains were you, the river side or the other?—The other, and they were on the river side.

40,050. Did you see anything take place between them before the conversation began?—What do you mean by anything take place?

40,051. Did you see them shake hands?—No, I think not. I think I may almost certainly say I did not see them. I have no recollection whatever of their shaking hands, and I think I should have been surprised if they had, and would have remembered it.

40,052. No shaking of hands took place?—I do not think so.

40,053. And the conversation might have lasted how long?—I should say 10 minutes. I was standing waiting, and it might have seemed longer.

40,054. You did not see who began the conversation?—No.

40,055. Of course you did not hear what passed?—No.

40,056. Where did you and Mr. Pender go, after the conversation broke up?—Well, I went up towards Mr. Pender. I was tired of waiting there in the sun, and I was coming towards them, and I think as I came towards them Mr. Harris drew off, and I think Mr. Pender left and came with me, and then I think we came back to where Mr. Charles Michelmore was standing.

40,057. Where was Mr. Michelmore standing?—By the spot where I was.

40,058. Close to you?—Close to me. I crossed the Plains to Mr. Pender, and when he saw me Mr. Harris drew off, and I think Mr. Pender left and came with me. Then I remember Mr. Pender said—I will not recollect the words he used; I can give you my general impression. What he said was something of this sort, "I have been talking to Mr. Harris and telling him it "is a pity he should be going on in the way he does, "and that a man of his great talents and ability and "energy should be doing the dirty work of the Tories, "and a sort of catspaw in their hands," and I think he said he had chaffed him and bantered him a little about his talents. That was the general impression he gave me, that it was a pity he should be doing as he was, and we passed on.

40,059. Did Mr. Pender suggest to you that he offered him any other employment or other means of employing that ability and talent?—No, certainly not, I should say. This conversation had passed out of my mind, and it was only after the report that Mr. Pender had offered Harris a situation that I thought about it, and I contradicted that report there and then wherever I heard it, and I am sure it could not be so, from Mr. Pender's manner.

40,060. Did you notice, was there any shaking hands when they parted?—I do not think there was any shaking of hands at all.

40,061. (*Mr. Longe.*) Which way was Mr. Harris walking when you first saw him?—I can hardly tell you whether he was walking or not. I think he was standing about there, just below Bennett's.

40,062. You were standing about some time. Did you see him at any time before you saw him with Mr. Pender?—Yes, standing about. I think he spoke to a man there, whether Allery or not I do not know.

40,063. He was talking to a man?—I think he spoke to him part of the time, but he was standing about. I think at this time he was collecting the toll, and used to spend a great deal of time walking about on the Plains.

40,064. (*Mr. Bere.*) Do they collect toll on the Plains?—Just below there.

40,065. (*Mr. Longe.*) At the moment you saw Mr. Pender which way was he coming?—I think he went to see Mr. Bennett.

40,066. Did you see him come out of Mr. Bennett's house?—Yes.

40,067. Whereabouts were you?—I think I remained about the same spot.

40,068. Were you near the obelisk?—No, just about opposite the Wesleyan chapel. I just strolled about there as you would when waiting.

40,069. When did Mr. Pender first make his appearance?—I was with Mr. Pender; I started from the "Seymour" with him.

40,070. When you were not with him, when he left you, was about half an hour you say?—I should think about that.

40,071. When did he first make his appearance out of the place?—I left him talking to some voter or man there, and then he went on to Mr. Bennett's and went into Mr. Bennett's house. I think that is the order; it might be reversed, and then he came back and spoke to Mr. Harris.

40,072. Did you see him come out of that house?—Mr. Pender? yes.

40,073. When Mr. Pender came out of the house?—I think he turned backwards to the "Stars" way.

40,074. Then I want to know where was Mr. Harris when he was coming from the house towards the "Stars?"—I should think below him, near the "Stars." Of course Mr. Pender would walk towards the "Stars," because he had been to the last voter that side.

40,075. Did Mr. Harris go to Mr. Pender or Mr. Pender to Mr. Harris?—I should think from my impression, if anything, Mr. Harris came to Mr. Pender. If walking they might have crossed their paths so that as Mr. Pender came up Mr. Harris was in his way.

40,076. (*Mr. Bere.*) Did Mr. Pender say anything to you about having talked with Harris about the Matchams?—No, certainly not.

40,077. (*Mr. Coleridge*) Did Mr. Pender say anything to you about the duke and the Jew, and all that part of the conversation?—No.

C. Pitts.

CHARLES PITTS recalled.

40,078. (*Mr. Bere.*) Do you remember being at work on the Plains some time before the election of 1865?—Yes.

40,079. And do you remember Mr. Harris coming up and talking to you?—He did not come and talk to me.

40,080. To whom?—To the other man.

40,081. What was his name?—Allery.

40,082. Were you and Allery working together?—In another cellar.

40,083. Whose employment were you about?—Mr. Stranger's.

40,084. What time was it?—The middle of the day.

40,085. Before dinner?—Just about dinner time.

40,086. Are the cellars open to the street?—Yes.

40,087. Could you see from the cellars who was in the street?—Yes.

40,088. When Harris came to speak to Allery did you look out and see anybody in the street. Did you see Mr. Pender in the street?—I saw Mr. Pender, and I think Mr. Michelmore and Mr. Windeatt.

40,089. Where did you see them?—Over by the rails, just by Mr. Bowden's.

40,090. That is opposite you?—Yes.

40,091. Did you see them before Mr. Harris came and spoke to Allery?—I think they went down the other side from Mr. Bowden's.

40,092. On the opposite side of the Plains to you?—Yes.

40,093. Did they cross?—Yes.

40,094. Who crossed to you?—Mr. Pender.

40,095. Did they all come over together?—No.

40,096. Who stayed behind?—I think Mr. Michelmore.

40,097. Still by the rails of Mr. Bowden's house?—Yes; opposite the house.

40,098. Where did Mr. Pender go?—I think he was going to Allery's.

40,099. Where did he go?—He met Harris as he was coming from the cellar towards the chains; what the conversation was I do not know.

40,100. (*Mr. Coleridge.*) Were you talking to Mr. Harris at the time that Mr. Pender came up?—No.

40,101. (*Mr. Bere.*) Did you see Mr. Harris and Mr. Pender meet?—I did not.

40,102. Did you see them part?—No; I was in the cellar when they parted.

40,103. For how long did you see them?—I should think they were there the best part of an hour, I daresay three quarters of an hour. I was at work in the cellar, and I would come in and out and see them, and then go back again.

40,104. When you came out of the cellar did you see Mr. Charles Michelmore and Mr. Windeatt standing there?—Yes.

40,105. You say the conversation lasted for three quarters of an hour?—Very nearly, or thereabouts.

40,106. (*Mr. Coleridge.*) Can you venture to say whether it was more than half an hour?—Yes.

40,107. All the time you saw Mr. Pender he was talking to Mr. Harris?—I was in and out of the cellar.

40,108. How do you know it was half an hour?—It was the dinner hour, and you could see the men who had been to their dinner coming back again.

40,109. You yourself wanted to go to dinner?—Mr. Pender came to me in the cellar after he had left Mr. Harris.

40,110. On what day was this?—It was about a week before the election.

40,111. When Mr. Pender came to canvass you what day was it?—I do not know; he came to the cellar where I was.

40,112. Did he canvass you?—Yes.

40,113. How long did he stay talking to you?—I daresay ten minutes or a quarter of an hour.

40,114. Did he go and canvass Allery?—I do not know.

40,115. What did Mr. Pender talk to you about for a quarter of an hour?—Something about my principles; I did not like their behaviour at the "Seymour Hotel;" my boy was over there, and Fitze and two or three more ordered me out; they said I was a Tory and they did not want me there.

40,116. Was that all you talked about.—About Mr. Windeatt objecting to me every year.

40,117. Tell us all you talked about.—That was pretty nearly all; he wanted me to promise that I would not vote against him.

40,118. Did he tell you anything else?—Nothing in particular; I cannot tell you exactly everything.

40,119. Did he say much more?—Yes, a good deal.

40,120. How much more?—That is past my recollection.

40,121. Did he say as much as you have told us?—Yes, and a great deal more.

40,122. Do you know how long you have been telling us this, about a minute. You have fourteen minutes left to talk with him. Was it not two or three minutes and not a quarter of an hour?—No.

40,123. Will you swear it was more than ten minutes?—Yes.

40,124. And more than half an hour that he was talking to Mr. Harris?—Yes.

40,125. Was he talking to you all the time?—Yes.

40,126. And you to him?—Yes.

40,127. Who talked most, you or Mr. Pender?—Mr. Pender.

JAMES JACK recalled and further examined.

J. Jack.

40,128. (*Mr. Bere.*) You have handed in a number of accounts taken from the books of Pender and Co.?—Yes.

40,129. We understand from Mr. Pender that all his payments are conducted through the account of the firm?—Yes.

40,130. He has no such thing as a private account in the common sense of the word; is that the case?—No, he has not.

40,131. How are those accounts made out; is there a scroll account kept of Mr. Pender's personal expenses?—Yes.

40,132. By whom is that kept?—By the cashier.

40,133. Is that Mr. Kenworthy?—No, Mr. Hartley.

40,134. From that scroll book are the accounts copied into the ledger of the firm?—They are put into a summary book first and then entered into the private ledger in one gross sum.

40,135. Have you got the private ledger here?—Yes.

40,136. From that summary is the account of Mr. Pender's personal expenses entered in the ledger?—They are entered in one lump sum.

40,137. In what book do those items appear?—In this book.

40,138. Where are they entered in one sum?—In the private ledger; there are no details.

40,139. What is the book which you have there?—A detailed cash book.

40,140. To each item is there a note of the cashier for what purpose the money was paid?—Generally.

40,141. All monies paid on behalf of the borough of Totnes have got an entry of Totnes against them?—Yes.

40,142. In every instance?—I should say in every instance. I know I can take out every item.

40,143. You did not make these entries yourself?—No.

40,144. Those accounts which you have furnished are made up by taking every item to which you find the name of Totnes out of the account?—Just so.

40,145. You do not know anything personal about any of these payments?—Except the 1,400*l.*

40,146. You know nothing of these actual payments?—Some of them I may have remitted myself.

40,147. Can you tell us whether the small sums paid in charity were paid by separate cheques or in a lump sum?—I think with one exception they were in separate payments, either by money order or cheque.

40,148. You have the cheque book here?—Yes, all the cheques.

40,149. Were they generally signed Pender or

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J. Jack.

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Pender and Co. ?—Always Pender and Co., by procuration generally.

40,150. To bearer or order?—At a distance always to order.

40,151. And crossed?—I could not say.

40,152. On what banks were they generally drawn? —I suppose on different banks, the Union and the London Joint Stock Bank, those were the only two. We should not send for small sums like those to Overend, Gurney, and Co.

40,153. You have gone through the books; are you able to say that there is no entry in regard to Totnes except those on the face of this account?—Not one. Mr. Kenworthy and myself went over the statement; he attended to the finance; and Mr. Hartley, who is the cashier, drew out the statement, and, as we were expected to swear to it, we went over the books and checked each item.

40,154. (*Mr. Coleridge.*) Overend, Gurney, and Co. never cashed cheques; they gave you another cheque on their own bankers?—Precisely.

40,155. Who were Barclay and Co.?—Yes.

40,156. (*Mr. Bere.*) The 1,400*l.* was paid on the 5th of December 1862; where did you get that from? —From Mr. Wilkinson, of London, a discount broker.

40,157. Was that concern afterwards turned into the Joint Stock Discount Company?—Yes.

40,158. You got it from him?—I did not get it from him; he made the payment of 1,200*l.* for me.

40,159. Where did he make that payment?—I asked him if he would do it.

40,160. Did you direct him to pay 1,200*l.* to Mr. Allin, of the firm of Green and Allin, 10 Angel Court, Throgmorton Street, to be remitted to William Webber, draper, Totnes?—Yes.

40,161. From whom did you receive instructions?— Of course only from Mr. Pender, not from any other person.

40,162. Did you receive an order?—I got an order from Wilkinson for the money.

40,163. Did you receive instructions from Mr. Pender to pay to Allin on account of Webber?—I do not know. There was Mr. McDougall there and Mr. Moore; which of them gave me instructions I do not know. I fancy it was Mr. McDougall. I will not be sure.

40,164. This is a letter of Mr. Wilkinson's?—Yes, acknowledging the bill that was sent up to meet this 1,400*l.*

40,165. What became of the 1,200*l.* you do not know?—No.

40,166. What became of the 200*l.* which you kept? —Mr. Moore wanted some money. Mr. Pender told me I had better bring down 200*l.*, which was disbursed as stated in that account.

40,167. That is included in this summary?—In detail.

40,168. The sum of 200*l.* is included in the items given in that account?—Just so.

40,169. Did you come down with Mr. Pender in 1862?—No, shortly after him.

40,170. You were employed as a corresponding clerk?—Yes.

40,171. Did you pay these monies yourself?—No.

40,172. How were these monies paid?—I gave 50*l.* to Mr. Pender, 30*l.* I gave to Mr. McDougall for Field, and the other money I remitted to Manchester. I paid no monies myself except that.

40,173. What was Mr. Field down here for?— There were two of his men down here.

40,174. Who brought him down?—He came down himself, I suppose.

40,175. But he was paid by Mr. Pender?—Certainly. I have all the books and correspondence here, which I will deliver up to you.

W. D. Narramore.

W. D. Narramore recalled.

40,176. (*Mr. Bere.*) The poll book of Mr. Charles Frederick Michelmore was shown you at the "Seven Stars;" will you select it out of that lot (*handing some books to the witness*)?—I fancy it is one of those.

J. Heath.

John Heath recalled.

40,177. (*Mr. Bere.*) Will you take these poll books in your hands and select the poll book which Mr. C. F. Michelmore showed you at the "Seven Stars." Do you remember the colour of it?—I do not remember the colour of it.

40,178. You may look at it.—Before my examination is proceeded with, I wish to be allowed to state that to-morrow I expect to be prepared with an answer to the statement made by the court on Tuesday last with respect to what the court considered the unsatisfactory nature of my evidence. Such answer will be founded on a statement of the facts elicited in evidence, and will I trust furnish a complete and satisfactory reply to all the allegations contained in the statement put forward by the court on Tuesday last. In justice to my family and my friends I wish to have the opportunity of setting myself right with the public.

40,179. Cannot you tell us without any minute examination?—I cannot say. It was on a Sunday night that Mr. Michelmore came in, when my smoking room was full of customers.

Mr. T. W. Windeatt.

Mr. Thomas White Windeatt recalled.

40,180. (*Mr. Bere.*) Is that your brother's handwriting (*hands a paper to the witness*)?—Yes.

40,181. Do you know what that book is (*hands a book to the witness*)?—Yes.

40,182. What is it?—Mr. Michelmore's poll book. I think you will find some of his writing at the end and some figures of mine.

40,183. Is that your brother's writing (*hands another book to witness*)?—No, that is Fitze's; that was my father's canvassing book.

40,184. Whose writing is that, do you know (*hands another book to the witness*)?—I do not know; I fancy I have seen it before. I think it is one of Mr. Michelmore's clerks, but I cannot be sure. Mr. Michelmore and I went repeatedly through this book of his.

J. Pender, Esq.

John Pender, Esq., recalled.

40,185. (*Mr. Coleridge.*) What was your object in having a couple of Field's men down here in 1862? —As I have stated in my evidence before, I had a very strong desire to get in purely if possible. From what I saw going on I was told that there was a determination to fight, and, very much against the wish of others, I thought it would be a good thing to get down two of Field's detectives and endeavour to find out who were the parties.

40,186. Did you quarter them at the "Stars" or at the "Seymour?"—I have no idea where they went to; I never saw them. I wished to have them here, and if possible to find how the money was being spent, being under the impression that my people were not spending a shilling improperly.

40,187. Who had personal intercourse with these two detectives?—I cannot tell you that.

40,188. Who engaged them for you?—I believe

Mr. Jack engaged them. I think Mr. McDougall had something to do with them.

40,189. Who did they report?—I cannot even tell you that. I think the chances are that they would report to Mr. Jack if he paid the men, or to Mr. McDougall.

40,190. Who brought the reports to you of what they had found out?—They found out nothing. I afterwards discovered that the money had been thrown away.

40,191. How long were they there?—About a week.

40,192. Did you send for them?—Yes, it was at my suggestion.

40,193. Who wrote up for them?—My impression is, that when Mr. Jack went to London for the 1,400*l.* he was then to engage the detectives.

40,194. Do you know their names?—I do not.

40,195. Were any reports brought to you of malpractices on the other side?—No, there were not.

40,196. You did not find out anything?—No, it was money thrown away.

40,197. Did you have them down again in 1865?—No, I had learnt better.

40,198. You had no detective or mysterious stranger then?—No, I knew that it was all nonsense.

40,199. You had paid them but found they were no good?—None at all. I think they cost 32*l.*

NICHOLAS HEALD sworn and examined.

N. Heald.

40,200. (*Mr. Bere.*) Are you Mr. Pender's private secretary now?—I am now.

40,201. How long have you been in that position?—Since August last year.

40,202. What were you before?—I began life as a lawyer. I afterwards became a very extensive calico printer, then I was secretary to Joseph Whitworth and Co., and finally secretary to Mr. Pender.

40,203. Are you still secretary to Joseph Whitworth and Co.?—No.

40,204. Has your connexion with that company ceased entirely?—It has.

40,205. Did that cease when you became secretary to Mr. Pender?—Before.

40,206. What account had you at your bankers in July 1865, was it only with one bank?—Only with the Manchester and Salford Bank.

40,207. Did you ever bank with the Consolidated Bank?—Not that I am aware of. I banked with the Manchester and Salford Bank since 1842, long before the establishment of the Consolidated Bank.

40,208. When you were not Mr. Pender's secretary were you interested in his success as a politician?—No; after I left the Whitworth Company Mr. Pender out of kindness to me, knowing that I was an idle man, and anxious to have something to do, asked me to come down to Totnes at the time of the election.

40,209. You were not down in 1862?—No, never before.

40,210. In 1865 was the first time?—That was the first time.

40,211. Did you come down with Mr. Pender or after him?—I do not remember.

40,212. Did you come as Mr. Pender's friend?—I came as Mr. Pender's friend.

40,213. How long after he came did you come?—I do not know whether I was not here before him. I do not know.

40,214. Did you come down with Mr. McDougall?—No, I do not know Mr. McDougall.

40,215. You knew him while he was staying here?—No; I do not think Mr. McDougall was down here last year.

40,216. Mr. McHaffie was down here in 1865?—I do not know that; he might have been.

40,217. Did you wear a white hat with a black band round it?—I did.

40,218. Did you go a good deal about Totnes during the election?—Not at all. I never canvassed nor ever saw to my knowledge a single voter.

40,219. Did you go about Totnes a good deal?—Not much. I was generally shut up at the "Seymour" Hotel, and only left in the evening when the business of the day was over.

40,220. For what purpose were you so occupied at the "Seymour?"—I managed all Mr. Pender's private correspondence, writing his letters for him.

40,221. Had you anything to do with the money part of the correspondence?—Nothing whatever, except in the case of dividend warrants coming down, and I had to re-inclose them and foward them to Manchester.

40,222. Do you remember the dividend warrants coming down from the Telegraph Construction Company?—I do not.

40,223. Did not those come into your hands?—No.

40,224. Did any other dividend warrants come down?—That I cannot say, as I was in the habit of receiving so many, Mr. Pender being so largely engaged.

40,225. Can you say whether during the time you were here any dividend warrants did come down?—I cannot say.

40,226. In that case would the course of business have been to send them on to Manchester?—Yes, they would be sent to Manchester.

40,227. Did you ever see any person whom you knew to be a voter and ask him for his vote?—No.

40,228. Have you done that at no time?—At no time.

40,229. During your stay here you made acquaintance with some people in Totnes?—Not with many.

40,230. Did you become acquainted with Mr. Fowle?—No.

40,231. Do you know him?—No, I do not. I should not know him if he was standing here from anyone else.

40,232. Did you know that Mr. Pender had sent down 2,000*l.* from London?—No, I did not.

40,233. Or that any money whatever had come to the "Seymour?"—No.

40,234. Had you anything to do with the handing of money to anyone during the time of the election?—No.

40,235. Or with anything done up in the shape of parcels, not knowing what they were?—No.

40,236. What room did you sleep in at the "Seymour?"—I slept in a room over the front door, a room looking into the street.

40,237. Do you remember the number of the room?—I do not.

40,238. Do you know was it a double-bedded room?—No.

40,239. Was that the only room which you occupied?—Yes.

40,240. Do you know whether any money was ever found in that room?—I do not know. I never found any.

40,241. (*Mr. Coleridge.*) Do you know whether anyone else found any money there?—No.

40,242. (*Mr. Bere.*) Did you make any acquaintance with the Lorimers while you were here?—No, I never heard of their name, nor was I ever in their shop.

40,243. Did you never have any talk with them during the time of the election?—No, not at all.

40,244. Did Mr. Pender and you discuss the chances of success of the election during the evening?—I do not think so. Mr. Pender was too much engaged with other people about that time.

40,245. Did you go through the poll book with him?—No.

40,246. Or with any person?—I think some person might have shown me the poll book and spoken of the prospects of the election.

40,247. Do you remember who that person was?—I think Mr. Charles Michelmore, but I am not certain.

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N. Heald.

27 Sept. 1865.

40,248. What was his opinion?—That it was an undoubted success.

40,249. Did he tell you that certain monies were necessary to produce that success?—No; before I leave I should like to ask that that portion of Mr. Harris's evidence may be referred to in which he speaks of what was done by the man with the white hat and the black band round it.

(*Mr. Bere.*) I do not know that that there is anything particular in that.

(*Mr. Longe.*) If I remember, he said that the man with the white hat and the black band on it was running about all day with money in his pocket.

(*The witness.*) I think he has told you that I was the man with the white hat and black band.

(*Mr. Coleridge to Mr Harris.*) Is that the gentleman whom you saw with a white hat and a black band running about distributing money?

(*Mr. Harris.*) I do not think I said that he was running about with money in his hand distributing it.

(*The witness.*) On August the 30th he said that John Parnell had been offered a large sum by the man with the white hat and the black band.

(*Mr. Coleridge to Mr. Harris.*) Is that the gentleman whom you say offered Parnell a large sum of money?

(*Mr. Harris.*) I do not know; I did not see him; I only stated what Mr. Parnell told me.

(*Mr. Coleridge.*) I do not think that Mr. Harris gave us any authority for that statement.

(*The witness.*) If he did say so, all that I can say is that it was a most wanton and most reckless lie.

(*Mr. Longe.*) It is more excusable against an unknown person in a white hat than against anyone whom he did know.

(*The witness.*) I have been identified with that person.

(*Mr. Bere.*) The statement made in regard to Parnell is, "he came into his garden to see the man with the white hat, who offered him a very large sum."

(*The witness.*) I copied this from the newspaper. There is another allegation that some servant girl saw the man with the white hat go into her master's house and offer him a bribe of 300*l.* That is as wanton and reckless a lie as the other.

(*Mr. Bere.*) That is what the girl says.

(*The witness.*) Then the girl should be produced.

(*Mr. Coleridge.*) We are not here to clear up the characters of all persons against whom accusations are made, or we may sit here for months.

(*Mr. Bere.*) This is what was said by Mr. Harris: "It has been reported that the maid looked through "the keyhole, and she says she heard that a large "sum of money, 300*l.*, had been offered—her name "was Honeywill; she peeped through the keyhole of "the door when the man with the white hat and "black band went in, and she heard this man make a "bargain with Mr. Wright for 300*l.*" That is not a statement made by Mr. Harris.

(*The witness.*) I am reading from the "Times" newspaper containing these matters which has gone through the world.

(*Mr. Bere.*) And your contradiction will go through the world in the same way—you need not be afraid. The statement in the evidence of Mr. Harris is: "The "gentleman in the white hat and black band had an "interview with Mr. Wright, and after that interview "there was a rumour that Mr. Wright had changed "his opinions or his views."

(*The witness.*) I wish it to be understood that the gentleman with the white hat had nothing to do with Mr. John Wright and does not know him.

(*Mr. Bere.*) All that is alleged against you is that you had an interview with him?—I had not.

40,250. (*Mr. Coleridge.*) It will be sufficient if you contradict it generally. You never paid any money to any voters or promised any during the election?—Never.

40,251. Or since the election?—No.

40,252. Or given anything to anyone?—Neither directly nor indirectly.

40,253. Not even a cigar?—No, for I do not smoke myself.

(*Mr. Harris.*) The only time that I ever remember speaking to Mr. Heald was when he asked me for one of Captain Pim's addresses.

J. Parnell.

JOHN PARNELL recalled.

40,254. (*Mr. Bere.*) Will you look at that gentleman (*pointing to Mr. Heald*); did you ever see that gentleman before?—No, never in my life that I know of.

40,255. You never were offered money by him?—No.

40,256. Did you ever see him with a white hat and a black band on it?—No, the gentleman whom I saw had no black band on his hat.

40,257. He had only a white hat?—Yes.

40,258. Are you quite sure that this is not the gentleman?—Yes.

40,259. Did someone come to you and offer you some money?—Yes; the gentleman was much stouter than this one.

W. D. Narramore.

W. D. NARRAMORE recalled.

40,260. (*Mr. Bere.*) You could not identify the book by the outside. Just look at that book, and tell us from looking through it whether that is the book which you saw?—I am certain it is not. It was a book with a dark cover. The book which Mr. Michelmore showed me was one which had been made up long previous to the election, and which he had examined with Mr. Chaster at his house.

Mr. J. Heath.

Mr. JOHN HEATH recalled.

40,261. (*Mr. Bere.*) Can you say whether that was Mr. Michelmore's book (*handing a book to the witness*)?—I never saw it before.

E. Harris.

ELIZABETH HARRIS sworn and examined.

40,262. (*Mr. Bere.*) You are the wife of Robert Harris?—I am.

40,263. Are you acquainted with Mrs. Lorimer?—Yes.

40,264. At any time during the election of 1865 did you speak to Mrs. Lorimer about your husband being in Totnes?—I did.

40,265. Was it some time before the election?—I can hardly tell you. I spoke to her many times before and after.

40,266. Do you remember saying anything to Mrs. Lorimer about Mr. Pender being able to get Mr. Harris a situation?—I asked Mrs. Lorimer if she thought he could do so.

40,267. Was that before the election?—That was after the election.

40,268. Are you quite sure that it was after the election?—I am quite sure.

40,269. Do you remember your husband coming home any time before the election and telling you about a conversation with Mr. Pender?—I have heard him speak of it.

40,270. Before the election or after it ?—I think I an hardly tell you when I heard it; it is almost impossible for me to say.

40,271. Can you remember what your husband did ay about it ?—I do not think I could.

40,272. I do not mean the exact words ?—I heard im say that Mr. Pender offered him a situation, or omething of that kind.

40,273. Was that before the election ?—I should ot like to say that, for I do not know. I did not pay ttention enough to those things to remember.

40,274. Did he mention that more than once ?—Yes, several times.

40,275. Did he ever mention that to you in Mrs. Lorimer's presence ?—No, never.

40,276. Do you remember a letter that was written n July just after the election ?—By whom ?

40,277. By your husband to Mr. Pender ?—Yes, I eard of it.

40,278. Was that letter written in consequence of ny wish of yours ?—No, I had nothing to do with it. I knew that he had written the letter, but I had othing to do with the matter.

40,279. You were very anxious that he should leave Totnes ?—I was so, and still am, and should have been very glad if Mr. Pender had got him a situation.

40,280. Did he not consult you about writing to Mr. Pender ?—He told me that he was going to do o, and I read the letter after he had written it.

40,281. Did you also consult Mrs. Lorimer about t ?—No, I had nothing to do with her.

40,282. Was any mention made by your husband to ou of an offer of a situation before the election ?—I hink he did come in and say Mr. Pender had spoken o him about the matter.

40,283. Do you remember what time of the day he aid that ?—I do not at all.

40,284. Or how long it was before the election ?—I could not say.

40,285. Did he mention the value of the situation ?—I think he did.

40,286. What did he say ?—I do not remember the exact words, but he thought Mr. Pender would get im a situation.

40,287. What was the value of it ?—I think I heard im say between 200*l.* and 300*l.* a year, but I heard im talk so much about it that I did not take but very ittle notice of it ; I do not take much notice of any olitical talk.

40,288. There is a very great difference between our husband's statement and Mr. Pender's as to his conversation with Mr. Pender; you may be able to throw some light upon it ?—I do not remember anything about it. I believe that he told me of it before, but I should not like to be certain about it.

40,289. Are you quite certain that it was after the election that you had the talk with Mrs. Lorimer ?—Yes, I am quite certain of that, because we were at a tea meeting out at Staverton, and we had a conversation about the matter.

40,290. (*Mr. Longe.*) Can you remember whether it was before you heard from your husband of this offer or afterwards that you first proposed asking Mr. Pender ?—He had nothing to do with it at all; that was of my own free will. I wished to get my husband out of Totnes, and I asked Mrs. Lorimer if she would ask Mr. Pender if he could get him a situation.

40,291. (*Mr. Coleridge.*) You did not mean to tell your husband until you had got some offer ?—I did not.

40,292. (*Mr. Bere.*) You say you wrote to Mr. Pender ?—I wrote to Mr. Pender, and when I wrote that letter to Mr. Pender Mr. Harris knew nothing of it.

40,293. (*Mr. Longe.*) Can you recollect when you first spoke to Mrs. Lorimer ?—I have told you.

40,294. I mean with regard to asking Mr. Pender ?—I could not tell the day of the month, or the hour, it would be quite impossible for me to do so. I used to see Mrs. Lorimer very often; we had been friends for a good many years, and many times I mentioned to her my wish that Mr. Pender would get my husband a situation. With regard to telling the day of the month, or anything like the exact time, it is impossible that I could do so.

40,295. But you many times mentioned that to her before as well as after the election ?—Yes.

40,296. (*Mr. Coleridge.*) Did you ever say anything to Mr. Lorimer to the effect that you wished Colonel Dawkins would get your husband a situation ?—No, certainly not.

40,297. Why did you think of asking Mr. Pender ?—Because I had a very good opinion of Mr. Pender. I thought he was a man who would be likely to do so. I liked Mr. Pender.

40,298. But you knew that your husband had voted against Mr. Pender ?—I had nothing to do with that.

40,299. (*Mr. Longe.*) You thought perhaps that Mr. Pender would like to have him out of the town ?—I thought that Mr. Pender would be a much more likely man to do anything for him. I did not think much of Colonel Dawkins. I did not think he was a man of that sort who would try to get a situation for anyone. As to Captain Pim I knew nothing about him.

40,300. (*Mr. Coleridge.*) Do you recollect whether your husband did tell you the amount of the situation which Mr. Pender proposed to get him ?—I cannot tell you; he might have said 200*l.* or 300*l.* a year.

40,301. You know that he swore to its being 300*l.* a year before the Committee of the House of Commons ?—That I do not know.

40,302. Has he not told you that ?—I do not believe all that I hear.

JOHN PUTT sworn and examined. *J. Putt.*

40,303. (*Mr. Longe.*) How long have you had a vote for the borough of Totnes ?—I lived in Totnes seven years.

40,304. You voted in 1863 ?—Yes.

40,305. Did you vote in 1862 ?—No, I did not.

40,306. In 1859 you had a vote ?—No.

40,307. In 1863 whom did you vote for ?—Mr. Dent.

40,308. How much money did you get for your vote in 1863 ?—30*l.*

40,309. Who gave it to you ?—Mr. Evens.

40,310. Frederick Evens ?—I do not know exactly his name, but he keeps the pawnbroker's shop.

40,311. Where were you residing ?—The higher part of the town.

40,312. That was the first time you had a vote ?—Yes.

40,313. Do you remember anything about an election a month before, in 1862 ?—Yes.

40,314. You did not vote that time ?—No.

40,315. Were you canvassed by Mr. Pender ?—Yes.

40,316. Who canvassed you ?—Mr. Pender himself.

40,317. Who else called upon you for Mr. Pender besides him ?—I believe Mr. Michelmore ; I would not be certain, but I think so.

40,318. Did he call upon you with Mr. Pender ?—With Mr. Pender.

40,319. After those gentlemen left did anyone else call upon you of the Liberal party ?—No.

40,320. Was any offer made you by the Liberal party on that occasion ?—No.

40,321. Had you any promise from the Conservative side ?—Yes ; 30*l.* promised me.

40,322. Another 30*l.* ?—No, I had a promise of 30*l.* to vote for Dent and I did so.

40,323. There was an election at which you did not vote ?—Yes.

40,324. At that time was there any money promised you ?—No.

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40,325. You were canvassed ?—Yes.

40,326. By whom ?—Mr. Dent.

40,327. Who with him ?—Mr. Kellock I think.

40,328. Did you see Mr. Evens ?—Yes, he did come in and out, but nothing was said about money.

40,329. Did you promise your vote ?—Yes, for Mr. Dent.

40,330. Without any money being offered ?—Yes, and I would have voted for him.

40,331. At the 1865 election whom did you vote for then ?—Colonel Dawkins and Captain Pim.

40,332. What did you get at that election ?—49*l.*

40,333. Who gave you that ?—The same Mr. Evens.

40,334. How much did you give him back ?—I did not give him anything back.

40,335. Were you canvassed by the other side ?—I was not.

40,336. Did not Mr. Pender call upon you ?—He called but I was not there.

40,337. No one else came from the Liberals ?—No.

40,338. No offer made ?—No.

40,339. Is that all the money you received for your vote ?—Yes.

40,340. (*Mr. Bere.*) Is that all, directly or indirectly ?—That is all.

40,341. Did you offer anybody any money ?—I had none to offer.

40,342. (*Mr. Coleridge.*) Had you ever any money given you to offer ?—No.

40,343. Did any money pass through your hands ?—No.

Mr. C. F. Michelmore.

Mr. Charles Frederick Michelmore recalled.

40,344. (*Mr. Colcridge.*) When were you admitted as an attorney ?—In 1851, in November.

40,345. Then your first doings with elections here would be in 1852 ?—They were.

40,346. Whose agent were you ?—Mr. Baldwin's.

40,347. You were then on the Conservative side ?—I was not on the Conservative side. My partner Mr. Presswell, was on the Liberal side. I was offered a retainer on the Conservative side, which I took, not having any vote or anything more than a professional interest in the borough.

40,348. Did Mr. Presswell have a retainer on the Liberal side ?—No ; he was paid in this way : up to the time of leaving the Liberal party what I believe partly to be the cause was this : we were in the habit of paying the town clerk for taking the parliamentary return to London. We ascertained that other boroughs, Honiton, Exeter, Devonport, and Plymouth, that they sent the return by the guard of the train, and made him a present of a fee I believe of 5*l.* Mr. Presswell would insist on taking the return himself ; and when Admiral Mitchell was the mayor there was a return to be sent up ; I forget now who the candidates were, but it was owing to that that Mr. Presswell left the party.

40,349. He did not leave the party till 1859 ?—I am aware of that fact.

40,350. You acted for Baldwin ?—Yes ; and I am sorry to say I was not paid.

40,351. What were the terms on which you were to act for Mr. Baldwin ?—I was to receive a retainer of 25 guineas.

40,352. You did not receive it ?—No.

40,353. What did you do ?—Bribed many people.

40,354. Give us their names ?—Henry Bartlett.

40,355. Is your memory good about that ?—I am positive about that. I am here solemnly to swear, and I have further evidence which I had given me this morning with regard to him, about being at the inn at the head of the street, that I was there, and I made a remark that it was a shame that men should require so much money.

40,356. What did you at that time give Mr. Bartlett for his vote ?—I arranged with Mr. Bartlett first at No. 1 at the "Stars" hotel. The terms were, that he was to be paid 25*l.* for himself, 25*l.* for James Penwill, and 25*l.* for Nicholas Norrish. But I must tell you a man named McKnight was engaged on the Liberal interest, and he came there and endeavoured to take Nicholas Norrish away. Owing to the money I paid Bartlett for Penwill and Norrish I believe he was unable to do so, and he came out rather in a rage that night, and I said it was a great shame that so much money should be spent.

40,357. 75*l.* between three ?—Yes.

40,358. Bartlett 25*l.*, and 25*l.* to each of the others ?—Yes.

40,359. How did you pay, in gold or notes ?—Gold principally.

40,360. On the top of a cask ?—Yes, and a man called Morris has called it to my recollection that he was present.

40,361. Where did you get the money ?—From Mr. William Hannaford.

40,362. Who is he ?—He lives here. Mr. Hannaford was a clerk to the late Mr. George Farwell.

40,363. Besides the 75*l.* to those voters, how much money did you receive for the election ?—I cannot tell you ; if you call my attention to the names I will tell you.

40,364. What money did you receive ?—We only had 700*l.* to open the ball with, and that came from the Carlton Club. Baldwin had not a screw.

40,365. How did you know that it came from the Carlton Club ?—It was currently reported.

40,366. Whom did you get anything from except Mr. Hannaford ?—No one.

40,367. Was there any mysterious stranger down to assist you ?—No, decidedly not ; it was done too openly ; no stranger was required.

40,368. Do you know how the money came down ?—No.

40,369. You cannot tell us the names of the other persons that you paid ?—No.

40,370. The next election is 1855. There was no opposition, but you recollect Sir John Yard Buller coming down and going away ?—Yes ; he issued an address.

40,371. No money spent ?—No.

40,372. In 1857, Mr. Mills' first election ?—Yes.

40,373. Which side were you then ?—Mr. Mills ; it was Mackenzie and Gregory.

40,374. There were two Conservatives in the field ?—There were for a time, and I was a paid agent on behalf of Lord Gifford.

40,375. You came to the Liberal party ?—It was my first vote.

40,376. Were you retained by Lord Gifford ?—I was ; I was to receive 25 guineas, and five guineas a year for watching the registration With regard to the registration in Lord Gifford's time, the objections that were made were very trifling as compared to the objections on the other side. It would last, perhaps, 10 minutes, all the objections, and I had the brief put into my hands, and I had no trouble. I had five guineas for my five or ten minutes' work.

40,377. On that occasion what money did you receive in bribery in 1857 ?—I cannot tell you, but every election I have been the means of bribing.

40,378. I want a little particularity. How much about in 1857 did you receive for bribery. Did you receive 100*l.* ?—Oh, yes, 300*l.*

40,379. But who found that money ; did Lord Gifford find the money ?—I do not know from what source it came, whether I had it from my cousin or not I do not know.

40,380. Mr. Mills found the money, I suppose ?—Not that I am aware of. If you will allow me, I may say I was at that time what you might term junior counsel.

40,381. Who was the senior?—Mr. Thomas Michelmore was the senior.

40,382. Your uncle?—No, second cousin. He was the senior counsel, and in the elections in which I have been engaged with Brooking Cuming and Mr. Windeatt I have had nothing whatever to do with money matters more than was trusted to me in this way—if I went to them and said I wanted 25*l.*

40,383. Let us get to 1857 at present?—All the money that I expended I received from the Mess. Michelmore.

40,384. Mr. Thomas, and who would be the other?—Jeffery.

40,385. Can you recollect in 1857 whom you paid the money to in bribery?—No.

40,386. Can you recollect any names?—Not unless it is called to my notice.

40,387. Can you recollect any person whom you subsequently bribed whom you bribed in 1857?—I can tell you two names, but I cannot tell the year Shillabeer and Smaridge, but I think that is later on.

40,388. What did votes run to in 1857?—30*l.*, but Smaridge had not a vote then. They were desirous of mobbing me, the people in the town, and I went to Mr. Samuel Huxham's house, and I was there till nearly two o'clock in the morning, and if I recollect rightly, playing at cards part of the time, and when I came out I met Shillabeer with a bell, going round the street and making a great noise. I told him I thought he ought to be ashamed of himself, not that I thought I ought to be ashamed of myself, and I told him it would not be a bad job to come over to me the next morning. Kidneys were prepared for my breakfast, and he eat them.

40,389. Is that what you bribed him with?—No, he had 30*l.* besides.

40,390. Was it in 1857 or 1859?—I gave it to him twice; the third time he was promised, and the reason he did not get it was that the funds ran short.

40,391. You gave it to him in 1857 or 1859?—Yes.

40,392. What is it about William Shinner in 1857. Can you tell me about the account; I see something about a threat. Do you recollect taking away Shinner from his house in 1857?—I do; I took him away in a fly.

40,393. Where did you take him?—To the polling booth, and I polled him.

40,394. What did you give him for it?—I would not be certain, from 25*l.* to 45*l.*

40,395. Did you not tell him that you would turn him out of his house if he did not vote for Mills and Gifford?—Very likely.

40,396. Did you tell him?—I do not know; I will say "yes" if you like.

40,397. Do not say "yes" if you do not remember?—I do not, but it is very likely.

40,398. Have you any recollection?—No.

40,399. Are you positive that you paid him?—Yes, I paid him a sum of money, but I cannot recollect. I took him and brought him to the poll, and got out of the carriage, and he went to the poll booth, and he polled for our side.

40,400. In 1857 you were married?—No, I was married in 1859.

40,401. When did your wife begin helping you in distributing money?—Whenever I asked her.

40,402. On what was the first occasion?—Really I cannot tell you; she paid so much money away at my request.

40,403. Did she distribute any in 1859?—I do not remember any sums, I think it more than probable.

40,404. Would she have given the money to Shillabeer and not you?—No.

40,405. Can you give any further names of people whom you bribed when you spent about 300*l.*?—I cannot recollect.

40,406. In 1859 there was Lord Gifford and Mills, who were you employed by then?—Both by Lord Gifford and Mills.

40,407. What sums of money did you receive to distribute in that year, you or Mr. Michelmore?—Oh, a large sum.

40,408. About what, 1,000*l.*?—No, I do not think so much; it must have been between 700*l.* and 1,000*l.*

40,409. Who did you receive it from?—I think from Mr. Cuming, either directly or indirectly.

40,410. If it was indirectly who did it come through?—I think you have had quite sufficient evidence that sums of money were placed behind looking glasses, and those sort of things, but Mr. Cuming was what we consider in law cognizant of what purpose it was for.

40,411. Did you receive any of those sums of money by going up into the room and taking it off a table?—I do not think so.

40,412. Do you think you got it paid directly or by Mr. Brooking Cuming?—I do not.

40,413. Or by Mr. Windeatt?—No, not upon that occasion.

40,414. Was it not Mr. Brooking Cuming who paid you?—I believe it to be so.

40,415. Can you recollect what he paid it in, in notes, or gold, or parcels, or what in?—Both, I should say. I have gone to Mr. Cuming, and I said, I want 25*l.*, or 30*l.*, or 40*l.*, or any other sum.

40,416. Had you received it for any particular voter with whom you had agreed, or in a lump sum?—For a particular voter, and I should come back and say so and so is all right.

40,417. Was Mr. Brooking Cuming the person with whom in 1859 you would have made that arrangement?—Yes.

40,418. Not with Mr. Holman?—I should not.

40,419. He was at the head and you were second?—That is so.

40,420. What retaining fee had you in 1859?—50 guineas from Mr. Pender.

40,421. In 1859, Mills and Gifford?—25 guineas.

40,422. From each of them?—50 guineas from Mr. Mills and 25 guineas from Lord Gifford.

40,423. Do you recollect promising Shillabeer 30*l.*?—I did.

40,424. Did you pay him?—I did not.

40,425. Why was that?—Because the finances ran short, and we had not the money to pay.

40,426. Did he vote for you all right?—I must tell you, in reference to the last election, Shillabeer must have had 80*l.*

40,427. There is a distinction between 1859 and the last election; you never paid him?—I did not.

40,428. Smaridge, did you promise him?—I did.

40,429. What?—The same as Shillabeer.

40,430. Did he get it?—He did not.

40,431. What became of the 900*l.*?—900*l.* goes a very short way in Totnes during an election.

40,432. You have not told us of anybody in 1859 who you paid money to. There is John Godfrey, did you pay him?—No, but I see in the papers it is said so.

40,433. Did you give a parcel to John Huxham, a parcel of money?—No.

40,434. Did you not tell Baker to go and get a parcel and give it to John Huxham?—Very likely.

40,435. Do you recollect anything about it?—I do not.

40,436. You have told us you got from 700*l.* to 1,000*l.* at that election. You have not told us any person you paid that to?—I gave you the right direction of it, supposing Mr. Parnell made any arrangements, I would say to him I want so much.

40,437. How much did you give Mr. Parnell?—I cannot tell you, but it would be when talking on the stairs, and to Mrs. Michelmore, and other ways; I cannot tell.

40,438. What did she have?—I should think altogether 300*l.*; Mr. Holman had it for Mr. Ledbury.

40,439. Out of the 700*l.* to 1,000*l.* you distributed at the election how much did you give Mr. Parnell, and how much to Mr. Holman; did you give about

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300*l.* to each?—I should not know it at all, more than I paid away myself.

40,440. It was paid to them to pay others?—To pay others.

40,441. Were you to have anything out of the contest?—Not a farthing.

40,442. In addition to what you gave him to give to others, what did you give to actual voters, you or your wife, Mrs. Michelmore?—I never gave anything to actual voters.

40,443. Do you recollect any?—If you call my attention to any of them I can tell you.

40,444. Four I have called your attention to that you promised but did not pay?—That is so.

40,445. I have no means of telling any others; you can tell me; I ask you if you recollect any other names to whom you gave—voters?—I am sure I cannot say particularly.

40,446. Can you recollect?—I cannot.

40,447. Did you show Baker the room in which the money was to be distributed?—No.

40,448. (*Mr. Bere.*) You knew something of Baker at the election in 1859?—I believe I did.

40,449. Are you quite sure you did not send him to a room in the "Seymour Hotel" to find a parcel of money for Huxham?—I have no recollection.

40,450. Was it not in a room of the "Seymour Arms" you placed the money; did you know that?—No.

40,451. Was not the common mode of distribution at an election leaving parcels in a room and telling people to go and look for them?—I have heard that since this Commission has been opened.

40,452. Edward Baker has sworn that upon oath?—If he says anything of the sort I do not deny it.

40,453. Did you send him to a room in the "Seymour Hotel," and tell him where he would find a parcel of 30*l.*?—If he has stated it I do not deny it.

40,454. (*Mr. Coleridge.*) You cannot give us the names of any people in 1859 to whom you actually gave money?—I cannot, there are so many.

40,455. How many should you say you gave it to?—I cannot remember.

40,456. How many people do you say you bribed personally in 1859?—I should think five or six.

40,457. That would be in addition to the men for whom you gave to Parnell and Holman money to bribe with?—It would.

40,458. Did you give Thomas Jacob Searle any money to bribe with?—I think I did.

40,459. Can you recollect for certain whether you did or not?—I may say that I did.

40,460. How much did you give him?—I would not like to be positive, either 25*l.* or 50*l.*

40,461. Either one or two voters?—One or two voters.

40,462. Besides Thomas Jacob Searle, Parnell, and Holman, was there anybody else to whom you gave money to distribute?—No, decidedly not.

40,463. Did you give John Huxham any to distribute?—He is a man who has paid.

40,464. In addition to that he was not a man to take it?—He would go about.

40,465. You cannot remember it?—I have no remembrance; I should go and make a negotiation with a man, and then I should go to Mr. Cuming and receive from him the amount I required. I should then give it to Mr. Parnell or Mr. Holman to be distributed.

40,466. In 1859 you had a poll book that you marked, what are the ticks to all these names in the poll book (*referring to a poll book*)?—Allow me to look at it.

40,467. (*Handing it to the witness.*) What does that mean?—Bribed.

40,468. Did you bribe Nicholas Browse?—I did not, it was done by Mr. Hamlyn, of Buckfastleigh.

40,469. Did you bribe John Diggins?—I did not.

40,470. Who can tell that?—I cannot.

40,471. Did you ask him?—I think it more than probable; what has he had? because I can then follow, if you tell me.

40,472. In 1859 did you bribe John Diggins?—I did not, I most likely asked him.

40,473. Did you promise him anything?—No.

40,474. William Knapman, did you bribe him?—No.

40,475. Do you know who did it?—I did not.

40,476. Thomas Mitchell, Bridgetown, you bribed him?—No, nothing.

40,477. Thomas Hore Taylor?—I have put him down, he was a man who had a present; he is a very old person.

40,478. Do you know who gave it?—I cannot tell you.

40,479. Did you order the present to be given to him?—That I cannot answer.

40,480. Edward Randle Turpin?—No doubt about him.

40,481. William Allen, Fore Street?—I did not.

40,482. Richard Andrews?—I did not.

40,483. William Blight, Stoke Gabriel?—I should think there was not a doubt about it.

40,484. Did you bribe him, himself?—No.

40,485. Did you direct anybody?—I did not.

40,486. Thomas Blank?—I did not bribe him; he is the 40*l.* gentleman.

40,487. John Brown, "Market House" Inn, did you bribe him?—No.

40,488. John Corney, Fore Street?—He had it.

40,489. James Clarke, New Walk?—I am certain he was bribed; he was a tenant of mine; he owed me a year's rent and promised to pay me, but he forgot it.

40,490. What makes you think he got it?—He was living at the "Royal Hotel" at Plymouth and as soon ashe had the money he bolted.

40,491. Francis Coombes, Fore Street?—I know nothing about him.

40,492. James Dean, Leechwell Lane?—I marked those from the names I received.

40,493. George Sawle Donnall?—He is dead.

40,494. He was not dead then?—He was supposed to be.

40,495. Thomas Frazer, Plymouth Road?—I cannot tell you.

40,496. Thomas Gillham, "Dartmouth Inn?"—He has acknowledged it.

40,497. John Godfrey, Fore Street?—I cannot recollect.

40,498. Samuel Hilley, Fore Street?—He voted against us.

40,499. John Hewitt, Ugborough?—I know nothing about him.

40,500. William Baker Hambling, Fore Street?—I am not sure about that.

40,501. Did you bribe him?—I did on one occasion.

40,502. A man called Harris?—I did.

40,503. In 1859?—Yes.

40,504. What did you give him?—25*l.* or 30*l.*; we had to go into two fields to get to his house.

40,505. Samuel Hill, Plymouth Road, in 1859?—I beg to make an explanation. I did not bribe him directly, but he was bribed indirectly.

40,506. Let us hear about it?—I was the means of doing it. The tenant who lived in a house next to where I was living was Mr. Dean.

40,507. Samuel Hill, junior, did he get anything?—He had a heavy sum.

40,508. Did you give it to him?—I do not think I did.

40,509. Did you order it to be given?—No doubt it was arranged he should have it, whether I ordered it or not.

40,510. How much?—50*l.* or 60*l.*

40,511. John Light?—Mr. Parnell has told you of that.

40,512. Robert Lorimer?—I know nothing about him.

40,513. John Light, junior, Plymouth Road?—He is one that had it.

40,514. Robert Morgan, Fore Street?—Paid to a servant.

40,515. Can you at all recollect whether this is applicable to 1863 or 1859?—All the evidence I have given is 1859.

40,516. Are you certain of that?—I am positive of it.

40,517. There is a peculiar similarity about the evidence you are going to give as to 1863 with the evidence you have given of 1859?—I think you will find that when they are bribed one year they take it the next.

40,518. You are assuming they were bribed in 1859 because they were bribed in 1863?—I have gone through the list with you of the sums that I gave Mr. Parnell.

40,519. Are you sure about the year?—I am positive.

40,520. You forget about Samuel Hill?—No; I saw Samuel Hill was down at this last election. I had nothing to do with Samuel Hill.

40,521. Now was Samuel Hill's case in 1859, or was it in 1863?—I think both.

40,522. Robert Morgan, Fore Street?—I have stated I am certain he was bribed.

40,523. Who bribed him?—The opposite side; he always refused to our side.

40,524. Now Nicholas Manning, the churchwarden, is there anything about him?—I do not know anything.

40,525. James Maddick, Cistern Street?—I know he was bribed.

40,526. Robert Mogridge?—He refused, he got better off.

40,527. George Mingo, Fore Street?—He was promised something.

40,528. What?—About the average sum.

40,529. In 1859?—Yes.

40,530. John Mallett, junior?—He is one of Mr. Durant's tenants.

40,531. They vote without any bribery?—I do not know that any money is paid. I have no notion.

40,532. You marked him?—Yes.

40,533. William Marks, Fore Street?—No doubt about that.

40,534. William Pearse, the "Oxford Arms," do you know who bribed him?—No.

40,535. Did you offer him anything on your side?—Most likely. I think we had a free and easy there.

40,536. I suppose you only have free and easy's where people vote for you?—It was a temptation to do so.

40,537. Jasper Parrott, he voted against you?—Yes.

40,538. Do you know anything about him?—I should not like to tell you.

40,539. Did you offer him anything?—I never spoke to him.

40,540. James Penwill, Fore Street?—I should think a valuable consideration.

40,541. Did you give that valuable consideration?—I did on one occasion.

40,542. When was that?—In Baldwin's time.

40,543. This was the time after Baldwin's?—I cannot tell about that.

40,544. Thomas Pearse, Follaton farm, does he vote against you?—Though I put that against his name I have no remembrance of it.

40,545. You tried him?—I was not certain. I tried everybody.

40,546. Everybody right and left you bribed?—I called on all people who were comeatable.

40,547. John Ferman Phillips?—He was at Torquay at the time. We took some trouble about him, but he beat us at last.

40,548. He voted one for you?—If he was paid on one side he did not care what became of the other vote.

40,549. Pengilley?—I think I sent to him a sandwich.

40,550. What was there inside it?—50*l.*

40,551. Did he send it back again?—Yes.

40,552. Why?—He said he had made better terms. I packed it up as carefully as I could and put it in two; I had it tied up in a piece of paper, and sent it to him one morning at 8 o'clock. William Henry Sawdye, of Newton Abbott, took it up, and he returned it with the remark that he had made a better bargain.

40,553. Do you know what he got on the other side?—I do not.

40,554. William Stoyle, Leechwell Street?—I have tried him. I never succeeded.

40,555. William Satchwell, he plumped for Mills?—That is Mr. Parnell's case.

40,556. Samuel Shillabeer, you offered him money?—He received it.

40,557. In 1859 I mean?—Offered.

40,558. He did not get any?—He did not.

40,559. Did he stand out too late?—No, he voted early. He was promised the money at the previous election, and at the last election he was to have 80*l.* instead of the 50*l.* He was going to be paid at the last election for his vote at the previous election. So he got 50*l.* for the last election, and 30*l.* for what was promised him at the election previously.

40,560. There were two elections between, try and recollect?—He voted for us in 1859, and he was paid.

40,561. Did you pay him?—He was paid twice by me.

40,562. As you paid him, what did you pay him in 1859?—Either 25*l.* or 30*l.*

40,563. Edward Shinner, did you offer to him money?—Yes, to buy a house with, I did.

40,564. In 1865?—I cannot tell you anything about him.

40,565. William Shinner, anything about him in 1859?—He was a tenant of mine and voted against me.

40,566. Did you offer him anything?—Most likely. I think I did.

40,567. Did you threaten him?—No; I do not think I used any threats.

40,568. Did you not tell him to turn out?—I was glad to keep him in.

40,569. Did he pay his rent?—Yes.

40,570. Did he pay it better after the election than before?—I cannot tell.

40,571. John Southwood of Diptford, he voted for you?—Yes, he was paid.

40,572. John Searle, he voted?—I paid him in 1859.

40,573. What did you give him?—He had before 40*l.*

40,574. Was that about his price?—No. I paid him 50*l.* last time.

40,575. Richard Tilley, Fore Street?—I know nothing about him.

40,576. Henry Tapper, he voted one for Mills and one for Dunn?—I tried him, but it was no go.

40,577. How came he to vote for Mills and not for Seymour?—He was paid.

40,578. I suppose on both sides?—No, it was in this way: we knew that the Somerset party was stronger, and the desire was to keep Mills safe, as there was no doubt with regard to Lord Gifford.

40,579. Then, in addition to that, Mills found the money?—I knew nothing about money matters, more than dispensing it.

40,580. Then Samuel Trotman, he voted against you?—He was paid for a certainty.

40,581. Henry Tope?—I cannot say anything about him.

40,582. Thomas Welch, on the Plains, he voted against you?—No.

40,583. Josias Whiteway voted against you?—I think he always voted that way with a consideration.

40,584. Did you try him?—No.

40,585. John Watson?—I know nothing about Watson.

40,586. (*Mr. Bere.*) When Mr Pender came down

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were you employed or not employed originally as his man of business?—All the way through.

40,587. What did you get as a retaining fee?—50 guineas.

40,588. In 1862?—Yes.

40,589. Was that to include looking after the registration?—It was.

40,590. We have heard from Mr. Pender that a sum of money amounting to 1,200*l.* came to Mr. William Webber, is he alive?—No, he is not.

40,591. Do you know anything about that money?—I do not.

40,592. Did you see any money in the "Seymour" hotel or anywhere else, during the election of 1863?—Decidedly; I saw the money.

40,593. Where did you see it?—It was handed to me at different times.

40,594. Where was it handed to you?—We had a room in the house.

40,595. No. 6 or No. 7?—The room nearest the bridge. I cannot tell the number.

10,596. In that room the money was handed to you?—Yes. There is what is termed the large room, which is the room on the right-hand side as you are going in.

40,597. How much money did you have to distribute in 1862?—Not to distribute. I received the money for the purpose of handing it over to Mr. Parnell and others, to pay the money.

40,598. How much did you receive?—I may state the same sum as you had just now, between 700*l.* and 1,000*l.*

40,599. There was no contest at that election?—I know; but as Mr. Holman told you the other day, it was considered that the promises that had been made should be fulfilled, and the parties should be paid the same as if there was an election.

40,600. Do you know of any sums of money distributed in envelopes?—I never heard of it before this Commission.

40,601. Did you yourself personally pay any voter in 1862?—I have no doubt I did.

40,602. Did you?—I did.

40,603. Is this your poll-book of 1863 (*handing it to the witness*)?—Is that the one I marked?

40,604. That is the one you marked?—Yes, it is.

(*Mr. Coleridge.*) Just take that book and take out the names of those with whom you yourself had to do, and the sums of money, if any, which you yourself gave, and in the meantime we will examine another witness.

S. Honeywill.

SARAH HONEYWILL sworn and examined.

40,605. (*Mr. Bere.*) Were you living with Mr. John Wright as a servant at the time of the election in 1865?—Yes.

40,606. Do you remember any persons who were not previously known to you coming to your master's house during the election?—I never knew that he took any money.

40,607. I did not ask that question, but whether you knew, personally, any strangers who came to your master's house during the election?—Yes, a gentleman or two.

40,608. Just look round the court and see if you can see any gentleman who came?—(*The witness looked round the court*) Mr. Pender came once.

40,609. Just look at that gentleman sitting in the corner there, with the white hair (*referring to Mr. Heald*).—I never remember seeing him.

40,610. Did you let Mr. Pender in?—Yes, I think I did once.

40,611. Where did he go to with Mr. Wright?—In the parlour.

40,612. Was the door shut?—Yes.

40,613. How long did he stay there?—Not many minutes.

40,614. Was that the only time he came in?—Yes.

40,615. Did you look through the keyhole of the door?—I did not, nor at any other time.

40,616. It has been said here. Have you ever said you did so?—No, never.

40,617. Have you ever said to anybody that you looked through the keyhole of the door, and saw a gentleman with a white hat giving your master money?—No, never.

40,618. Did you see Mr. Pender give your master money?—No, I never saw it.

40,619. Did you hear the tinkling of sovereigns?—No, never.

40,620. Did you hear the tinkling of any money?—No, never.

40,621. Not at any time in your master's room?—Never.

40,622. Never at any time?—No.

40,623. Did you see a gentleman with a white hat call at your master's house?—I do not remember the hat he wore.

40,624. You saw a person who was a stranger to you, who called upon your master during the election?—I daresay I did not consider at the time.

40,625. Do you remember anything particular happening to your master on that occasion?—No.

40,626. What did you see from the keyhole?—I never saw anything from the keyhole.

40,627. Was it a crack of the door?—No.

40,628. What did you see take place between your master and the stranger in the parlour?—I never saw anything.

40,629. What have you said you did see?—I never saw anything.

40,630. What did you say?—I said they wanted me to say I saw him take the money.

40,631. Who did?—A man named Bartlett, he offered me money to say that I did.

40,632. What is his name?—Dick, I think.

40,633. Where does he live?—At the top of the town.

40,634. What is he?—I do not know what he is.

40,635. Was he an acquaintance of yours before that?—No.

40,636. When did he come to you?—The same day.

40,637. What day, the election morning?—Yes.

40,638. What did he say to you?—He offered me 5*l.* to say that he had taken the money. I could not say what I had not seen.

40,639. Who did he say had sent him?—He said Mr. Kellock of Highfield had sent him.

40,640. What did you say to that?—I said I could not say what I never saw.

40,641. Do you know where Bartlett lives, what house is he in?—Near the top of the town, opposite the Plymouth Road.

40,642. Did he come down to your master's house where you were?—I answered the door to him, and he said there was a gentleman at the "Stars" wanted to see master. I said he was not in; he said, "He is in; look," he says, "he has taken money; not that I know of," he said; "I will give you 5*l.* if you will say so." I said, I cannot, for I never saw it. He went to mother to ask her to get me to come up and say so and so, and he said, if you do it will be a living for you and all your family.

40,643. Did your mother tell you so then?—Yes.

40,644. When?—She told me the same day.

40,645. Since we have been sitting here?—No, she always told it.

40,646. Did your mother ask you if your master had taken money?—No. I never knew that he had. I always said he did not.

40,647. (*Mr. Coleridge.*) How do you know it now?—I was told it the other day.

40,648. (*Mr. Bere.*) Had you never seen any money in your master's possession?—No, never.

40,649. Where does your mother live?—We live opposite the new gasworks.

40,650. Are you still in Mr. Wright's employment?—No. I do not go to service now I have not been in service for some time.

40,651. Was it on the morning of the election?—Yes, the same morning,

40,652. (*Mr. Longe.*) Cannot you tell us a little more fully the conversation?—Not now. I do not know.

40,653. (*Mr. Coleridge.*) Did Mr. Harris come to you?—He asked me about it; I could not tell anything more.

40,654. Mr. Robert Harris?—No; Mr. Michelmore came to our house, not Mr. Harris.

40,655. What Mr. Michelmore?—Mr. Michelmore of the Plymouth Road.

40,656. What is he?—The one that sat here just now; he wanted me to say it, and I could not say what I never saw. I went to a gentleman in the Kingsbridge Road, I forget his name.

40,657. Try and recollect who that gentleman was?—Mr. Chaster. I was living at Mr. Heath's. They sent for me several times to come over to get me to say that it did take place. I did not go.

40,658. How long after the election?—At the same time.

40,659. As the voting was going on?—No, they were going to London about it.

40,660. Who came to you, Mr. Chaster and Mr. Charles Frederick Michelmore?—I went to them about it. They wanted me to say, and they took it down on the paper. I said it was what I never saw. They wanted me to say so.

40,661. Mr. Michelmore and Mr. Chaster did not want you to say so?—They wanted to try to find it out.

40,662. Did the Heaths go on bothering you?—They sent several times.

40,663. Did they come themselves?—No, they sent.

40,664. Who did they send?—A servant.

40,665. What is her name?—I do not know her name.

40,666. Is it the housemaid or the chambermaid?—It is not at the "Seven Stars," but the son who is married.

40,667. She is still living there?—Yes.

40,668. She used to come from them?—Yes.

40,669. Did any servant at the "Seven Stars" ever come to you?—Yes, she did once.

40,670. When was that?—She came one morning. I cannot remember.

40,671. Do you recollect her name?—The housemaid, living there now

40,672. What did she say you were wanted for?—They wanted me to come over.

40,673. Did they tell you what for?—No.

40,674. Did they promise you anything if you would come?—No, they did not promise me anything.

40,675. You did not go?—No, I never went at all.

40,676. Who else bothered you?—I have said Mr. Kellock of Highfield. He did not come to me himself; he sent to me.

40,677. Did you ever go up and see him?—No, I never went to see him at all.

40,678. Did he ever come to see you?—No, he never came to see me.

40,679. (*Mr. Longe.*) You said the election day, what time in the day?—About 1 o'clock.

40,680. While the voting was going on?—Yes.

40,681. You say Dick Bartlett came to you and wanted this story from you, do you swear to that?—Yes, and he went to my mother's house too.

40,682. That is what you tell us now, on your oath?—Yes, on my oath.

40,683. (*Mr. Coleridge.*) Who else sent and bothered you besides the Heaths?—I do not know of anyone else.

40,684. Did you ever give any evidence and have it written down?—I always said I never saw him take the money.

40,685. Did you ever say that to anyone who wrote it down?—I said it to Mr. Michelmore and some others.

40,686. Did you have it read over to you?—Yes.

40,687. Did you sign your name to it?—No, I do not know that I did.

40,688. You never did go to the "Seven Stars?"—No.

40,689. Nor to Mr. John Heath?—No, never.

40,690. Nor Mr. Kellock?—No.

40,691. Nobody else asked you?—No.

Mr. MICHELMORE's examination resumed.

Mr. Michelmore.

40,692. (*Mr. Bere.*) The last witness says that after the last election you went to her and inquired if she saw someone go after Mr. Wright?—I did.

40,693. What did you say to her?—She made a statement to me which I took in writing.

40,694. Which she signed?—The deposition was taken before Mr. Derry the magistrate.

40,695. Have you got a copy of it?—I have not. I believe I wrote it out.

40,696. What was the purport, what she was to say with regard to the bribery that had taken place, and what she had heard had been offered to Mr. Wright. What she says here is, that she never saw anything offered to Mr. Wright at all, but that on the morning of the election Bartlett came down to her and offered 5*l.* if she would say she had seen money offered, what did you hear about that?—That she was to swear that Mr. Wright had 300*l.*

40,697. That somebody came down to tell her to say so?—Yes.

40,698. Was that about the time of the election petition?—No, before that.

40,699. What became of the deposition?—I understood Mr. Tucker of Ashburton had it.

40,700. Then we ought to have it.—Mr. Chaster can tell you what took place before Mr. Derry.

(*Mr. Chaster.*) She came to me to make a statement.

(*Mr. Coleridge.*) She said it was not true.

(*Mr. Chaster.*) She did, and made a statement to me precisely similar to that she has made here, but I believe she named another person.

(*The witness Honeywill.*) He came as well.

40,701. (*Mr. Bere.*) Now, Mr. Michelmore, only a portion of those persons with ticks you have given us?—To some I have put ticks without any amount at all. Those are right as far as I remember, and those I have put sums of money against are those that wanted to be paid.

40,702. Did you put down Henry Crawford, George Edwards, George Griffis, John Parnell Searle, Thomas Searle, and John Jerman Phillips Shillabeer, and Henry Draper?—Yes.

40,703. What was the price that they asked?—Some gentlemen were asking 100*l.* apiece, and some 25*l.*

40,704. This election was a close one, it was Seymour and Dent's election. Mr. Seymour got in by a majority of 11?—A majority of eight.

40,705. Was not the price of votes at that election rather considerable?—I think you have had evidence before you that they required one vote more on one side to make the election secure.

40,706. Mr. Bowden went and got a vote?—He got Tucker's vote, and then having recorded that vote, there was an end of the election.

40,707. Besides the sums you actually gave in 1863, what sum of money had you yourself at that election?—As a retaining fee, 25*l.*

40,708. What sum of money did you hand over to other bribees?—I should say 150*l.* at the outside.

40,709. Only 40*l.* more than what you have told us of?—Quite so.

TWENTY-NINTH DAY.

Mr. Michelmore.

27 Sept. 1866.

40,710. To whom did you give the 40*l.*?—I only gave 150*l.* at the outside. I will not be answerable to 30*l.* or 40*l.* I had what I required in different payments.

40,711. Did you give anything to Farley at that election?—No.

40,712. You would have been employed to communicate directly with the bribees at that election?—I should.

40,713. You got the money?—I did.

40,714. Do you remember where you got it?—The same at that election as at every other.

40,715. Was it handed to you at the "Seymour?"—Always.

40,716. Can you find any of these men in 1865?—You have the poll book.

40,717. With regard to 1865, did you make up a poll book?—Yes.

40,718. Did you make a poll book in 1863?—I did.

40,719. What became of that one?—Destroyed.

40,720. The 1865 you did not destroy?—No, and a good reason why.

40,721. Why was it?—The Commissioners know.

40,722. But we must have it from you?—It was lost.

40,723. Had you shown it to any person during the election?—As to that mentioned by Mr. Heath and Mr. Narramore, their statement with regard to my having shown it may be correct; but I deny what they stated in this court and at London, that there were remarks opposite the names of Mr. Harris, "sitn.," or that the two names Matchams were linked together, and "200*l.*" put against them. I deny them.

40,724. Who had written out the poll book for you?—Most likely my clerk, but I cannot tell.

40,725. Did you not keep two poll books?—No; but I recognize the poll book now in your hands.

40,726. What colour is it?—There is a spot in the middle of the outside cover to write the name. It is more like a note book, and of a greenish colour. That is it (*referring to a poll book.*)

40,727. (*Mr. Bere.*) Did you lose the poll book on that occasion?—It was found in Mr. Smale's sitting room.

40,728. You may take it and look at it.—I have had it in my hand this last week.

40,729. Your clerk made out the poll book for you?—This is my writing in pencil (*referring to the poll book*).

40,730. Who made out the poll book for you; who wrote out the names?—I cannot tell you.

40,731. Had you a clerk at that time?—Yes.

40,732. Who was he?—Browse, but it is not his writing.

40,733. Do you know young Mr. Windeatt's writing?—Not to be able to swear to it. May I be allowed to look at this book?

40,734. Yes. You can go through it, and if you tell us those that you dealt with in 1865, that will save us a great deal of trouble. How much money did you receive from Mr. Pender after the last election?—Do you mean directly or indirectly?

40,735. Directly or indirectly?—I received my retaining fee of 50 guineas.

40,736. For what?—For the registration, and attending to the election.

48,737. Did you send a receipt for it?—I believe it was paid by cheque.

40,738. What did you get from Mr. Seymour?—35 guineas.

40,739. Did you send a receipt?—I cannot answer you that question.

40,740. (*Mr. Bere.*) In the accounts that you have handed in, Mr. Chaster, are there specific items for the registration expenses?

(*Mr. Chaster.*) No.

40,741. (*Mr. Bere.*) They are all mixed up together?

(*Mr. Chaster.*) The registration expenses are distinct.

40,742. (*Mr. Bere.*) Now, Mr. Michelmore, going through the book, can you give us the names of those persons?—John Parnell Searle is the only person that I cannot recollect. I went to several parties, and then they were handed over to the tender mercies of Mr. Parnell.

40,743. Whom did you negotiate with?—Six or seven.

40,744. Can you give us the names?—No; but if you can give me the names I can tell whether I did or not.

40,745. Can you recognize from that book the names of the persons with whom you dealt-in 1865?—No.

40,746. Would not your memory help you?—No; but I can answer to this being my book, and the poll I made.

40,747. Can you answer about your not having had two?—I declare that I had not.

40,748. When did you lose the book?—I gave John Heath or Narramore credit for stealing it, and that was my belief up to three weeks last Sunday, and then Mr. Holman told me, "Your book is in existence," and I said, "I am very glad of it," because Mrs. Michelmore and I have had many conversations about the entries against Harris's name; and I was told the next day by Parnell that the poll book was at Smales', and I said to him, "I will go and get the poll book," and I left the house with the intention, and went as far as the Ashburton Road, and it then struck me that the best plan was that I should not have the poll book in my possession at all, but that it should come from Smale to the Commissioners, so that it should not be said that I tampered with the book at all; and that is the explanation I have to give you of that.

40,749. How much did you give Searle?—It was either 70*l.* or 90*l.*

40,750. Are you sure it was as much as that to John Parnell Searle?—It was a large sum.

40,751. Did you give another Mr. John Parnell some money?—No; there is no one who would take it. The other man is a man of large property.

40,752. Was Mr. John Searle there, the butcher?

40,753. You say, "I paid him 25*l.* after the election?"—Yes, but that was not for his vote. That was a private account.

40,754. This story about you and Narramore, what is the account of it?—I will give you the account of it. I have no doubt that, in the way of a jest, I said to Narramore, "Will 200*l.* buy you over?" But I defy Mr. Narramore to say that that subject has ever been mentioned by him to me, or by me to him, from the time of the election until after the evidence that he gave on the petition.

40,755. Were you not present when John Godfrey and others were there outside Mr. Willis's, the butcher's shop, when there was a conversation about the election, and you told Narramore that he was a very unwise man not to have taken it?—To show that nothing of the sort could have taken place, that I should say he is an unwise man, is this, it is my intention of going to America now, and it was so, and I have only been kept by this Commission. Narramore desired to go with me and act as my clerk, and I said, after the kindness that I had received from Mr. Bryett, I should be very ungrateful to take you from Mr. Bryett's employ unless he consented to its being done. I went to Mr. Bryett and told him what Mr. Narramore had said to me in the presence of Mr. Hare, and the whole thing was discussed, and I thought it was ridiculous that he should leave an employment where he was in receipt of a good salary, as I understood, to go away. I may also state, with regard to Narramore's evidence that he gave before the House, if you look at the evidence you will find Narramore says, "I should not have stated as much "as I have stated had it not been for a threatening "letter which I received this morning (at the time of

the petition); and Narramore has told me since that he considered that threatening letter—an anonymous letter—came from me. Instead of that it came from Mr. John Denner, a printer in this town, and the letter was, "Be careful what you say about Mr. "Michelmore, for he will expose something that you "would not like." I do not wish to allude to it, but Mr. Narramore and I have spoken of it since. He says it was entirely owing to that threatening letter which he received that he spoke so much as he did. It is just as likely about the 200*l.* as that he had gone to George Cole and offered him 400*l.* for the pigs.

40,756. Did not you give George Griffis 50*l.* at the last election?—I think I gave his wife the money.

40,757. That is a person that you have forgotten?—Yes. I said, if you mention the names I will tell you.

40,758. Did not you go to a flyman called Dennis?—That was Mr. Cuming. He was in the habit of employing him; I was not.

40,759. Mr. Brooking Cuming was not acting at that election of 1865. Do you mean Brooking Cuming?—Yes, Brooking Cuming; but I have him down as against us.

40,760. Did not you buy a salmon of him, or did not Mr. Pender?—I do not know; but I know that Mr. Dennis sent me one this season, but why, I do not know the reason.

40,761. Were you out with Mr. Windeatt and Mr. Pender canvassing on the Plains one day?—Yes.

40,762. You have heard the story of Mr. Harris about this; give us your account.—I will explain the whole of it. When Mr. Windeatt was canvassing with Mr. Pender. Harris came across to us and spoke to Mr. Pender, Mr. Pender spoke to him. We stood on one side as a master of course, and I should think we were in conversation about 10 minutes or a quarter of an hour, I do not think it was a quarter of an hour; and after Mr. Pender had finished with Mr. Harris he came back to us and said, "I have "been chaffing with Harris. I told him it was a pity "that a man of his ability should waste his time doing "that work in Totnes." We had a chat as we were walking along, until we came to the next voter, and at the dinner table the same remark was brought up, and Mr. Pender then alluded to this at the dinner table, the same conversation that he had related to Mr. Windeatt and myself after he left the house, and that I most distinctly recollect.

40,763. Where were you standing while Mr. Pender was talking to Mr. Harris?—We were not on the water side but the land side.

40,764. What part of the Plains?—We were walking about, walking up and down, whilst Mr. Pender was engaged.

40,765. How far was Mr. Bowden's office off?—No doubt that we might have passed Bowden's office.

40,766. Where had you been before he spoke to Mr. Harris?—I think John Thomas Tucker was the nearest voter.

40,767. Had he been to Mr. Stranger's cellars to canvass any voter?—I think he went there afterwards, but I would not be sure.

40,768. Had he been to the house of another voter before he spoke to Mr. Harris?—We had been generally canvassing.

40,769. While standing near Bowden's, did Mr. Pender cross the road and go to the house of a voter?—No, I believe not.

40,770. Did you see them shake hands at any time, Harris and Mr. Pender?—I do not believe they did, and I think I may say they did not.

40,771. If they had shaken hands you would have seen them?—Yes, I think so; there is one thing that I forgot to call attention to. There was some evidence of my having called on Mr. Wherry, and I wish to give an explanation of that. I saw Mr. Wherry since, and he told me the object of my calling. I think you appear to think that Mr. Chaster had something to do with it, and I wish to explain it was nothing of the sort. At election times I am glad to go the back way, because the front is too hot, and I called at Mr. Wherry to ask if he would come across the bridge and have some breakfast, that is all that took place. You may think that I went for some illegal purpose; it was nothing more than that.

40,772. About the poll books; did not you leave one of the poll books in Mr. Bryett's office in 1865?—No.

40,773. Did not Mr. Narramore find the book and bring it to you the next morning?—No.

40,774. Was there a man called John Willis present when you left it?—I am sure he was not present, because I never left it.

40,775. You offered to buy a house of Edward Shinner?—Yes.

40,776. You went to Bryett's for that purpose?—No, I went to Shinner.

40,777. Did you go with him to Mr. Bryett?—Mr. Bryett had something to do with it.

40,778. You went and told Mr. Bryett that you were going to purchase it?—He declined to have anything to do with it.

40,779. I thought he declined for the other party?—One solicitor in the country is generally engaged for both parties.

40,780. I thought someone else came, and he refused because you had spoken to him first?—I do not know.

40,781. How much did you agree to give for the house?—I heard that it was 400*l.*

40,782. You did not intend to buy it at all?—As long as we had the vote he would have had a present.

40,783. You would have paid the deposit and would not have asked for it back again?—Yes.

Mrs. Honeywill sworn and examined. *Mrs. Honeywill.*

40,784. Are you the mother of Sarah Honeywill?—Yes.

40,785. Did she come to you some time back at the last election?—She did not come to me herself.

40,786. Who came?—Young Bartlett came.

40,787. What did he say?—He said, "Your daughter has seen Mr. Wright take money," and he said, "You go down and get her to come up, it will be bread for life if she will only tell," and just after that my daughter went down to know if it was true, and she said, "I have not seen Mr. Wright take money at all."

40,788. Is that Richard Bartlett that came to tell you?—Yes; he came to the garden, and got my daughter up to say that Mr. Wright had taken money. I said, "I do not want to get her out of her place," and my daughter went down before I had seen her.

40,789. Your daughter Rhoda?—Yes.

40,790. When did you see your daughter Sarah?—I did not see my daughter at all.

40,791. Is that all that Richard Bartlett said to you?—He came secondly to me and said, "You and "your family will never want money if your daughter "will tell that Mr. Wright took money."

40,792. How long after the first time was that?—I think it was the same day.

40,793. How long afterwards?—I think the next, during the election.

40,794. Where were you when he came to you?—In the front garden; the first time. I had been in the front garden taking up potatoes.

40,795. What did he say the second time?—He said "If your daughter will only come and tell, it will "be money for you and your family for life, if she will "only tell that Mr. Wright has taken money." I said, "She cannot tell if she did not see it." My daughter said she never saw Mr. Wright take money, and I said, "Well Sarah, if you never saw it you could not say it."

40,796. Did you tell that to Mr. Bartlett?—I said

TWENTY-NINTH DAY.

Mrs. Honeywill.

27 Sept. 1866.

Mr. Bartlett had better go away, and not get my daughter out of her place to tell a falsehood.

40,797. Did Mr. Bartlett come any more times?—He did not come again after the second time, because my daughter drove him away, and told him he had better go away and not come there bothering.

40,798. Did he tell you why he wanted her to say say that Mr. Wright had received money?—He wanted to put it upon her to say that he took money and she said she never saw it.

40,799. Why was she to say that Mr. Wright took money?—I do not know.

40,800. Did he give any reason?—She told him they were very tipsy, they came round tipsy, and she could not get them away.

40,801. (*Mr. Longe.*) When was it that Mr. Bartlett first spoke to you?—The same day of the election.

40,802. (*Mr. Coleridge.*) Who is Bartlett?—He is at Torquay I think, a cabinet maker.

40,803. Richard Bartlett?—Yes, the son of the tailor.

J. Briggs.

JOHN BRIGGS recalled.

40,804. Did you go on the morning of the election to the house of Richard Bartlett?—We came to the tap and had a glass of ale. The "Seven Stars" tap.

40,805. Did you call at Wright's?—We saw Sarah Honeywill at the door. Bartlett goes over and says, "Where is Mr. Wright," and I goes over as well, and she said, "He is down at Captain Fowle's." There was no one in the house, the missus was down there as well. Bartlett says he had voted for Mr. Pender; she said, Yes." I thought he promised the Tory side, she said, "Mr. Pender was here at seven o'clock," and she saw him pay some money in the parlour. Bartlett says, "If you can state that you will get something by it." That was in the passage, and he went into the back kitchen place, and that is all I know about it. I said no more to the girl, she told us, we did not ask her for it, and did not offer her anything to tell it, and she said he voted before breakfast.

40,806. Had you had anything more than one glass of ale?—Not then.

40,807. Had you had a great deal during the election?—After I had.

40,808. Had you not had a great deal at that time?—No.

40,809. Were you not drunk?—That was about 11 o clock in the morning.

40,810. On the election morning there was a great deal of liquor going?—What we had we had to pay for.

40,811. (*Mr. Coleridge.*) Were you not drunk when you went to her?—No.

40,812. Quite sober?—I do not know; if a man takes a glass he is not sober. It may elevate his senses a bit.

40,813. Had you a glass too many?—No.

40,814. Were you sober?—Yes.

40,815. You have just sworn that you were not, were you drunk or sober?—Sober.

40,816. Fresh?—Fresh, just that, to take another glass if I could get it.

40,817. (*Mr. Longe.*) When you left Mr. Wright's house what did you do?—I think I left Bartlett there, and I went as far as the polling booth to see how it was going on.

40,818. You thought no more about it?—No, nothing more. Seeing the girl there he went to speak to her, and I went with him.

40,819. (*Mr. Coleridge.*) You do not know what he said in the back kitchen?—No, I do not know what he said or did.

40,820. (*Mr. Longe.*) When did you hear next about the matter?—It might be a week or two afterwards. Mr. Wright came to me, and he said, "I hope "Sarah won't say anything about it, I had nothing, "and I was a pint of beer out of pocket," that is what she told me.

40,821. Did you hear that Mr. Bartlett had been to Mrs. Honeywill?—Yes, Mrs. Honeywill told me.

40,822. Did you hear it at the "Seven Stars?"—No.

40,823. When did you hear it spoken of again?—Some time afterwards. Bartlett told me that he had been to Edmonds's office and said I had better go. I said, "I have enough to do to mind my own busi-"ness, and if he wants me he must send."

40,824. Was not the reason you did not go that you could not confirm the story?—I was not going for Bartlett sending me.

40,825. You knew the matter, if a true story required confirmation?—If Mr. Edmonds wanted me it was his place to send. I was not sent there. We saw the girl. I did not ask her.

40,826. (*Mr. Coleridge.*) Are you quite sure she told you that Pender was there in the morning?—Yes.

40,827. What were the words, say it over again?—Knowing the girl, Dick Bartlett says, "How was it Mr. Wright voted the other side?" "Oh," she says, "Because he was paid well for it."

40,828. Will you swear that?—Yes.

40,829. On your oath you will swear that?—Yes.

40,830. She has said she did not?—She did say that.

40,831. What did she say about Mr. Pender?—That he was there by seven o'clock in the morning, and Mr. Wright voted before breakfast.

40,832. Did she tell you she had seen him paid?—She said it was in the parlour.

40,833. Did she say she had seen the money paid?—No.

40,834. Did she say she looked through the keyhole of the door?—No.

40,835. Did she say her master had been well paid, and that Mr. Pender had been there at seven o'clock in the morning?—Yes.

40,836. Did Bartlett say he had been sent by Kellock of Highfield?—He went to the tap and did not know anything about Dawkins or Kellock.

40,837. You could see the "Seven Stars" from where you were talking?—Yes, just round the corner.

S. Honeywill.

SARAH HONEYWILL recalled.

40,838. (*Mr. Bere.*) You have heard what John Briggs says?—Mr. Briggs did not say as much as Bartlett.

40,839. He says Bartlett spoke to you, and you said your master had some money for his vote. Did you tell him that?—No.

40,840. We shall have Bartlett here, and have the oaths of two witnesses against your single oath, and if Bartlett confirms Briggs' story that will render you liable to be committed by a magistrate for perjury and tried for perjury at Exeter. Consider, will you swear that Bartlett mentioned Mr. Kellock's name?—He said he came there by Mr Kellock

40,841. You have heard what Briggs has said, that you told them that Mr. Pender had been there at seven o'clock in the morning?—I do not think he did come at seven o'clock in the morning.

40,842. What o'clock did he come?—I think he did call that day.

40,843. In the morning?—Not so early as seven o'clock, I think.

40,844. What o'clock was it?—I do not know. cannot say. I think after Mr. Wright had voted.

40,845. Are you perfectly certain and will you swear that you did not tell Briggs and Bartlett that your master had received money for his vote?—No.

40,846. You know that your master did receive money ?—I know he did now.

40,847. When did you know of that ?—A day or two ago I was told of it.

40,848. (*Mr. Coleridge.*) Will you swear that you did not say anything about your master having been paid that morning to either Briggs or Bartlett ?—No. They wanted me to say that he had had money.

40,849. It is an awkward position. If Bartlett comes and corroborated him there are two oaths to one, and you may be indicted for perjury. You understand that ?—I can swear I never said that. They wanted me to say so.

40,850. What did you say to that ?—I said I could not say what I had never seen.

40,851. Was that all you said ?—Yes.

40,852. (*Mr. Longe.*) Did you tell them that Mr. Pender had been there ?—No.

40,853. You knew he had been there ?—Yes.

40,854. At the time that they came ?—No. They came after dinner time.

40,855. At the time they came you knew that Pender had been there ?—But I did not see him give Wright the money.

40,856. You knew that Mr. Pender had been in your house that morning ?—Yes.

40,857. (*Mr. Coleridge.*) Who had been with him ?—I do not know, I did not see anybody.

40,858. Did you see Mr. Pender come himself ?—Yes, I did.

40,859. What room did he go to ?—He went to the parlour.

40,860. Was the door shut after he went there ?—I do not know.

40,861. Where were you ?—I let him in and then went to my work.

40,862. Was the door shut ?—I let him in.

40,863. Did you shut the door ?—No, I do not remember.

40,864. Did you see him go out ?—No, I do not remember seeing him go out.

40,865. Do you know when he went ?—No.

40,866. Do you know how long he was with your master ?—No.

40,867. Did your master tell him what room to go to ?—No.

40,868. How long after Mr. Pender had been there that Briggs and Bartlett came ?—They came about dinner time ; they passed by.

40,869. Was that 11 o'clock ?—No, about 1 or 2 o'clock.

40,870. Are you certain ?—I am not certain within an hour.

40,871. It may have been 12 ?—It was about 1 o'clock, I know.

40,872. May it have been 12 ?—It was 1 oclock.

40,873. You say you are not certain ; was it 2 o'clock ?—It was 1, I think.

40,874. What time was it that Mr. Pender came ?—I do not know.

40,875. How do you recollect one time and not another ?—I do not know.

40,876. You speak about 1 o'clock when Briggs and Bartlett came ; what time did Pender come ?—I do not know.

40,877. Was it before or after breakfast ?—I do not know, I was at my work.

40,878. What time did you get up ?—Early in the morning.

40,879. Was it 6 o'clock ?—7 sometimes.

40,880. How long after you had been up did Mr. Pender come ?—Not till the forenoon, I think, after Mr. Wright had been and voted.

40,881. Will you swear it was not before ?—I cannot tell whether it was before or after.

40,882. What time did he vote ?—I cannot tell, perhaps before breakfast.

40,883. What time does he breakfast ?—That depends.

40,884. What time did he breakfast that morning ?—After he came back.

40,885. What time did he come back ?—About 9 o'clock.

40,886. He voted before breakfast ?—Yes.

40,887. Was it not before breakfast that Mr. Pender came ?—No.

40,888. Will you swear that ?—Yes.

40,889. What time was it he breakfasted —In the forenoon.

40,890. Was he at breakfast when Mr. Pender came in ?—No.

40,891. Had he done his breakfast ?—Yes, he had.

40,892. Did Mr. Pender come in between the time he had breakfast and the time that Bartlett and Briggs came ?—No.

40,893. When was it ?—I cannot say.

40,894. Did Mr. Pender come after Bartlett and Briggs ?—I do not know.

40,895. Did not Mr. Pender come early in the morning ?—He did not.

40,896. Did he come immediately after your breakfast ?—He came in the forenoon.

40,897. Briggs and Bartlett you swear came about 1 o'clock ; did Mr. Pender come before ?—Before.

40,898. Did he come between your master's breakfasting and the time that Briggs and Bartlett came ?—I do not know.

40,899. Did not he come before your master went to the poll ?—No, he did not.

40,900. Did he come between the time of your master going to the poll and your master breakfasting ?—He came in the forenoon.

40,901. Between the time of your master having breakfast and polling ?—It was after breakfast ; it was in the forenoon.

40,902. It was between breakfast time and the time that Briggs and Bartlett came ?—I think it was, but I could not say.

40,903. Will you swear it was not ?—I cannot swear it was not, and I cannot swear it was.

40,904. (*Mr. Bere.*) Did Bartlett say to you, "Has Mr. Wright voted for Mr. Pender ?"—He asked me whom it was he had voted for, and I said I did not know, and he said "He has had money."

40,905. What did you say to that ?—

JOHN PENDER, Esq., further examined. *J. Pender, Esq.*

40,905*a*. (*Mr. Bere.*) Do you remember going to Mr. Wright's on the morning of the election ?—I think I called at Mr. Wright's betwixt 11 and 12.

40,906. Not before ?—No, I walked up the street about that time.

40,907. (*Mr. Coleridge.*) Did you, I ask you, as it has been stated, pay Wright any money in his parlour ?—I never paid Wright one farthing, and I never spoke to Wright about money at any time or in any shape.

40,908. Did you often write letters without signing them ?—Very seldom, but I know my own handwriting.

40,909. Is that your handwriting (*handing a letter to the witness*) ?—Yes.

40,910. That is ?—Yes, and I am astonished it has not been signed.

40,911. Perhaps you will explain one or two things in this letter :

"28 Pall Mall

"My dear sir March 15th, 1866.

"I have your favour of yesterday. I advanced the "money to Mr. James in bank notes on the day of the "election about 12 or 1 o'clock. The understanding "was that he was to write me that he had held certain "shares as security on my account. See copy of his "letter sent to you yesterday. There was no formal "deed. I presume he wanted the money to be pre-"pared to pay should Edmonds have demanded it. I "understood that Edmonds has asked for the money

TWENTY-NINTH DAY.

J. Pender, Esq.

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"to be returned. I got the notes from Mr. John "Bowden, and gave him my secretary's cheque (Mr. "Heald) on the Manchester and Salford Bank, Man- "chester, for the amount, so that my name should "not appear in any way."

What was the reason for your keeping your name out of the transaction?—I did not wish to give it anything like the colour of bribery, if you choose to call it so, on that particular day.

40,912. Was not the reason that you did it that way that you thought it was a questionable transaction coming at that time?—No; anything occurring on that day might have a wrong interpretation put upon it; but I explained in that note, I think, very much what I gave in evidence, and from my recollection of the transaction I think you will find my evidence very much the same.

40,913. There is another thing to explain here. This letter is written to Mr. Tucker, you know. After mentioning the names of the committee, and what you know of them, it goes on: "I fear from the "way in which Mr. C. Michelmore's money has been "sent to him, that it may make him an agent. I did "this at Mr. Chaster's suggestion, as Mr. M. asked for "a loan of 100*l.* This I declined, as I felt it might "compromise me." Had he asked you to send him 100*l.*?—He asked me for a loan of 100*l.* I may as well state, and I do it with considerable diffidence and delicacy, I would have been very much better pleased, for reasons which you may have observed, if Mr. Charles Michelmore had not been with me. He canvassed with me, and I would have been better pleased if I had been acting without him. I was interested in Mr. Charles Michelmore at the election of 1862, because he conducted himself in a very much better way, and I took occasion to speak to Mr. Charles Michelmore at that time, and I simply told him that unless he kept himself correct and in such a state as I could go about with him, I would rather not; in fact I spoke to him at the time in that way, trying to get him to do different. After the election he wrote to me for 100*l.* I then consulted as to how that money should be given, for I felt it might compromise me in some degree, and I wrote to Mr. Chaster and he said, "You had better send him 50*l.* as a retaining fee."

40,914. Was his retaining fee paid twice over?—Just once.

40,915. Then there had been no agreement to give him his retaining fee before?—That was arranged with Mr. Windeatt.

40,916. Had Mr. Windeatt paid him before. Was he paid twice over?—I should say not; I am not aware of it.

40,917. Then in reality his asking for a loan of 100*l.*, and getting the 50*l.* retainer, was only the amount due?—Nothing more than his due.

40,918. Then you suggested his having another 25*l.*?—To whom?

40,919. Who suggested that he should have another 25*l.* to look after the registration? He had 75*l.* in all by your accounts?—No, the other 25*l.* you will find I did not pay. You will find only 50 guineas in my account.

40,920. Then you go on to say, "As his receipt "cannot be found, I fear he never sent one; but as "Mr. Windeatt paid him the cheque as for registra- "tion, a receipt for it now would be sufficient ac- "knowledgment to Mr. Windeatt." What does that mean?—Allow me to see the letter (*it was handed to the witness*). I believe it was intimated to me, when the petition was brought forward, that the 50 guineas that I sent to Mr. Michelmore would make him an agent. I then sent a letter; understand, I have a copy of the letter at my own office, so that there could be no question about Mr. Michelmore being the agent, because the money was sent from my office to pay him as an agent, therefore there could be no question about it; there was no need to take his receipt as to registration.

40,921. (*Mr. Bere.*) Was not it, that there was a danger of Mr. Michelmore's agency being brought before the Committee, that Mr. Michelmore having distributed money, his distributing the money as your agent would affect it?—Yes; but I stated at the same time, as having paid whilst the letter was in existence, there would be no use, except that it might be registration expenses, and not election. I may mention to you, with regard to the registration, I had not paid him any expenses before, and I thought there might be a claim for that. I do not know what he was justly entitled to.

40,922. He has been paid some sums of money from time to time by Mr. Chaster?—That is a thing that I am not cognizant of at all. I may mention that that letter not being signed was evidently written in a hurry, there was no intention that that letter should not be signed at all.

40,923. (*Mr. Coleridge.*) It is undoubtedly your handwriting?—It is unquestionably.

40,924. (*Mr. Bere.*) What made you call on Wright at that time of the day?—I think, if I remember properly, I had been dining with Mr. Seymour at a gentleman's in the neighbourhood, I forget his name; Mr. Carey, I think, and there was a wish expressed by Mrs. Carey and her daughter to be present at the nomination. I remember calling one day, but it could not be the same day. They occupied a room in Wright's on the day of the nomination.

40,925. Did you pay for that room?—No.

40,925*a*. You called upon Wright after he had voted?—I cannot remember the circumstances. I think I had to call one day merely to see whether the room was ready, or something of that kind. I do not remember the circumstances, but there could be no special object I had in calling; there was nothing at all betwixt us.

40,926. Did you call on any other voter during the election day?—I called upon Mr. James. Yes, and walking up and down the street, I think I went into one or two other places; in fact, the election was over at that time; the thing was really done.

40,926*a*. The election was over at 10 o'clock?—Yes, I was told so.

40,927. (*Mr. Longe.*) Mr. Michelmore canvassed with you?—Once or twice; several times.

40,928. He used to carry the poll book and make marks in it?—Yes, but I never attached importance to any poll book but Mr. Chaster's.

40,929. When you canvassed with Mr. Michelmore or Mr. Windeatt, in the case of many voters, there was an understanding as to what operations would be brought to bear on them?—No, nothing of the kind.

40,930. Do you remember canvassing John Nickells?—No; I do not; unless you draw special attention to him in some way.

40,931. Do not you remember occasions where you canvassed a man and got a refusal?—Oh, I got many refusals.

40,932. Then there was a mark made against such a man?—That was carried on in the earlier time. Old Mr. Windeatt was the man who carried the book, and he really went out with me as a rule; it was quite an exception when Mr. Michelmore or young Mr. Windeatt went with me.

40,933. You said you would call again, where you did not succeed the first time?—I rarely called a second time.

40,934. But other people did call?—No; I do not know what they did. I am not answerable for other people.

40,935. You do not know of any connexion between your visits and the visits of Mr. Michelmore or someone afterwards?—No.

Mrs. Sophia Michelmore sworn and examined.

40,936. (*Mr. Bere.*) Are you the wife of Mr. Charles Frederick Michelmore?—I am.

40,937. You have taken a little interest in the proceedings at elections?—I have taken considerable interest and have been engaged in it.

40,938. When did you first take an interest in the elections of Totnes?—I really can hardly tell you.

40,939. I believe that your husband began first of all about 1852, he told us?—I have nothing to do with that.

40,940. In 1857 had you anything to do with it?—I am not aware that I had.

40,941. In 1859?—I think it was 1859 first.

40,942. What did you do in 1859?—I think it was in 1859 that I sent those parcels to Mr. Holman and Mr. Parnell, but I am not sure. I cannot remember.

40,943. Where did you get them from?—My husband put the notes into the respective books, and merely requested me to wrap them up and direct them, in order that no suspicion of his action in it might appear.

40,944. Did you see what the notes were that he put in?—No.

40,945. You saw that notes were put in?—Yes; I did see.

40,946. And then you folded up the books and directed them?—I folded up the books and directed them.

40,947. By whom did you send them?—The one to Mr. Parnell I have no recollection of sending. I am not sure whether I sent it or not.

40,948. Did he call for it?—No; I do not know that he did.

40,949. You do not know?—No, I do not know. The parcel to Mr. Holman I gave to my eldest girl, and said to her, "Be sure you do not give this parcel into any other hands than Mr. Holman's;" and when she came back she said she had seen Mr. Holman and given him the parcel.

40,950. Was that all you had to do with the election of 1859?—That is all.

40,951. Did you meet anyone on the stairs of the "Seymour" hotel at that election and hand over some money?—No.

40,952. In 1862 had you anything to do with the distribution of money?—No.

40,953. In 1863 had you?—In 1863, on the day of the nomination, I was there with other ladies; Mrs. Jeffery Michelmore was one; but whether Mrs. Windeatt was the other I am not sure. We were at the "Seymour" on the day of the nomination, and we were sitting, as far as I remember, in the sitting room, what number I cannot tell you, at the end of the passage downstairs, and my husband came to the door and told me I was wanted. I went out, and he said, "Mr. Brooking Cuming wants you." I went upstairs.

40,954. Whereabouts upstairs?—I met him on the stairs, and he said to me, "I want you to help me to do something for me." I said, "With all my heart, I will help you;" and then he told me there was something he did not wish to be mixed up with, if I would go upstairs into the room that he pointed out. I do not remember the number, but as far as I remember, there used to be a bedroom at the head of the stairs, and it was the first door on the right hand after you passed that room.

40,955. Had you to turn to the right or the left?—I turned to the left, but this door was on the right hand.

40,956. Was it a bedroom?—Yes, it was a bedroom.

40,957. With one bed or two in it?—One bed.

40,958. What did you find there?—I found on the bed some money.

40,959. How was it wrapped up?—I think it was loose, as far as I remember. It had totally passed from my memory until my husband told me about it.

40,960. Was it in gold or in notes?—It was partially in gold and partially in notes.

40,961. What did you do with it?—I divided it and put it into bags.

40,962. Did you take the bags with you?—I think I found the bags there ready for the money.

40,963. Did you count it as you put it in?—As far as I remember, it was 75*l.* in each parcel.

40,964. How many parcels?—Only two parcels, one for Mr. Holman and the other for Mr. Samuel Parnell.

40,965. What did you do with them?—I waited till there came a knock at the door, and the first person who came to me was Mr. Holman. He was standing at the doorway, with his hands behind his back, and I simply put the bag into his hands, and I think, with regard to Mr. Parnell, he walked away from the door and I followed him, and I went downstairs to the sitting room.

40,966. Was that all you had to do in 1863?—Yes.

40,967. Did not you send some money in 1863, in a book called "The Adventures of Ledbury?"—I do not know what year.

40,968. There are three occasions.—Two occasions of books; but I think Mr. Parnell in his evidence mentioned that there was a sandwich sent to him.

40,969. Your husband has mentioned a sandwich?—Yes; but that was to Richard Pengilley. I think the sandwich that was sent to Mr. Parnell must have been the same that Pengilley refused to take unless he had a better offer.

40,970. In 1865 had you anything to do with the election?—No.

40,971. Are those the only sums of money you distributed?—The only sums, all that have passed through my hands.

40,972. Your husband was not employed in 1865?—No, he used to work with Mr. Windeatt, but that was all.

40,973. No money went through your hands at all?—No.

40,974. Were you ever sent by your husband to negotiate with any voters?—No.

40,975. Or to see their wives?—No.

40,976. (*Mr. Coleridge.*) Do you know when your husband was first paid for his services in 1865?—He received a cheque, or, as Mr. Pender told you, he had written to Mr. Pender to ask for 100*l.*, and in reply he said he could not possibly entertain that proposition, but he enclosed 50*l.* for the service, and by the same post Mr. Windeatt received 50*l.* also.

40,977. When did he receive 25*l.* from Mr. Seymour?—He wrote to Mr. Jeffery Michelmore for it, and I am not sure whether he sent any receipt to Mr. Pender; but Mr. Jeffery Michelmore sent him 25*l.* and requested him to acknowledge the receipt of it, which he did.

40,978. (*Mr. Bere.*) You are quite certain that you had no money in 1865?—Quite sure.

40,979. Do you remember giving Mr. Chaster an I O U?—That was nothing to do with the election. My husband wanted some money and I asked Mr. Chaster. He requested me to write a note, which I did, and I sent the I O U inside it.

40,980. Was not there a sum of 10*l.* paid you, either the election of 1863 or the election of 1865?—Yes, I had forgotten that, 1865.

40,981. What was it paid for?—Mr. Chaster told me he had been requested to give me 10*l.*, owing, I suppose, to what I had told my husband; he asked me what Mr. Deane's expenses would be, and I said if he travelled first class he could not come down for less than 10*l.*

40,982. Who was Mr. Deane?—He had been living here, but was living at Eastbourne.

40,983. He had been living next door to you?—Yes; we were on intimate terms with him.

TWENTY-NINTH DAY.

Mrs. S. Michelmore.

27 Sept. 1866.

40,984. Did you write to him?—I wrote to him to tell him about the election; I, knowing that he was an exceedingly nervous man, wrote to his wife to come with him; she said it was impossible that she could do so. She naturally wished to come, and I think it was suggested by Mr. Windeatt that she should go up. I started on the Friday.

40,985. You went up with the 10*l.*?—Oh, dear no; I merely went up to see them; he came down with me; the 10*l.* was paid to me after he came down here.

40,986. Did you pay the expenses, or did he?—He paid his own expenses.

40,987. And you yours?—And I mine.

40,988. You took your expenses out of the 10*l.*, did you not?—No.

40,989. How did you get your expenses paid?—My husband let me have it. I had some interest paid on a mortgage on which my money was laid out, and a part I had from my husband.

40,990. Do you mean to say you were not paid the expenses you had incurred on behalf of the Liberal party?—I have no doubt my husband was. I have not received any money myself.

40,991. Was not Deane's rent in arrear?—No.

40,992. That was some time before?—No. The thing was this, that he left about Easter; he had paid his rent up to Midsummer, and the Liberal party took the rent; and by an arrangement come to, my husband and Mr. Windeatt talked it over in the garden, and I was present at the time, and it was arranged that they should take in the rent from Midsummer.

40,993. It was 16*l.*?—Yes.

40,994. The rent was paid?—Yes.

40,995. Was it let to Samuel Hill; the house was not kept?—The house was not kept.

40,996. When was the house let?—It was not let till a considerable time after that.

40,997. (*Mr. Coleridge.*) Do you know Mr. Deane's handwriting?—Yes.

40,998. Look at that letter?—Yes.

40,999. Is there anything else you can tell us about the election?—Not that I am aware of, except at the time my husband stated just now he had forgotten certain circumstances. I went to Eastbourne on the Sunday morning. On the Monday there came a letter from Mr. Robert Harris, about daybreak, containing a threat, as far as I remember the letter, as much as to say that if he came and voted for the Liberals the Conservatives would prosecute him, and if for the Conservatives the Liberals would prosecute him, or something to that effect.

41,000. Did you see the letter?—I did.

41,001. Just read that letter and tell me whether it was similar to that?—(*Referring to the letter*) Oh, no; it had not that beginning at all.

41,002. It was an intimation that it was not a good vote; or if he voted the Whigs or Conservatives might prosecute?—Yes, the Conservatives or the Liberal might prosecute him, and he wound up his letter by saying, "Don't be advised by either Whig or Tory; don't be deceived."

41,003. I think this is the pattern of the one sent to you: "We have two splendid Conservative candidates, "but I find by an Act of Parliament, viz., the 6th "Vict. cap. 18, sect. 79, 'That no person is entitled to "'vote at any election for members to serve in par- "'liament unless he shall continue to reside within the "'borough or seven miles thereof, and any person "'violating this enactment is liable to indictment for "'misdemeanor.' I should therefore advise you, "under the circumstances, not to vote at all, because "if you were to vote for us the Whigs would prose- "cute you, and the same by the Conservatives if you "vote for the Whigs. At any rate do not be deceived "by any political partisans, as you have a wife and "young family."—No, he had not put in about the wife and young family.

41,004. As you have a wife and young family to look to. "I know the Conservatives are going to prosecute "some of the Whigs if they vote." Was that in?—No. I think it ended, "Do not be deceived by any political "partisan." I replied to the letter, and the remark I made was, "It is fortunate for you the Liberal agent is with you." I went afterwards to the station with Mrs. Deane to find out whether I could telegraph to my husband that I had received this letter. Finding that I could not without its being public to the Totnes people I left it, and when I went out of the office I found Mr. Rennie, and I immediately turned round to Mrs. Deane and said, "Emma, that man has come for your husband." We walked home, and had not been in two minutes before we heard a knock at the door. My bedroom door faced the front door, and I opened it, and saw that my suspicions were confirmed. In walked Mr. Rennie and had a conversation with Mr. Deane in the passage, asking him to vote for the Conservatives.

41,005. Mr. Deane refused?—Yes. I thought that was inconsistent with that letter which had been received. Mr. Deane promised before he left that he would come if necessary, but he, being a poor man in a certain sense, he could not afford to come without paying his travelling expenses, and he said, "If you "will pay my expenses, I want nothing more, I will "come."

41,006. (*Mr. Bere.*) I suppose from time to time, though you did not distribute any more money for your husband, your husband made you acquainted with the sums entrusted to him?—No. The only ones I knew of was Mr. Parnell's, Mr. Holman's, and that sandwich I spoke of to Richard Pengilley.

41,007. (*Mr. Coleridge.*) Have you ever given any money to Thomas Jacob Searle?—No.

41,008. Did not money pass through your hands at municipal elections?—Never.

W. J. Willis.

WILLIAM JOHN WILLIS recalled.

41,009. (*Mr. Bere.*) Did you see Narramore about the election of 1865?—Yes.

41,010. Have you ever seen that book before? (*hands a book to the witness*)?—No. I have seen it here to-day.

41,011. Did you ever see the poll book in Narramore's hands?—Never.

41,012. Did he show you a poll book?—Yes.

41,013. Did he say whose it was?—Yes.

41,014. Whose was it?—He told me it was Mr. Michelmore's?—Did you open it and look at it?—No, he took it out of his pocket.

41,015. How long was that before the election?—Several days.

Adjourned to to-morrow at half-past 10 o'clock.

THIRTIETH DAY.

Friday, 28th September 1866.

Mr. ALEXANDER MCDOUGALL sworn and examined.

41,017. (*Mr. Bere.*) Where do you live?—At Manchester.

41,018. How long have you been acquainted with Mr. Pender?—Many years. I am Mr. Pender's neighbour, and intimately connected with him.

41,019. You were the first person to introduce him to political life, or rather to parliamentary life?—If I were to say "yes" to that it would not be correct.

41,020. Did you negotiate with him about standing for the borough of Great Grimsby?—I saw some of the leading Liberals, and they were disposed to invite him to stand. There was no negotiation, but I was acquainted with the mayor, and they were anxious to have a candidate, and I named Mr. Pender.

41,021. At whose suggestion had you gone?—The suggestion arose from the circumstances under which we were placed in the manufacturing districts at that time. We were aware that Mr. Pender had been a successful merchant; he had had a very intimate knowledge both of the Indian trade and the American trade, and many were anxious that we should have Mr. Pender and other such gentlemen in parliament, under the impression that they would be useful in aiding the Government in suggesting measures to relieve the wants of the unemployed operatives in the prospect of a cotton famine. That is the thing that suggested our asking Mr. Pender to go to parliament.

41,022. Did you ask Mr. Pender whether he would be inclined to go to parliament?—We had many conversations on the subject, myself, Mr. Pender, and other friends.

41,023. And you communicated that to persons at Great Grimsby, about his standing?—Yes.

41,024. When did you first learn that there was likely to be a vacancy at Totnes?—I heard of the illness of Lord Gifford. Mr. Pender heard of it. Mr. Pender is an acquaintance of Lord Gifford's family, and I heard of it I think in Mr. Pender's house. I do not know whether I heard it from Mr. or Mrs. Pender, or some member of Lord Gifford's family.

41,025. On hearing that did you yourself come down to Totnes?—I did.

41,026. What month was it?—I am not quite sure about the month, either October or November in 1862.

41,027. Whom did you see when you came to Totnes?—I first called upon Mr. Paull, the Independent minister, of whom I had some slight knowledge previously. He introduced me to Mr. Windeatt, and I made his acquaintance, to Mr. Cuming, to Mr. Charles Michelmore, and to Mr. Jeffery Michelmore; I saw all those gentlemen.

41,028. Where did you see them?—I saw Mr. Paull at his own house, Mr. Windeatt at his own house, and Mr. Cuming at his own house, I think; I cannot recollect exactly where I saw them.

41,029. After you had been introduced to those several gentlemen did you have a meeting with them at the "Seymour" hotel; did they come and talk about a candidate, and about Mr. Pender coming?—As far as I recollect, not when I first came to Totnes.

41,030. Did not you mention Mr. Pender's name the first time?—I did. I came for that purpose.

41,031. Did you see Mr. Chaster?—I think when I first came I did not see Mr. Chaster, but the second time I did.

41,032. Did you find Mr. Pender's name was favourably received by those persons to whom you mentioned it?—I made a statement to the effect that I made to you, that we wished in the manufacturing districts to have a gentleman of Mr. Pender's knowledge and standing in Parliament, in view of the cotton famine.

41,033. Did you intimate that Mr. Pender was well off?—I said Mr. Pender had been a successful merchant.

41,034. Did anything at that time pass about the cost of the seat?—Not a word.

41,035. How long was that before Mr. Mills died?—A few weeks; only Lord Gifford was not expected to live.

41,036. Did you come to any arrangement at that time that Mr. Pender should be a candidate for Totnes in the event of a vacancy?—Yes, I think so. It was understood, if a vacancy occurred, they would consider Mr. Pender with other candidates, but there was no pledge to receive him.

41,037. Did you hear at that time that there was a division of interest between the Liberal party, that there was an independent party as well as a ducal party?—I did.

41,038. Did you understand, in the event of Lord Gifford dying, that the seat might be considered to belong to the duke and not to the independent party?—I cannot charge my memory distinctly with those matters; I am not clear about that, but I heard about there being two parties. I was here a very very short time, and was not very well up; but I recollect distinctly the two parties, and the duke having an influence and claiming one of the seats.

41,039. Did you, in consequence of anything that was communicated to you whilst here, make advances, or instigate Mr. Pender to make advances to the Duke of Somerset, that Mr. Pender might be considered the ducal candidate?—No, I never had any communication with the duke, directly or indirectly.

41,040. Mr. Mills died, and you communicated that fact to Mr. Pender by telegram, and you yourself came from Manchester to Totnes at once?—I saw Mr. Mills' sudden death announced in the Manchester paper, and I telegraphed to Mr. Pender in London, went to London, and I came from London after seeing Mr. Pender. I have not a distinct recollection whether I saw Mr. Pender, but I think I must have done so, and I came from London to Totnes.

41,041. Did you come before Mr. Pender?—Yes.

41,042. Did you find that Mr. Seymour was at Totnes, or had been there?—Mr. Seymour, whom I had not known, got into the same carriage with me at the Paddington station, and we travelled together till we came to the Newton Junction. I suspected from conversation that we were going on the same errand. When we got to Newton Mr. Seymour was in the carriage going to Torquay. I saw that he was going to the wrong place, and changed my luggage, and I came to Totnes, and I told him that he was in the wrong carriage for Totnes, and must change carriages. I did not know his name, but when we got to the "Seymour Arms" I found that we were both coming to the same place, on the same errand.

41,043. Did you find that Mr. Pender was preferred to Mr. Seymour?—We were introduced, and Mr. Seymour made a statement, and then they heard what I had to say with regard to Mr. Pender. They then requested us to leave the room, and after awhile they came and said that they preferred Mr. Pender, and they sent up a deputation.

41,044. Did Mr. Chaster say it was a vacancy of

THIRTIETH DAY.

Mr. A. McDougall.

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the independent party and they must have an independent man, and did Mr. Seymour say, "Shall I go away?" and did Mr. Chaster say, "You had better do so?"—They came out and said, "The resolution of the meeting was that they preferred Mr. Pender." They appointed a deputation, and that deputation returned to London with me, and Mr. Seymour travelled back part of the way to a station which I forget.

41,045. You went back to London?—Yes, that night.

41,046. When did you come to Totnes again?—Not till a little before the election.

41,047. You were in constant communication with Mr. Pender during that time?—Yes.

41,048. Did you learn from him what sum of money had been mentioned to him as the probable cost of the election?—No; I remember there was some conversation about money in London which Mr. Chaster refused to hear, and left the room.

41,049. You were present at Fenton's Hotel?—I was at the luncheon. I was present when Mr. Pender first made his acquaintance with the deputation.

41,050. You recollect Mr. Chaster would not know anything about money matters?—I recollect he would not have anything to do with it.

41,051. Had you anything to do with the arrangement as to how the 1,200*l.* was to come?—No; I knew of Mr. Jack being sent. We had no money. Mr. Pender had no money there, I had no money, and Mr. Jack had no money, or very little, only a few pounds. We were all strangers here and it was arranged that Mr. Jack should go up to London, for two purposes, one was to get money, and another purpose.

41,052. Was it anything connected with the election?—Yes.

41,053. What was it?—I had been constantly told that bribery would be resorted to on the other side. I was very strenuous in opposing that, and suggested that if that was the case we had better have detective officers to watch, and on whichever side there was any bribery it should be reported at once.

41,054. And Mr. Jack went up for the purpose of engaging the detective officers?—Yes.

41,055. And he did bring two men of Mr. Field's?—I did not see the men; I only know that Mr. Jack went for the purpose of doing so; that was one of his objects in going to London.

41,056. Did you know to whom the 1,200*l.* was paid?—No, and I do not now.

41,057. Did you see any money passing at the hotel at that time?—Never.

41,058. We have heard from Mr. Pender that he was very much surprised to find that the 1,200*l.* had been expended, and he found that out in consequence of your coming down here and looking after his accounts?—Yes, the 1,200*l.* had come to Totnes, into whose hands I do not know. In the month of March afterwards I came down and called upon Mr. Windeatt, showed him the accounts still unpaid, and said, "Where is this 1,200*l.*?"

41,059. What accounts?—The hotel bill was not paid. There was the expense for the hustings, and the expenses for the agents' fees and some expenses of that kind.

41,060. These had not been paid. Had they been sent in to Mr. Pender?—They had been sent in to Mr. Pender.

41,061. And Mr. Pender had sent you down for the purpose of settling?—He did not send me down; I am not his servant. I am quite as independent in my position as Mr. Pender. I came to oblige Mr. Pender.

41,062. Having come to oblige him you asked Mr. Windeatt where this 1,200*l.* was?—Yes, and Mr. Windeatt referred me to Mr. Brooking Cuming. I went to Mr. Cuming and showed him the accounts. I said, "Now, Mr. Cuming, you have received or "are responsible for 1,200*l.* I want you to give me "an account of the way in which this 1,200*l.* has "been spent, and I want these accounts paid with "it."

41,063. What was Mr. Cuming's answer to that?—This. He said, "This is a very unusual thing to ask. "Mr. McDougall." I said, "No, it is not an unusual "thing to ask how money has been spent." He said, "Mr. Mills would never have asked such a question." I said, "Whatever Mr. Mills may have done, we are "not in the habit of parting with our money without "knowing where it goes to." I said, "I shall sit "down here, Mr. Cuming, and expect you to give an "account of this money." He said, "Mr. McDougall, "you are inexperienced in these matters, and Mr. "Pender would not justify you in pressing me in this "matter." I said, "If you will not give me an account "Mr. Cuming, I cannot help it. I have come here "for that purpose. Mr. Pender is astounded that "the accounts are not paid and this money still in "your possession." I could get no more, and I went to Mr. Chaster and showed him the accounts unpaid and the money unaccounted for. Mr. Chaster seemed astonished, and very distressed indeed and ashamed, and I had to return to Manchester without getting any account.

41,064. Have you ever had any account of how that was expended?—Never to this day.

41,065. From no one?—No one.

41,066. Could not Mr. Windeatt give you, if not a detailed account, a general account of how it had been spent?—No; I received no general and no other account of how it was spent. I was left to infer that it had been used in bribery.

41,067. Distributed among the electors?—I suppose so. I was left to infer that; nobody told me so. Unless it was kept I do not know what else he did with it.

41,068. At that time did you pay by cheque two large bills, 323*l.* 10*s.* and 372*l.* 6*s.* 1*d.*?—The first sum you named was the sum paid to Mr. Jeffery Michelmore on account of the hotel, the receipt of which I have here.

41,069. Have you the items of that bill?—No.

41,070. Did you ever have the items?—No.

41,071. Did you never look at that bill?—No.

41,072. Did you never see a bill made out with items in it?—I do not remember it. I do not recollect that I did. (*Handing a document to the Commissioners*) I should have given this receipt to Mr. Jack, but there was a private note on the other side. It has no reference to the election at all, but some favour he asked me to do in Manchester, nothing at all to do with the election. That was the hotel bill.

41,073. Was it a favour for himself, or some one of the electors of Totnes?—No, it was this, that you may know: Major Stody, who was a friend of his, had lent some money at Manchester, and received a bill for it, and it was a private affair altogether, and had nothing to do with the election or an elector. I have some letters referring to it in my pocket now.

41,074. The other account was on the part of Mr. Tucker. What was that?—The agent's fees and the expenses of the hustings.

41,075. Have not you the items?—No.

41,076. Have you never had them?—Yes, but they were given to Mr. Jack, and are amongst his papers I have no doubt.

41,077. He said yesterday that he had not got them?—Well, I have not them; I gave them to him.

41,078. Did you pay them by cheque?—These were all advertised in the newspapers. I paid them by my own cheque, and that was also paid by my own cheque to Mr. Michelmore. My knowledge is entirely confined to the election of 1862.

41,079. Have you the papers now in which those election expenses were printed?—I have no papers whatever.

41,080. There is a cheque of May 27th for 6*l.* 1*s.* 6*d.* That was to Mr. Tucker also; what was it for?—I do not know, some bill he received. Mr. Tucker was the judge of the legality of those bills. He was the

auditor, and that was some bill which he received afterwards for which he sent.

41,081. This is a most enormous charge for a comparatively uncontested election, 372*l.* 6*s.* 1*d.*?—I thought so; that was my opinion.

41,082. Did you make any inquiry?—No, and for this reason, that Mr. Tucker was the official auditor, and he was to pass judgment upon the legality of these charges.

41,083. Were you instructed to deal with these accounts?—Mr. Pender was much annoyed at the enormous amount, which was so far beyond his idea of what it would have been.

41,084. Did he not express a wish that you should see into these accounts for him?—He did. I came down here for the purpose and made inquiries of Mr. Cuming. I was told that he was the man to tell me. Mr. Cuming said that Mr. Mills would have paid them without a question.

41,085. Upon saying that you paid them without a question?—I did, but not without saying something else.

41,086. What did you say?—I said that I would never come near Totnes any more, and I never came back. I have had no political acquaintance with Totnes since.

41,087. On the 5th of August you paid 39*l.* to Mr. Tucker; what was that for?—It was some account which had not been previously sent in.

41,088. Was that to Mr. Tucker of Ashburton?—I did not know that there were two Mr. Tuckers.

41,089. On the 2d of September you paid Mr. Cuming 315*l.*?—Yes.

41,090. What was that for?—It was afterwards stated that certain expenses had been incurred in a municipal election; they had issued a writ of *quo warranto* against some person whom they thought was not legally returned; these expenses had been incurred, and they applied to Mr. Pender to pay them. I protested against it as being thoroughly out of the question. It was urged on Mr. Pender that if Mr. Mills had lived he would have paid those expenses. They did not relate to the election at all. Mr. Pender objected to the amount, which was 500*l.* I advised Mr. Pender not to pay it, and rather to quarrel with the people of Totnes than pay such a demand. Afterwards Mr. Pender agreed that a committee should sit over the bill and make some recommendation about it, and they reduced it to 300*l.*

41,091. The bill on which the committee sat was Mr. Cuming's private bill for professional services, and it was agreed that he should receive only his costs out of pocket. He made a charge for more than that, and it was reduced from 125*l.* to 87*l.* Mr. Pender sent a cheque to Mr. Chaster for 100*l.*; that has nothing to do with the 315*l.*?—This bill was for the *quo warranto* expenses.

41,092. Have you got that bill?—No.

41,093. Did you ever see that bill?—I think not; it was left in the hands of a gentleman in Totnes.

41,094. How was that paid, by a cheque?—Yes, by a cheque of my own.

41,095. Did you send that by letter down here?—Yes; I have never been in Totnes until last night since my interview with Mr. Cuming.

41,096. You cannot give us any explanation except your belief as to the 315*l.*?—No.

41,097. (*Mr. Coleridge.*) You did not part on very good terms with Mr. Cuming?—I have never seen him since.

41,098. You did not part on very good terms?—No.

41,099. When did you first tell him what you thought of his conduct, at the first interview, when he refused the account?—I have had no interview with him since he refused to tell me what was done with the 1,200*l.* I have never seen him since.

41,100. Was it after your last interview with him that you parted on bad terms?—We did not part on bad terms. I simply ceased to have any communication with him.

41,101. You gave him to understand that you thought it was a very fraudulent transaction?—I did not use the word fraudulent.

41,102. But you said you thought it was exorbitant?—I said I thought it was exorbitant and morally wrong.

41,103. (*Mr. Bere.*) When you paid Mr. Jeffery Michelmore, did the bill strike you as a very large one?—It did. I thought it was a very large one.

41,104. Did you remonstrate with him?—No, I did not; I was not here.

41,105. Did you pay that by cheque?—Yes, by cheque.

41,106. You did not see the items in that bill?—No; it was not my business to look after it.

41,107. Do you know anything about the items in the bill. Did you notice for how many persons' maintenance the bill was made out?—No, I cannot say that I did notice that particularly, or how many persons' maintenance was included in the bill; all I know about that is, that Mr. Pender himself was down here for three weeks, that his partner was here some time, and his lady, and many persons who were friends of his. I do not say this as in any way justifying the amount of the bill. I thought it was most exorbitant.

41,108. Your expenses were always paid by Mr. Pender; I mean your own personal expenses?—Not always.

41,109. I see, Mr. McDougall, down here expenses 20*l.*?—Some of the money that has been put down there should not have been so entered. Mr. Pender had opened new dining rooms in Manchester to assist the unemployed operatives, and I went to Dartmouth and bought some fish to send to Manchester; that item is put down there. And there was a sick gentleman at Exmouth, who knew nothing about the election, and Mr. Pender in his kindness wished this gentleman to receive some assistance, and that item is put down there; it does not relate at all to the election.

41,110. Did you bring Moore down with you at the election of 1862?—I think I did not bring him with me. He came.

41,111. At your suggestion?—At my suggestion. I did not bring him with me.

41,112. He was paid 50*l.*, was he not?—I never knew what he received. I did not pay him anything.

41,113. He was there advocating the principles of free trade before assemblies of the electors?—He spoke to the electors and instructed them in the principles of free trade very earnestly, very zealously, and very efficiently. I never knew what he was paid. He was not a voter.

41,114. The 300*l.* was independent of McHaffie's bill?—Very likely; they make very extravagant charges during the election.

41,115. Was McHaffie down here at the election of 1862?—He was.

41,116. Do you know of any expenses in connexion with the *quo warrantos* over and above Mr. Brooking Cuming's charges, and that they amount to the sum of 313*l.*?—No, 215*l.*

41,117. We have had Mr. Chaster's evidence, and he says the bill was about 120*l.* or 127*l.*, which was reduced to 80*l.* odd by the committee, who offered him a lump sum of 100*l.*, which he never took?—I do not know at all about it being sent to Mr. Cuming.

41,118. Mr. Cuming told you the 315*l.* was for the question concerning the *quo warrantos*?—So I understood.

41,119. Did he tell you whether there were any other legal charges?—No.

41,120. His own bill is only 127*l.* and further reduced.

Mr. Chaster recalled and examined.

Mr. Chaster.

41,121. (*Mr. Coleridge.*) Can you explain that?—I assure you I have no idea about it. I know nothing as to the *quo warranto* bill.

41,122. It was sent to you, and by you tendered to Mr. Cuming?—Yes.

41,123. Then it was absorbed in the election expenses?—I retained it for registration expenses.

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Mr. McDougall further examined.

Mr. McDougall.

41,124. (*Mr. Bere.*) Do you know whether any other money came down to Totnes in the election of 1862 besides the 1,200*l.*?—No, I do not know that at all.

41,125. Or afterwards?—No, I do not know of any afterwards. These matters I have spoken to convey all I know about it, because I was exceedingly anxious to have no more to do with Totnes after the failure in getting an account of the 1,200*l.*

41,126. In December 1862 Mr. Pender was not the single partner?—No, he had a partner then.

41,127. Do you know that any money was sent down as the partnership account to Totnes which Mr. Pender himself might not have known of?—I am quite certain Mr. Pender's partner did not bring any money; I know him intimately.

41,128. Or did he send any?—Nor send any.

41,129. Or allowed any to be distributed on the part of the firm?—I think not, I cannot swear it; but that is strongly my opinion. I may state to you, just to corroborate, that Mr. Pender did not desire to have the presence of his partner here. He was sorry he came, and would much rather that his partner remained and attended to the business in Manchester. I think he was right in saying so.

41,130. As far as you yourself were concerned, had you anything to do with any money coming to Totnes from Manchester or anywhere else?—None whatever.

41,131. Mr. McHaffie was a partner, was not he?—He was.

41,132. Between 1863 and 1865, after you had paid those various bills, had you anything to do with Totnes?—Nothing whatever; until yesterday I never saw it.

41,133. Did you ever communicate with people in Totnes?—No.

41,134. Not on the subject of the election?—No, not that I can recollect.

41,135. Did you not write any letters?—Not after 1863.

41,136. You had nothing to do with it in 1865?—Nothing whatever. I strongly advised Mr. Pender not to come near it; I entreated him not to do so.

41,137. Did Mr. Brooking Cuming, when he refused to tell you about the 1,200*l.*, intimate to you that any of it had been used for the purposes of the Liberal cause generally, and not for Mr. Pender in particular?—No, he gave me no explanation.

41,138. I do not mean the particulars?—I had none, not even a general explanation. I recollect him using these words, "I have a very black list." I pressed him very much to let me see the list, whatever it was.

41,139. Did he show it?—He said on condition that I would not report it, or show it to Mr. Pender. I said, "I will not take any such statement then, I will not know anything, that I may not report to anybody;" therefore he refused to let me see it.

41,140. Where did you see Mr. Brooking Cuming?—In his own house.

41,141. Not in his office?—In his drawing room.

41,142. Had he got any papers with him?—No, he he had not.

41,143. Did he seem to have the black list near at hand?—He had not it in his hand, and I think not in the room. I never was in his office.

41,144. (*Mr. Coleridge.*) This last payment was in September 1862; how long after the Seymour election, in the year of the Seymour election, did Mr. Cuming say anything to you about a portion of that money having been spent for Mr. Seymour's election?—Not one word.

41,145. Did he tell you whether any portion of this money had been spent subsequent to Mr. Pender's election?—No.

41,146. Did he give you to understand that the payments demanded were for things that took place before Mr. Pender's election?—I never heard of Mr. Pender being called on to pay any money in reference to Mr. Seymour's election.

41,147. Did it occur to you to ask whether it had been expended in reference to Mr. Seymour's election?—No, never asked the question; it was never suggested to me.

41,148. No doubt this is an absolute falsehood of Mr. Cuming as to the 315*l.*; it is entirely unaccounted for, and you cannot assist us?—No, I made the inquiry unsuccessfully, and I was glad to forget all about it.

41,149. Are you certain Mr. Cuming told you that this 315*l.* was all for the expenses of the *quo warranto* or the *quo warranto* and other municipal election expenses?—I cannot recollect. I do not recollect any such expression; it is a long time ago.

41,150. You understood him this was for the legal costs of the *quo warranto*?—The reduced costs.

41,151. The legal costs after reduction by the committee?—Yes, that was my impression.

41,152. Did he request you not to mention that payment to Mr. Pender?—No, the only thing he did not wish Mr. Pender to know was the list.

J. Pender, Esq.

John Pender, Esq., recalled and examined.

41,153. (*Mr. Coleridge.*) You were cognizant of all the transactions about the *quo warranto*?—Yes; Mr. Brooking Cuming's account had been received, and that has been explained.

41,154. Then it was reduced to 127*l.*?—My impression as to the *quo warranto* account is very much the same as that given by Mr. Chaster.

41,155. Can you account afterwards for paying 315*l.*?—No.

41,156. Can you account for the other payment of 100*l.*?—I cannot account for it; Mr. McDougall had the settlement; I left him there and he undertook to pay a large sum.

41,157. You appear to have paid 215*l.* for nothing at all, and without anything to show for it?—I have no doubt of it.

Mr. McDougall.

Mr. McDougall further examined.

41,158. (*Mr. Coleridge.*) That is so?—It was put in this way, Mr. Pender must pay it or quarrel. My advice was to quarrel.

41,159. Did Mr. Cuming put it in that way, pay or quarrel?—He did not put it in those words.

41,160. However extortionate the demands were, he must pay them or else there would be a regular split?—That was the impression.

Mr. Chaster.

Mr. Chaster further examined.

41,161. (*Mr. Coleridge.*) Have you got the *quo warranto* expenses?—No, I have not; I could get them. The 100*l.* was not sent to Mr. Cuming, it was sent to me.

41,162. In one lump?—Yes.

41,163. This 75*l.* and 25*l.* cannot be the 100*l.* "June 9, Chaster, parliamentary registration, 75*l.*?"—The 100*l.* was the 100*l.* bill.

Mr. McDougall further examined. *Mr. McDougall.*

41,164. (*Mr. Bere.*) The *quo warranto* expenses have never been paid yet?—They ought to have been paid over and over again.

41,165. (*Mr. Coleridge.*) They have been handsomely paid, because this 315*l.* paid is unaccounted for, and that may account for Mr. Cuming's virtuous indignation in not taking the 100*l.*?—Mr. Cuming stated to me that the *quo warranto* was nearly 500*l.*, and it was reduced from nearly 500*l.* to 300*l.* I wish to make a statement with regard to a statement Mr. Pender made yesterday. I read Mr. Pender's evidence, that when he left Totnes I remained behind him, but I did not. I left Totnes on the night of the election with Mr. Pender; we travelled together, and Mr. Pender in the most emphatic manner rejoiced, and thanked me for the course I had taken. He believed the election was absolutely pure, he did not believe any man had received either a promise or a halfpenny.

41,166. (*Mr. Coleridge.*) When was he undeceived?—When I came down about the 1,200*l.*

41,167. Then he thought he had to pay the other 1,000*l.*?—He expected the 1,200*l.* had not all been spent, but that some of it would come back. He was chagrined and mortified.

Mr. Chaster further examined. *Mr. Chaster.*

41,168. (*Mr. Bere.*) What is this: "Cash 230*l.* to Mr. Windeatt, July 1865?"—I returned to him that out of the 2,000*l.* and he refused.

41,169. These are receipts?—They are receipts, I set them off against the 1865 list.

Mr. McDougall further examined. *Mr. McDougall.*

41,170. (*Mr. Coleridge.*) Did he say anything about the demand made by Mr. Dent's party, that if he retired Mr. Pender should pay him 2,000*l.*?—I recollect.

41,171. What were the circumstances?—It was late at night, I think I was in bed; Mr. Pender came to my bedroom and told me this proposition was made that he should pay 2,000*l.*, that Mr. Dent was to retire and he was to give a promise that Mr. Dent should not be opposed at a subsequent election.

41,172. You knew nothing of that except through Mr. Pender?—No, nothing, but through him at that conversation, and I most emphatically advised Mr. Pender not to pay a farthing.

41,173. Do you recollect at what time it was?—Late at night.

41,174. Subsequently to that did he determine not to go to the poll?—Still later at night; it was late at night after I retired.

41,175. The utmost explanation you can give of that 315*l.* is that it was absolute extortion, and there is nothing to show for it?—I quite assent to your description of it.

41,176. After hearing Mr. Cuming had refused the 100*l.* for his bill?—I did not hear about that.

41,177. Now you have heard it you can put no other construction upon it?—No, things were very extortionate here.

Mr. Chaster further examined. *Mr. Chaster.*

41,178. (*Mr. Bere.*) There is an item of 26*l.* 5*s.* paid to you in November 1865 by Mr. Jeffery Michelmore, what is the meaning of that?—25 guineas; it was Mr. Windeatt's hotel bill on behalf of Mr. Seymour. I happened to be at the "Seymour Hotel," and he said, "Chaster, will you give this to Mr. Windeatt?" I paid it to the eldest son.

41,179. "Mrs. Windeatt 14*l.*" what is the meaning of that?—When the case in the Common Pleas was coming on Mr. Windeatt wrote to Mr. Pender for a sum of money to pay the expenses of travelling, and he sent 20*l.* Mr. Windeatt died and it was left on my shoulders to appoint his successor. I asked Mr. Cuming to stand in his shoes and take the brief. I spoke to young Mr. Windeatt, and he said, "I do not know anything about it;" he looked into his father's desk and found the 14*l.*, and it was handed to Mr. Cuming.

41,180. There is another item in August, 50*l.*?—It was advanced for work done to the British Schools. He could not settle the bill, and I advanced the money because I knew that the work was done.

Mr. Alexander McDougall recalled and further examined. *Mr. A. McDougall.*

41,181. (*Mr. Coleridge.*) I do not think we have anything more to ask you, unless you have anything more to tell us?—No, I have not. I believed that Mr. Pender had left Totnes with pure hands, and I was not undeceived until months afterwards.

41,182. Did you have any communication with Mr. Pender before the last election to persuade him not to stand?—Yes.

41,183. You could not succeed?—I was exceedingly anxious that he should not go to Totnes, and intimated that there was another seat that he might have obtained, and I refused to go to Totnes; but Mr. Pender explained that he had entered into an honourable arrangement with Mr. Seymour and the party, and that he could not break that engagement, and therefore he came to Totnes.

41,184. When you came in the first instance, and found that it was Mills' vacancy and not the Seymour vacancy, and it was the independent vacancy, you went back with a recommendation and Mr. Pender came back?—Yes.

41,185. If it had been Lord Gifford, as was anticipated, who had died should you have recommended Mr. Pender to come?—Yes.

41,186. Even if it had been a Somerset vacancy?—Yes. We wanted Mr. Pender in the House. We wanted his knowledge there.

41,187. You wish him there we know. But from what you gathered from the people here, would you have thought it prudent for him to come if it had been a Somerset vacancy?—All those people that I met responded to the feeling that he would be of use in the House.

41,188. Did you think that the Duke of Somerset would have allowed two independent members?—I did not know anything about that. I was not so deeply read in the politics of Totnes as to be up to that.

41,189. Mr. Chaster had not told you?—No. I have great pleasure in knowing Mr. Chaster, but I knew him then but slightly.

Richard Bartlett sworn and examined. *R. Bartlett.*

41,190. (*Mr. Coleridge.*) What are you?—A cabinet maker.

41,191. Do you remember going to Sarah Honeywill with another man called Briggs, after the last election?—I did.

41,192. What time was it?—I think between 10 and 11 o'clock.

41,193. On the following day?—Yes.

41,194. After the election was as good as gone?—Yes, the election was gone at 8 o'clock in the morning

THIRTIETH DAY.

R. Bartlett.

28 Sept. 1866.

41,195. What made you go there?—I thought Mr. Wright was a strong Conservative, and always took an active part in politics.

41,196. Did anyone send you there?—Not then. I passed by the door, and I saw the servant, and I said to her, "They tell me Mr. Wright has supported the "Liberal candidate?" and she said, "Yes, he has, and he has been well paid for it."

41,197. Are you quite certain that she said that?—Yes, and I will swear to it. Those were the words she made use of.

41,198. Will you swear that she said that, and that it was not you that suggested that Mr. Wright had been paid?—I will swear those were her words.

41,199. Neither you nor Briggs put those words into her mouth?—Neither.

41,200. Did you ever say that it would be worth anything to her if she would say Mr. Wright had been paid?—No, not then.

41,201. Did you go back and report what had been said?—I asked her when Mr. Pender came, and she said "This morning." Did anyone come with him, and she said, "Yes, a man with a white hat." I saw the nature of the charge, and ordered Briggs away, and I went into the kitchen and had a private interview. I told her the nature of the charge, and all I wanted was the truth. I asked her who came there, and she said, "Mr. Pender and a man with a white hat."

41,202. Will you swear that?—I will swear that when they came to the door I asked her, "Where did you see them?" and she said, "Into that room," and she pointed on the left-hand side going in. I went there and examined the room, and I asked her whether she saw anything pass between a certain gentleman; she said she heard something tinkle.

41,203. Did she say she was looking through the keyhole?—I could not get exactly to examine her to that. After she saw that I was bent on her evidence she kept rather up, and I went and looked through the keyhole, and I saw the table cloth put back on the chiffonier with the books on the top.

41,204. Was there anyone in the room?—No.

41,205. Was the room shut?—Yes.

41,206. Were you in?—I opened the door and looked in.

41,207. Did she tell you that Mr. Wright was out?—I looked in and saw that some business had been done there.

41,208. Was Mr. Wright there?—No, they had both left.

41,209. Did you knock at the door before you went there, or was it open?—The girl was at the door.

41,210. Did she tell you that nobody was at home?—Yes; and after she told me he had been well paid I thought it was a case that required a little consideration.

41,211. You thought it was your place to consider it?—Yes.

41,212. Did you, or Briggs in your presence, say, that you would have "the old beggar out?"—No.

41,213. Did you ever call Mr. Wright an "old beggar?"—Never. I would not.

41,214. Did you break down some of the flowers in trying to get at the window?—No.

41,215. Did you go over the flower bed?—No. After I saw it was a serious case, Briggs was a little under the influence of liquor, and I ordered him to the door.

41,216. Did you go and report this?—Yes.

41,217. To whom?—To Colonel Dawkins and Thomas Creaser Kellock.

41,218. Where?—At the "Seven Stars," in the doorway.

41,219. What did they say; who spoke?—I told them the facts of the case, and I told them she told me if she told she would lose her situation; and Colonel Dawkins told me that if she would tell the truth he would get her a situation and make her a present of a 5*l.* note, and Mr. Kellock heard that.

41,220. And then you went back and offered 5*l.*?—Yes.

41,221. You did not get much out of her then?—No.

41,222. Did she contradict what she had said then?—No.

41,223. Was it then that you tried to get her to say over again what she said in the morning?—No.

41,224. Did you say, "You may as well say this over again as you have told us it this morning?"—No.

41,225. Was Briggs there the second time?—No.

41,226. What did you tell her?—I told her that Colonel Dawkins would get her a situation and give her a 5*l.* note.

41,227. Did you tell her what she was to swear for that?—No. Since then, when I saw that the Commission had passed the House of Lords I thought this a good case for examination. I saw the girl and she shook hands with me and her mother and the rest, and after she had been there a short time she said she would like to have something to drink. I said, "Well, I am never backward," and I took a half-crown out and that was spent in beer, and Mr. Jones was there with me.

41,228. What did she tell you after she had the beer?—She said she was paid for what she said about the election.

41,229. Did she tell you how much?—No.

41,230. By whom?—No, but I guessed. I think Mr. Samuel Parnell. She said she had remuneration.

41,231. Were you paid at the last election?—No.

41,232. Were you engaged as a runner?—I was engaged, and went to Dartmouth to canvass a voter named Reeve.

41,233. What did you get from the Conservative party?—I had different sums at different times. My principal occupation was to look after the men on the night watch.

41,234. At the last election what did you get for your services?—About 5*l.* or 6*l.*

41,235. What did you get at the election before?—About 2*l.*

41,236. Were you employed in 1862?—No.

41,237. Only employed twice?—Yes.

41,238. Is 8*l.* all that you received?—Yes.

41,239. Did you get anything afterwards?—I got a letter from Colonel Dawkins thanking me for my services, and he said I was to drink his health in a bottle of wine. Mr. Kellock read the letter in his office, and I went and drank his health.

41,240. What did you have for the bottle of wine?—5*s.*

(*Mr. Bere.*) You and Sarah Honeywill had better settle between you the discrepancies in your evidence.

41,241. Did you ever offer any money to anybody at the last election?—Yes, a man named John Drew, early on the morning of the election. I offered him 150*l.* for his vote.

41,242. Who told you?—A gentleman, a stranger at the "Stars," the night before. I was to have seen him that morning by the break of day, and I saw him about half-past four in his field.

41,243. (*Mr. Coleridge.*) Did you pay anybody in the election?—No, I told him his pony wanted a pair of new shoes; that is the way I introduced it.

41,244. What did he say?—He said the little he had from the other side, with the consideration of the rent and fire, would be the same consideration.

41,245. Did he get off his rent?—They do not pay half of them, those tenants of the duke. I received instructions from the stranger to offer him 150*l.*

ALFRED SEYMOUR, Esq., M.P., sworn and examined.

41,246. (*Mr. Bere.*) I believe in 1862 you were candidate for the representation of Exeter?—I was.

41,247. About the end of the year, Mr. Mills, the member for Totnes, died suddenly, and I believe you then came to Totnes to see if you would be chosen for the vacancy?—I did.

41,248. You had an interview with some of the leading members of the Liberal party, who told you it was an independent vacancy, and you were not to be the candidate?—Not large.

41,249. Did you leave Totnes?—Yes, the same night, I was here about an hour.

41,250. Had you heard before that Lord Gifford was dangerously ill?—Yes.

41,251. Have you had any communication from Mr. Michelmore or the Duke of Somerset about standing in his place?—I had, from the Duke of Somerset.

41,252. When did you have that communication?—It must have been about the middle of November I should think.

41,253. Was that the first information that you received of Lord Gifford's illness, or had you written to the duke?—I had not written at all to the duke. I received a letter one day in Wiltshire from the Duke of Somerset, and he asked me to come and see him. I left the country and I went to London, where I saw his grace. He then said,—our interview was a very short one,—that Lord Gifford was exceedingly ill, and there was likely to be a vacancy for Totnes, that he had no power to name any member to stand for the place, that he had never attempted dictation in the borough, that it would be useless for him to do so, but that my name had been given to him as a person whom they would like as a candidate to supply Lord Gifford's vacancy. I was then in the field for Exeter, and my name, I believe, was known at the time, and he mentioned to me, that if I liked to go down, "provided," he particularly said, "you can "make yourself acceptable to the people of Totnes, "you may have any support that I possess; but it "depends entirely on yourself making yourself accept- "able to the people there, as I have no power to "name a member for them."

41,254. Did he tell you from whom he had received the information that your name had been mentioned as a candidate?—No, and I did not ask any questions.

41,255. He was in constant communication with Thomas Michelmore I suppose?—I think he was.

41,256. We have heard that there was a meeting of the Liberal party, when your name, and that of Lord John Hay, and Major Lyon were mentioned as acceptable in the case of Lord Gifford's death?—I had no knowledge of it.

41,257. Did the duke tell you the result of that meeting had been communicated to him?—He said my name had been mentioned to him as a person that they would wish to have as a candidate, and I asked no further questions.

41,258. Did you go to Totnes on Mr. Mills' death without any communication with the duke or Mr. Michelmore?—Entirely; I had gone into Wiltshire, when I happened to take up the newspaper, and I saw the death in the newspaper, and I immediately, without consulting anybody, got into the train and ran to Totnes. I got into the train with Mr. McDougall, and I arrived in Totnes and found several people assembled at the "Seymour," and suddenly found myself in the same room with the illustrious stranger whom I had seen in the carriage; then Mr. Chaster came in, and he said rather shortly to me, "You will not do here;" he said, "We must have somebody else;" I said, "Very well, we will consider over the matter; I do "not wish to come unless I am wanted, and I will "retire." After a few moments they came out, and they considered me as the duke's candidate, and this not being the duke's vacancy, they should ask Mr. Pender, but they would at Lord Gifford's death accept me as a candidate.

41,259. Did you leave Totnes immediately?—I left Totnes immediately by the next train.

41,260. Did you have any communication with any person at Totnes between leaving then and Lord Gifford's death?—Not at all. I never returned to Totnes, but I went to Teignmouth, where I had an interview with Thomas Michelmore, Mr. Cuming, and somebody else. There were three gentlemen.

41,261. When was that?—A few days afterwards with respect to my prospective candidature on Ear Gifford's death.

41,262. Is that before the election had taken place between Pender and Dent?—That was a few days after Mr. Mills' death before the election; I went straight from Totnes to Teignmouth.

41,263. And they came a few days afterwards?—Yes, the next day but one I think. I said, "I had "better not remain in Totnes, but I will go to Teign- "mouth."

41,264. Did anybody tell you at that time how much it would cost to contest the seat?—I am not sure whether they told me then or subsequently, but I think it must have been then that Mr. Thomas Michelmore, who is dead, said it would cost me 1,000*l.*

41,265. Was that all the communication that you had with Totnes before Lord Gifford died?—Yes.

41,266. When Lord Gifford died you came immediately?—Yes; he died just before the Christmas, and I waited over the Christmas day, and after his funeral, and then I came in the last days of December or the first days of January; I think before the 1st January.

41,267. You were here three weeks before the election?—Yes.

41,268. Did you come by yourself?—I came by myself, but after I had been here I had friends constantly coming backwards and forwards.

41,269. Did your brother come down?—Yes, and my brother-in-law, Sir Henry Rawlinson, and a great many people came to call upon me at different times.

41,270. Was one of the Baron Rothschilds staying at Torquay?—Yes, Baron Lionel was staying there, and he came to see me, and the young baron came, and Mr. Delane, the editor of the "Times," came to see me, but I did not see him.

41,271. Having learnt that 1,000*l.* would be wanted, I suppose you set to work to provide 1,000*l.*?—Yes.

41,272. Did you bring it when you first came?—No, I told my banker to pay it into the account of Messrs. Michelmore, at Totnes.

41,273. Your bankers are Messrs. Ransome?—Yes; you will see the sum entered as a regular transaction.

41,274. On the 15th January 1,000*l.* is paid from your bankers, Ransome & Company, to Michelmore to the account of the National Provincial Bank?—Yes.

41,275. Was that paid by your order?—Yes.

41,276. Can you tell us at all when you gave that order?—No, I cannot.

41,277. Did you give it by letter?—I cannot tell, probably by letter.

41,278. Was it in consequence of Michelmore asking you for the money?—It was in consequence of his statement that I paid 1,000*l.* to cover the expenses of my election.

41,279. When you came at the end of 1862 or the beginning of 1863 you did not leave an order with your bankers to send 1,000*l.* I suppose?—I cannot tell when I gave the order for it to come, but probably I must have given it some short time before; I probably gave my bankers 10 days or a fortnight's notice that I should require 1,000*l.*, and they paid 1,000*l.*, and I really know nothing more about it.

41,280. Did you send the order up on any particular day in consequence of Mr. Michelmore coming to you and telling you that money was wanted for the immediate purposes of the election?—I cannot tell you whether he told me the 100*l.* would be wanted when I

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A. Seymour, Esq., M.P.

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met him at Teignmouth, or when I first came down here to stand.

41,281. Your money was advanced by your bankers?—Yes, but I cannot give you any information as to time.

41,282. (*Mr. Longe.*) At Teignmouth it was only a prospective vacancy. It might have been months and months before the 1,000*l.* was wanted?—It was to be whenever Lord Gifford died. His lordship was dying at the time, and it was known that that event must come within a few days, or possibly, at the outside, a few weeks.

41,283. (*Mr. Bere.*) Who formed your committee at that election?—I do not think I had a committee.

41,284. Who were the Liberal party with whom you took counsel?—Mr. Jeffery Michelmore was my head agent; Mr. Cuming, Mr. Chaster, Mr. Holman, and Mr. Windeatt.

41,285. Did you ever see Mr. Parnell at all?—I used to see him occasionally.

41,286. Did you ever see Thomas Jacob Searle?—I have seen him.

41,287. Spoken to him?—I have spoken to him, but very rarely. He did not form one of the persons with whom I was in constant communication.

41,288. Mr. Charles Frederick Michelmore was another?—Yes, he was also.

41,289. Do you know that both Mr. Parnell and Mr. Searle were actively engaged on your behalf?—I knew they were active supporters of mine.

41,290. That money having been paid, did you have an account handed in of how it was spent?—Yes, which account I have handed in.

41,291. (*Mr. Coleridge.*) That account was considerably more than the 1,000*l.*?—You will see there what the total is.

41,292. 1,215*l.* 17*s.* 7*d.*?—Yes; but I think that includes my year's subscriptions, if I do not mistake.

41,293. I am afraid you will find that is all extra. There is a very peculiar account here: "Election auditor, 331*l.* 17*s.* 10*d.*" You are aware that that is the whole legitimate expenses. Then there is "Ditto, "his own fees, 16*l.* 16*s.* 8*d.*; 'Seymour Hotel' "account during visit, 230*l.* 15*s.* 7*d.*" How long was that for maintenance at the "Seymour Hotel?"—About three weeks or a month.

41,294. "Ditto, for keep of horses, 9*l.* 13*s.* 5*d.*" Then everything is most minutely given in it. I will read them to you. "G. Mitchell, for assistance during the election, 10*l.*" Do you know what that means?—Not in the least.

41,295. "N. J. Hill, ditto, ditto, 6*l.* 13*s.* 0*d.*; J. B. "Prout, ditto, ditto, 8*l.* 19*s.* 6*d.*; John Shute, for "watchers during the election, 45*l.* 6*s.* 6*d.*" Did you know of their being such a thing?—I am told there were watchers.

41,296. Did they tell you beforehand that you would have to pay a large sum?—No, I do not remember that they did.

41,297. "T. Latimer, for newspapers, omitted in "account sent to auditor, 2*l.* 18*s.* 4*d.*; W. Hodge, "for men during election days, 3*l.* 17*s.* 6*d.*; Rev. "James Shore, travelling expenses, 3*l.* 0*s.* 0*d.*" What was that?—He is a clergyman at Bridgetown, and he came to vote for us.

41,298. W. Sawyer, for luncheon during canvass - - -				£1	18	6
Ringing a knell at Totnes and Bridgetown on Earl of Gifford's funeral -				3	2	0
Expenses of T. Windeatt to Torquay and Kingsbridge - - -				0	18	9
Amount of retainers :—						
F. B. Cuming -	£50	0	0			
C. F. Michelmore -	50	0	0			
W. F. Windeatt -	50	0	0			
				150	0	0
H. Michelmore, election advocate -				5	0	0
Selves agency charge - -				100	0	0

What does that mean?—That is Mr. Thomas Michelmore and Mr. Jeffery Michelmore, 50*l.* apiece.

41,299. Everything having been most carefully gone into, there is then, "To amount paid sundry parties, 285*l.*" Do you know what that is?—Not in the least.

41,300. You never asked?—I never asked.

41,301. And you never received any information?—No, I never asked.

41,302. This is the bill you received from your agent?—That is the bill I received.

41,303. With that item in it?—Yes.

41,304. And you paid?—I paid it.

41,305. (*Mr. Bere.*) When did you get that bill?—I cannot tell when. It is docketed at the back, the date when the surplus was paid.

(*Mr. Bere.*) It is 21st December 1863. It would be a convenient time to put in a letter of yours.

41,306. (*Mr. Coleridge.*) Had you to pay some other sums of money subsequent to that election?—No, not for that.

41,307. But did you pay anything subsequent to your election, between that and the beginning of 1864, excepting that bill which has just been read of 1,200*l.* odd?—April 20th I see I paid 43*l.* 6*s.* 0*d.*

41,308. What for?—I do not know, but you will find all the items there. I have handed in every bill; and May 13th, 15*l.*; December 24th, 304*l.* 9*s.* 10*d.*

41,309. That was for the registration, was not it?—No, this 307*l.* 9*s.* 10*d.*, I rather think, you will see there includes the surplus of that bill over the 1,000*l.*, together with my subscriptions to charities, and various other sums during the year.

41,310. (*Mr. Bere.*) This amount, "Paid sundry parties," is 285*l.* Do not you know there was a very much larger sum of money spent than that?—I do not know it.

41,311. You have heard it?—I have heard it.

41,312. Have you ever had to pay it yourself?—Never, directly or indirectly. I have never been asked for it.

41,313. Who did you hear that from?—I have heard it from general report from a great many people that there was a further sum paid, but I really know nothing at all about it. Mr. Jeffery Michelmore told me there was a sum of 500*l.*, and somebody else, I forget who, told me there was a sum of 500*l.*, but I know nothing at all about it.

41,314. Did Mr. Michelmore tell you where he got the 500*l.* from to pay it?—No.

41,315. Did he tell you that there had been in the course of your election an interview between some of the Liberal electors and the directors of the National Provincial Bank, and money was borrowed there?—I never heard a word about it till mentioned in evidence at this Commission.

41,316. From what you have learned since have you the smallest doubt that a very much larger sum than 285*l.* was paid at that election?—I suppose it must have been.

41,317. Do you think it came in through one of your friends?—Not that I am aware of. I am not aware of anything, and I have never been asked to pay anything. I do not know anything about it in any way whatever.

41,318. (*Mr. Coleridge.*) Was your brother down at that election?—He was down.

41,319. (*Mr. Bere.*) Did he pay any money?—Not that I know of. I do not think it very likely.

41,320. We have heard it said that he came to the committee room of Mr. Bowden and expressed indignation at the money expended, and he complained about the cost of the election. Did you ever hear him say anything of the sort?—I never heard him say so, and I think it is an entire fabrication.

41,321. You were also accompanied, I believe, on the hustings by Baron Rothschild, were not you?—I forget really. There may have been one of the sons, one of the younger ones, on the hustings with me; but my impression is that they were neither of them on the hustings. My impression is that they were in the crowd down below in a pony carriage.

41,322. On the nomination day?—On the nomination day.

41,323. Were they here with you on the election day?—I do not recollect.

41,324. You had some communication with them, I think, while the election was going on, had not you?—Oh, yes, I saw them frequently.

41,325. Do you think any money came from Baron Lionel Rothschild?—I do not think so. I have no reason whatever to suppose such is the case.

41,326. Have you ever seen any particulars of the election auditor's account, 331*l.* 17*s.* 10*d.*?—No.

41,327. Because here you observe the additional charges, "Surveyor's charge for hustings, mayor's deputies at election, committee room, money spent," and so on, are all items that ought to have been included in the sum paid by the election auditor. It seems a double charge. Who was this George Mitchell who was paid 10*l.* for assisting during the election?—There are a great number of Mitchells here; I cannot tell which it was.

41,328. I think you say at the time this bill was sent to you, you answered by letter of the 16th November 1863, in which you say, "With reference "to the other paragraph in your letter, I must beg "you to allow it to stand over a short time, as I was "not prepared to receive the account of so large an "additional amount." The demand of 307*l.* 9*s.* 10*d.* came upon you by surprise?—Yes.

41,329. (*Mr. Coleridge.*) Do you recollect telegraphing to one of the Barons Rothschild during the election?—No.

41,330. (*Mr. Bere.*) You canvassed the constituency very closely?—Yes.

41,331. Were you almost always accompanied by Mr. Jeffery Michelmore?—Almost always, or I may say almost invariably.

41,332. You were down here, I suppose, before Mr. Dent came?—Oh, yes; I was here some time. Mr. Dent was ill, and was not here for some time.

41,333. When was it first apparent to your party that Mr. Dent intended to go to the poll?—It appeared to me that he intended to go to the poll the moment I came down here, almost within a few days. He was not actually in the field, I remember, the first few days after my arrival; but his address came out, and some friends came down to canvass for him, and it was apparent then that he intended to fight the thing to the end.

41,334. You were always under the impression that you would have a contest?—Yes.

41,335. And when you learned that there was to be a contest, were not you told that more money would be wanted than 1,000*l.*?—I forget whether I was told so. All I know is that I paid 1,000*l.* and I said, I will not pay any more.

41,336. Was it intimated to you that money had come?—Never.

41,337. You went through your poll book, I suppose, on the night of the election?—I did.

41,338. In going through that poll book did you arrive at any conclusion as to what the result of the election would be?—Yes, you will see it dotted down in my poll book, which I gave in writing the night before the election. You will see it; it is at the end of that blue poll book. I gave myself 168 votes, I think, and I polled 165.

41,339. What did you give your opponent?—You will see it jotted up 157, I think. I think I could show it to you if you passed it to me (*it was handed to the witness*). My impression was that I had jotted it down here in this book, but it must be some other memorandum.

41,340. (*Mr. Bere.*) There is the number you yourself were likely to poll?—Yes, 168, and we polled 165.

41,341. But did not you know in the middle of the day of the election that it was very doubtful which way the election would go?—I always looked upon myself as certain of a majority.

41,342. In the middle of the day of the election were not you told it was a great question which way the election would go?—I was told there were a certain number of men holding back, but I knew that if my men came to the poll I was certain.

41,343. Then if those men who promised you voted for you, and those men who said they would not vote did not vote against you, then you would be certain?—Certain.

41,344. But were not you informed in the middle of the election day there were a certain number of men who were going to vote against you?—I was told there were a certain number of men prepared to vote against me for a very large consideration.

41,345. Did you hear the names of those men mentioned?—Yes.

41,346. Were they Searle and others?—There may have been one of the Searles. I recollect Coombes and Edwin Shinner; I forget the other name.

41,347. Do you know where that communication was made to you?—No, not in the least.

41,348. Did you communicate with John Bowden on receiving that information?—Well, I may have done so. I cannot say whether I did or not. I cannot tax my memory with every fact, but I know when I found that was the case. I remember we were expecting three men; I think it was by a particular train, and when that train did not come in I then said, "We "must send to poll Quint, who was dying, and I "think Mr. Tucker."

41,349. Then Mr. Bowden went up to Mr. Tucker and brought him down?—Yes, and somebody went for Quint and brought him down, and when those two had polled I had a numerical majority of the whole constituency, and I knew I was safe; but I did not intend or wish to poll either of those two men unless absolutely necessary.

41,350. Do you know whether anybody from your side saw these persons who were standing out?—I do not at all.

41,351. Did you hear at any time whether they had been seen?—No, I did not; I canvassed them myself.

41,352. You have heard Holman's evidence and Parnell's evidence that a very large sum of money was distributed in illegal expenses at that election. I must ask you, can you form any idea where the money came from?—Not the remotest idea, except it forms part of the money which is unaccounted for that Mr. Pender paid in 1862.

41,353. Was that account that has been rendered rendered by Mr. Jeffery or Mr. Thomas Michelmore to you?—I should think Mr. Jeffery Michelmore.

41,354. Had he the chief management of your affairs?—Yes, his father was ill.

41,355. Then he in fact would be the person to know where it came from if anybody knows?—He may or he may not; I know nothing about it. I cannot answer for him.

41,356. (*Mr. Coleridge.*) Do you know how your own 1,000*l.* came down into the town?—Not the least; it was an ordinary transaction. I told my banker to pay 1,000*l.* into another bank.

41,357. You did not imagine that that 1,000*l.* was going to be spent in legitimate expenses here?—I thought the sum was large, and I said at the time, 1,000*l.* is a large sum.

41,358. Did you remonstrate about the amount of it?—I did; but seeing that the contest was likely to be pretty close, and knowing that Mr. Pender had been already down here, and that Mr. Dent was determined to fight the thing very closely, why, as far as 1,000*l.* went, I said, "I did not mind paying 1,000*l.*, but I do "not see how that sum should be required, seeing that "I have the interest of the duke, and that it is a very small constituency."

41,358*a*. Had you at that time known what Mr. Pender had spent? Had he told you what it had cost him?—Not in the least, I am sure. I do not know that I had the pleasure of seeing him at the time.

41,359. (*Mr. Bere.*) Had you any communication

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with Mr. Pender between his election and the vacancy at Earl Gifford's death?—No, I am sure I had not, because I had not the pleasure of his acquaintance. I may have exchanged a formal letter with him, but that is all.

41,360. In the abstract of the account of the election expenses incurred by each candidate I find this item: "Hotel bill, 43*l.* 1*s.* 6*d.*" The hotel bill that you pay, or that Mr. Michelmore pays on your account, 230*l.* 15*s.* 7*d.* Have you any doubt that the difference between those two sums was spent in treating?—I do not understand what the 43*l.* is.

41,361. That is the hotel bill which was returned by the election auditor of the expenses which you incurred at the hotel at that time?—I have no doubt it was expended in treating.

41,362. Did you canvass in 1863 a man named Richard Tope?—Richard Tope was the man belonging to the railway.

41,363. I think he was?—I canvassed him, certainly.

41,364. Do you remember whether you said anything to him about his vote? Did he say he would vote for you?—I recollect now. I canvassed him at the station.

41,365. Did he say he would vote against you?—No, I really forget. I know he said he would not vote for me.

41,366. I will read what he has said here about you at that election: "Did they offer you anything on the "other side in 1863?—Not exactly. Tell us what it "was. There was something you know?—He "said I should not be sorry for it afterwards. Who "said that?—Mr. Seymour. Did he say anybody "would come and talk to you?—No, he asked for my "vote." Do you remember whether such a conversation passed betwoen you and Tope on that occasion? No, I do not, but I think it is very probable I might have said to the man it would not hurt him to vote for me. Certainly not with any corrupt intention, most decidedly.

41,367. There were some communications passed between you and Mr. Michelmore from time to time with regard to your affairs in the borough. Have you any of the letters Mr. Michelmore wrote to you?—I have got some few, but I have only kept letters which referred to payments.

41,368. Here is a letter of yours of May 7th, 1863?—"I returned to town to-day and hoped to hear something not to the advantage of the impostor." Can you explain that?—Suppose it is a man who swindled me out of some money in London, and I wrote—they had said he was a Totnes man—and I wrote to Mr. Michelmore to know if he did come from Totnes.

41,369. I believe you asked for the election expenses in April 1863?—I have no doubt I did.

41,370. This is a letter of yours to Mr. Michelmore of the 28th of November 1863: "Dear sir, I "received your letter last night on my return home. "I am glad to hear you take a more cheerful view of "affairs than I had expected would be the case. I see "in to-day's Western Times' that the Tories have "again broken their contract in regard to the con-"stables, and Latimer has a good article upon it. "Though inconvenient, I will arrange to come down "for 17th, and will write to Sir Henry Rawlinson to "apprise him of the change, and inquire if he can "manage to settle for the 18th to deliver his lecture. "I tried to see Mr. Brand when in London about "Bearu's place, but could not find him to see him "personally. I will again write in the matter to him "to see what can be done before I go down. I fear "Evans has not as yet got his promotion, but I have "done all in my power for him at the Admiralty. I "have had a letter from Mr. Pender, saying he will "be happy to attend at the same time as myself. "Yours faithfully, A. Seymour. P.S. I have "received the enclosed from Mr. Good. (?) Do you "know him? I have no interest with the chancellor, "but will write if you think it advisable." What was the arrangement with the Tories about the constables?—Really I forget what it was now at this moment. There was some question with reference to the town council, about the Liberals and Conservatives appointing an equal number of constables, and the Conservatives appointed one more constable; but I really forget it.

41,371. What was the affair of which he was to take a more cheerful view in November 1863?—I suppose that must have been with reference to the registration. The registration must have been just over.

41,372. In the letter before me it is said there had been a good deal said about the registration of Totnes in 1863 in the newspapers; had that been the case?—I suppose there must have been something of the kind. I do not know what else it refers to-if not to that.

41,373. Can you tell us whether there were any articles in the London papers commenting on the registration of Totnes?—There were in the "Standard" a good many letters at various times; I cannot fix my memory with the exact period.

41,374. In the end of 1863 you and Mr. Pender, and Mr. Chaster, Mr. Michelmore, Mr. Windeatt, and Mr. Cuming met at the "Seymour Hotel," and a certain arrangement was come to between you and Mr. Pender as to the expenses of the election; will you give us your version of that?—My recollection of the transaction is this: that those gentlemen you have mentioned were in the room at the "Seymour Hotel," and that the question turned on the registration and the probability of an election in the ensuing year. There was then a comparatively very small majority on the Liberal side on the register, not more than four or five, and it was thought, if a general election came on in the following year, there would be a very close run between the Conservatives and the Liberals. I always had an extreme objection to the spending of money in an improper way, and always so far as I could had raised my voice against it. I then spoke very strongly to the gentlemen in the room upon that, and urged on them that we should endeavour as far as possible to break through the system which existed. The conversation ended ultimately by an arrangement being made between Mr. Pender and myself and those gentlemen if it came to a very close run that either Mr. Pender or myself was to retire, and that the one who came in was to pay, as far as my recollection goes, two-thirds of the expenses. But the decision was to rest with those gentlemen, who were formed into a committee for the management of the affairs of the borough, Mr. Chaster, Mr. Windeatt, Mr. Cuming, Mr. Jeffery Michelmore, and Mr. Thomas Michelmore. That arrangement took place in consequence of the close state of the register in 1863.

41,375. Was any sum mentioned that the election would cost?—My impression is that Mr. Thomas Michelmore said it would cost 4,000*l.* or 2,000*l.* a piece. I cannot be certain whether it was 2,000*l.* each or 2,000*l.* altogether. I then stated that I thought the sum was very large. I did not myself choose to run into extravagant expenses, and I did not care about spending money in illegitimate expenses.

41,376. As the contest was likely to be a close one, more money would be wanted in order that the means of inducement to vote might be made larger?—I suppose it would be.

41,377. If you had a fair majority on the Liberal side you would not want so much money as if it was a close run?—The state of the registration was entirely altered in the following year.

41,378. (*Mr. Coleridge.*) You paid the whole of this bill sent in, 1,215*l.* 17*s.* 7*d.*?—Yes.

41,379. Does that include all the expenses that you were put to at the election in 1863, and subsequently?—Entirely, every possible expense of the election, and subscriptions, and everything.

41,380. There is not a word in this account about subscriptions?—A portion of that account is carried forward into a subsequent account; a further account was sent in which you will find here with the subscriptions.

41,381. You paid altogether 1,525*l.* 17*s.* 8*d.*?—I did not pay so much as that.

41,382. How is it deducted?—This balance due to Mr. Michelmore of 215*l.* is carried into another account.

41,383. That account we have not got?—Yes, you have got them all here.

41,384. I daresay you have an unpleasant recollection of what Totnes cost you in 1863?—I can add up every sum which I paid. No other sums have gone out of my hands except what passed through this bank. The whole sum which I paid in 1863, including every expense of election, subscriptions, and everything, was 1,366*l.* 3*s.* 10*d.*

41,385. Did you dispute Mr. Michelmore's account, that is, 1,200*l.* odd, plus the charities?—There is some memorandum here with reference to 116*l.* 4*s.* 0*d.* That 116*l.* is carried on with this 215*l.* and makes 307*l.* 9*s.* 10*d.* This 215*l.* was not paid, but was afterwards added to another bill, the total of which is 307*l.* 9*s.* 10*d.*

41,386. You paid 1,215*l.* without a single subscription or charity? Does this 1,366*l.* include 189*l.* put to your credit at the bank which was really Mr. Pender's money. Alfred Seymour, Esq., in account with Michelmore & Son, paid into the bank 189*l.* Is that paid to your account?—I have not the most remote idea. I never heard of it until this instant.

41,387. Then January 16th. Alfred Seymour, Esq., a remittance, 1,000*l.*?—Yes.

41,388. Then January 24th there is 189*l.*, and written in pencil after it "Pender?"—I have not the remotest idea of that.

41,389. Here is an account of Mr. Michelmore's which makes your payments 1,520*l.* 14*s.* 7*d.*?—They have had no more money than that from me. I know nothing of this 189*l.*

41,390. You do not know what it means?—Not the least.

41,391. When did you first know Mr. Pender personally?—I cannot tell you that; after Parliament met.

41,392. That would be some time in March?—I think I met him in London.

41,393. That is brought into your account, and it looks as if you had paid it, but in reality you paid all the bill of 1,520*l.* 14*s.* 3*d.*, minus the 189*l.*, which you do not know how it came there?—Yes, in round numbers.

41,394. Do you know what was the squabble with respect to your not paying Mr. Presswell some small sums?—There was some question at the time; I forget the circumstances of it entirely, but I think it was as to Mr. Presswell receiving some 18*l.* odd which was considered at the time too large a sum for the duties performed.

41,395. What had he to do personally?—I believe nothing particular, and that is the reason we objected to pay him.

41,396. Here is a letter in which he says the bill is 18*l.* 10*s.* 4*d.*, your share will be 9*l.* 17*s.* 11*d.* Do you know what that means?—He was the town clerk, and as town clerk he charged for his fees a sum which we considered too large, and we simply taxed his bill and paid him a certain sum which we agreed upon.

41,397. That accounts for the correspondence between you and the election auditor?—Yes.

41,398. (*Mr. Bere.*) Before we come to 1865, how much did you pay in 1863 in consequence of the registration?—I paid on October the 21st 1864 250*l.* on account of the registration. I paid on January 14th 1865 a further sum of 93*l.* 7*s.* 0*d.*

41,399. Had you ever been concerned in paying money for registration expenses before. Had you ever paid any for Exeter?—I paid a small sum towards the registration society.

41,400. Did it not strike you that over 200*l.* was an enormous sum for two Liberal candidates to pay for registration?—Outrageous.

41,401. Did you remonstrate?—Very much.

41,402. And it produced no effect?—Futile.

41,403. (*Mr. Coleridge.*) Whom did you remonstrate with?—With everybody.

41,404. With your agents?—With everybody whom I had an opportunity of speaking to. I was in a chronic state of remonstrance for a long time.

41,405. With Mr. Cuming and Mr. Chaster?—And with everybody.

41,406. (*Mr. Bere.*) Did Mr. Michelmore give you a detailed account of how this money had been spent in the registration?—Yes, I had a detailed account of it.

41,407. Have you got that?—I am not sure that I have not got it.

41,408. Between you and Mr. Pender you have spent between 600*l.* and 650*l.* in the expenses of the Liberal registration in this borough?—Yes, only for that year.

41,409. In 1864 do you remember what you paid?—The expenses were heavier then. In October 1864 I paid 250*l.* for registration, and in January 1865 I paid a further sum to make it up.

41,410. Was that for registration in 1864?—Yes, and also for registration in 1863; there were some arrears unpaid.

41,411. Did you ever hear of any arrangement having been made between you and the duke that you were to pay the registration expenses after you became the member?—No, there was no understanding or agreement of that sort with the duke.

41,412. As a fact did the duke pay the registration expenses up to 1863?—No, I did not know that.

41,413. In Mr. Michelmore's account there is a charge for registration expenses; that stops in 1863. I suppose you had to pay them from that time?—I never knew of it until this moment.

41,414. There was no arrangement between you and the duke?—None whatever.

41,415. The registration expenses of 1865 you have never paid yet?—I suppose not.

41,416. (*Mr. Longe.*) Did you intimate to anyone your desire to enter parliament or stand for Totnes before you went to the duke?—I had intimated my desire very strongly to the public by having been for four years in the field for Exeter.

41,417. But as to Totnes?—I had no idea of standing for Totnes until I had a letter from the duke asking me to see him.

41,418. The duke had heard from some one that you would be approved of at Totnes?—The first intimation I had was from the duke, who told me that if I could make myself agreeable to the people of Totnes I might have his support.

41,419. Had he been told that you would be supported here?—My name had been suggested to him, but I do not know by whom, as a person whom the people of Totnes would like to represent them.

41,420. Do you suppose it first came from the people of Totnes?—I do not suppose anything about it, because I know nothing at all about it beyond that.

41,421. At that time the duke said you would have his support if you were approved of by the people of Totnes?—He said I should have his support. I suppose it depended on the people of Totnes liking me sufficiently to elect me.

41,422. Then I do not see what the use of the duke's support would be?—I cannot help that.

41,423. When you came here you met Mr. Thomas Michelmore as one of the first persons in Totnes?—Yes.

41,424. At the time when you were in conversation with him did he inform you what the duke's interest was, and what you might calculate upon?—I calculated upon being returned.

41,425. By the duke's interest?—I suppose so.

41,426. Would the duke's interest alone have been sufficient to return you?—I supposed so.

41,427. From your conversation with Mr. Michelmore?—Yes, precisely.

41,428. (*Mr. Bere.*) Did he give you any idea of what number of voters the Duke's interest would operate on?—I did not go into the figures.

41,429. (*Mr. Coleridge.*) You understood that the

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custom was to return one person in the Liberal interest and one in the duke's interest?—Yes.

41,430. And you counted that you would have that general support?—Yes, that general support which the person whom they called the duke's candidate always had.

41,431. Which you had been told was had on former occasions?—Certainly.

41,432. (*Mr. Bere.*) Was there any communication made to the duke as to the arrangement come to between you and Mr. Pender?—As to the arrangement between those gentlemen and ourselves there had been some communication, but I do not know what. I never saw the correspondence; but as far as my memory serves me there was a correspondence between some parties here and the Duke of Somerset with reference to the members. I believe I heard so as a matter of report here, and the result of that was I believe that the duke put away any influence which he might be considered to have, and set his personal feelings entirely aside. I was to consider myself as perfectly and entirely independent, and standing entirely on my own basis; that any influence he might have possessed was gone, and that the people were left to do as they liked in regard to their opinions.

41,433. That the same support was to be given to Mr. Pender that was given to you?—That I do not know, beyond that there was some arrangement. I cannot tell you what it was. I never saw the correspondence, and know nothing of it except by hearsay. I do not recollect the duke saying anything to me on the subject.

41,434. Is that the Duke of Somerset's handwriting (*hands a letter to the witness*)?—That is his writing.

41,435. Can you remember the time of the year when the duke sent for you to London on the first occasion?—Yes; it must have been in November.

41,436. After the date of these two letters; the one is dated the 21st, the other the 23d of October?—I should think so.

41,437. Did you understand from the duke that he was going to write to Totnes after his interview with you?—That I cannot tell you.

41,438. Can you remember whether any conversation passed between you and him about your continuing to be a candidate for Exeter?—I forget now. There may have been, it is not at all improbable that there was a certain amount of conversation with reference to Exeter, but what it was I cannot tell you.

41,439. What relation are you to the duke?—My nearest relationship to him is a third cousin, I think, —no nearer on the father's side.

41,440. (*Mr. Longe.*) When you saw Mr. Michelmore at Totnes did you understand that he had heard from the duke about you?—I imagine so. I do not know whether I asked him any questions or not, but I imagined from what he told me he had seen his Grace in October, and that communications had passed between Mr. Michelmore and these gentlemen and his Grace.

41,441. (*Mr. Bere.*) This letter of the 21st of October was written by the Duke of Somerset to Mr. Michelmore in consequence of his communication with you?—I think so probably.

41,442. The first is dated October 21st.

"Admiralty, Tuesday 21st October 1862.

"Dear Mr. Michelmore,

"I am told that Lord Gifford's state is so "critical that he is not expected to live many days. "Under these circumstances I was asked whether "I should object to Mr. Alfred Seymour; he, as "you are aware, has been offering himself to Exeter, "where, however, a difficulty has arisen on account "of Mr. Coleridge's local connexions. I answered "that I had no objection to him, or indeed to any "gentleman of Liberal politics whom the respectable "voters would approve. I would not advise anyone "to offer himself to Totnes unless the gentlemen "there who took a chief part in political matters "were desirous of such a candidate. Would you "ascertain what may be the feeling on this point, as "we must at all events be prepared in case of a "sudden vacancy. Of course nothing must be made "public at present.

"Yours very faithfully, SOMERSET."

That was in all probability answered by Mr. Michelmore, and then there was a second letter written by the duke to Mr. Michelmore on the 23rd October.

"Admiralty, 23rd October 1862.

"Dear Mr. Michelmore,

"It should be clearly understood that I have "no special interest in the gentleman named in my "former letter. Any person of Liberal principles "would be equally agreeable to me. The risk at "Exeter of losing both seats has induced persons to "ask me whether I objected, and I had no right to "object if the choice were otherwise approved by "the constituency. I have no wish to interfere, but "persons will apply to me, and I refer their appli- "cations for the consideration of the leading persons "in the constituencies.

"I hope to go to Stoner to-morrow, and to remain "there next week.

"Yours very faithfully, SOMERSET."

41,443. (*Mr. Coleridge.*) I am afraid for your sake you have not told us all the expenses which you were put to in 1864. What do they amount to over and above your share of the registration?—I have given you the figures.

41,444. We have 70*l.* in charities, is that all?—That is every farthing that I have paid. The 70*l.* was paid in February 1865.

41,445. What did the place cost you in 1864?—I suppose there is 70*l.* 14*s.* 0*d.*, and 93*l.* 7*s.* 0*d.* paid at the beginning of 1865, which I suppose must be considered part of 1864. I think there was a further sum of 25*l.* or thereabouts.

41,446. That would have made over 400*l.* in the whole?—Yes.

Mr. J. W. Chaster.

Mr. JOHN WEBBER CHASTER recalled and further examined.

41,447. (*Mr. Bere.*) We have heard from Mr. Seymour that the result of that arrangement between the two sections of the Liberal party in 1863 was made known to the duke. Do you know by whom?—I had no idea that that arrangement was known to the duke until a letter was received by Mr. Thomas Michelmore, I should think about the first week in October, when Mr. Thomas Michelmore received a letter from the Duke of Somerset, and the same day he sent one to me and to four others, asking us to meet him at True Street.

41,448. Is that the correspondence that has been read?—No. I attended that meeting, and the tenor of the letter was, that the death of the Earl of Gifford was very likely to render it extremely probable that we should want another candidate; but he asked us to fix upon a candidate, or that the independent electors of Totnes should, and I recollect that the first name that was suggested was Lord Seymour.

41,449. What day was that?—I cannot tell about the date.

41,450. Read that letter to yourself (*handing a letter to the witness*). Was that the first intimation that Mr. Michelmore ever received about Lord Gifford's health?—I do not know where that suggestion could come from.

41,451. Is not that the letter that you saw at Mr. Michelmore's?—I should say not.

41,452. Was that meeting at Mr, Michelmore's earlier than that?—I should think seven days before that. The tenor of the letter was somewhat different from that, and the result was that we named four persons as qualified to fill the vacancy. The first name was Lord Seymour; the second was Mr. Alfred Seymour, whom we had known by report, having seen his addresses; and I think the third was Major Lyons; I forget the other.

41,453. It was Lord John Hay we have been told?—I think not, because I knew Lord John Hay, and I do not think he was in England at the time.

41,454. Was it Lord William?—No, I think neither of the Hays. But the prominent man under Lord Seymour was Mr. Alfred Seymour.

41,455. Was that ever communicated to the duke?—No doubt that result of the meeting was communicated to the duke.

41,456. It does not appear to have been communicated to him, or he would have hardly asked the question whether Mr. Alfred Seymour would be an acceptable candidate for Totnes?—It must have been a communication, because he said he did not wish his son to stand in the event of the vacancy.

41,457. You did not know through whom, if through anybody, that arrangement of 1863 was communicated to the duke?—I do not.

41,458. (*Mr. Longe.*) Who communicated the result of that discussion to the duke?—I should say Mr. Thomas Michelmore. He received the letter from the duke.

41,459. This letter could not have been written in answer to that letter (*referring*)?—No, certainly not. That is a suggestion that must have come from some third party.

ALFRED SEYMOUR, Esq., M.P., recalled.

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41,460. (*The witness.*) I will state in reference to that, having heard that letter, my impression is, that on one occasion the Duke of Somerset stated to me that Mr. Brand had been to him with reference to Mr. Coleridge at Exeter. It was either the Duke of Somerset or Mr. Brand. After reading the letters, that has brought the circumstance to my mind, and he said that they had been to the Duke of Somerset in reference to Mr. Coleridge at Exeter, and if I were to stand for Totnes it would leave the ground open for Mr. Coleridge at Exeter. It was long subsequently that I was told that, and whether it was by Mr. Brand or the Duke of Somerset I cannot say.

41,461. (*Mr. Bere.*) You said you were much surprised at the amount of the sums that you had to pay for registration?—Yes.

41,462. You said you had a detailed account of those items making up those sums?—The detailed account I had was in Mr. Chaster's handwriting, and so was the letter from him.

41,463. It was unfortunate that you did not have a copy of Mr. Michelmore's ledger account against the Totnes registration expenses, seeing that some of those would hardly come under the head of registration expenses. I will read one or two: "Totnes Regis- "tration. In account with Messrs. Michelmore and son, "February 11th 1864. J. Searle, for a year's rent of "house to prevent the Tories getting him 10*l.* 10*s.* 0*d.*" If you had seen that account you would hardly have paid it?—No.

41,464. You were not aware that you had paid such an item?—I was aware that I had paid 250*l.*

41,465. But not that item. Then the next is, "John Tozer, a loan, 20*l.*" Do you think that that is a proper sum to be included in registration expenses; have you received that loan back?—No.

41,466. The next is, "J. T. O. Tope, for repairs of Diptford Cottage, 10*s.*" It is a curious item. Then "Mrs. Beazley, hotel registration expenses, 72*l.* 6*s.* 8*d.*?"—I remember, at the time I believe that Mr. Pender and myself both spoke very strongly about certain hotel expenses, going into the registration account, and we were aware that there were large sums for hotel expenses.

41,467. "May 8th, 1865, Bindon, gift in sickness 5*s.*?"—It is a long time, two years after I had paid the registration expenses.

41,468. This is charged in Totnes registration expenses, and probably what you will eventually be asked to pay. Then there is, "Thomas Rose for window blinds, 8*s.* 2½*d.*" Then there is an item, "John Amery, rent due from the 1st July 1864, 11*l.* 19*s.* 5*d.*" Do you know anything about that?—I know nothing about it.

41,469. Was that sent to you?—I had nothing except what you have already had.

41,470. This is from Messrs. Michelmore's books, and it is, "Totnes Registration, in account with Messrs. Michelmore and son." Then there is a balance in hand carried on to 110 in the ledger, and when 110 is looked at, it is an account with you and Messrs. Michelmore and son. There is this item that you would hardly have allowed I think, "J. B. Prout, a "clerk in Mr. Michelmore's office, cash-council elec- "tion 50*l.*?"—I do not know about that.

41,471. (*Mr. Longe.*) Had you ever given authority for that outlay?—No.

41,472. (*Mr. Bere.*) Actually here are two sums in your private account as well as in the registration account. They are not charged twice over. But here is a charge to you, "John Tozer, a loan of 20*l.* "John Searle, half a year's rent, agreed to be paid 10 "guineas." They have taken it out of the sums belonging to the registration account and put it to your private account. There was a sum of 50*l.* for municipal registration. I suppose that is Prout's?—This is a letter that I read in answer to Mr. Windeatt with reference to the municipal registration. He wrote to me with reference to it, and I wrote to him: "Dear sir,—I am in receipt of your two letters, and "will share the expense. I will pay the municipal re- "gistration with Mr. Pender for this year only, but on "the distinct understanding that I am not in future to "be applied to for any sum towards it. My share will "consequently be 50*l.*" That is probably the 50*l.* referred to in that?—Yes.

41,473. Are you sure that those items were never mentioned to you that I have read to you?—I am not aware of their being read to me. I never had the registration accounts certainly. I certainly think I should not, if they had come under the head of registration accounts.

41,474. Can you understand how a great many expenses have been put to the registration expenses that ought not to have been put there?—Yes.

41,475. (*Mr. Longe.*) Did you know from Mr. Michelmore what registration expenses meant?—There was a great question about the registration expenses, and great expenses they said had been gone to. Mr. Floud from Exeter and Mr. Edmonds from Plymouth had been engaged on the business, and they said great expenses had been incurred, and there was a long bill sent in, and we did demur a great deal about it; but I suppose that we may possibly have paid the money a little more readily than we otherwise should have done in the face of a general election within two or three months.

41,475*a*. Did you not know that the registration expenses in fact included a variety of outlays and outgoings connected with the honor of representing the borough?—I did not, I had no idea that there were any of those items. What I believed was, that there were certain expenses incurred in former registrations which had not been defrayed, and that those expenses were to be put into the whole registration account, and that items such as have been read by Mr. Commissioner I had not the remotest idea of.

41,476. Is this the first time that you have heard of it?—Yes; I had no idea of such a thing.

41,477. Did you come down in the election in 1865 before Mr. Pender?—About the same time.

41,478. Who attended you in your canvass?—Mr. Jeffery Michelmore.

41,479. You canvassed almost all the voters personally?—I think everybody.

41,480. You made up this poll book?—Yes.

41,481. There are certain marks in this poll book, can you give us any information as to those crosses?—There are crosses against them, doubtful voters,

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and the mark that they were venal, but not all necessarily so.

41,482. From whom did you get your information that any of the voters were venal?—I knew from having canvassed them in 1863 pretty well the nature of the voters.

41,483. You knew how they were to be arranged?—Yes; but I very rarely, if I could possibly help it, canvassed any man that I knew to be thoroughly venal. I may have just called upon him, but that was all.

41,484. I will ask you about some of those names; I see here Robert Tucker, and here is a query, do you know anything about him?—I forget Robert Tucker, the query may mean that he was ill or away.

41,485. You have marked him down for Dawkins, and then you put down "probably for me?"—Yes, probably he might split his vote. I forgot Robert Tucker.

41,486. William Cole has a cross and query against his name?—I think the query must have been first of all that he was a doubtful vote; the cross may have implied that he was being tampered with by the other party.

41,487. Might it not be that you entered him to vote for Dawkins, and then he was arranged with by your party?—In most cases those queries and the crosses and marks were put at different times.

41,488. They are singularly accurate as I have gone through them. If the crosses mean venality they are singularly accurate?—They are not necessarily all venality; I was looking through that book this morning and I saw one or two cases marked in that way that were certainly not so, as you may see yourself.

41,489. At present I have not come to one yet; yes, there is one that has three crosses, and that is the vicar?—Yes.

41,490. Then there is the case of Mr. Jordain, he never voted?—He never votes, I was looking through it, and I saw that it could not be depended upon as accurate. I understood them at the time, for some reason or other; as far as I can recollect the crosses meant that I should call again, or something of that sort.

41,491. (*Mr. Longe.*) Had you the same mark for "venality" and "call again?"—I had no particular mark for "venality," because I see the mark which I put for "venality" very often. I see that it means those that are not so, and I think I knew the constituency sufficiently well then to know which were venal and which not, without the necessity of a cross, or a remark. It was generally either to "call again" or for some particular purpose that those marks were put.

41,492. (*Mr. Bere.*) What sum of money did you bring down?—500*l.*

41,493. Did you bring it?—No, sent it through my bank.

41,494. Had you any account of how that was expended?—I have no account.

41,495. Did you ask for an account?—The petition was coming on, and they said I had better wait.

41,496. Since the petition has been settled?—I have had no account.

41,497. The actual expenses paid by the proper officer were comparatively small, and you do not know how the remainder of the money was spent, the 500*l.*?—No.

41,498. Did any other money except Mr. Pender's 2,000*l.* and your 500*l.* come into Totnes for the purposes of the election?—No, not that I am aware of, and I was not aware that that 2,000*l.* had come down until long after.

41,499. You knew it had been discussed at the time of the arrangement that that sum of money would be necessary—you thought it was a larger sum, instead of 2,000*l.*—2,000*l.* apiece?—That is the registration of 1863.

41,500. In the registration of 1864 did you come to the conclusion that a less sum of money would be wanted?—I came to the conclusion that no money would be wanted scarcely, we had such a large majority.

41,501. Had Mr. Michelmore discussed the question with you?—I do not think he had.

41,502. Whose suggestion was it that you should bring down only 500*l.*?—Mr. Michelmore suggested that I should send 500*l.*

41,503. When did he suggest that?—It must have been at the beginning of the election.

41,504. The election was on the 12th, and you can remember whether it was ten days or so before the election?—No; my impression is, that when I came down I had no letter from him about it. I never had any correspondence; my impression is that when I came down here for that election, Mr. Michelmore said that it would be as well to have 500*l.*, and on the 10th of July I think I paid in 500*l.* to the account of one of the bankers. I may have written, but I do not recollect whether I did or not.

41,505. What I rather wanted to know was, whether the information from Mr. Michelmore that 500*l.* would be wanted from you came before the 5th of July, as long before the election as that?—I forget what day it was that I came down here.

41,506. Can you tell from your diary?—I am afraid not from my diary.

41,507. Do you know in the course of the election of Colonel Dawkins spending a good deal of money?—I suspected that there was, but I have no knowledge of it.

41,508. You heard rumours of it?—I did hear rumours.

41,509. Did you find that the voters whom you canvassed would not promise their votes so quickly as they might have done?—I did not find that more so than usual.

41,510. Did it not strike you that if that report was true, as you believed it to be, that Colonel Dawkins was spending money, more than 500*l.* would be wanted on your side to carry the election?—I did not think so.

41,511. You never thought so?—I never thought so, we had got such a very large registration.

41,512. What! After what happened in 1863?—The difference in the registration was so great, I looked at the majority of from 20 to 25 upon the register.

41,513. Did you not find in 1863 that a good many of the men that you calculated on voted for the other side?—No, I did not.

41,514. Did you not find them men who had previously voted for the Liberals?—There was one man who broke his word to me; 13 I think it was who promised me stayed away.

41,515. Was that all in 1863?—That was all.

41,516. In fact you know nothing of Mr. Pender having sent 2,000*l.* down here?—Nothing at all.

41,517. Were you and Mr. Pender acting together at the election?—We never canvassed together, we always canvassed separately; he canvassed with one set of gentlemen and I with another set, we never canvassed together. I do not on any occasion ever recollect canvassing the same voter with Mr. Pender.

41,518. You always canvassed with Mr. Jeffery Michelmore, and he with Mr. Windeatt?—Yes, sometimes I have been canvassing with Mr. Windeatt, or I have been canvassing with Mr. Chaster, according to the voters; but as a rule I always canvassed with Mr. Jeffery Michelmore.

41,519. Have you heard that after 1863 a great many persons who had been tenants of the duke were turned out for voting?—I have heard so.

41,520. Had you heard before the election of 1865 why they were turned out?—I have heard that many were turned out, not for voting according to their principles, but who were turned out when it was notorious that they had received money to vote on the other side.

41,521. It might be this, supposing the consequence of their voting against the ducal interest was that they were turned out, it was necessary that they should be in a position not to be less well off in the world

han they otherwise would have been if they had kept n, and it was necessary that they should have money ? —I know nothing about that.

41,522. You have heard that they have been turned ut?—I have heard so.

41,523. Have you heard any number stated?—No, do not think so; if I have I have forgotten them.

41,524. Did you see William Mitchell in the course f your canvass?—Is that the shoemaker of Bridge- own?

41,525. He lives in Bridgetown; according to his statement a conversation of some length passed between you and he?—What is William Mitchell?

41,526. I think he is a shoemaker. Do you remember any person telling you in the course of the election that he had been turned out for voting against you in the course of your canvass in 1865?—I have no actual recollection of it.

41,527. I will read you what he says: "I first took the house of Mr. Harrison; it got after that into Mr. Michelmore's hands through a mortgage; he did not know exactly when my year expired, and he sent me a running notice. I told Mr. Seymour about it. When you told Mr. Seymour about this what did he say? He said he knew these things did take place. The best thing you can do is to promise to vote for me, and then it will be all set right. I says, No, I shall not do that; I have always voted for the Conservatives; if I do not vote at all I will not vote against them. He said, Promise me you will not vote against me. I said, No, I shall not do that." Do you remember any such conversation taking place between you and any elector?—I cannot say that I do. I do not say the conversation did not take place. I do not realize to myself who the person is.

41,528. He is a painter, close by the arch?—No, I do not recollect him at all, not the shop or the individual. I do not say the conversation did not take place, but I have no recollection of it.

41,529. Do you know a man named Samuel Saunders, a boot and shoe maker?—Yes.

41,530. Did this conversation pass between you and him: "Did Mr. Seymour promise you anything? he said I had better come to London to work, and he would give me all his work, and get more for me, and he said he paid a very good price for his work?"—I have no recollection of that, and not only that, but I am perfectly certain it did not occur. I recollect calling on him and canvassing him.

41,531. Do I understand you, as far as you know, the only sum of money spent at the election was 500*l.*?—As far as I was concerned.

41,532. (*Mr. Longe.*) I understand in the case of Mitchell it is quite possible you might have said that?—I think it is quite possible, and it is very possible for me to have tried to get the man's vote if I could by fair means, in telling him he would not be the worse for it.

41,533. Was there an understanding between you and Mr. Michelmore that would render it at all possible for you to have had such a demand?—Not the least, from anything between me and Mr. Michelmore, because I never interfered in any way; I never inquired in reference to those matters.

41,534. It would have been very extraordinary that that should have been done. It is consistent with what we have heard here as to the particular transactions between Mr. Michelmore and the tenants of the duke at election times?—How do you mean?

41,535. Why that those notices were given, and that if they vote one way or the other way, if they vote in favour of the ducal candidate, perhaps these notices might be withdrawn?—I am not aware that ever anything was said in my presence in reference to that.

41,536. Did you ever speak to Mr. Michelmore in favour of any tenant?—Never.

41,537. (*Mr. Bere.*) Were you applied to by any persons who were turned out to ask Mr. Michelmore to let them come back again?—Never.

41,538. (*Mr. Longe.*) Did you ever hear Mr. Michelmore himself, in canvassing with you, talk in any way about serving the notices to quit?—I never heard; I never interfered; I never knew anything about those matters at all. It was no business of mine in any way.

41,539. From what you know of what took place, and the way in which Mr. Michelmore conducted the election, you cannot say that a transaction of that kind would be an extraordinary one, contrary to the rule upon which he acted?—An imaginary transaction, such as the present.

41,540. Now, notwithstanding that, what should you have said had he given notice that he would have withdrawn?—I never heard any intimation given in my presence of anything of the kind. I not only never did what he has told you, I never myself held out any hope to any man, because I had no right to do so in any way.

41,541. There has been a great deal said with regard to the exercise of the territorial power over the Bridgetown voters in this court; from what you know took place, and the conversation that you had with him, you say that no such power ever was exercised?—Territorial power?

41,542. Powers of ejectment in case of any voter who voted against him?—I only know what has come out in this court, and what I have heard, hearsay evidence. I know of nothing more.

41,543. Is it inconsistent with what you understood to be the true state of the case as between you and Mr. Michelmore in the elections?—There never was any question between me and Mr. Michelmore about that. I do not admit it for one moment. There never was a question in reference to Mr. Michelmore and me with reference to voters being turned out.

41,544. Do you deny that you understood that any such power was used in your favour at either of those two elections?—I do not thoroughly understand the question.

41,545. Supposing it is said here that the ducal influence has been used and that that influence has always been supported by peremptory ejectment in case of any tenant voting against the duke's candidate, can you say from what you have heard, and your judgment and your knowledge of the way in which either of the Michelmores, Mr. Jeffery or Mr. Thomas, has canvassed, that he exercised any influence that would be contrary to that notion?—I have never heard Mr. Jeffery Michelmore in my presence at any time when I have been canvassing with him refer either directly or indirectly to any questions of ejectment in my favour, or against me.

41,546. Then you have had conversations?—Never.

41,547. Did you understand from him that he could bring influence to bear on any voter, a tenant of the duke, that might get you a vote if there was any question about it?—No, not more than the ordinary influence which he is supposed to possess; no question of any more influence being used, or any statement of it, for me or for anybody else, as far as I have seen. If this territorial influence has been exercised, which you say has, I suppose it has been exercised, certainly not during any period of my canvass with Mr. Michelmore, or during any conversation of mine with him. I cannot be expected to know what passes behind my back, and of which I have no cognizance.

41,548. (*Mr. Coleridge.*) Has Mr. Michelmore ever told you about any such thing?—No.

41,549. (*Mr. Bere.*) You used to go through your poll book with Mr. Michelmore?—I made it up myself generally.

41,550. Did you ever happen to say to Mr. Michelmore, "Is that a person whose name is doubtful, can you influence this particular man?"—I do not know that I ever did; I do not recollect ever having done so. I know nearly every man myself in going through the poll book. I did not want many questions.

41,551. There was a very large bill run up at Mrs.

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Beazley's at the election; have you ever paid any other money except the 500*l.* since the election, except the sum of 69*l.* 12*s.* on account of subscriptions?—Yes, I paid that, that is the only sum, except a small sum of three guineas.

41,552. Do you consider yourself bound to any person to repay any other expenses of that election?—I think that now I know the circumstances of the case, which I did not know at the time of the election, I consider myself bound to repay Mr. Pender a certain portion of that money which he has paid. I was entirely ignorant of it at the time. From what has come to my knowledge since I consider myself completely bound to pay my share.

41,553. And to pay your share of the expenses of the petition?—Yes, I have paid a portion of that already; and the paper I have given you is the portion of the sum that I have paid, there is a sum still due upon that.

41,554. (*Mr. Coleridge.*) Can you tell us at all now what it has cost you for being member for Totnes from the time you first came down, the gross sum; we have had it from the other members?—Every sum which I have actually paid with reference to Totnes in the two elections, in subscriptions and various items, including 356*l.* which I have paid part of, is 2,777*l.* 14*s.* 10*d.*

41,555. (*Mr. Bere.*) There is one question I must ask you, were there any money transactions between you and Mr. Pender?—Never with reference to this matter, there have been others.

41,556. Private transactions?—Yes.

41,557. It is money advanced to you and you have repaid it?—Yes.

41,558. Had that advance of money anything to do with the election or not?—Nothing whatever; it has nothing at all to do with the election.

41,559. (*Mr. Longe.*) There is a case of William Hannaford, there is a cross to his name, that implies venality?—Not necessarily.

41,560. Then there is a "call," or "saw"?—No, not necessarily. You will see in some cases I saw a man without having called, I very often considered it necessary to call again. Very often that cross means I saw a man and put a cross against his name to show that I must call.

41,561. A second cross; there are two crosses in this case?—I cannot tell you what the second cross meant.

41,562. There is the first cross, then the word "saw," then a cross afterwards, can you tell the meaning of that?—I should think the meaning of that is that he was carried away the last time.

41,563. He is at Mr. Durant's?—Yes, he is the gardener, and there had been a question about his voting the time before; I probably put a cross there to make some inquiries.

41,564. (*Mr. Coleridge.*) We have heard of how he had been paid, that is being carried away?—Yes.

41,565. (*Mr. Bere.*) Did you have any conversation with him?—I do not recollect the circumstance of my seeing him. I evidently did see him, but I do not recollect the circumstances.

41,566. You knew the hotel bills were large at the last election?—Yes.

41,567. Did you hear of the way in which the books were arranged, the accounts of the first election between you and Mr. Pender, it was thought an incorrect thing to do, and the pages in which those accounts appeared in the day-book and the ledger were torn out and the accounts were separated?—I know nothing about that.

41,568. It is the fact; here is the account in which the sum is debited to you, 44*l.* 2*s.* 5*d.*, then there is, "ditto on account of extra ones, 113*l.* 6*s.* 0*d.*;" can you explain that payment, "ditto on account of extra ones"?—On account of extra ones?

41,569. Extra hotel bill I suppose; is it not the fact that it is expenses other people had incurred really paid by you?—I suppose all these large hotel bills are incurred for treating.

41,570. (*Mr. Coleridge.*) Do you know anything of the agreement said to be carried out between Mr. Beazley and Mr. Michelmore by which the amount of the bill not paid should be set off against the rent?—I know nothing about it, this is the first I have heard of it.

41,571. You said you had not paid the registration expenses of 1865?—No.

41,572. Have you seen this precious book. Look through it, and look at the end of it (*handing a book to the witness*), about some appeals from the Registration Court, you paid 50*l.* towards that?—I have paid 50*l.* towards it.

41,573. Do you consider yourself liable for half the whole amount?—That was in 1865.

41,574. Do you recollect the circumstances of a lot of appeals in London?—Yes, it was last year.

41,575. Have you ever had a detailed bill of that sort sent to you?—No, I have not.

41,576. You were not aware of this document being in existence?—No, I was not.

41,577. Have you been asked to pay half the gross sum?—50*l.*, that is all I have been asked to pay, which I have paid.

41,578. (*Mr. Bere.*) Are you aware of your own knowledge that many of the votes in this borough were not the votes of householders, but votes of persons who occupied buildings on land?—Yes, I am, of my own knowledge.

41,579. And that those persons who were supposed to have voted were not the real occupiers of the land?—That I have no knowledge of.

41,580. Did you suspect it was done?—From what came out in the Registration Court I supposed such was the case.

41,581. Had you not to do with the Gerston Company?—I had to do with it at the commencement, but I have had nothing to do with it since.

41,582. You take an interest in it, do you not?—I have not heard anything about it for a long time.

41,583. Be kind enough to read that letter to Mr. Michelmore (*handing a letter to the witness*)?—I suppose that at that time I was wanting to know about it.

41,584. Had you ever advanced any money to the Gerston Company?—No, I never did.

41,585. Do you know when the company was formed?—It might have been formed in 1864.

41,586. It was formed for the purpose of creating a number of votes?—Yes.

41,587. Do you know the purpose for which those votes were to be created?—To rent a farm as a joint-stock company.

41,588. One person was to be the manager?—One was to be the manager and the others were to be co-proprietors.

41,589. The manager was to regulate the quantity of cattle taken in at so much per head per week, and the profits to arise from it were to be divided among the company?—Yes.

41,590. When they came to 6*l.* a year each they would have a beneficial occupation of 10*l.* a year?—Yes.

41,591. That was prevented by the decision of the Court of Common Pleas, and those votes have been struck off?—Yes.

41,592. Do you know of a good many other votes of the same kind?—There are a great many votes still, of the same kind of occupation, that is, a building connected with land.

41,593. There is another awful item in the registration account, John Elford's cow?—I think you will find John Elford's cow in my account.

41,594. Did you hear of any proposition to compromise the petition?—Nothing at all.

41,595. (*Mr. Coleridge.*) There is one thing I will ask you, have you had the gross amount sent to you of the expenses, 249*l.* 2*s.*?—No, I have no bill in reference to that sum

JOHN DERRY sworn and examined.

41,596. (*Mr. Bere.*) You are the medical attendant of Mr. Brooking Cuming?—Yes, I am.

41,597. Have you seen him lately?—I have just seen him.

41,598. In what condition is he?—In reference to his present state?

41,599. Yes.—I think I found him in that state as described by Mr. Delaforde, which you will find to be a true statement.

41,600. We must have your statement as to what your belief is as a medical man of his state of health?—I believe his health is such that, plainly, if he were under the examination desired it would decidedly very much endanger his life; in fact, as a proof of that, when I heard a week since that it would be necessary for some of you gentlemen to examine him, my remark was this, if that is the case it is quite time that I should look into his life insurances.

41,601. You are of opinion that it would be dangerous to his life if we were to go at the present time to examine him?—Most decidedly.

THOMAS E. OWEN sworn and examined.

41,602. (*Mr. Bere.*) Have you seen Mr. Brooking Cuming to-day?—I saw him about an hour ago.

41,603. Are you of the same opinion as that expressed by Mr. Derry; you have heard him, and does your opinion agree with his?—I endorse it.

ALFRED SEYMOUR, ESQ., M.P., recalled and examined.

41,604. (*Mr. Coleridge.*) There are one or two more questions I wish to ask you; I suppose you have had a copy of the account at the Seymour. I see 25*l.* to James Farleigh, do you know what that was for?—No, I do not, but it is probably in one of those accounts I have given in to you.

41,605. But you do not seem to have had the identical item; and then Condy 25*l.*; then ditto, Condy 25*l.*; then Bourne for sundries?—When does this refer to?

41,606. 1863, an account between you and Messrs. Michelmore?—All the accounts I have had from Messrs. Michelmore are there.

41,607. Are those all new to you?—They convey no idea to my mind.

41,608. Have you any recollection of having seen these before?—No, never.

41,609. If you had you would have asked what they meant, their having 25*l.*, 50*l.*, and 30*l.*; is not the impression on your mind that you had paid those people those sums under some other guise?—I suppose I had. I suppose those come out of the 1,000*l.* which I paid in.

41,610. (*Mr. Bere.*) Were you ever asked in canvassing to get an appointment for anybody?—No, not while canvassing.

41,611. I believe you have interested yourself about various electors in the borough?—Yes, I have, but whether I was asked when canvassing or not I do not know, and I cannot tell you.

41,612. Here is an item and a very remarkable one. We have heard a story from a tenant of the duke named Robert Lake; he came to Mr. Michelmore and said in consequence of his being poor, he having voted or having promised to vote for the Liberals, he thought he ought not to be obliged to pay all his rent; in the rent book kept by Mr. Michelmore there is a credit for 20*l.* to Lake, signed Jeffery Michelmore, showing that you are charged with that 20*l.* before you actually opened an account with Mr. Michelmore at all; it is put in after the 12th of January 1863, as an item in 1862. December 12th, cash paid Lake 20*l.* Can you give any explanation of that?—Not the least; I saw it myself now in looking at the book.

41,613. You probably did not know what it was?—I saw the figures.

41,614. In consideration of his voting for the Liberals 20*l.* was allowed him for his rent, and that 20*l.* is charged to your account?—Yes.

41,615. Have you ever, directly or indirectly, beyond the sum you have given us an account of, expended any money connected with your election in Totnes?—Never.

41,616. Did you ever, directly or indirectly, authorize any other person to spend money in votes?—Never.

41,617. Had you any knowledge of those sums of money having been spent in your behalf?—When I say I have no knowledge of any sums of money having been spent on my behalf, there is the report that reached me of that 500*l.* which I had no knowledge of at all.

41,618. You have heard that a sum of 500*l.* was spent in your behalf, whence it came you do not know?—I do not know of it.

Mr. JOHN HEATH recalled.

41,619. (*Mr. Bere.*) Have you a statement in writing of what you have to say to the court?—Yes.

41,620. Is it a statement of facts, or an argument prepared by a legal adviser on the facts of the case?—A statement I have prepared myself.

41,621. In your own writing?—My son's writing, which I took the opinion of Mr. Edmonds and Mr. Frederick Kellock upon last night, and I am prepared to read it.

41,622. Any statement of fact you have to make we will hear.—Evidence and fact.

41,623. You can only read a statement of fact on oath, you cannot read an argument upon any opinion at which we have arrived; any facts tending to alter that opinion we shall be happy to hear.—It is my wish to make a statement in answer to the very grave and serious charges made by you as the chairman of the Commission on Thursday the 27th instant. With your permission I will go through the several points of your address to me, and take them in the order in which they were made.

41,624. Then you must understand we cannot allow that. What we will allow and shall be glad to hear is a statement of any fact that may alter our opinion; but the controversion of an opinion we cannot admit; and therefore an argument founded on the facts proved before the Commission will not be received in Court by the Commissioners. Supposing you chose to appear not by yourself but by an advocate, we could not hear him, and we cannot hear you to express any dispute or discuss the judgment the Commissioners have arrived at; any new fact which you choose to lay before us we shall be exceedingly glad to hear. Any remarks that you wish to make on our judgment we shall be glad to hear, and if you send it to us in writing we shall be glad to read it, but in public we cannot do it.—The remark to which my attention is directed is in regard to inquiries instituted and the information you received, on which you arrived at a certain conclusion. I never have been cross-examined on that information, and I have no idea what it can be.

41,625. That is information we do not intend to give you, as to the extent of it or the means employed to procure it. It is not on any information we have received that we have arrived at that conclusion.

(*Mr. Longe.*) It is entirely upon the evidence given in Court.

THIRTIETH DAY.

J. Heath.

28 Sept. 1866.

(*Witness.*) I think you refer to a discrepancy alluded to in your charge against me with respect to William Mitchell. He is alleged in the statement that was made last Tuesday by the Court to have received 80*l.* from one of my sons. From the statement I have read in the newspapers respecting it, his evidence is that he received 50*l.* from me in a room where there was a gentleman by my side.

That is discussion upon the evidence on which the Commissioners have arrived at a particular conclusion, and a discussion which we cannot allow.

41,626. (*Mr. Coleridge.*) Do you lay before us any fresh facts as to who the mysterious stranger was?—With respect to the reference that was made to Pack, who is described as my boots, but who is in fact an outdoor person, the inference was drawn of his being tampered with. I have 16 servants, and five or six extra ones at busy times, and they may all be summoned, and the one who waited in my room at the election time will tell you it was there where this gentleman was and where the money was paid. I do not dispute having been privy to the distribution of money, that is patent to everyone, from the highest to the lowest. There is a servant who occasionally attends, who is sometimes called Susan Brown, which was her name before she was married; she has worked for us for many years. She has been asked whether she was working at the time of the election and what she did, her reply is "I attended upon the office when there was a lunch laid, and I laid the cloth." And I was desirous that this occasional servant should appear before the Court, as that is new evidence and a new fact which the Court has the power to have proved.

41,627. (*Mr. Coleridge.*) Is she resident in Totnes?—Yes.

41,628. Is she the wife of a voter?—Oh no. If I were to coach one of my servants I should have to coach from 16 to 20, but I as a matter of duty studiously avoided saying anything to them before the examination took place. My impression is that what I stated in my evidence is correct.

41,629. Have you any information to give us?—That information, sir, I wish to call the attention of the Court to. In reply to the allegation touching the 1,700*l.*, my answer to that is, that Mr. Edmonds has acknowledged in his evidence the receipt of 3,500*l.*, and I have produced vouchers to the Court for 500*l.*, making together the amount of 4,000*l.*, being the whole amount advanced by Colonel Dawkins and with the account of which the Colonel and his solicitor have expressed themselves perfectly satisfied.

41,630. Who says that?—Colonel Dawkins when he was here, and his solicitor, Mr. Edmonds, has acknowledged the receipt.

41,631. That is not what we want, what we want to understand is this, of the 4,000*l.* that came into your hands there is 1,700*l.* to be accounted for?—How much?

41,632. There is not above 2,000*l.* of it accounted for by the distribution of bribes, therefore there is a balance of 1,700*l.* which somebody must have had, and there must be somebody who distributed it, and who that person was is for you to discover?—In reply to that, I have felt that my character in this matter has been assailed, and in justice to myself and my family I have given the best and the most truthful information that my recollection will enable me to give.

41,633. You have not given us any information.—I have given all I can, and if during the investigation any witnesses come up to refresh my memory as to what has transpired I am ready to admit it. But to the best of my power and ability up to the present time I have given you all. I may state that I had nothing more to do with the handing the money to Screach and Evens than the greatest stranger in this borough. I cannot give you any further evidence relating to the identity of the stranger, and I most solemnly state that if it was in my power to disclose to the Court who he was, and where he came from, I would now declare it. I shall be happy to do all in my power to make the necessary inquiries so as to discover it, feeling it due to myself, in the absence of your power of discovering the individual who was sent by the club in London as a blind or a safety valve to prevent it being known through whom the money came to the voters' hands. In some cases he handed the money himself, in some cases I handed it to them. I beg to submit most respectfully that I only took a subordinate part in the matter. I was thrown in the way of it by reason of my having lived in that house, and in no other way. That is my statement. I know no more, and up to the present time I have not the means of discovering who that gentleman was. I will do all in my power between this and the next meeting by direction of the Court to endeavour to discover and disclose him. My belief is that Mr. Smith must know who he is. He was in a highly excited state during the whole time he was here, and he was not able to attend to business of importance, yet his evidence is put against mine. He said first of all he went to No. 15 bedroom, and he acknowledged that was the room where his clerks came to.

41,634. We cannot hear an argument. The position you are now in is this, you must know of your own knowledge every single one of the Conservative voters who received a bribe; but by putting together the amounts that have been given to us you do not account for 3,700*l.* or anything like it. We may be content with your explanation, but I do not think Colonel Dawkins will be content with any explanation you give, unless you produce the person who actually distributed the money?—I cannot do it. Colonel Dawkins has expressed himself satisfied and his agent in this town is satisfied, and I have given in the vouchers for the whole of what has been acknowledged.

41,635. Colonel Dawkins is exceedingly dissatisfied with the discrepancy that appears between the amount of the monies which have been distributed and the amount of money which he gave?—I solemnly declare before this court that, with the exception of the names that I have given you, I know no more about what the other men have paid than the greatest stranger on earth.

41,636. (*Mr. Coleridge.*) From being the landlord of that house, and knowing the general working of things here, are you not in a position to bring forward some other persons who have been bribed, because that will lessen the amount?—My reply as to that is that I have not received that facility and courtesy from your secretary that I ought to have done; I gave him some vouchers which have not been returned to me.

41,637. (*Mr. Bere.*) I am informed that you did not ask for copies but the vouchers themselves, which could not be returned?—I only wanted them for the amounts. With respect to an amount paid to a voter, from the information I received from the gentleman himself, although the account given is that he had 100*l.* for his vote, the fact is he received but 50*l.*

41,638. Who is that?—Griffis. I never saw the money pass to him; I studiously avoided giving the voters an opportunity of knowing what the parcels contained; I was merely a subordinate agent in the matter, though I shall be happy to make every inquiry, with a view to the investigation of how much money was expended. I have not come here with untruthful statements, and it is not in my power to say one syllable about any of the money which was distributed by other persons.

41,639. I would suggest whether you cannot yourself obtain from Screach and Evens accurate accounts of the monies you received and the way in which they distributed it. Perhaps if you could obtain it for us, seeing the difficulty in which you are placed, we may be able to help you to make up some of the money. I should like to say with regard to Mr. Thomas, we received information which we distrusted exceedingly, about Mr. Thomas, having anything to do with the election three weeks ago; but we thought it due to you after making the accusation against you to let you know the information we received of any person who might by any possibility change the

mystery that appears to exist and relieve you of the responsibility of appearing in court. It was in consequence of that he was summoned, I being perfectly aware at the time of the improbability of his being the person, especially as I have personal knowledge that he is of Liberal politics and not Conservative?—I beg to thank the Court for the liberal view they take of it, and I desire to say I will use every opportunity before the Commission ends. I have not said anything to Screach or Edmonds on the business; I never passed any of the money or monies, or any of my family; I solemnly declare they never passed any money to them. If by intercourse with them I can obtain any further information as to the amounts that have come into their hands on that occasion I shall be most happy to do so.

41,640. (*Mr. Coleridge.*) There is just one case with regard to a witness called Saunders; when he came here he swore that he had 25*l.* from you for himself; he also swore when he came here on another matter that he had 50*l.* in a bag from the stranger in your presence for another person; now that is not likely to be so much a mistake as if it had been all sworn to one transaction, he swore distinctly to one from you and to another from the stranger?—If Saunders was here I should give the same reply as I do; if he stated he had 50*l.* or 60*l.*, or whatever the amount may be, he may be correct, but I have not seen Saunders or had business with him; but the mode of handing over the money may make the difference between his evidence and mine. I have a great deal else to do, and during the excitement of an election and the management of my own business it is more likely the witness may be aware of the mode of dealing with it; but to the best of my belief I have stated what is correct; I have no desire to conceal anything, but to give the fullest information.

41,641. (*Mr. Coleridge.*) He says he was given something, but he was not promised anything?—What election is that?

41,642. Dent's election.—We are talking about 1865.

41,643. There may be a number of persons who received money from other people who have not told us the exact amounts which they themselves received it may be worth your while to inquire into that?—In justice to myself I wish the Court and the public distinctly to understand that Colonel Dawkins relieved me on that point; they do not think I got a penny; I have never been paid back the 40*l.* with which I bought the garden for Shinner.

41,644. (*Mr. Coleridge.*) Can you give us any further notion of the amount of money you distributed?—I gave the secretary the correct amount. I consider that I was privy to 500*l.*, either by myself or as identifying the persons who had money from the stranger.

41,645. Why did you say when you were first examined that you had spent only 157*l.*?—That was in cash; I did not know what amount was in these bags, and had no opportunity of knowing what cash there was.

41,646. You took I O U's for very nearly 500*l.*?—The cash which I handed to the people was in parcels.

41,647. (*Mr. Bere.*) You must have known by the I O U's what you had given, and you must use your best endeavours to set this right.—On the first day the reason of my confusion was that I had three poll books put into my hand, and I was asked to state what had taken place; I did not dispute having dealt with the voters, but I was confused between the three elections, and did not feel safe to give an opinion. If there were any discrepancies in my evidence on the first day I beg to apologize for such, and hope that my evidence afterwards may have been considered more satisfactory.

ALFRED SEYMOUR, Esq., M.P., recalled.

A. Seymour, Esq., M.P.

41,648. (*Mr. Bere.*) Were you cognizant of any application by Mr. Harris to Mr. Pender for a situation?—I was.

41,649. Did you see the letter which was written to Mr. Pender?—I did.

41,650. And the answer written by Mr. Pender?—I did.

41,651. Was there a consultation between you and Mr. Pender as to what answer should be written?—There was.

41,652. What was the consultation about?—The matter was discussed between us and also with Mr. Phillips, who was the mayor at the time. It was when I was staying here, and Mr. Phillips said that the letter was a most improper letter and ought to have been answered in the most strong language possible, and I with Mr. Phillips strongly urged on Mr. Pender to write categorically what actually was the fact, that no situation ever had been offered to him.

41,653. You gathered from Mr. Pender that he had an impression on his mind that he had never offered him a situation?—None whatever. I recollect the conversation occuring in Totnes.

41,654. Was that after Mr. Pender had seen Mr. Harris?—Yes, a few minutes after.

41,655. What did he tell you?—He came up Fore Street while I was canvassing, and we met in the street; he said, "I have just seen Harris and been "having a conversation with him." I said, "That is "a dangerous thing, what have you been talking "about?" he said, "I have been chaffing Harris; I "told him he was too clever a man to do the dirty "work of his party here." I said, "Have you got a "witness to your conversation?" he said, "No," I then said, "He is a very dangerous man to have any conversation with without a witness." That was the very time.

41,656. Did Mr. Pender tell you how long the conversation lasted?—He did not say. We had a few words, and my remark to him was never to speak to Harris without a third party being present. I recollect Mr. Phillips said at the same time that he believed it was a plant.

SAMUEL HILL sworn and examined.

S. Hill.

41,657. (*Mr. Bere.*) How old are you?—In my 64th year.

41,658. How long have you lived in Totnes?—All my life.

41,659. How long have you had a vote?—The first time I voted was for Mr. Ricardo.

41,660. That is many years ago?—I do not recollect the date.

41,661. Who did you vote for then?—For Mr. Ricardo.

41,662. Was he the only one you voted for?—Yes.

41,663. How much did you get for that?—Nothing.

61,664. Did anyone offer you anything?—No.

41,665. Nothing for Mr. Baldwin?—No.

41,666. When did you next vote?—For Mills.

41,667. How much did you get for that?—Nothing.

41,668. The next election, Lord Gifford and Mills, who did you vote for then?—For Mills.

41,669. How much did you get for that?—Nothing.

41,670. When did you get anything?—The first money I got was in 1863, when I voted for Dent.

41,671. Who brought you that?—It was carried to my son's house.

41,672. You mean Samuel Hill, jun.?—Yes.

41,673. Where does he live?—In the Plymouth Road.

41,674. Who are your neighbours?—Mr. Charles Michelmore and Mr. Windeatt.

41,675. Was Mr. Deane living in a house of yours?—He was.

THIRTIETH DAY.

S. Hill.

28 Sept. 1866.

41,676. Who carried this bag of gold to your son's house ?—I think it was Lorimer who carried it.

41,677. Was Lorimer a neighbour of yours ?—No.

41,678. He left it at your son's house ?—It was not left for me, it was a bag of gold for my son.

41,679. Did he bring it to you ?—I happened to go into the house.

41,680. And you took it up ?—No ; I said to myself, I think I ought to have something out of this, for I am going to vote for Dent too.

41,681. Then how much did you take ?—I took 50*l.* ; I thought it was pretty heavy.

41,682. Was it all in gold ?—Yes.

41,683. Why did you stop at the 50*l.* ?—I don't know ; I might have taken the whole. I have been called a fool a great many times for not taking the whole.

41,684. Your son might have objected ?—He was not there.

41,685. Had you agreed to vote for Dent ?—Yes.

41,686. Who had you promised ?—I promised Squire Phillips, I think. I voted once before on the Conservative side.

41,687. Had you no money for voting for Dunn ?—No ; I think I was asked by Mr. Phillips, as I was working for him, to split my vote.

41,688. What did you do last time ?—I voted for Dawkins and Pender.

41,689. What made you split your vote ?—It was through Mr. Phillips' persuasion that I split my vote; I intended to vote for Colonel Dawkins.

41,690. What made you vote for Mr. Pender ?—I always voted for him before.

41,691. Had you got anything for that ?—Not a farthing.

41,692. You did not find any money in your son's house then ?—No.

41,693. Nor did you get a bill paid ?—No, neither did Mr. Phillips offer me a farthing.

41,694. How much did you get for voting last time ?—Nothing.

41,695. What has become of Deane ?—He left the house.

41,696. Was Deane a yearly tenant ?—Yes.

41,697. When did it begin ?—I think he was four years in the house.

41,698. When did he come in ?—I did not enter the time.

41,699. I wish to know that particularly. Was it Lady-day, Midsummer, Michaelmas, or Christmas ?—I cannot tell you ; he gave me notice to leave, but did not leave at the expiration of his notice, and I had let the house to my daughter.

41,700. What was her name ?—Fitzwalter ; she was then residing at Salcombe and she removed her furniture here ; he remained in the house until April 1865.

41,701. Did your daughter stay there ?—No, she removed her furniture to another place.

41,702. Was the house vacant all that time ?—No ; a person went in for about six weeks at Christmas.

41,703. What was the rent of the house ?—16*l.* a year.

41,704. How much did you get paid for the rent of the house from Mr. Michelmore ?—10*l.* Mr. Deane left the house on the 8th of April ; he came and paid me a quarter's rent, and there was another half quarter then due ; he offered me that and wanted to give me the key ; he thought seven or eight days was sufficient notice for me ; I would not assent to it. I heard nothing more of him ; he left the house and Mr. Michelmore held the key. When the half year's rent was due I sent him a note, and he referred me to his professional man, Mr. Windeatt ; he said, I wish to compromise the thing and get rid of the house ; I said, pay me the 16*l.* for the rent and I will take the key. I think on the 4th of November Mr. Windeatt paid me 6*l.* on account, and promised the other 10*l.* on the Wednesday following.

41,705. Has anyone paid you any other money ?—No ; I felt I had a claim on Mr. Michelmore.

41,706. Did not Mr. Windeatt tell you that the object was to keep Deane's vote ?—No ; Mr. Windeatt never named that to me.

41,707. Did you not know it ?—I thought so ; he came there and slept in the house.

41,708. Should you ever have got the 16*l.* if there had not been an election coming on ?—I should have summoned him for it.

41,709. You got a year's rent for your house and let the house besides ?—No.

41,710. You let it for six weeks ?—There were then three quarters rent due to me.

41,711. Were you surety with Mr. Lorimer for your son ?—Yes.

41,712. What happened about that ?—I had to pay 50*l.*

41,713. Did you not apply the sum you had received in 1863 to pay that money ?—No.

41,714. How did you pay that money ?—By instalments. Lorimer and I went to the bank and got it.

41,715. Lorimer kept back the amount owed him by your son ; you did not keep anything back ?—No ; I have not got a farthing from him.

41,716. That is all you got ?—I had nothing at the last election.

41,717. You voted for Pender ?—Yes, and Colonel Dawkins.

41,718. Did you get anything from him ?—Not a farthing.

41,719. Did you go near the "Stars ?"—I did.

41,720. How were you engaged there ?—I went to be paid a bill. I had done some 6*l.* or 7*l.* worth of work to some houses. Harris said if I did not go to to the "Stars" he did not know when I should get any money. That was on the evening before the nomination ; Harris referred me to Mr. Edmonds, I went upstairs and found Mr. Edmonds, Mr. Heath, and other gentlemen going in and out of a room, and I told Mr. Edmonds that Harris had referred me to him to pay a bill for some work done ; Mr. Edmonds said, you had better see Mr. Heath ; he will pay you.

41,721. Where did you find him ?—He was in and out of the house. When I saw him he said, I know nothing of the bill, let Harris pay it himself.

41,722. Did you get your bill paid ?—Harris went into Mr. Heath's office, and I suppose got the money from him ; he took me to his house and paid the bill.

41,723. Is that all you got out of the Conservatives at that election ?—That was for work done.

41,724. Did you ever receive any other sum for your vote ?—Never no more than I have named.

41,725. Or any pecuniary benefit whatever ?—Not the slightest.

41,726. Or have you ever influenced anyone to vote ?—Never.

41,727. Did you sign this requisition ; is that your writing ?—Yes.

41,728. Who brought you that paper ?—I think it was Mr. Harris.

41,729. What were you to do ?—He asked me to sign a requisition to get Mr. Dent here.

41,730. Did he mention Mr. Macleay ?—Not that I am aware of.

41,731. Did Mr. Pender come to you at the last election ?—I saw Mr. Pender in the street.

41,732. Did you speak to him ?—Yes.

41,733. Were you not angry with him ?—No.

41,734. You had been angry with some of the Liberals ?—On account of money I had worked for which they had kept back from me.

41,735. Had you written to Mr. Pender to ask him for some money ?—Never in my life.

41,736. Had Mr. Cuming on your behalf ?—Never.

41,737. Do you know of your son having done so ?—I know nothing about my son.

41,738. Did you express your anger with the Liberals to Mr. Pender ?—I had been doing some work for Mr. Cuming, and had been obliged to summon him to this Court.

41,739. It was your son's wife who was ill ?—Yes.

SAMUEL REEVE recalled.

41,740. (*Mr. Bere.*) Have you remembered anything about the transaction of the three 20*l.* notes?—Yes. Narramore told me last Saturday that he had changed one of them at the "Plymouth Inn;" I cannot recollect about the others.

41,741. Did not your son owe you some money at this time?—Yes.

41,742. How much money did your son owe you then?—Not much more than 2*l.* or 3*l.*

41,743. Are you quite sure of that?—Yes.

41,744. What did he owe it you for?—For timber.

41,745. Had he got work then on his own account?—I spared him to Mr. Moore to be setting up a cabin for a vessel.

41,746. How could you spare him to work for Moore and make him in your debt 2*l.* or 3*l.*?—He owed me the money.

41,747. For what did he owe you these 2*l.* or 3*l.*?—For timber he had had to make up into furniture.

41,748. Whatever the sum was, did you deduct it out of the money which your daughter-in-law brought you?—Yes.

41,749. Have you ever, directly or indirectly, received any money for your vote besides that?—Never.

JOHN PENDER, Esq., recalled.

41,750. (*Mr. Bere.*) I have been requested to ask you whether you did not, on the morning of the election, cross the river in a boat, in order to go and see Mr. John Wright?—I am not aware that I ever was in a boat on the Dart in my life.

41,751. Then you did not go across the river in a boat on the morning of the election to see Mr. John Wright?—Certainly not.

THOMAS PEARSE sworn and examined.

41,752. (*Mr. Bere.*) How long have you been a voter?—12 years.

41,753. You are not a voter now?—No.

41,754. You were living too far off?—Yes.

41,755. When did you cease to be a voter?—I voted for Dawkins and Pim.

41,756. What did you get for that?—Nothing at all.

41,757. Who called upon you on the morning of the election?—No one.

41,758. Did Captain Pim come and see you?—Yes.

41,759. What day did he come?—The day before.

41,760. What did he say to you?—He asked me to vote for him.

41,761. Nothing more?—No.

41,762. Did not someone come to you on the morning of the election and bring you in a fly?—No.

41,763. Did not you get anything at all at that election?—No.

41,764. Whose tenant were you?—Sir Walter Carey's.

41,765. Had you voted for Mr. Dent?—Yes,

41,766. Did you get anything for that?—No.

41,767. Did you ever have anything for your vote?—No.

41,768. Neither directly nor indirectly?—No.

41,769. None left in a book?—No.

41,770. Nor your wife found money in the house?—No.

41,771. Nor your brother brought you any?—No, never brought any.

41,772. It was in consequence of Captain Pim having gone to you that you were called?—He came with young Mr. James Heath.

41,773. Did not he offer you something?—No, never offered me a farthing.

41,774. Did you always vote the same way?—Yes.

41,775. Did you vote in the election of the council?—Yes, the same way.

41,776. Did you ever have any money?—No.

41,777. How did you come into Totnes to vote?—I rode in on horseback.

41,778. Did you ride in with anybody?—No, I came by myself.

41,779. What time did you vote?—10 o'clock I think it was. Between 9 and 10 I should think.

41,780. (*Mr. Coleridge.*) Did you ever give anybody anything or offer anything?—No.

41,781. Ever asked?—No.

41,782. You lived too far off?—No, I lived close by.

41,783. I will read what is stated about you: "I "sent Captain Pim off at 4 o'clock in a carriage to "fetch a voter. You sent Captain Pim off?—Yes. "Where to?—I think to a country voter. What was "his name?—A respectable farmer. What name?—"Pearse, I think; he used to live at Follaton. Did "Captain Pim go off in a carriage?—Yes. Who with "him?—He went alone; the postboy drove him. What "postboy, George Beer?—I do not recollect. When "did Captain Pim come back?—The election morning, "but I did not see him return. He came back and took "a gentleman to the poll. Did he succeed in taking "Pearse to the poll?—Yes; he promised him the day "before, if he was fetched." Did you ever make such a promise as that?—No. He asked me, and I said, I was not going to vote, and he said, I will fetch you, and I said, "Oh, no; if I come at all I will go on horseback."

41,784. Did not you come about 3 or 4 o'clock in the morning?—No.

41,785. (*Mr. Bere.*) That is the reason you were summoned. It was an odd transaction of Captain Pim that Captain Pim should go and fetch a voter at 3 or 4 o'clock in the morning four or five miles off?—It is rather odd.

SAMUEL HILL, jun., sworn and examined.

41,786. (*Mr. Bere.*) Are you the son of Samuel Hill the elder?—Yes.

41,787. Do you live at Totnes?—Yes.

41,788. How long have you voted?—I cannot tell the date.

41,789. Did you vote for Mr. Dunn?—No, I voted for Mr. Mills the first time.

41,790. Did you get anything for that?—No.

41,791. Were you offered anything on Dunn's side?—No.

41,792. Were you at that time a builder?—No, in the china and grocery business.

41,793. Doing a pretty good trade then?—Yes.

41,794. I believe you had some transactions with a building society?—No.

41,795. When did you first have any?—No building society, a loan society.

41,796. You borrowed some money?—Yes.

41,797. When did you borrow that?—I cannot tell the date.

41,798. You can give us the year?—I should think five to six years ago.

41,799. Did Lorimer and your father become surety to the society?—Yes.

41,800. Were you to repay the money by instalments?—Yes.

41,801. When the election came between Pender and Dent, had you repaid any of the instalments?—I had.

41,802. How many?—Several.

41,803. What were the instalments?—3*l.* a month, about.

41,804. Was that to include interest?—Yes.

41,805. Did you vote for Mr. Pender?—Yes.

41,806. How much did you get for that?—Nothing.

41,807. Nothing after the election?—No.

41,808. Did not Lorimer come and see you about it?—No.

41,809. In Seymour and Dent's election you got a good deal?—No.

41,810. 250*l.*?—No, nothing.

41,811. Did not Mr. Lorimer bring up a bag with

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S. Hill, jun.

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money to your house?—He may have brought it to the house, but I did not see it.

41,812. Did your wife have it?—No.

41,813. Did you know that Mr. Lorimer brought some money?—I was told that he had money in the house, but I never received the money. It was said that I returned it, but I did not return it because I never received it.

41,814. How did it get back?—I do not know; I never saw it.

41,815. Did you know that 50*l.* was taken out of the bag by your father?—I have heard it.

41,816. Your father stated it on his oath?—I did not know.

41,817. For whom did you vote?—I voted for Seymour.

41,818. How much did you get for that?—Nothing.

41,819. Nothing paid you for that?—Seymour and Dent? I was thinking of another election. I received between 30*l.* and 40*l.* after that from my brother after the election.

41,820. How long after?—It may have been a week. I had it in two or three instalments. I think he had an account for me that I was being pressed for.

41,821. What is your brother's name?—John Hill.

41,822. Does he live here?—No.

41,823. Is it John Henry?—No, Nicholas John. He is in America now.

41,824. He was Brooking Cuming's clerk?—Yes.

41,825. Where did he get the money?—I do not know.

41,826. Did he tell you that Mr. Brooking Cuming ordered him to pay you?—No.

41,827. Did you ask him where he got the money?—No.

41,828. Did you know of Lorimer having brought money to your house, or any person having brought money to your house at the election?—Lorimer offered me money.

41,829. Where did he offer it to you?—In my house.

41,830. Had he got that money when he offered it to you?—I believe not.

41,831. Did he show it to you?—No. If I would promise to vote, he said, there was a sum of money for me.

41,832. What room did he promise that in?—I do not know whether in the shop or upstairs.

41,833. Do you know now that he left a sum of money in your house?—I do not believe he did.

41,834. You do not believe what your father has sworn to on his oath?—I did not see it.

41,835. I ask what you believe?—Mr. Lorimer asked me to vote for Dunn, and I refused to do so. I said I would rather leave the town than vote for him.

41,836. Did you tell your brother, Nicholas John Hill, that you had refused to vote for Mr. Dunn?—Yes, I did.

41,837. Before the election?—Yes.

41,838. Did he promise to get you as much money from the Liberals as you were promised by the Conservatives?—No.

41,839. Did he promise through the Liberals that he would get you relief from your difficulties?—That he would grant me a loan.

41,840. Where was it to come from?—Mr. Cuming.

41,841. What was the loan to be?—100*l.*

41,842. Was not it on the promise of that 100*l.* that you voted for the Liberals?—Yes.

41,843. Did you get the 100*l.*?—No.

41,844. You complained?—Yes.

41,845. Did you write to Mr. Pender?—Yes.

41,846. When was that?—I do not know.

41,847. Was it just after Mr. Seymour and Mr. Dent's election?—No, it was previous to that.

41,848. Between the two elections?—Yes.

41,849. The promise of 100*l.* was at Mr. Pender's election?—No promise whatever; I had written between the two elections.

41,850. What answer had Mr. Pender given?—He said he could not grant a loan. He said I had better apply to Mr. Cuming.

41,851. Have you got the letter?—No.

41,852. You have been unfortunate?—Yes, a bankrupt I am sorry to say.

41,853. Did you give up all your papers?—Yes.

41,854. In 1865 whom did you vote for?—For Pender and Seymour.

41,855. Did not you get a sum of money from Lorimer at that election?—No.

41,856. Did not you get anything?—Not at the election, but afterwards.

41,857. How much?—100*l.*

41,858. Did you know that Lorimer had received 150*l.* for you?—Lorimer had become surety for me, and he asked me a day or two before how I was going to vote, and I said for Mr. Pender. Well he said he was glad of that. He said, "I know you are in want "of money, and no doubt I shall be able to do some-"thing for you."

41,859. And he did something for you by giving you 100*l.*?—Yes.

41,860. Did he tell you that he had 150*l.* for you, but he had kept 50*l.* back?—Yes; I left the whole matter entirely in his hands. I told Mr. Lorimer that it would not influence my vote; that I should vote for Mr. Pender if I had nothing.

41,861. You signed a requisition to the Conservative?—To Mr. Dent, not to Dawkins and Pim.

41,862. You did not know it was to Mr. Macleay?—No.

41,863. (*Mr. Coleridge.*) Is that your handwriting?—Yes.

41,864. How came you to sign that if you had an objection to Mr. Dent?—On the day before the election I saw him at a quarter to 4 passing my door, and I remarked if Mr. Dent was to come again to-morrow I should vote for him; and I also had a field through my father, and have it at present.

41,865. Who from?—From Mr. Dent.

41,866. What made you say you would not think of voting for him at that time when you were offered the 200*l.*?—Because I would not alter my principles, or I would not be bribed.

41,867. You voted for the Liberals on the last occasion?—Yes.

41,868. Then the time before you were asked to vote for Dent, but could not alter your principles?—I would not.

41,869. What made you sign the requisition to the Conservative?—I had been promised, but I was deceived, and also I had got this field.

41,870. You tell me you would not alter your principles, but you go and sign a requisition to the Conservative candidate, and take money to vote for the Liberals; are these your principles?—What do you mean?

41,871. Are your principles to receive money to vote one way, sign a requisition for a party, and go and vote another way?—I do not know.

41,872. (*Mr. Bere.*) You got money from Lorimer, were you offered money on the other side?—Yes.

41,873. Who by?—Harris and my brother offered me money.

41,874. How much?—150*l.* my brother.

41,875. How much did Harris offer?—I think about the same amount.

41,876. Where did Harris offer it to yon?—At my stores.

41,877. Where did your brother offer it to you?—At the same place.

41,878. At the same time?—No.

41,879. How long before the election did Harris offer it to you?—I should say four or five days. He was there twice.

41,880. Was it before you told Lorimer that you were going for Pender, or afterwards?—Before.

41,881. Did you tell Mr. Lorimer how much you had been offered?—No.

41,882. Are you quite certain that you did not tell Lorimer you had been offered 100*l.* by the Conservative side?—Not to my knowledge. My brother was there the day before.

41,883. Mr. Harris had been there before?—Yes, I think four or five days before.

41,884. (*Mr. Longe.*) Did your brother tell you who had authorized him to offer 150*l.*?—No.

41,885. Did your brother bring any other message from Mr. Harris?—I do not know that he did bring it from Harris.

41,886. Did he bring any message from Harris?—I do not know; not that I am aware of.

41,887. Mrs. Lorimer also brought your wife 10*l.*?—So I heard.

41,888. Was that all the money that you ever received at any election?—Yes.

41,889. Either by yourself or through your wife, or before or after an election, on account of your vote?—Yes.

41,890. Did you ever canvass for a vote?—No.

41,891. Never received money for a voter?—No.

41,892. Or allow money to pass through your hands to go to a voter?—No.

RICHARD PENGILLEY sworn and examined.

R. Pengilley.

41,893. (*Mr. Coleridge.*) What are you?—A furniture dealer.

41,894. Where do you live, in Totnes?—Yes, at the top of the town.

41,895. When did you first vote?—Nearly 20 years ago.

41,896. Did you vote in 1847, when Mills, Seymour, and Ricardo stood?—No.

41,897. Had you a vote then. It is not 20 years ago?—It was Mills, Seymour, and Baldwin.

41,898. How did you vote then?—For Mr. Mills and Lord Seymour.

41,899. Were you promised money by Baldwin's party?—No.

41,900. What did you get from Mr. Mills?—I was promised 50*l.*, but never got it, by Mr. Mills.

41,901. Where did he promise it?—In my house.

41,902. Did he tell you when you should have it?—Just about the election.

41,903. Was that to vote for Mills and Seymour?—Yes.

41,904. Did you vote for them?—Yes.

41,905. Did you ask him for the money afterwards?—Yes, Thomas Hardin, he offered 35*l.*

41,906. You did not get the odd 15*l.*?—He kept that himself it strikes me.

41,907. Did you ask him for it?—I asked him to fulfil his promise, and he said, "If you take that you may have it, and if not you will get nothing."

41,908. When did you next vote after that?—I think I next voted for Mr. Dunn.

41,909. There was a little transaction about that business; you agreed to vote for Mr. Mills that time?—No.

41,910. Did not you promise Mr. Mills?—No.

41,911. So you got nothing?—No.

41,912. That was not the election of 1859?—Oh no.

41,913. At Dunn's election do you recollect promising a Mr. Bourne to vote for Mr. Mills?—I believe he sent for me.

41,914. He is an auctioneer?—Yes.

41,915. What did he say to you?—He said he would send a parcel to my wife.

41,916. Did the parcel come?—The parcel came, or something came, but I never opened it.

41,917. Who opened it?—No one opened it.

41,918. What became of it?—I sent it back where it came from.

41,919. Where is that?—This gentleman (Mr. Heath) came to me.

41,920. What did he offer you?—40*l.*

41,921. Did you take the 40*l.*?—Yes.

41,922. Where did you get that paid?—In my own house.

41,923. In gold or notes?—Gold.

41,924. Who paid you?—John Heath.

41,925. He walked about that time with his money?—Yes.

41,926. You sent Mr. Bourne his parcel back?—Yes.

41,927. Did you hear how much there was in the parcel?—I do not know, I never opened it. When the man came and brought the parcel, I said, take that back.

41,928. You have had it many times?—Only three times.

41,929. Mr. Heath gave you 40*l.* and you voted for Dunn?—Yes.

41,930. After you had disobliged the duke he turned you out?—His agent did.

41,931. How long after the election did you get notice?—I cannot say.

41,932. What had you, a house or a field?—A house.

41,933. Did you go to Mr. Heath about a house?—No, I have a house of my own; the house was about to be vacant, and I thought it better to occupy it myself.

41,934. You occupy your own house?—Yes.

41,935. Is that what you vote upon now?—Yes.

41,936. At the next election do you recollect when Dent and Pender came down?—Yes.

41,937. Did you vote at that election?—Yes.

41,938. For whom?—For Dent. I did not vote.

41,939. Did you promise to vote for Dent if he went to the poll?—Yes.

41,940. What were you to have if he went to the poll?—I think 40*l.*

41,941. Who promised you that?—Mr. John Heath.

41,942. Where did he promise it to you?—I cannot say exactly.

41,943. You never got it?—No.

41,944. Did you go and ask him for it afterwards?—I believe the gentleman withdrew.

41,945. Did you go and ask Mr. Heath for the money?—I may have asked him.

41,946. Were you at the "Seven Stars" when all the people were there?—I was never there at political meetings.

41,947. Were you at the "Stars" when the

41,948. What made you change your mind?—There was some unpleasantness arose between me and my lord. I was in Bridgetown, and he would not let me have the house because I would not oblige him.

41,949. When was the time that you did not oblige him?—When Lord Gifford stood.

41,950. How did you vote?—I do not think I voted at all.

41,951. Did you disoblige him by not voting?—I suppose so.

41,952. What did you get?—Nothing.

41,953. What made you disoblige my lord?—There was some unpleasantness.

41,954. Was the disobliging him by your not voting?—

41,955. What was the reason you did not vote?—The reason is this, I was offered money on the other side, they did not fulfil their promise, and I did not vote.

41,956. Who offered you the money?—I cannot remember.

41,957. Did you get money?—No.

41,958. What were you offered?—No specific sum.

41,959. Who were you offered money by?—This gentleman, Mr. Heath.

41,960. Did he tell you how much you were to have?—I do not think he named any specific sum.

41,961. Was it at the "Seven Stars?"—Yes.

THIRTIETH DAY.

R. Pengilley.

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41,962. Were you waiting for the money before you voted?—I think the gentleman retired.

41,962*a*. Women went with their baskets?—No.

41,963. Were you promised anything if you voted for Mr. Pender at that election?—No.

41,964. Did anybody come to you from Mr. Pender?—Mr. Pender came himself.

41,965. Did anybody come and offer you money?—No.

41,966. Now, 1863, Dent and Seymour, how did you vote then, three years ago?—If I voted at all it was for Dent.

41,967. What did you get for voting for Dent?—I think 40*l.* that time.

41,968. Who did you get that from, from your old friend, Mr. John Heath?—If I got it at all it was from him.

41,969. Do you recollect where he gave it to you?—It must be in my house.

41,970. Was it gold or notes?—Gold I suppose.

41,971. Are you sure you did not go to the "Seven Stars" to get it?—Perhaps it may have been.

41,972. Was it at the "Seven Stars" or not?—I would not be positive.

41,973. The last time, Pim and Dawkins and Pender and Seymour, how did you vote then?—Dawkins and Pim.

41,974. What did you get then?—Nothing.

41,975. Were you offered anything?—I was offered something.

41,976. Who were you offered it by?—Mr. Heath.

41,977. How much?—I was to have 40*l.*

41,978. Why did not you go and get it?—The funds ran low I understood.

41,979. You did not go in time?—No.

41,980. Did you get nothing at all?—No.

41,981. Have you got anything since?—No.

41,982. Have you asked Mr. Heath?—I may in the course of conversation.

41,983. What has he said when you asked him?—The funds were gone.

41,984. Did your wife get anything?—No.

41,985. That was the first time you voted without getting anything?—Perhaps it may be.

41,986. Did you sign the requisition?—I do not believe I did.

41,987. Is that your handwriting (*referring to the requisition*)?—Yes.

41,988. Do you know whether this was a requisition for the Liberal or Conservative member?—Conservative.

41,989. Who brought it?—Mr. Harris.

41,990. What did he tell you?—He asked me if I would sign it, and I rather objected first of all.

41,991. Tell us all about it?—He said he wanted a Conservative candidate.

41,992. Did he tell you what for, did he tell you it was to spend money in the borough?—I do not believe it was.

41,993. Did he tell you you need not vote because you signed it?—He may have said so.

41,994. Did not he?—I cannot tell.

41,995. Have you any recollection of something of the sort?—I cannot remember.

41,996. Did you sign a memorial to Mr. Pender after the election?—No.

41,997. After the petition?—No.

41,998. You do not know whether Harris said you need not vote when you signed this?—I do not know whether he did or not.

Adjourned till to-morrow morning at half-past 10 o'clock.

THIRTY-FIRST DAY.

Saturday, 29th September 1866.

JOHN BOWDEN recalled and further examined.

THIRTY-FIRST DAY.

J. Bowden.

29 Sept. 1866.

41,999. (*Mr. Bere.*) I understand you wish to make some explanation?—I wish to make an explanation in reference to the evidence given by Thomas Jacob Searle on Tuesday last. According to the report in the newspaper he states that I sent him to Mr. Holman, from whom he obtained money to the extent of some 200*l.* or 300*l.*

42,000. (*Mr. Bere.*) We will refer to the shorthand writer's notes and see what did take place. He is asked this, "How did the reconciliation take place? "—Some days after I met Mr. Bowden in the street, "and he expressed his regret that I should be going "to leave the party, and hoped I would consider it. "Then he sent Mr. Holman to you?—Yes. After "that you began to act. How much did you spend "at that election?—I had 150*l.* from Mr. Holman; I "spent 100*l.*," and so on.

(*The witness.*) What Searle states there is correct as to my meeting him in the street and sending him to Mr. Holman. I asked him what was the cause of his discontent with the Liberal party, and he said that Mr. Cuming had behaved very badly to him as to one of his children. He wished to get one of his children into the free grammar school, and Mr. Cuming had failed to attend to his request in the matter. I said to him, "Well, Mr. Searle, you have been a Liberal all "the days of your life. Are you going for the sake "of a personal figure to leave the party you have "always supported. It would be very unbecoming in "you to do so;" and I advised him to see if the matter could not be made up. There was no reference whatever made to anything about money matters.

42,000*a*. Did you mention Mr. Holman's name to him?—Yes, I referred Searle to him; as he was taking an active part in politics on the Liberal side I thought he was the most likely man to bring about a reconciliation with the Liberal party. I was not aware that Mr. Searle had taken an active part in politics.

42,001. Did you not know that Mr. Holman was the person who had distributed the money on the Liberal side?—No; I never knew anything of that; there was no reference made to Mr. Holman in that way.

42,002. (*Mr. Coleridge.*) But you had a pretty good guess who distributed it, had you not?—Never. I would not know anything of it at any time.

42,003. Were you not sometimes compelled to hear of it?—No, I was not. I did not know at the time that Searle was the secretary to the Slippery Company. I wished to make this public explanation, because my friends, who were very well satisfied with my first day's examination, when they heard of this statement of Searle's began to suspect that I had had something to do with money matters.

42,004. You seem to have hit on the right person to send him to, if it was only done by accident?—I never had any knowledge of it; I never knew who was the person who distributed the money.

There is another little matter somewhat personal to myself which I should like to take the opportunity of saying a word about, namely, upon the question of my having been proposed as a magistrate for the borough. I should like to tell you the circumstances. I was asked some years ago to become a magistrate

r the borough—just after Mr. Pender's election—d I declined emphatically. Some months ago I was rsuaded to have my name sent up, and after several y's consideration I very reluctantly allowed my me to be put before the Lord Chancellor, but I was very glad to find that his lordship's reply was, that until this Commission had sat for the borough of Totnes, no more magistrates would be appointed. I thought it was a most satisfactory reply, and I was exceedingly glad that I was not appointed.

FREDERICK KELLOCK recalled and further examined.

F. Kellock.

42,005. (*Mr. Bere.*) Did you attend the meeting at e "Seven Stars" on Thursday night?—I did.

42,006. Who were present at that meeting?—I ent into the "Stars."

42,007. By previous arrangement?—Without any revious arrangement. I was sitting in the bar when Ir. Heath came and leant over me and said, "I ould like to speak to you before you go." I said, Very well." I did not know what he wanted. hortly after, he conducted myself, Mr. Denison, and think a Mr. Moore into the commercial room, where here was one of Mr. Heath's sons.

42,008. Which of his sons?—I think his name is Thomas. There I saw a table with a lot of papers pon it, and I think I said, "What is this?" I cannot ive you the exact words, but this is the effect of what ook place, that Mr. Heath said he wanted to make an nswer to the statement which had been made by the ommissioners, and he should like me to run through it.

42,009. Was there a statement written out at that ime?—I saw a draft statement then written out; it was loose in several sheets; divided like an ordinary draft. Several of the sheets were scattered about on the table, and if I recollect right, young Thomas Heath was fair copying a portion when we got into the room. We went through the draft statement with Mr. Heath. We examined or checked the statement with the one which the Commissioners had made, in order to see that the answer of Mr. Heath replied to the allegations contained in your statement.

42,010. (*Mr. Coleridge.*) Was Mr. Presswell present?—No.

42,011. (*Mr. Bere.*) From what did you take the means of testing the correctness of the statement of the Commissioners?—I am not aware of our having anything there in the shape of evidence. Mr. Heath was present the whole time with me, and we went through this statement and examined it. We trimmed it a little.

42,012. Did it not strike you as rather an odd thing to do, to prepare, with the assistance of two legal advisers, a sort of reply to the judgment of the Court?—I am not aware that such a thing struck me. I thought some allegations had been made against Mr. Heath, and he was attempting to answer them.

42,013. What else was done?—Nothing else was done. After we came to the end of it, Mr. Heath directed his son to make a fair copy by the morning.

42,014. (*Mr. Coleridge.*) Did you attempt to assist Mr. Heath in finding out what had become of the deficiency of 1,700*l.*?—No. Any allegations with regard to matters of fact were left entirely to Mr. Heath. Our going through the statement was in reality, I take it, more to look to the phraseology of it.

42,015. Was Mr. Edmonds there?—No.

42,016. At any part of the time?—No, the only persons present in the room when we went through the statement were Mr. Heath, Mr. Heath's son Thomas, Mr. Denison, a gentleman of the name of Moore, who, I think, is a commercial traveller, and myself.

42,017. Is that the only meeting you had on the subject with Mr. Heath?—The only one. I knew nothing of his being about to prepare any statements, or anything of the kind, until I got into the room.

41,018. (*Mr. Longe.*) You merely considered the hearing of it; what conclusions he had come to. You brought no new matter into it?—I am not aware of any new matter having been introduced.

41,019. (*Mr. Bere.*) You did not receive any information from Mr. Heath which we were not already in possession of?—I do not think we did. According to the best of my belief, I do not think there is any statement of fact in the answer prepared by Mr. Heath that has not been mentioned in this Court.

42,020. Did Mr. Heath give you any information as to the means of relieving himself from the burthen we considered him to be under of producing the mysterious stranger?—I must refer to the terms of the answer for that; it is a mere matter of fact, it is not a portion of the statement by way of observation.

42,021. Mr. Heath was not allowed to make that statement which he had prepared; we considered it a comment on our judgment and did not think proper to admit it?—That is the point I wished to avoid.

42,022. During the conversation, did Mr. Heath state to you any new facts with regard to the existence of the mysterious stranger with which we were not acquainted?—I believe not.

42,023. (*Mr. Coleridge.*) What report did you take of the evidence that had been given—a newspaper report?—I read the address which the Commissioners had delivered from a printed report.

42,024. Did you compare that with the whole of the evidence which had been given here as bearing against Mr. Heath?—Certainly not.

MR. T. H. EDMONDS recalled and further examined.

Mr. T. H. Edmonds.

42,025. (*Mr. Bere.*) Had you anything to do with the preparation of this statement?—I had.

42,026. What had you to do with it?—Mr. Heath stopped me when I was passing the "Seven Stars" the day before yesterday and gave me a portion of the "Times" newspaper, in which was contained the address of the Commissioners, and a number of notes which he considered would explain a great portion of it, so as to be enabled to satisfy you that he was not deserving of the amount of reproach which he considered had been cast on him. He asked me to put those into form; he asked me to do that as his professional adviser. I merely put it into shape and took it down to him, and I told him I thought I ought not to have had anything to do with the matter, as I myself had been deeply interested in the affair, and had taken a very active part in the election. I said it was hardly possible that I should bring an unprejudiced mind to bear on the facts. I suggested that he should see some other professional man and get his opinion.

42,027. In fact, that statement was a statement you had drawn up from notes which had been given to you?—Just so, he considered that a very serious charge had been made against him, which might be a serious injury to himself and his family, and he thought if he could explain any portion of his evidence to the satisfaction of the Commissioners, that the thing might not appear so bad.

42,028. (*Mr. Coleridge.*) You trusted to his report of the evidence, not to your own knowledge of it, for an answer?—Yes.

42,029. (*Mr. Longe.*) You could not throw any more light upon it?—No; he told me that he found it utterly impossible that he could get out of the difficulty, that he did not know who the man was, where he came from, or anything about him, and that if he were examined as to the remainder of the money, it was utterly impossible that he could comply with the request of the court.

42,029*a*. (*Mr. Bere.*) We are of opinion that a very considerable share of the responsibility rests upon you. It is quite clear that the money came to your hands, and that it passed from you into the hands of

THIRTY-FIRST DAY.

Mr. T. H. Edmonds.

29 Sept. 1866.

Mr. John Heath; that the receipts were given to you and were afterwards destroyed by you; that although the money was given to Mr. John Heath, yet, upon the leaders of the Conservative party, there is a very grave responsibility, calling upon them to account for the appropriation of the money.

(*The Witness.*) With regard to the destruction of the receipts, those are documents which we naturally would not keep; if they had got into the hands of the opposite party, they would be very dangerous documents to be produced against us.

42,030. (*Mr. Longe.*) You have had no communication lately with Mr. Smith?—None whatever.

42,030*a*. (*Mr. Bere.*) We hope, between this time and the period when we meet again, that both yourself and Mr. Heath, and all those who are interested in the matter, as you are seriously implicated in it, (I think it is a matter that affects the honour of all the Conservative leaders in Totnes), that you will use your best endeavours to dispel the mystery that at present rests on this part of the case.

(*The Witness.*) I quite feel the force of the observation you make.

42,031. (*Mr. Coleridge.*) Have you had any communication with Mr. Spofforth since this inquiry has been sitting?—None whatever.

42,032. Or since the election petition?—I am not aware of any.

42,033. Have you had any communication upon any matter with the house with which Mr. Spofforth is connected during the sitting of this commission?—No; certainly not.

42,034. Have you had any communication with Mr. Rennie during the sitting of this commission?—Yes; he wrote me a letter to ask me what amount he had supplied me in 1861 for the purpose of registration and fighting the municipal battle, and I wrote him back the amount.

42,035. You have had no communication with anybody in London about this mysterious stranger?—None whatever.

42,036. Or into the circumstances regarding the distribution of this money?—I have not.

42,037. (*Mr. Longe.*) Has Mr. Heath suggested to you any line of inquiry in order to find him out?—No; I have spoken to Mr. Heath on the subject; we have talked the matter over, and are unable to supply any information. We really find ourselves quite at fault. If Mr. Smith did not send down this man, who did?

42,037*a*. (*Mr. Coleridge.*) The whole of the money was, at one time, in your hands. According to your statement, the whole of the money was received by Mr. Heath. You knew the amount which you gave him. He says he does not know the amount which he received. There is 1,700*l*. unaccounted for; unless the mysterious stranger embezzled the 1,700*l*., there must be some other suggestion. The 1,700*l*. has been in your hands and in Mr. Heath's hands, and no one knows what has become of it.

(*The Witness.*) If our testimony is to be believed, the whole of the money passed over to this stranger, a person whom Mr. Smith was requested to send down, who did arrive, and to whom the money was paid.

42,037*b*. (*Mr. Bere.*) The difficulty is this, that you took very good care not to ascertain whether there was a stranger or not, that you took Mr. Heath's information that there was a stranger, and believed that there was.

(*The Witness.*) It was a natural precaution for me to take as the leader of the party.

42,037*c*. (*Mr. Coleridge.*) Mr. Heath has found out that he did pay away a good deal of money himself; that it did not all go through the stranger.

(*The Witness.*) That is so as to 500*l*.

(*Mr. Coleridge.*) Screach and Evans have given a totally different account of the stranger, although they have all sworn that No. 13 was his room. Mr. Smith and his two clerks swear that was not so.

(*The Witness.*) It is quite a mystery to me; I cannot give any explanation of it. I understand that Screach in his evidence said that he considered the man was disguised, meaning a wig and moustache; that might explain the difference of the description.

42,038. (*Mr. Longe.*) Do you remember speaking to Mr. Smith in London?—I do.

42,039. At that time he was astonished at finding that a stranger had been down here?—He did so express himself.

42,040. Did you explain to him what reason you had for thinking he knew of the existence of the stranger?—I said to him, I was very much surprised to hear him say that he knew nothing of his being here. I considered that he knew all the circumstances, and that he had had an account of how the money had been expended. He said, I assure you I have not.

42,041. (*Mr. Coleridge.*) There has been a sort of suggestion of yours that Mr. Smith must have had something to do with it; it has been distinctly sworn that it was another person?—I did not think that for a moment that it was Mr. Smith; I never suggested that for a moment.

42,042. Did you see the stranger who came down here and was sent away again, whom Mr. Smith saw?—I did not. I heard there was such a person. I had never seen either of the strangers; the one who was here at Dunn's, or at Dent's elections.

42,043. You did not know of the mysterious stranger until after the election petition?—I did.

42,044. When did you first know that there was a stranger here?—I think on the Saturday morning. Mr. Heath came to me and said, "I suppose you are "aware that Mr. Mum has arrived." I said, "No." He said "Would you like to go and see him?" I said, "I don't want to see him." I had never seen either of the strangers on those occasions, and I acted in the same way as I had done on former occasions.

42,045. Did you believe that a stranger had arrived when Mr. Heath told you that he had?—I thought so directly. I think, later in the evening, the other stranger came.

42,046. When did you know of the stranger's coming, who was sent away again?—That was on the Saturday evening.

42,047. The stranger having been sent away, it was not until after the evidence given by Screach before the Committee of the House of Commons that you knew of any other mysterious stranger?—Yes; I was told the night before of this other one.

42,048. When did you first mention the two strangers having been down to Mr. Guscotte?—I do not know that I ever mentioned it to him.

42,049. Not when he was asking for Colonel Dawkins?—I do not recollect that I did.

42,050. Did you ever mention it to him at any time after the evidence of Screach in the House of Commons?—I do not recollect that I did.

42,051. Did he say, how came you not to tell me of there being two strangers?—No; he certainly said nothing to me.

42,052. Who told you of the second stranger having come down?—Mr. Heath.

42,053. When?—I think it was on the Saturday evening.

42,054. That was when he told you of the first one having been sent away?—No; he told me that on the Saturday morning. He told me of the real Mr. Mum, the man who did the business, afterwards. On the Saturday evening he said, there is another Mr. Mum arrived; I introduced him to Mr. Smith, who knew nothing about him.

42,055. Did he tell you that Mr. Smith knew anything about the first one?—No.

42,056. What made him mention the one being sent away, because Mr. Smith knew nothing about him?—I cannot tell you that.

42,057. Do you believe, that the one who came down and who was not sent away, was known to Mr. Smith, and was therefore retained?—That was my impression certainly, although no conversation took

ace between myself and Mr. Smith upon it. I con-ered that he wished to keep himself aloof from s man, and that there was no discussion between m.

42,058. You say that Mr. Heath told you when the ond Mr. Mum came down?—Yes, he did. I think said he was the same man who was down here at . Dunn's election.

42,059. Do not you think it is possible that the second man might be got through Mr. Smith's agency?—I cannot possibly tell that.

42,060. What name did he go by at Dunn's election?—I think, by the name of Smith, but I am not quite sure. I never saw either of those men. No doubt Mr. Cameron can supply you with all the particulars.

SARAH BEAZLEY sworn and examined.

S. Beazley.

42,061. (*Mr. Bere.*) Are you the landlady of the Seymour Hotel"?—I am.

42,062. How long have you been the landlady?—I me to Totnes in 1863.

42,063. Have you been there ever since?—Yes.

42,064. About what time in 1863?—At Mid-mmer.

42,065. You came after the election?—Yes; I nk the election was in January.

42,066. Then the first election you had anything to with, was the election of 1865?—Yes.

42,067. At that election there was a very large bill n up and entered to the credit of Pender and Sey-our?—Not all of it.

42,068. But a good deal of it was?—Yes; I think iss Weekes can tell you more on that head than I n.

42,069. But a great deal was entered to the credit Pender and Seymour?—Yes.

42,070. When there was a petition presented, was it ggested that you had better break up the account d put different items to the credit of different per-ns?—No.

42,071. What was done about it?—I do not remem-er anything more than Mr. Windeatt finding fault ith the way the account was entered; he said, it ught not to have been entered to Pender and Sey-our. It was not all entered to Pender and Seymour, ecause gentlemen used to come in and order certain ings, and I know those things were entered to those ho ordered them, and the account was made out in at way. Miss Weekes kept the bar account on a ip of paper, and if she had not time to copy it into e book which was kept, those little bits of paper, ter the election, were given to Mr. Cross, who, after r. Beazley's death, kept my accounts for me.

42,072. And he entered them in the ledger, I sup-ose?—No; into a small book which I sent you up. hey were all entered there and submitted to Mr. indeatt.

42,073. When was it that Mr. Windeatt proposed e change?—I suppose when the account was about be made up, a few days after the election; within week.

42,074. At that time there had been an entry made o Pender and Seymour?—In the day book.

42,075. And in the ledger also?—No; there was o entry made in the ledger, until after a fair copy of he account was all made out, when the accounts were oing to be handed over to Mr. Michelmore or to Mr. indeatt, I do not know which, I copied them into the edger.

42,076. Where is the ledger into which you copied hem?—There (*pointing to a book before the Commis-ioners*) at the other end of the book; from there they vere taken. I tied them together just as you see them, nd there they have been ever since.

42,077. Where are the leaves that have been torn ut of this book?—There they are; you have them in our hand, exactly as they were torn out.

42,078. Where the account is headed Pender and eymour, it comes to 94*l.* 15*s.* 10*d.*, then there are arious private accounts afterwards; have any of hose ever been paid?—I think nearly all now.

42,079. Have they not all been paid by Mr. Michel-more?—No; I had a cheque from Mr. Chaster.

42,080. For how much?—I think about 65*l.*

42,081. How much have you had from Mr. Michel-more?—You will find it entered in his account; his last account. I do not know whether what I received from Mr. Chaster is entered there; I really know very little about the accounts; they are going to be settled at Michaelmas. Mr. Cross has the entire charge of them. I can tell you very little about them.

42,082. Besides the money which you received from Mr. Chaster on Mr. Pender's account, you are credited with 113*l.* 0*s.* 6½*d.* paid by Mr. Pender?—I think I had a cheque from Mr. Jeffrey Michelmore for 113*l.*

42,083. And on Mr. Seymour's account 177*l.* 4*s.* 0*d.*?—I cannot tell you the exact sum. The accounts are correct.

42,084. What rent do you pay for the "Seymour Arms"?—110*l.* a year.

42,085. Generally, there is a very large balance in your favour, is there not?—Generally.

42,086. Do you know anything about tearing the pages out of the day book?—I did that myself.

42,087. Did Mr. Windeatt or Mr. Parnell suggest to you that you should do it?—I never saw Mr. Windeatt on the matter; I do not think that Mr. Parnell ever saw the book.

42,088. You tore this out of the ledger?—Yes; there was an arrangement that every one who ordered anything should pay for what they ordered. The motive was not bad.

42,089. The end of it has been, that Mr. Pender and Mr. Seymour have paid it all?—I think it is pretty well cleared up now; or it will be so, when Mr. Michelmore and I settle at Michaelmas.

42,090. Here is a charge under the date of February 3d, 1865, "Sarah Beazley, hotel, registration "expenses, 72*l.* 6*s.* 8*d.*;" can you explain anything about that?—I cannot explain anything about that, more than this, that there were dinners and carriages and special messengers at that time for which those charges were made; I had no idea that it belonged to the registration, or had anything to do with it. I know nothing about the business of the borough in any way. The dinners were all ordered at our house, but on what account I do not know; I suppose that Mr. Michelmore must have had that put down there; I knew nothing of it.

42,091. Have you got the account before this with Mr. Michelmore?—I brought both the accounts from the time that I went into the hotel; that is the last.

42,092. Have you got the other?—There are two. I know that was done according to Mr. Windeatt's wish.

42,093. (*Mr. Longe.*) The sum put down for registration expenses is for two years?—Yes.

42,094. When were you paid after the first account?—The first account, I think, was settled with Mr. Michelmore.

42,095. You have a running account between you and Mr. Michelmore which is made up at a certain time of the year, at Michaelmas, for instance?—At Michaelmas.

42,096. (*Mr. Coleridge.*) Do you occupy some fields with the "Seymour Arms"?—Yes.

42,097. Are you aware that some voters of the name of Clift, Mills, Fox, Stranger, Whittell, and Rees, all vote on that field?—I knew it of late, but not before. When I took the ground, Mr. Michelmore said there would be some little arrangement about it, which he would carry out for me. I never trouble myself about it.

42,098. How is that carried out? What do they do every year to show that they have a right to the field?—They cut some cabbages once or twice.

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42,099. How many do they cut to give them a vote?—You must ask our old gardener about that.

42,100. Do they each cut a cabbage and show it to you?—I do not know, I never saw any of the money.

42,101. Do you know a man of the name of Clift?—Yes, I do.

42,102. Do you know a man of the name of Mills?—No.

42,103. Do you know a man of the name of Fox?—No.

42,104. Do you know a man of the name of Stranger?—No.

42,105. Do you know a man of the name of Whittell?—No.

42,106. Do you know a man of the name of Rees?—I know the chemist here of that name, and I know there is a person of that name at Dartmouth.

42,107. This, I believe, is the Dartmouth one. You are not aware that he votes under you?—No.

42,108. And out of the six voters whom you supply to this borough, four of them are unknown to you personally?—They are not known to me.

42,109. Do they ever pay you anything for what they do?—No.

42,110. Do they bring the cabbages into the hou when they cut them?—I never saw them.

42,111. And do you go through the form of saying you have no business to cut my cabbages?—I neve saw them.

42,112. But you know they do cut them?—I know that they come there.

42,113. Did you ever tell them, you have no busines so cut the cabbages?—I had no opportunity of doin so.

42,114. Has anyone else cut your cabbages withou your remonstrating with them?—No; I considere that was part of the arrangement.

42,115. (*Mr. Bere.*) You pay your rent to Mr Michelmore, and it is put in your account?—Yes Mr. Michelmore accounts for it and charges me wit it. I have not always paid it to Mr. Michelmore.

42,116. Who have you paid it to?—To Georg Fitze.

42,117. (*Mr. Coleridge.*) Is there any building i this meadow of yours?—There is a linhay; a she or two.

42,118. (*Mr. Bere.*) How long is it since you pai the rent to Mr. Michelmore, and not to Fitze?—I hav not paid rent to Fitze for a very long time, though h has called; I said, I should not pay rent to him whil Mr. Michelmore held so much money of mine.

E. Weekes.

ELIZABETH WEEKES sworn and examined.

42,119. (*Mr. Coleridge.*) How long have you been the barmaid at the "Seymour Arms"?—Since the 14th of May 1864.

42,120. You were there at the last election?—Yes.

42,121. It was your duty during the election to enter the things which were had in the books?—Yes; in the day book.

42,122. When Mr. Pender and Mr. Seymour first came there, had you any instructions as to how you were to enter the things which were had in the house?—No; not when they first came.

42,123. At first you entered every thing which was had in the house, by all sorts of people, to Mr. Pender and Mr. Seymour?—Yes.

42,124. Who told you to do that—to enter things that were had by other people to Pender and Seymour?—I never received any orders from anyone.

42,125. Then what made you put down all these things to them?—I suppose it was had by them.

42,126. Who told you that everything which was had in the house was had for Pender and Seymour in the first instance?—No one.

42,127. Did you understand that the house was taken by them, and that every thing which was had in the house, at that period, was to go down to them?—No; I did not understand that.

42,128. If Mr. Pender and Mr. Seymour were to come and stay at the hotel now, you would not charge the account of anyone else to them?—No.

42,129. Then who told you to do this at the time?—The waitress who gave me the order.

42,130. You seem to have got no orders except from Pender and Seymour. Everyone's orders you supposed to have been Pender's and Seymour's?—Not every one.

42,131. But a very large portion of them, according to the quantity supplied?—I do not know where it went.

42,132. You knew it was not for them individually?—Yes.

42,133. You put down from the waiter's account all these things to them. Had you any way then of telling what was actually for them and what was for other people?—What was for other people used to go down under their own names.

42,134. After Mr. Michelmore had told you there was to be a separate account, in which Mr. Pender's and Mr. Seymour's private bills are separated from the larger amount, what enabled Mr. Cross to make out this little book?—He took them from the day-book, I suppose.

42,135. If the sum of 500*l.* is down to them in th general account, how are those particular item picked out, which make 94*l.* to Mr. Pender, and 77 to Mr. Seymour?—That is taken from their own private account.

42,136. How did you know what was their privat account, and what was for other people?—What wa to their own private account was entered to the num ber of their room.

42,137. How was that entered which was not t their private account?—To the committee room, suppose, or to the commercial room.

42,138. What is the account of Rees which come afterwards, and which has been separated now?—That is to the election.

42,139. That was originally charged to Pende and Seymour as part of the original account; ho did you take out Rees's account?—It was entere in the day book to Rees.

42,140. And to Pender and Seymour too?—Yes.

42,141. This 12*l.* 11*s.* 6*d.* was never entered t Pender and Seymour?—I think not.

42,142. When did Mr. Michelmore tell you tha this was the wrong way of doing business, and tha you were to have them separate?—Some days befor the nomination day; I cannot tell you when now.

42,143. Did you begin to keep a separate accoun before the election?—Before the polling day; I can not tell you how many days before.

42,144. When was it that you cut the pages out o the book?—I cannot tell.

49,145. When did you see that they had been cu out?—Some time after the election.

42,146. At that time, everything had been entere in a general way to Pender and Seymour, it could no have been before that when Mr. Michelmore told yo to keep the accounts separate?—No.

42,147. It was after the election, when the petitio was threatened, that Mr. Michelmore said that wa the wrong way of keeping the books?—No.

42,148. When did Mr. Cross make out a separat account for Pender and Seymour, instead of one gene ral account?—Some time after the election, when w drew up the account for Mr. Michelmore.

42,149. You knew that there was going to be petition?—I did not know it.

42,150. You did not cut out any pages yourself?—No.

42,151. Did you stick any in?—No.

42,152. What had you to do with cutting out th pages?—Nothing whatever.

42,153. You were not present at it?—No.

42,154. Who was? Mrs. Beazley? — And Mr. Cross.

42,155. When did you first see these pages after they had been cut out?—They were given to me.

42,156. What were you told to do with those pages that had been cut out?—Copy the account of the things which had been had in the house.

42,157. What were you told to do with the pages?—To burn them.

42,158. You did not burn them?—Yes.

42,159. Who told you to burn them?—Mr. Cross.

42,160. Not Mrs. Beazley or Mr. Michelmore?—No.

42,161. You had charge of the pages which had been cut out of the ledger as well?—I saw them there.

42,162. Who took care of those?—Mrs. Beazley.

42,163. She did not burn them, you burnt your share?—Yes.

42,164. (*Mr. Bere.*) Who sewed the sheets in so nicely as they are here now?—I think Mr. Cross did it.

42,165. Did you thread the needle for him?—No.

42,166. It is a pity that you did not get the same coloured paper while you were about it. Is that all you can tell us about the election?—Yes, that is all I know.

ANN SATCHWELL sworn and examined.

A. Satchwell.

42,167. (*Mr. Longe.*) Are you the waitress at the "Seymour Arms?"—Yes.

42,168. How long have you been at the "Seymour"?—I was there five years at first, and then I left.

42,169. Which was the first year you went?—I think 1858 or 1859.

42,170. You were there five years?—Yes; and then I left when Mrs. Beazley came there. I was there for about three weeks after that, and then I left.

42,171. You were there at the elections of 1862 and 1863?—Yes.

42,172. And of 1865?—Yes.

42,173. In 1865, had Mr. Seymour been staying at the hotel for some time?—Yes.

42,174. What rooms did he occupy?—Number 6 sitting room and number 8 bedroom.

42,175. Did Mr. Pender come shortly before the election?—Shortly before the election.

42,176. What rooms did he occupy?—Number 5 sitting room and number 12 bedroom.

42,177. Do you remember on what day it was that the big room was open and was full of persons connected with the election?—That was about the week before the election, I think.

42,178. I mean, when there were persons going into the large room and taking refreshments?—Yes, I think once or twice, that was all.

42,179. Do you mean for two nights?—Yes, there were two meetings there.

42,180. What were the days on which those meetings were held? was there one on the Sunday evening?—No; on the Saturday.

42,181. Not on the Sunday?—No.

42,182. On the Saturday there was a meeting?—Yes.

42,183. Were you constantly in and out of the room during the evening?—Yes.

42,184. Was there another waitress there?—Yes, but she did not wait upon them; she did not go near that room; only myself.

42,185. Was there any other person but you who waited in that room?—No.

42,186. Just describe the sort of meeting; were they consulting, or drinking, or what?—They were drinking.

42,187. What time did it begin?—Between 8 and 9 o'clock.

42,188. And what time did it conclude?—About 12 o'clock.

42,189. Who sat at the head of the table, do you know?—I really do not know; there was Mr. Rees, Mr. Cuming, and several others there. I do not think Mr. Pender or Mr. Seymour were there.

42,190. Who sat at the head of the table?—I do not know that anyone particular sat there.

42,191. Who was the chairman?—There was no chairman.

42,192. This was in the large room?—It was in the ball room.

42,193. Were there 40 or 50 there?—I should suppose 40 or 50.

42,194. Were there more than that?—No.

42,196. Who gave you the orders for the grog?—Different people.

42,196. Did Mr. Cuming give you any orders?—Yes, and Mr. Rees.

42,197. Mr. Cuming was the principal person, was he not?—Yes.

42,198. You gave those orders at the bar in what name? — Mr. Cuming and Mr. Rees. I gave the names of those who ordered.

42,199. Were there any other names besides Mr. Cuming and Mr. Rees which you gave?—Yes, Mr. Moysey.

42,200. Those were the three names which you gave in at the bar?—Yes.

42,201. On the Sunday night was there any meeting there?—No.

42,200. That room would be then shut up?—Of course.

42,203. On the Monday night it would be open again?—I do not remember what night it was that it was open again. I think it was a day or two before the election.

42,204. Are you sure there were only two nights when they had meetings there?—I am.

42,205. On the second night, was there about the same number?—About the same.

42,206. Were Mr. Cuming and Mr. Rees there again?—I believe so.

42,207. And you again waited upon them?—Yes.

42,208. And took the orders from the same parties as before?—I did.

42,209. Do you remember on one occasion having been sent by Mr. Windeatt to Mr. Holman?—I might have been.

42,210. You know all about that story?—I told him that he was wanted in number 5 sitting room, that Mr. Windeatt wanted him.

42,211. On what night was that?—I do not remember; I had too much to do to remember it.

42,212. Mr. Windeatt told you to tell Mr. Holman that he was wanted in number 5?—Yes.

42,213. What was number 13?—A double-bedded room.

42,214. Did you know, until you heard the story, what Mr. Holman was wanted for?—I did not.

42,215. You did not know what was in number 13?—I did not.

42,216. Who occupied number 13?—I do not think anyone slept there at that time.

42,217. During the last election, do you know of any of the voters having been left at the "Seymour Arms," and spending the night there?—Some two or three.

42,218. What were their names? — There was Sloggett and George Fitze; I do not know of anyone else. I left them there and went to bed.

42,219. Where did they sleep? — I suppose not anywhere. I left them in number 4 sitting room.

42,220. On what night was that? — The night before the election.

42,221. Did you supply them with grog?—I took in a little refreshment.

42,222. Did you take in sufficient refreshment to serve them through the night?—I think I did.

42,223. Do you remember what quantity you gave them?—I do not.

42,224. (*Mr. Bere.*) Did you go in occasionally to

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see whether they were comfortable or not?—No, I did not.

42,225. (*Mr. Longe.*) Did you know what they were kept there for?—I did not.

42,226. (*Mr. Bere.*) But you had a pretty good guess?—Yes; they did not tell me what they were there for.

42,227. (*Mr. Longe.*) But you had your own notion about it?—Yes.

42,228. You knew from what had taken place on former occasions?—Yes.

42,229. (*Mr. Bere.*) Whose servant were you during the election of 1865?—Mr. Pender's.

42,230. He paid you did he not?—Yes.

42,231. Are you still his servant?—No; I wish I was.

42,232. (*Mr. Longe.*) In 1863 you were a servant in the same hotel?—I was.

42,233. Were there meetings then in the large room?—There were.

42,234. Were they presided over by the same gentleman?—I think not; there were several others there then; Mr. Mc Dougall and Mr. Moore.

42,235. Did he preside?—He used to be there in the large room; there was no ball-room then.

42,236. What room was used then?—Number 4 was used then; they were only small meetings then.

42,237. Were there about the same number squeezed into number 4 as into the other room?—No; you could not put many in there.

42,238. Were there two or three meetings held there?—Yes.

42,239. And conducted in the same way as the others had been?—Yes.

42,240. And were the orders given by the leading persons as before?—They generally used to pay for what they had; each one paid for their own.

42,241. Do you mean that they paid you in cash?—Yes, they paid me in cash, and I used to take the money to the bar and give it to the landlady.

42,242. Whom had you in custody at the "Seymour Arms" at that time?—I do not remember, there were two or three there, but I do not remember who they were.

42,243. Who looked after them?—Mr. Holman and Fitze, I believe.

42,244. Where were they taken to?—To number 1, I think.

42,245. Do you remember their names?—I do not.

42,246. Was that the election in January or in December?—That was in January; the second election.

42,247. In the December election were there the same meetings held?—Yes.

42,248. That was Mr. Pender's election?—Yes.

42,249. That was when you first became acquainted with Mr. Pender?—It was.

42,250. Were there any persons kept at the "Seymour Arms" at that election?—No.

42,251. Do you know what was the reason why John Crocker left the "Seymour Arms" during the last election?—Because he was on the opposite side, and he was not to tell what was going on in there. I think that was the reason.

42,252. (*Mr. Coleridge.*) What did he do on the opposite side; go backwards and forwards to the "Stars?"—I never saw him.

42,253. Did you see him going to Screach's?—I have heard he did go, but I never saw him.

42,254. (*Mr. Bere.*) Had you been into number 13 during the day?—No.

42,254. Had you been there in the afternoon?—It is very likely that I had.

42,256. Had you seen anything unusual on the bed?—No.

42,257. Or anything behind the glass?—No.

42,258. (*Mr. Coleridge.*) Who slept in number 13 on the night of the election?—Mr. Michelmore.

42,259. Which of them?—Mr. Jeffery and Mr. Henry.

42,260. Was that room taken by Mr. Pender and charged to him?—No.

42,261. Who was it charged to?—Mr. Michelmore, I suppose.

42,262. I suppose this account of the breakage was given in by you to Miss Weekes—gas pipe and chair, what does that mean?—That was done in the tap.

42,263. A horse and cart thrown into the river by the Tories—what is that?—That was done, I believe.

42,264. Did you give those items in?—I did not.

G. H. Presswell.

GEORGE H. PRESSWELL recalled and further examined.

42,265. (*Mr. Bere.*) You were not present at the "Stars"?—I was not.

42,266. Did Mr. Heath find you at home?—No; I was not at home the first time that he called at my house.

42,267. Did you converse with him about what had happened in court here on the Tuesday?—I can hardly say that. He took a paper out of his pocket like a draft.

42,268. What time of the day did he call on you?—At night, just before nine o'clock.

42,269. That was the paper which Mr. Edmonds had drawn up for him?—I do not know whose handwriting the paper was in. I know Mr. Edmonds' writing and Mr. Kellock's very well.

42,270. What did you recommend him to do with it?—He read it over to me, and I advised him to expunge some lines and some sentences, because I thought the tone of it did not read properly—that it was not such a statement, or couched in such language, as should be used to this Commission. I thought, in what he had stated, certain words should be substituted for those which he had used. That instead of making statements affirmatively, any remarks he had to make he should put in a different form, saying, I submit to the Commissioners, so and so. It was not such language as I should have used myself in preparing a statement for this Commission. I asked him to take a chair, and he sat at one end of the dining room table, and I at the other, while he read it.

42,271. (*Mr. Coleridge.*) Did you succeed in discovering any fact, or was it all argument?—I know nothing of the facts and cannot answer that question. There was something said with respect to the statement of three or four men who were said to have received money through the stranger, but I was not present when the evidence was given by the witnesses, and what I know is only from reading the papers hastily in the morning.

42,272. Did you suggest to Mr. Heath any omissions which he might put into his statement?—I did not; I suggested some additions. He affirmed that he did not know the stranger. I said, if you do not know him you should be clear and distinct about it; if you do know, state the fact. He assured me solemnly that he did not. If you refer to the statement, you will see the terms in which it is stated. I do not know whose handwriting the draft was in.

42,273. Had you any conversation with him as to whether there was any stranger here at all; did you ask him whether there was any stranger?—I daresay I did; I did not like to go into it very fully. I said to him, what I say to you here will most likely be known; it will be known that you are in my house, your movements are I daresay known, and I shall have to appear before the Commissioners and state what passed here. I said to him, I daresay on your leaving my house you will be seen, and it will be reported. He assured me most solemnly that he did not know the stranger, and I really believe, as far as I can judge of human nature, that he stated the truth. Of course, that is all I can say.

42,274. Were you in the "Seven Stars" at the election time?—1865?

42,275. Yes?—I believe I went there once in the afternoon; late in the afternoon.

42,276. Did you see any stranger there busying himself about the house?—No; I do not think he was in the house at that time; during the election. There was an error in the account of proceedings the other day in the newspapers.

42,277. What is that?—It is stated that Mr. Michelmore said I took a retainer for Mr. Baldwin. He made an error in that; I never had it.

JOHN NEWLAND sworn and examined.

J. Newland.

42,278. (*Mr. Bere.*) What are you, Mr. Newland?—A mason.

42,279. Are you a voter?—No.

42,280. Do you remember the last election in 1865?—Yes.

42,281. Do you know Mr. Harris?—I know him, sir.

42,282. Do you know Mr. Pender?—Yes.

42,283. Did you ever see them talking together at any time?—Yes.

42,284. Where was that?—Down by Mr. Bentall's, talking.

42,285. Do you remember what day that was?—I do not.

42,286. What were you doing?—Coming home to dinner.

42,287. Where were they standing?—They were standing by Mr. Bentall's corner.

42,288. Where were you?—Going towards the "Seven Stars."

42,289. How long did you see them together?—I saw them there when I went down going home to dinner, and Mr. Charles Michelmore was up there and young Mr. Windeatt; as I passed, Mr. Pender and Mr. Harris were talking together. I said to Mr. Charles Michelmore, "Is he going to confirm him," and then I passed on. I know no more about it. I had my dinner, sat down and smoked a pipe, and came back again; they were still there.

42,290. How long had you been away?—I should say half an hour it would take for dinner and to smoke a pipe.

42,291. They were still there?—I said, "You are "a long time confirming him;" he said, "Yes," and I went on. How long he was there before I came by, I do not know. That is all I know about it.

22,292. (*Mr. Coleridge.*) Do you vote at the municipal elections?—Yes.

42,293. How do you vote generally?—Always with the Conservatives.

42,294. What do you get for that?—Nothing.

42,295. Did you never get anything?—Yes; once.

42,296. What was that?—A sovereign.

42,296*a*. Who gave it to you?—Young Mr. John Watson.

42,297. Of the "Lord Nelson"?—Yes.

42,298. Only that once?—Yes, that is all. Years ago, I have had half-a-crown and a breakfast.

42,299. Are you employed at elections as a runner or anything?—No.

42,300. You never have been employed?—No.

JOHN WATSON recalled.

J. Watson.

42,301. (*Mr. Bere.*) We have heard a story about Mr. Michelmore paying Henry Bartlett 75*l.* on the top of a cask. Can you tell us anything about that?—That was not what I was talking about.

42,302. What was it?—The money; Mr. Michelmore gave me 20*l.* in No. 1. I know nothing about the 75*l.*

42,303. You know nothing about the money that was paid on the top of a cask?—I know that the money was brought in; I was in the house at the time.

42,304. Did you see it?—I saw the money passed by Mr. Michelmore.

42,305. What do you mean by that?—Mr. Charles Frederick Michelmore brought the money down.

42,306. Did he show it to you?—He showed it then.

42,307. Did you see Mr. Charles Michelmore put it down?—I was told he put it down.

42,308. You saw some money on the head of the cask?—Yes.

42,309. Where?—In the cellar.

42,310. How much money; did you count it?—No.

42,311. Was it in gold or notes?—No; mostly in notes.

42,312. Who was in the cellar at that time beside yourself?—Me and my brother-in-law were there.

42,313. Who is that?—Nicholas Norrish.

42,314. Did he tell you anything about it?—No.

42,315. He did not take the money off the cask then?—No.

42,316. Was Henry Bartlett in the house at the time?—I cannot tell.

42,317. Did you see him, in the course of that day, in the house?—No, I don't think I did.

42,318. How about the 20*l.*; you say that you heard that Mr. Michelmore paid Bartlett 20*l.*; was that in the same house?—No, Mr. Michelmore told me he sent 20*l.* by Bartlett.

42,319. To whom?—To Nicholas Norrish, his father-in-law, and he never paid it.

42,320. Was that the same money that was on the head of the cask?—No.

42,321. Have you spoken to Mr. Michelmore about this within the last day or two?—Yes, Mr. Michelmore spoke to me about it.

42,322. Did he come down to your house?—Yes.

42,323. What did he say to you about paying the money?—He spoke to me, and told me what my father-in-law told him was not correct.

42,324. What had he told you?—That he never had the 20*l.*

42,325. Did Bartlett have the 20*l.* for him, and he never had it?—He never had it. That was at the inquest, and it was between Mr. Michelmore and Bartlett.

CHARLES FREDERICK MICHELMORE recalled and examined.

C. F. Michelmore.

42,326. (*Mr. Bere.*) Is that so?—I went down to see a man named Tepson, whose wife had been murdered; he was staying at Watson's house, and Watson told me in the presence of his wife about this. He wished to speak to me. I said, "You had "better go into a private room;" he said, "Are you "aware that Bartlett has denied that he ever had "this sum of money on the top of the cask;" I then said, "Did you not show him the money;" he said, "I was present myself and saw you pay them that "sum of money. I did not count the amount you "paid, but Bartlett took it up. I cannot be answerable for the amount. My brother-in-law Norrish "had 75*l.*" We walked down the street, and a man called Mr. Knight said to me, "I saw him yesterday "morning, and then he told me he was in the house, "watching Norrish, for the purpose of talking him "away, but I forestalled him, and that when I came "from the back premises he heard me say it was a "something shame to have to pay voters such an "amount, and he knew that Parnell and that lot "were present at the time, and he was told afterwards "Bartlett went." I considered it due to myself to make these remarks, because they are corroborated by what I have already stated. Mr. Watson was present at the time when we had that conversation.

JOHN WATSON recalled and examined.

THIRTY-FIRST DAY.

J. Watson.

29 Sept. 1866.

42,327. (*Mr. Coleridge.*) Are you quite sure that Bartlett was not present in the cellar at that time?—I would not swear it.

42,328. He was present, was he not?—I don't know; there was a great mob there.

42,329. Had you seen him about the house at that time?—I had not been in the house 10 minutes.

42,330. Did you tell Mr. Michelmore, what he has just stated, the other day?—Mr. Michelmore has made a great mistake about that. My meaning was about the 20*l.* he paid in No. 1. I was present when he gave the money to Norrish.

42,331. Did you never see him give any money to Bartlett?—I am certain of it.

42,332. If you told him so; he has made a mistake?—There is a mistake about that; that is the other 20*l.*

THOMAS MATCHAM sworn and examined.

T. Matcham.

42,333. (*Mr. Bere.*) Are you the son of old Mr. Matcham?—Yes.

42,334. Where do you live?—At Turtley Farm, Ugborough.

42,335. How long have you lived there?—About six weeks.

42,336. Where had you been living before?—In Totnes.

42,337. What were you?—A farmer, cider merchant, and manure dealer.

42,338. Have you got a brother called James Matcham living at Torquay?—Yes.

42,339. What is he; an upholsterer?—No; a builder.

42,340. How long have you had a vote for Totnes?—Two years.

42,341. Was the last election the first time you ever voted?—Yes.

42,342. Who did you vote for?—Pender and Seymour.

42,343. Had you promised your vote to Dawkins and Pim?—No.

42,344. Had you been seen by them? Did they call upon you?—Colonel Dawkins had seen me. I never had any conversation with him.

42,345. What did he say to you about your vote?—Nothing at all.

42,346. Did he ask you for your vote?—He asked me for my vote, but I did not promise him.

42,347. What did you say to him?—I could not promise him.

42,348. Who was with him?—Mr. Kellock was with him.

42,349. Which?—Mr. Thomas Kellock.

42,350. When was it you told him you could not promise him?—Some little time before the election; a few days.

42,351. Had Mr. Pender called on you before then?—He had called on my father.

42,352. Old Thomas Matcham?—James Matcham. I had not seen Mr. Pender since the election.

42,353. Had you anybody to visit you?—Mr. Searle.

42,354. How much money did you have for your vote?—250*l.*

42,355. Was that for yourself?—That was for myself.

42,356. Who did you get it from?—Mr. Searle.

42,357. Where did you get it?—At Mr. Searle's house.

42,358. You know about the cheque Mr. John Heath gave?—I understood there was a cheque drawn in my favour.

42,359. Who told you that?—My father.

42,360. Had he been down to Mr. John Heath about it?—Most probably he had.

42,361. Did you ever see the cheque?—No.

42,362. Do you know that the cheque was sent over to Torquay?—I was not aware of it.

42,363. Did you get the money from Searle before you heard about the cheque, or afterwards?—After the election.

42,364. When did you promise Searle you would vote for Pender and Seymour?—I think the day before the election. He told me it would benefit me if I voted that side.

42,365. Have you voted for the council?—No, I never did. I lived myself out of the borough, 100 yards from the borough. I used to take an interest in the election proceedings.

42 366. Did your father give you assistance in settling your affairs for you after the election?—He did, in settling my affairs.

42,367. He was your surety?—Yes, he was one surety.

42,368. Was the 250*l.* enough to pay the debt to the bank?—No.

42,369. It went to your creditors, did it not?—Yes.

42,370. What did you pay; 7*s.* in the pound?—Somewhere thereabouts; 7*s.* 6*d.* I think it was.

42,371. You say you are a consistent Liberal?—I always have been.

42,372. Is that your handwriting (*handing to the witness the requisition to Mr. Dent*)?—Very likely I did sign it.

42,373. What made you sign it?—I understood him to be a Liberal-Conservative.

42,374. Who told you that?—I think Mr. Harris brought me the paper.

42,375. Did he tell you he was a Liberal-Conservative?—I do not say a Liberal-Conservative.

42,376. In what sense do you mean?—I really do not know; not an extreme either way.

42,377. Do you mean a Conservative with lots of money to spend?—I never asked him about it.

42,378. You knew your vote was a valuable thing to your father. Your vote had been valuable to him before?—I do not know that he voted before.

42,379. I think he did?—No, he never did.

42,380. Was there an understanding that he would get your father's vote as well as your own?—Not at all.

42,381. You had that?—But he never knew what I had until he saw it in the paper this week. He never had any knowledge of it, of what I had. I never told it to anyone.

42,382. (*Mr. Longe.*) Searle then made a mistake when he said the understanding was that both votes were to be bought?—Mr. Searle made this request to me. He said, "If I could get father to vote my side it "would be all the better." Nothing more than that. No promise of any money was made or held out for father's vote at all. I said, "If you could do anything for my "benefit I could get father to vote with me." Nothing more than that.

42,383. Were you examined by Mr. Tucker, of Ashburton, at the "Seymour Hotel?"—No, I never saw him.

42,384. Mr. Tucker, of Ashburton?—I know; he is a solicitor. I saw him at Mr. Searle's house.

42,385. Did he take down your evidence then?—Yes.

42,386. Did you sign it?—Most probably I did.

42,387. What did you tell Mr. Tucker; did you tell him, as to Thomas Searle, of Totnes, "at his "solicitation I voted for the Liberals, which was not "consistent with my principles"?—Yes.

42,388. Did you tell him, "I received no bribe or "offer of a bribe to vote"?—I might have told him I had not received any money. I should say, that Mr. Searle was the liquidator of my debts, and he kept it for me as the poundage. I never had the money myself.

42,389. (*Mr. Coleridge.*) Do you know whether that was all that was wanted?—I know father put 100*l.* to it beside; rather more than 100*l.*

42,390. (*Mr. Bere.*) Had you ever anything to do with an election before?—Never.

42,391. Did you ever influence anybody at a former election?—No, sir; never.

42,392. At the last election, was there any influence

sed by you to obtain a vote, excepting your father's ?—No; no one.

42,393. Was any money passed through your hands ?—None whatever.

42,394. (*Mr. Coleridge.*) Did you go to London at the time of the petition ?—Yes.

42,395. What did you go there for ?—I was requested to go.

42,396. Who by ?—The parties.

42,397. By whom ?—Mr. Chaster and Mr. Holman.

42,398. Where were you to go ?—I was told where to go to.

42,399. Who were you told to look after ?—I went to look after my father, he being an aged man, and he had not been to London for many years. I thought it proper that some one should be with him.

42,400. You were to take care of him and his evidence ?—No.

42,401. Had you no instructions ?—No.

42,402. What did you get ?—Nothing.

42,403. Did you pay your own expenses ?—Yes.

42,404. Did you pay your father's ?—Father paid for me.

42,405. Who paid your father's ?—I suppose, the parties who sent him.

42,406. Who was that ?—I think, Mr. Harris.

42,407. Who paid them in London ?—I do not know whether Mr. Travers Smith paid them.

42,408. What did he get for you, besides himself ?—Nothing for me. He got for himself, 15*s.* a day for the time, and 15*s.* a day for travelling expenses.

42,409. What had you ?—Not a farthing. Father paid my expenses. He never got anything for me; I am certain of that.

JAMES MATCHAM, senior, sworn and examined.

J. Matcham, sen.

42,410. (*Mr. Coleridge.*) What are you ?—I am farming now.

42,411. How long have you been a voter for Totnes ?—I only voted once for Totnes.

42,412. You never voted until this last time ?—No.

42,413. Which way did you vote ?—For Pender and Seymour.

42,414. What did you get for it ?—Nothing at all. I never asked for anything.

42,415. Was a present given to you ?—No, not the value of a penny.

42,416. Did you not get anything ?—No, I never received one farthing from anyone.

42,417. Your son was in trouble at that time, was he not ?—He was.

42,418. Did he tell you what they promised him ?—No.

42,419. How did you know about his getting the 250*l.* ?—When I saw it in the newspapers.

42,420. What did they take you up to London for ?—I do not know.

42,421. Who took your evidence before you went up ?—I gave no evidence to anyone.

42,422. Did not anybody examine you ?—No.

42,423. They summoned you without examining you at all ?—Yes.

42,424. Who did ?—Mr. Robert Harris. He gave me a summons.

42,425. Who gave you the money to go up with ?—He gave me a letter with a 5*l.* note.

42,426. Did you sign the requisition to Mr. Macleay or Mr. Dent ?—I signed it.

42,427. Have you always been a Liberal ?—I never voted before.

42,428. What made you sign the requisition to Mr. Dent ?—I do not know, I am sure.

42,429. Colonel Dawkins, was it not; not Mr. Dent ?—Yes.

42,430. Is that your handwriting (*handing the requisition to the witness*) ?—Yes, it is.

42,431. What made you sign this for a Conservative, if you were a Liberal ?—He said Mr. Dent was a very nice man, or something of that kind.

42,432. What did Mr. Harris say to you when he got you to sign this requisition ?—I refused at first. He talked a good deal about it, and it would be a good thing for Totnes.

42,433. How was it to be a good thing for Totnes ?—I do not know.

42,434. You know ?—No, I do not.

42,435. What did he tell you it would be a good thing in respect of ?—He was a very charitable man.

42,436. A liberal man ?—Yes, a liberal man.

42,437. With plenty of money ?—I cannot recollect that.

42,438. Did he tell you you were not bound to vote for him because you signed the requisition ?—No; other people signed it who did not vote.

42,439. You voted the other way ?—Yes, I did.

42,440. What made you do that. What was the inducement ?—My son persuaded me.

42,441. When you signed this thing, you had some talk with Mr. Harris about your vote ?—No.

42,442. Did you ever tell Mr. Harris you thought your vote was worth 200*l.* ?—No.

42,443. Did you ever say your son's vote was worth 200*l.* ?—I never did, or half that.

42,444. Did you say you thought your son's vote was worth a couple of hundred pounds ?—No.

42,445. Did you say nothing of the sort to Mr. Harris at any time ?—No.

42,446. What did you have given you for anything else ?—Nothing at all.

42,447. Or your sons, the last election ?—Not a farthing. An old man like me, 70 years old; I do not come here to swear false.

42,448. Was anything left at your house ?—No.

42,449. Is your rent forgiven ?—I live in my own house.

42,450. The reason you signed the requisition to ask a gentleman on the other side of politics to come to stand for the borough was, because your son persuaded you ?—That is it.

42,451. Did he not tell you it would be a good thing for him ?—He said it would be a benefit to get him out of trouble.

42,452. Did he tell you how he was to get out of trouble by voting for Pender and Seymour ?—Perhaps he would get a benefit.

42,453. Did he tell you what his friends were going to give him ?—No, he did not. I declare I never knew what he had.

42,454. Were you surety for your son at this time ?—Yes.

42,455. Did he tell you he would be able to get out of his trouble, and you would be able to get out of the suretyship ?—I was out of it before I went to the bank and paid the money.

42,456. When ?—Before the election.

42,457. How long before; be careful, because we shall have the bank-book, and we shall see. How long before do you think it was ?—I cannot remember.

42,458. Was it a week ?—A month or more, I should think.

42,459. How much were you surety for ?—200*l.* or 300*l.*

42,460. How much did you pay at this time ?—22*l.*, I think.

42,461. How did you pay it, in gold or notes ?—Gold and notes.

42,462. Where did it come from; did your son give it you ?—I received it.

42,463. Who from ?—Mr. Hamlyn, at my son's house.

42,464. Who is he ?—He keeps the "South Devon Inn."

42,465. Did he tell you where he got it ?—He paid me the money.

THIRTY-FIRST DAY.

J. Matcham, sen.

29 Sept. 1866.

42,466. For your vote?—The things he took from the "South Devon Inn."

42,467. When did your son repay you?—It was ours.

42,468. What did Mr. Hamlyn give you this for?—For the goods and things he took of my son.

42,469. He kept the "South Devon Inn"?—Yes.

42,470. Did your son, after the election, pay you that money back that you had paid for him?—No.

42,471. Does your son still owe you that money?—Yes.

42,472. Did he not give you any of the money he got for the vote?—No, I never received a halfpenny.

52,473. In fact, the reason you did vote for Pender and Seymour was, that he told you, if you did so, it would get him out of trouble?—It was that, nothing else.

42,474. Thomas Jacob Searle was the co-surety?—His father-in-law.

42,475. He was a co-surety with you?—Partly that.

42,476. Did he go with you to the bank when you paid off this money?—No.

42,477. How did you get rid of your suretyship if you only paid 200*l.*?—I paid the rest afterwards with my own money.

42,478. When did you pay the rest; how long before the election?—Since the election.

42,479. Did your son give you the money to pay it?—No, it was my own money.

42,480. Was it money you took out of the business?—My own money. I sold some property up the country, and took the money.

42,481. At the time your son got this money for his vote you had not ceased to be his surety altogether?—I cannot tell you that.

42,482. At the time of the election you were still his surety at the bank?—I suppose I was.

42,483. If you did not pay the money, the balance of it, till after the election, you still remained a surety?—Certainly I did.

42,484. At the time that he received the money for his vote at the election, you were his surety?—Partly.

42,485. (*Mr. Bere.*) Had your son been the landlord of the "South Devon Inn" before the election?—Yes.

42,486. Had he sold his stock just before the election?—At Midsummer, he agreed for.

42,487. When was the election?—July, was it not?

42,488. How early in July did he do it?—I am sure I do not know.

42,489. What did he do with the money he got for the stock?—I had the money.

42.490. You paid it into the bank?—Yes.

42,491. What do you mean by saying it was your money?—I did not say it was my money; I said I had it.

42,492. How much did you owe the bank after you had paid that sum of money in?—I do not know.

42,493. How much did you pay them the second time?—80*l.* or 90*l.*

42,494. How did you pay, in notes or gold?—Notes and gold.

42,495. Did you pay it in after the election or before?—I think it was after the election.

42,496. Had you not been down during the election to Mr. John Heath?—He is a friend of mine.

42,497. You went down to the "Seven Stars" before the election; how long before the election?—Not long.

42,498. You went down to the "Stars," did you not?—Yes.

42,499. Did not you tell Mr. John Heath that your son would vote for the Conservative candidates if he could get 200*l.*?—No, I did not.

42,500. Did you not say if he would, your son would vote for the Conservative candidates?—I did not, my son did, he said something about it.

42,501. Did you not yourself go down and say to Mr. Heath you would vote for the Conservative candidates?—I do not believe that I did.

42,502. Will you swear you did not?—I will not swear it.

42,503. Did not Mr. John Heath take out a cheque book and draw a cheque and give it to you for 230*l.*?—He never gave me the cheque.

42,504. Did he draw a cheque in your presence?—He drew a cheque.

42,505. In your presence?—Yes.

42,506. What did you do with the cheque?—I never had it.

42,507. It was given to your son James, who lives at Torquay?—Yes.

42,508. Was it given to your son by you?—No.

42,509. Was it given to your son James in your presence?—I do not know.

42,510. Was not the agreement that your son James should hold it until the election was over?—Perhaps it might be.

42,511. Was not that the agreement?—I did not make any agreement.

42,512. Did you hear that your son James was to hold the cheque until the election was over?—No, I did not.

42,513. Did either of your sons ever inform you that the money was to be held until the election was over?—I did not hear anything about it.

42,514. When you went away from Mr. Heath, did you intend to vote for the Conservatives?—I do not know, I am sure.

42,515. Did you?—If it had been fulfilled, perhaps I might.

42,516. Was it not in consequence of your son coming to tell you that Mr. Searle would get the money from the Liberals, that you went and voted for the Liberals?—It was by my son's persuasion I did vote, of course.

42,517. Did not your son come and tell you that he could get more money from the Liberals?—No, I never knew what he had, not until I saw it in the newspapers.

42,518. (*Mr. Coleridge.*) Are you quite sure that Mr. Heath sent for you?—Yes, he sent up.

42,519. Who came for you?—I was not in, a boy came up.

42,520. Who was the boy?—I did not see him, it was to "come down to Mr. Heath." I went into the office, and he said, "I cannot fulfil my promise to you."

42,521. That is another time, when you went and saw him; when Mr. Heath sent for you, when he said he had got, did he allude to your son?—I went to him.

42,522. You were not sent for in the first instance?—No.

42,523. The second time he said he could not fulfil it?—Yes.

42,524. With you?—The parties would not agree to it, he wanted security for it.

42,525. You went to see what could be done on the other side?—No, I never went at all.

42,526. He came to you?—My son's father-in-law said he would be a friend.

42,527. What did you say; you would be on the Liberal side, did you?—That was so.

42,528. Something would be done?—Get a friend.

42,529. For you or for your son?—I never got anything.

42,530. (*Mr. Bere.*) Were you not down at the "Seven Stars," and did you not go with Colonel Dawkins and Captain Pim on the hustings, and stay on that side?—I went on both sides.

42,531. Did you not first go on Colonel Dawkins side?—On both sides I went.

42,532. (*Mr. Coleridge.*) Did you ever have money on both sides?—No, I never did.

42,533. How late was it on the polling day that you made up your mind on which side to vote?—Half-an-hour before the poll.

42,534. At what time did you poll?—Sometime in the morning.

42,535. Before dinner time?—Yes.

42,536. When did you first know that Mr. Heath

would not pay the cheque ?—I do not know I am sure ; the day before the election, I suppose.

42,537. Was it the day before the polling day that Mr. Heath would not draw the cheque ?—I cannot say.

42,538. Was it the polling day ?—I cannot say.

42,539. Was it not during the polling day ; was it either on the polling day or the nomination day ?—A day or two.

42,540. Before the election, at all events ?—Before the election.

42,541. Was it not on the morning of the polling day ?—I cannot recollect.

42,542. Did not Thomas Jacob Searle come for you and your son to vote twice before you voted on the polling day ?—He did once.

42,543. He looked pretty sharp after you, to keep you on the right side ?—I do not know about that.

42,544. When did you tell him on which side you should vote ?—At the same time.

42,545. That was after he told you it would be a benefit for your son ?—He said "If you go along with me and your son, it will be a benefit to him."

42,546. What did you understand the first time you went to Mr. Heath, you went without being sent for then ; and the second time some boy came in your absence, and you went down, and then he told you he could not give you the cheque ?—Yes.

42,547. You went to see what you could do on the other side, and then you voted for the Liberals ?—That is about it.

42,548. (*Mr. Longe.*) When did you go to Mr. Harris ?—Go to Mr. Harris !

42,549. When did you speak to him before the election ?—I do not know that I spoke to him anything about the election.

42,550. Did you see Mr. Harris at all to speak to him before the election ?—I do not know that I did. I met him in the street. I never went to see him.

42,551. You did see him in the street ?—I have seen him very often.

42,552. You know him ?—Yes, I know him.

42,553. You are on intimate terms with him ?—Yes.

42,554. Did you see him two or three times before the election ?—I have seen him a great many times, of course, living in the same place.

42,555. Did you speak to him ?—Nothing about the election ; the time of day, and so on.

42,556. Do I understand you to say you never told Mr. Heath you should vote for the Liberals unless you got 200*l.* ?—No, never in my life.

42,557. Nothing of the kind ?—Nothing of the kind.

42,558. At no time ?—At no time ; never in my life.

HENRY RICHARDS sworn and examined.

H. Richards.

42,559. (*Mr. Longe.*) Are you a voter ?—Yes.

42,560. How long have you had a vote ?—1865 was the first time.

42,561. Who did you vote for ?—Dawkins and Pim.

42,562. What did you receive for your vote ?—60*l.*

42,563. Who gave it to you ?—Saunders.

42,564. Where did you get it ?—In a lane adjoining the "Seven Stars" hotel.

42,565. Did you sign a paper ?—No.

42,566. Who sent for you ?—I was not sent for at all, I met Saunders on the Plains.

42,567. Who first told you of getting money for your vote ?—No one.

42,568. Did you ask Saunders whether he could get you any money ?—No, never.

42,569. What took place between you and Saunders ?—I met Saunders on the Plains, and he told me he had got some money for me.

42,570. When was that ?— The nomination day, just after the nomination was over.

42,571. Had you known Saunders before ?—Yes, I have known him for years.

42,572. You are friends ?—Yes.

42,573. Do you mean to say that no conversation took place between you and Saunders about your vote ?—No, none.

42,574. Who had asked you to vote at the canvass ?—Colonel Dawkins and Captain Pim.

42,575. What did you tell them ?—I promised them both.

42,576. Were you canvassed by the other side ?—I saw Mr. Seymour ; I never saw Mr. Pender.

42,577. Did no one call upon you from the other side ?—No.

42,578. Did you meet anyone on that day, or did anyone speak to you about voting for the other side ?—No, Mr. Jeffery Michelmore was with him.

42,579. Did you speak to anyone besides Saunders about voting for the Conservatives ?—I passed Colonel Dawkins and Captain Pim.

42,580. Passed them. Did you speak to anyone else ?—No.

42,581. Do you mean to say you did not ask anyone to get you any money ?—No, never.

42,582. No one offered to get you any ?—No, I cannot name anyone.

42,583. You were saying that Saunders told you he had got the money ?—I did not know what he meant at first, he said, "Come here, I want you, I "have got something for you." I followed him.

42,584. What was it ?—60*l.*

42,585. Did he tell you what it was for ?—He said it was sent to me from a gentleman at the "Stars Hotel ;" he asked if is was "All right," and I said, "Yes."

42,586. He told you he had got it for you as a friend, he thought you would like the 60*l.* and he got it for you ?—No, he did not say that.

42,587. Did he sign a paper for you ?—He never said a word about a paper.

42,588. Did you see him sign a paper ?—No.

42,589. Can you write ?—Yes.

42,590. (*Mr. Coleridge.*) Did you sign the requisition ?—Yes, I believe I did.

42,591. Did you ever get any money for voting for the council ?—I never voted for the council.

42,592. Had you been employed at other elections ?—No.

42,593. As a runner ?—No.

42,594. (*Mr. Longe.*) Did you ever tell anyone you would vote on the other side ?—No, sir, never.

42,595. (*Mr. Bere.*) Saunders told you your vote would be a pretty good thing, and if you voted for the Conservatives you would have something ?—Never in my life.

42,596. (*Mr. Coleridge.*) Did Searle speak to you, before you promised Colonel Dawkins, about the election ?—No.

42,597. What was the conversation you had with Saunders about the election before this ?—I do not know that we had any conversation about the election.

42,598. Did he tell you that money was going ?—No.

42,599. When did you first know that money was going ?—I do not know.

42,600. Had you ever been down to the "Seven Stars" to inquire about it ?—No, not to enquire about money.

42,601. What did you go to the "Seven Stars" for, the day before the election ?—On the nomination day I was in and out many times to get a glass of ale.

42,602. You heard money was going ?—No.

42,603. When did you get the money ?—After the nomination was over.

42,604. You went in to spend some of the money ?—Yes.

42,605. Did you pay for anything you had ?—Yes.

42,606. Did anybody pay for anything that day ; was it not all put down generally ?—No one.

THIRTY-FIRST DAY.

H. Richards.

29 Sept. 1866.

42,607. So that is the way you began spending the money ?—Yes.

42,608. Did you owe Saunders money at that time ?—No.

42,609. What did you give him back for himself ?—Nothing.

42,610. Have you seen him since ?—No.

42,611. Have you spent all the money ?—No.

T. Potter.

THOMAS POTTER sworn and examined.

42,612. How long have you had a vote for Totnes ?—Since 1841.

42,613. How much money did you have for your vote ?—44*l.*

42,614. When ?—The night before the election.

41,615. What election ?—Colonel Dawkins and Captain Pim.

42,616. Who brought it you ?—I did not have it brought to me.

42,617. How did you get it ?—Mr. Heath paid me.

42,618. Where did he pay you ?—I cannot say, in his house, I suppose.

42,619. (*Mr. Coleridge.*) What did he pay it in ?—All gold.

42,620. Open ?—In my own hand.

42,621. Was it loose ?—Yes.

42,622. Not in a parcel ?—No.

42,623. Where ?—In the little room.

42,624. On the left or the right hand ?—I could not say.

42,625. What are you ?—I am a labourer.

42,626. What do you get a week ?—Half-a-crown a day.

42,627. Who made the bargain with you that you were to have 44*l.* ?—Nobody.

42,628. How did you come to go down to the "Seven Stars' ?—I was always a Tory all the days of my life, for 30 years.

42,629. Did Mr. John Heath call you out ?—No, he did not.

42,630. What did he say to you ?—He said to me, "Will you see me in the course of the day"?

42,631. Where did you tell him you would wait ?—In the tap room.

42,632. Did he come down to the tap room or send somebody ?—He sent a youngster down.

42,633. Who was the youngster ?—A little boy.

42,634. Was it his son ?—He said somebody wanted me. No son of his.

42,635. You went upstairs, did you ?—I did.

42,636. And saw Mr. Heath ?—I saw Mr. Heath.

42,637. Where did you see him, in the lobby ?—No, in the little room. I would not say whether the right or the left.

42,638. Was anybody else there besides Mr. Heath ?—Yes.

42,639. Who was that ?—Mr. Edmonds.

42,640. Did Mr. Heath pay the money out to you ?—Yes.

42,641. In gold ?—Yes.

42,642. Counted it out ?—He counted it out ; but I did not count it before I got down stairs.

42,643. Where did you count it first of all ?—I handed it to my wife.

42,644. When did you count it ?—I handed it to my wife.

42,645. How far do you live from the "Seven Stars"?—About a quarter of a mile, hardly that.

42,676. Up the hill ?—No, sir, I live down at Warland.

42,647. (*Mr. Coleridge.*) Are you quite certain Mr. Edmonds was in the room ?—Yes.

42,648. Do you swear that ?—Yes.

42,649. Did you sign any paper ?—No.

42,650. He gave you 44*l.* ?—Yes.

42,651. What did you do with it ?—Put it in the garden.

42,652. How did you manage that ?—Dressing and other things.

42,653. What size is the garden ?—Half an acre ; and a little I paid other ways.

42,654. Let us hear what you paid ?—Perhaps I paid part for rent.

42,655. What is you rent ?—10*l.* a year.

42,656. How much did you owe then ?—I did not owe half a year.

42,657. Who is your landlord ?—Mr. Bentall.

42,658. Did you pay him 5*l.* ?—I paid it to Mr. Harris.

42,659. Is it one of Mr. Rennie's cottages ?—Yes.

42,660. How much manure did you buy ?—I do not know.

42,661. How much manure did you buy, you say you bought it ?—I did not put it all on in that way ; it was spent one way or the other.

42,662. How much in manure ?—20*s.* or 30*s.* or 2*l.*

42,663. What did you do with the rest ?—I do not know ; I handed it to the missus. I cannot say anything more about it.

42,664. When did you first know about this money ?—When I got it.

42,665. You swear you got this from Mr. Heath in a room in the "Seven Stars" when Mr. Edmonds was present ?—Yes.

42,666. You swear that ?—Yes.

42,667. On your oath, did you ever receive the money at all, this 44*l.* ?—Yes.

42,668. Now again, you received this 44*l.* from Mr. John Heath at the "Seven Stars" ?—Yes.

42,669. And Mr. Edmonds was present ?—Yes.

42,670. You received it ?—Yes.

42,671. You swear on your solemn oath that Mr. Edmonds was present, and he saw the money paid ?—Yes.

42,672. And that Mr. Heath paid it ?—Yes.

42,673. If you swear that which is untrue, you will have to go to Exeter gaol for perjury ?—I am not abit afraid of that.

42,674. You swear distinctly Mr. Edmonds was present when Mr. Heath paid it ?—Yes.

42,675. Were you at work during the election or drunk all the time ?—At work, and I was as sober as I be now.

42,676. Who sent you up here to-day ?—I have been attending these three days here. Two or three days before to-day.

42,677. How many times have you voted, in all, how many elections ?—30 years.

42,678. Where is your summons ?—I have not got it with me, I have got it at home. Three days I have been summoned.

42,679. Can you read ?—No, I cannot.

42,680. Who told you you had been summoned ?—My missus read it to me.

42,681. Was that the sort of writing you received (*producing a copy of the summons form*) ?—Yes.

42,682. What did you get at the election before ?—I never voted.

42,683. Now here is another paper, did you get a paper like that too (*the second summons*) ?—I do not think I did, I cannot say. I got a second summons, but there was a paper before I got the second summons.

42,684. Did you vote at Dent's election ?—No.

42,685. How was that ?—I had no vote.

42,686. I thought you said you had voted for 30 years ?—For the town council.

42,687. What used you to get for voting at the town council elections ?—I have had one half-crown.

42,688. Did you ever get a pound ?—I cannot say that I did.

42,689. What is the most you ever got for voting at the town council elections ?—I do not think I ever had more than half-a-crown in my life ; it was sent to me for a Christmas present on Christmas eve.

42,690. Half-a-crown and a breakfast?—That is he only one I had all through my life.

42,691. Has your missus got any of this money still by her?—I do not know, I cannot tell you; I do not think her has.

42,692. Is that the gentleman (*pointing to Mr. Edmonds*) who was in the room?—Yes.

Mr. Edmonds recalled and examined.

42,693. (*Mr. Coleridge.*) You have heard that story, is it true?—It is not true. I never was present when any person received money.

42,694. Did you ever see this man at the "Seven Stars"?—I saw him during the election, when a meeting was going on up stairs. What other room he went into when he was paid the money, I do not know.

42,695. You swear it is not true that you were present when he was paid?—Decidedly.

Mr. John Heath recalled and examined.

42,696. (*Mr. Coleridge.*) Did you pay that man 44*l.* in Mr. Edmonds' presence?—I have not the slightest recollection of ever having paid him at all. There are two ways to the ball room; on the night before the nomination there was a large party drinking in the ball room, I should think 200 people, whether this man was among the number or not, I cannot say.

41,697. Did you pay him 44*l.*?—I deny it.

42,698. Have you any recollection of paying anybody that particular sum of money?—I have not.

42,699. You swear distinctly you did not pay him 44*l.*, or any other sum during the election?—I deny it.

42,700. And that you never paid him that 44*l.* in Mr. Edmonds' presence?—I am sure I never did.

42,701. Did any conversation of the sort take place at the election, at any time, when Mr. Edmonds was present together with you?—Never.

42,702. Not as to money or anything?—Not as to money or anything.

Thomas Potter recalled and examined.

42,703. (*Mr. Bere.*) Who was in the tap when you were sent for?—I dare say 40 or 50 people.

42,704. Can you mention the names of anybody who were there?—No, sir; I know my two sons were.

42,705. Did you go back into the tap room after you got the money?—Yes.

42,706. Did you tell your two sons what you had got?—I do not think I did.

42,707. Did you tell anybody what you had got?—No; I would not say that I did.

42,708. How long were you in the room, according to your story, with Mr. Heath and Mr. Edmonds?—I should think, not five minutes.

42,709. What conversation took place in the room?—Mr. Heath asked me what he had promised me to do the day before.

42,710. Had you seen Mr. Heath the day before?—I think I did; I would not say.

42,711. Where?—I think in the Mill Lane.

42,712. At Mr. Heath's?—Yes.

42,713. Had you known him before?—Yes.

42,714. To be often in the habit of talking with you?—Not much talking.

42,715. What did he say to you when he met you in the lane?—I do not know whether he asked me whom I would vote for.

42,716. Whom had you voted for at the last election?—I never voted only for the Tories; and when it was Mr. Condy's election, I was an out and out Tory always, all the days of my life. If they were up again, I would never do that if they gave me 100*l.*

42,717. You say there was some talking when you got into the room, had you shut the door?—That I would not say.

42,718. What room was it, should you know the room if you were taken to the "Seven Stars"?—Yes, I dare say I should.

42,719. Who were in the room?—Mr. Simmons.

42,720. Who else?—A man named Lee.

42,721. Had you been talking about this?—No.

42,722. To nobody?—No, to nobody.

42,723. (*Mr. Coleridge.*) Was your missus at home when you came away?—Yes, she was at home when I got away, and came up here in the morning.

42,724. Is she generally at home?—Yes, generally at home.

James Matcham recalled and examined.

42,725. (*Mr. Bere.*) Did you pay any cheques in to the banker?—Yes.

42,726. Whose cheques did you pay in?—My son's cheque.

42,727. When was it you paid it in, before the election?—I do not know of any. I cannot recollect.

42,728. Did you pay in any cheque of Mr. Brooking Cuming?—No.

42,729. Did you pay any cheque of Mr. Bourne's?—No.

42,730. Or Mr. Symong's?—No.

Thomas Matcham recalled and examined.

42,731. (*Mr. Bere.*) Did you pay money into the bank?—I paid money into the bank at various times.

42,732. Did you on the 28th of June 1865 pay in 225*l.*?—Father did.

42,733. It is entered in your name?—It is entered to my account.

James Matcham further examined.

42,734. (*Mr. Bere.*) How long after the election was it that you paid the second sum of money?—That I cannot tell.

42,735. Try and recollect?—I cannot.

Mr. John Heath further examined.

(*Witness.*) With respect to Potter as having been one of the parties alleged to have been paid at my house during the election, I have not the slightest recollection of ever having paid him. I most certainly deny having paid him. It is very possible some of the voters may have been drinking in the house during the election, and they were in an intoxicated state.

42,736. (*Mr. Coleridge.*) If you did pay him, how is it you did not take his I O U as you did from others?—I do not acknowledge that I did.

42,737. You do not deny that so explicitly as you deny that you paid him in the presence of Mr. Edmonds?—I have no recollection of ever having paid him at all.

THIRTY-FIRST DAY.

29 Sept. 1866.

Mrs. Potter sworn and examined.

Mrs. Potter.

42,738. (*Mr. Coleridge.*) Are you the wife of Thomas Potter ?—Yes.

42,739. Do you recollect his voting at the last election ?—Yes.

42,740. Did he tell you before he voted what he was going to get for his vote ?—Yes.

42,741. How much did he say ?—50*l.*

42,742. Did he tell you who was going to give it to him ?—No.

42,743. Did he tell you where he was to go to get it ?—No, he did not.

42,744. How much was it ?—44*l.*

42,745. Did he tell you who gave it to him ?—I think, Mr. John Heath.

42,746. When did he bring it home ?—The night before the election.

42,747. What did he do with it ?—He gave it to me.

42.748. All of it ?—No.

42,749. How much ?—43½*l.*

42,750. Did you pay for some manure out of it for dressing the garden ?—He did; he was to get that.

42,751. How much of it did you spend at that time ?—I do not know that.

42,752. Have you got any of it left ?—I do not know. I have got a little, not very much.

42,753. How much ?—6*l.* or 7*l.*

42,754. He told you at the time he was to get it before he got it ?—Yes.

42,755. What did he tell you about this 44*l.* instead of 50*l.*?—He told me that was all he got, and he would go and see the party again.

42,756. Did he do so ?—He told me he did, and it was no good.

42,757. Did he tell you who was present when Mr. Heath paid him ?—No, that was all he told me.

42.758. Did he tell you anything about a stranger being present when Mr. Heath paid him, and when he said he was to have 50*l.*, he said, "That is enough for a poor man ?"—No; I have got a bad memory.

42,759. You are certain he gave you the money ?—Yes.

42,760. Was it in gold ?—Yes.

42,761. (*Mr. Longe.*) When did he tell you he was going to have some money ? How long before the day he was paid did he tell you he was going to have some money ?—He did not say.

42,762. I thought you said he told you he was going to have some money for his vote ?—Yes, but he did not say when.

42,763. Do you remember how long it was before he brought the money that he told you he was going to have some ?—The day before.

42,764. When he told you that, did he tell you from whom he was going to have some money ?—No.

42,765. Did you not understand from him who he was talking of ?—No, not by his words; he never would tell me anything.

42,766. He told you he was going to have some money ?—Yes, he told me that. I think I heard him say Mr. John Heath.

42,767. When he told you he was going to have some, did you not talk to him ?—He did not tell me who he was going to have it of till after he got it.

T. Potter.

Thomas Potter recalled and further examined.

42,768. (*Mr. Coleridge.*) Do you recollect telling your missus, before you got the money, that you were to get 50*l.*?—No, I do not; I might say so.

42,769. When you got the 44*l.*, how much did you give your wife ?—I gave her all, but a sovereign I kept for myself.

42,770. She says half a sovereign ?—Perhaps it might be.

42,771. Did she ask you why you did not get 50*l.*? —I was very glad to get it and be a happy man.

42,772. Did your missus say, why did you not go ? —I said, I should not go.

42,773. When she told you it was not 50*l.*, did you say you would go back and see the person and ask for the other ?—I did not the same evening.

42,774. When did you ?—The next morning.

42,775. Whom did you see ?—Mr. Heath.

42,776. Was Mr. Edmonds there ?—No.

42,777. Where were you ?—In the passage. I told him it was not as much as he promised.

42,778. What did he say to that ?—He did not make any answer.

42,779. You have never got it yet ?—I never shall have it.

42,780. Who promised you the 50*l.* in the first instance ?—I said, I should get it.

42,781. Who told you you could get it ?—I do not know; three or four.

42,782. Who told you to go to Mr. Heath for it?—Nobody did tell me.

42,783. What made you say 50*l.*?—Three or four other voters.

42,784. Who told you ?—I cannot tell who did it; it was all the talk.

42,785. From the talk you heard you expected to get 50*l.*, and you were disappointed that you did not get more than 44*l.*?—I was not disappointed at all.

42,786. You thought it a good day's work ?—I thought it was.

Adjourned to the 25th October at 10 o'clock.

THIRTY-SECOND DAY.

Thursday, 25th October 1866.

Mr. JEFFERY MICHELMORE recalled and further examined.

42,787. (*Mr. Bere.*) I think on the last occasion asked you to bring all the letters that had passed between you and Mr. Seymour since September 1862. Have you done so?—Yes, every one.

42,788. You are the steward of the Duke of Somerset?—I am.

42,789. For all the property in Totnes?—Yes.

42,790. Have you any other property under your control?—Not of the duke's.

42,791. For what others are you agent?—For Lord Macclesfield, Lord Cranstoun, Mr. Newman, and Captain Ridgway; those are the principal.

42,792. How long have you been steward for the Duke?—Since the death of my father.

42,793. When did he die—In May last.

42,794. How long had he been ill before his death?—His last illness was about three months. He was invalided about the time of the election of 1865.

42,795. What was the matter with him then?—I could not tell you what it was, but he could not stand any excitement at that time; it was rather a disease of the heart.

42,796. Was it the beginning of an illness which terminated in his death?—No, I think it was quite a different illness that he died from.

42,797. Although you did not become the agent of the Duke of Somerset before his death, you were in his office as a partner?—Yes.

42,798. How long before?—Since 1858.

42,799. Had you been brought up as a clerk in his office?—No, I was not.

42,800. Have you any other profession besides being steward?—No.

42,801. Since 1858 you acted as his partner, and the accounts were kept as Michelmore & Son?—Yes.

42,802. At that time who were the clerks in your father's office?—Mr. Cross, Mr. Callard, and our present clerk.

42,803. When did Mr. Prout come into the office?—About 1861. I cannot recollect.

42,804. Have you had anything to do with elections for Totnes before 1858?—No.

42,805. The first election you had anything to do with was the election of Lord Gifford and Mr. Mills in 1859?—Yes.

42,806. What part did you take in the election?—I think I canvassed with Lord John Hay on behalf of Lord Gifford.

42,807. Lord Gifford was not down here?—No.

42,808. Were the independent and the ducal party at that time united or not?—The ducal party and the independent party were united.

42,809. Had you a joint committee?—We had no committee whatever.

42,810. Did the supporters of the independent party and the ducal party meet together in one place?—Yes.

42,811. At this hotel?—Yes.

42,812. They consulted together as to the best steps that should be taken to return two Liberal members?—Very little was done that way. Lord Gifford's party kept entirely distinct.

42,813. What had you to do besides canvassing at that election?—I made out and settled the accounts after the election.

42,814. Have you a copy of the accounts?—No, I have not.

42,815. Are they in the books that you have furnished us with?—No.

42,816. Have you the book?—Yes, I have a book.

42,817. We should like to have it. Can you tell us from recollection what sum of money Lord Gifford spent on that occasion?—Somewhere between 300*l.* and 400*l.*

42,818. Was that all he spent?—Yes.

42,819. Had you anything to do with Mr. Mills's account?—Nothing whatever.

42,820. Who was manager for Mr. Mills?—Mr. Brooking Cuming.

42,821. And Mr. Windeatt and the gentleman of whom we have heard?—Yes.

42,822. From 1859 down to 1862 did you, as one of the partners of Michelmore and Son, distribute the subscriptions which Lord Gifford gave to the charities?—Yes.

42,823. Did you keep the accounts against him?—Yes.

42,824. At that time who paid the registration expenses?—The Duke of Somerset.

42,825. For how long has the Duke of Somerset paid the registration expenses?—Ever since I can remember.

42,826. He paid them as Lord Seymour when he was the Liberal member for Totnes, and continued to pay them afterwards?—Yes.

42,827. Do you mean by "the registration expenses" a share, or that he paid all?—The duke only paid for one member.

42,828. Take one account and go through it. Take the account of 1859, in which there is a charge of 33*l.* 7*s* 4*d.*, and there Mr. Tucker's charge is five guineas. Was he advocate before the revising barrister?—Yes.

42,829. Had he also a fee of five guineas from Mr. Mills?—Yes; I think he took the leadership in the court, and was paid five guineas by each party.

42,830. Mr. Charles Frederick Michelmore, did he get five guineas also?—Not from each party, only the other party.

42,831. I see a payment of 20*l.* to Mr. Shute?—That was an annual payment for looking up the registration during the year.

42,832. Was that the Mr. Shute who was examined as a witness?—Yes.

42,833. (*Mr. Longe.*) Did he look up the registration for the Liberals?—Only for the duke; nothing to do with Mr. Mills.

42,834. Did he look after the Tories, and throw out votes as well as support votes?—Yes.

42,835. He was paid by the duke?—Yes.

42,836. (*Mr. Bere.*) Would he have assisted to protect the voters of one of the independent party?—You mean Mr. Mills' party?

42,837. Yes.—Nothing to do with that.

42,838. He would merely take care of the votes of the ducal interest?—Yes, and he signed the objections.

42,839. Up to what day did the duke pay?—He paid up to 1863.

42,840. In 1863 what was the reason of the alteration?—The duke did not care any more about the borough.

42,841. Did you know of any arrangement that made the duke careless about the borough?—No.

42,842. Were you not present at a meeting held at the end of 1862, when Mr. Chaster and Mr. Holman and some other gentlemen on that side met with you or your father, and discussed the prospects of the Liberal party?—I was not there the whole of the meeting. I came in at the end.

42,843. You remember there was a resolution to the effect that the independent Liberal party should be allowed one member and the ducal party another?—I do not think it was that way. I think the resolution was that the elections were to be paid jointly.

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Mr. I. Michelmore.

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and if they could only carry one candidate they were to decide which it was to be.

42,844. Did you make an application to Mr. Seymour to pay those expenses?—Yes.

42,845. Did you receive any intimation from the duke that he would not pay his share of them?—I think my father saw him at Stoner.

42,846. Was that at the end of 1863?—At the end of 1863. He agreed to pay for before 1863, but not after.

42,847. Did he pay in 1864?—No.

42,848. Do you know whether in consequence of that conversation of your father's with the duke, a communication was made by your father to the independent Liberal party in Totnes?—In what way?

42,849. Communicating to the party the views of the duke with regard to the future management of the registration?—I never heard of any.

42,850. Were you never present at any meeting of the Liberal party summoned to consider such a communication?—No; we had a meeting when Lord Gifford's death was expected.

42,851. That was in 1862?—That was in 1862.

42,852. I want to call your attention to November 1863. Do you remember whether or not your father saw the duke at Stoner?—No, I think the letter of the duke will state when he was at Stoner. I do not recollect the month myself. I know it was about the end of 1863.

42,853. Had there not been a consultation among the Liberals as to having not a joint committee but several committees for the two candidates?—No.

42,854. Are you quite sure about that?—I never heard of it.

42,855. Did you know that your father met Mr. Chaster and Mr. Carey about that time?—No.

42,856. And that he had a conversation with them?—I never heard of it.

42,857. Did you not at that time know that there was a scheme for a separate committee?—No, sir; I always understood the other way.

42,858. On receiving that intimation from the duke with regard to the registration expenses I suppose they were entered in a different way?—No. After that they were put together. I do not recollect which way it was. Mr. Windeatt and Mr. Chaster met and agreed that both parties should pay a certain amount. I agreed as to the portion we were to pay, and they would have to pay on the other side their share. The whole of the accounts were agreed to in one total. Mr. Seymour paid his share, and the money is entered in my book.

42,859. Was not a lump sum agreed for?—No lump sum.

42,860. Certain payments were to be made by you on behalf of Mr. Seymour, and a certain share by the other party?—Yes, a certain share on behalf of the Liberal party.

42,861. Whose handwriting is that (*pointing to an entry in a book*)?—Prout's.

42,862. The registration expenses which the duke paid never having exceeded 40*l.* a year, how did it happen that in 1864 Mr. Seymour's share of those expenses came to very nearly 600*l.*?—We had a very different game to fight; we had opposition in every way. Before that we never had. We used to get the registration over in about five or six hours. Latterly it has lasted a week or ten days.

42,863. Was it in consequence of the opposition you meet with that you give that as the only reason for the increase of the expenditure?—Yes.

42,864. What item did you charge against Mr. Seymour as registration expenses?—I think I paid the lawyer's bill, and I paid the hotel bill, and certain rents that were due.

42,865. What was it, for a field?—For some land taken in hand from Lady-day for the purpose of making votes in and after July, and the land being in in hand from Lady-day the rent was paid by the Liberal party. I have 10 guineas charged in the accounts paid to Mr. Searle to keep a house in his possession. That arose from having had notice to leave by the other party. When the notice was given it was found that it was not legal, and the rent was paid to keep the house on till the 31st of July.

42,866. Had the Duke of Somerset at any time paid the registration expenses in connexion with the council elections?—I think so at one time.

42,867. I find that in the account with Mr. Seymour you charge 19*l.* 5*s.* for Mr. Cuming, town council election; how was that disbursed?—I think it was paid away to men for their votes. We had nothing to do with it, and never took any other part in the council elections but being ready to find the money.

42,868. "William Sloggett, cash 6*l.*" What is the meaning of that?—The poor fellow was in great distress at the time, I believe he had some heavy difficulties on him, and one morning he asked me to give him some little money, and I gave him 6*l.*

42,867. And you charged it to Mr. Seymour?—No.

42,870. Your charge is, "Totnes registration, 6*l.*?"—Yes. I will explain it in this way. Then the registration expenses came under different heads, but we found it impossible to continue that. The accounts got mixed up with each other, and so we discontinued it. That is the reason of that payment.

42,871. But you sent in an account to Mr. Seymour of your expenses on account of registration?—No, I do not think I did. I do not think I ever sent in any copy of it. I showed him the account when he came down.

42,872. You must be careful. Did not you, or your clerks under your direction, furnish Mr. Seymour with an account of how the money claimed by you from him on account of registration expenses had been expended?—I do not recollect. I may have done so. I should not have hesitated to have done so. I cannot swear positively that I did, and I cannot swear that I did not. I recollect sending in an account the first election, and I think at the end of that account a portion of the registration expenses were added.

42,873. Do you know that account so sent in to Mr. Seymour did not contain the items which you have just alluded to, such as "J. Searle, half-year's rent of house agreed to be paid?"—I cannot swear, I cannot recollect.

42,874. Will you undertake to say of your own knowledge that the account you sent in to Mr Seymour for registration is identical with the account in your ledger?—No.

42,875. Was it not an account which prevented Mr. Seymour from learning truly how his money had been spent, and was it not sent in for the purpose of preventing Mr. Seymour knowing what money had been spent?—No, certainly not.

42,876. Do not you know that that account which was sent in to Mr. Seymour was an account of moneys chiefly disbursed in the payment of retainers, and fees to attorneys?—That was the first account, and then I think on the back of that account—I am not sure—there were certain registration expenses which were added. Mr. Seymour, when that account was sent in, did not settle it, and he came down here some time after.

42,877. Just look at that account (*handing an account to the witness*)?—Yes, that is the account. That at the back was added afterwards.

42,878. This is not the only account you have sent in to Mr. Seymour. This is an account for election expenses, not an account of registration expenses at all?—I do not think I have sent in an account for registration expenses.

42,879. Are you sure you did not?—I feel almost certain about it.

42,880. Two accounts were presented to Mr. Seymour when he was under examination, the account in your ledger, and an account professing to be a similar account of moneys expended and paid for Mr. Seymour, and Mr. Seymour compared them and they did

not tally. How can you explain that ?—Two accounts coming from our office ?

42,881. Yes.—I do not know whether there was any account sent to Mr. Seymour before we divided the accounts.

42,882. Mr. Seymour said he paid 250*l.* for registration expenses ?—Yes.

42,883. (*Mr. Coleridge.*) This question was put to him, "You were not aware that you had paid such an "an item ?—I was aware that I had paid 250*l.* "But not that item. Then the next is, 'John "Tozer, a loan, 20*l.*' Do you think that that is a "proper sum to be included in registration expenses ? "Have you received that loan back ?—No. The next "is, 'J. T. O. Tope, for repairs of Diptford Cottage, "10*s.*' It is a curious item. Then 'Mrs. Beazley, "hotel registration expenses, 72*l.* 6*s.* 8*d.* ?'—I "remember at the time I believe that Mr. Pender "and myself both spoke very strongly about certain "hotel expenses going into the registration account "and we were aware that there were large sums for "hotel expenses. 'May 8th, 1865, Bindon, gift in "sickness, 5*s.*" Then generally he says, these did not appear in the account which he then held in his hand ?—No, I do not think he ever had a copy.

42,884. But he had a copy which tallied exactly in point of gross sum with this account here. Do you recollect making out that account ?—No, I do not. You see, when that registration account was made up it was all made up, the whole of the registration expenses were made up and divided afterwards ; each party had to pay so much, and very likely in sending in this account to Mr. Seymour I may have sent in an account belonging to the other party.

42,885. There is an item here, "J. B. Prout, cash, council election, 50*l.*?"—Yes.

42,886. How was that expended ?—That was paid to Mr. Windeatt on the 1st November. Mr. Windeatt showed me a letter he had received from Mr. Seymour authorizing him to come to me to be paid 50*l.* The cheque was drawn in Prout's name and he cashed the cheque and handed the cheque to Mr. Windeatt.

42,887. It was drawn in Prout's name, and he cashed the cheque and handed it over in order that nobody might know about it ?—No, it was drawn and given to the clerk, and he took it to the bank.

42,888. I see you paid Mr. Edmonds and Mr. Floud the sum of 150*l.* ?—Yes.

42,889. "72*l.* 6*s.* 8*d.*, Mrs. Beazley, hotel, registration expenses ;" what is that ?—That is rather a large account ; it arises in this way, the advocates were staying in the house while the registration was going on, and in addition to the advocates a great many friends of the parties dined there every night, and also took their meals, and there were luncheons provided for the parties day after day, and things of that kind swelled it up, and we were certainly charged very high for it ; we grumbled about it, but we could not get anything taken off.

42,890. There is an item to James Rose ?—That was a room we used in the town as an office on market days, and it had no window blinds, for we did not use it in the evening at all, and we used to meet there in the evening to make up the registration matters, and parties wish to have blinds put up.

42,891. And so you had the blinds put in ?—Yes.

42,892. Then "Thomas Bindon, gift in sickness ?" That was to a man, not a voter, living up here in the manor of Bridgetown, and when Mr. Seymour was down here the wife came and spoke to him, and he requested me to give him something.

42,893. Then Robert Jackson delivering election papers for guardians ; what has that to do with voters ?—We used to contest the election of guardians. The last few years we have fought everything.

42,894. "Tozer, 20*l.*," what is that ?—Tozer up here, a shoemaker, when he first went into business was rather hard up, and, like all ten-pounders, independent, and he applied to Mr. Chaster for some money, and we advanced him 20*l.* and he gave his note of hand.

42,895. (*Mr. Coleridge.*) Have you ever been repaid it ?—No, we still hold the note of hand, and do not expect to get the money.

42,896. (*Mr. Bere.*) At the election of 1859 did any of the duke's tenants vote against the duke's interest ; Mr. Dunn's election ?—(*Referring to a paper*) I see I made out a list of notices, and the only person seems to be Mr. Kellock.

42,897. Is that the surgeon ?—Yes.

42,898. He was in possession of some land ?—He had a field.

42,899. What value was the field ?—14*l.* a year.

42,900. He voted for Mr. Dunn ?—He always voted for the Conservatives.

42,901. And received notice ?—Not on account of that.

42,902. But he did receive notice ?—Yes.

42,903. How long after he had given his vote ?—I do not recollect how long after the election took place.

42,904. What was his tenancy ?—He had notice at Michaelmas.

42,905. You say it was not on account of his vote ?—No.

42,906. On what account was it ?—There were two reasons; one was, that he only kept a pony, and he had given up his pony six months, and had stocked his field with other people's cattle ; and the other reason was that we had great difficulty in getting the rent.

42,907. What did you do with the field after you got it into your own hands ?—I forget ; it is let to another party.

42,908. You made votes of it ?—The field made a vote.

42,909. Only one ?—Only one.

42,910. Was there a building on it ?—Yes.

42,911. What sort of building is it ?—A double linhay with a loft over.

42,912. Are there doors to the linhay ?—Yes ; I do not know whether there are doors to the under part, but to the floor over the loft.

42,913. Was he the only one of the duke's tenants who was interfered with after that election in 1859 ?—Yes.

42,914. (*Mr. Longe.*) Did you say you had looked over the books and got all the notices ?—I have made out a list of parties who had notice.

42,915. Every notice from the time that took place ?—Yes.

42,916. That is independently of what took place after the election ?—Yes.

42,917. (*Mr. Bere.*) After the election of 1859 I understand that no notice was given to any person except Mr. Kellock ?—Except Mr. Kellock.

42,918. Was there any one of the duke's tenants who voted for Mr. Dunn except Mr. Kellock ?—I cannot answer.

42,919. Is not it the case that there was none other ?—I do not know at all.

42,920. Have you a list of voters in 1859 who were tenants of the duke's ?—No.

42,921. Would it be any great trouble to make that out ?—If I had a poll list I could tell you who were tenants of the duke at that time.

42,922. Will you mark with a cross the names of the persons in that list who were tenants of the duke at that time ? (*The witness marked the names in a poll list for* 1859.)

42,923. As far as you know, was there any notice served on any one of those tenants after the election of 1859 ?—No.

42,924. With the exception of Mr. Kellock ?—No ; I have looked over the notices we have got in the office, and those which are here are all I can find.

42,925. Have you a list of the notices ?—Yes (*it was handed in*). It is just a list made from these (*referring to some papers*).

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Mr. J. Michelmore.

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42,926. All the names which are in these notices are in here ?—Yes.

42,927. That is all you had to do with the election of 1859 ; what did you do at the election of 1862 ?—That is Mr. Pender's election ?

42,928. Yes.—I canvassed then.

42,929. You did more than canvass ?—I did a little more than canvass.

42,930. What did you do besides ?—I do not know ; I did not do much besides canvass with Mr. Pender, and after the election was over I distributed some money.

42,931. How much did you distribute after the election was over ?—I had 289*l.*

42,932. What did you do with that ?—I gave 50*l.* to a man called John Elliott to pay. I do not know who the parties were who had the money.

42,933. Was it given to him in gold or notes ?—I do not recollect.

42,934. Was it given to him with any orders from you as to how he was to distribute it ?—No, I think it was a draft for 289*l.* placed in my hands before the election.

42,935. Who gave it to you ?—Mr. Cuming I think.

42,936. Whose signature was to the cheque ?—I do not know whether it was a cheque.

42,937. It was paid into the bank ?—189*l.* was paid into the bank, and 100*l.* I paid off immediately in cash.

42,938. Why was the sum of 289*l.* paid to you, it was rather an odd sum ?—It appeared to me the money was sent down in draft, and that was the amount of that draft.

42,939. By whom was the draft drawn ?—I cannot recollect.

42,940. Mr. Pender has told us that it came down through Mr. Webber, was it drawn on Mr. Webber ?—I do not think it was.

42,941. Was it drawn by Mr. Webber ?—No, some stranger ; it was paid into the National Provincial.

42,942. To your account ?—To my account, and 100*l.* taken out in change. There was an entry in my book of cash 189*l.*

42,943. Did you pay any money during that election ?—No.

42,944. Or promise any ?—No.

42,945. Did you not promise Gillham something during the election of 1862 ?—No.

42,946. That you are sure of ?—Yes.

42,947. Or did Mr. Mitchell ?—No.

42,948. Did you canvass Gillham in 1862 ?—I should not think of offering him any money, he was an out-and-out Tory.

42,949. Do you remember a man of the name of Johns coming to you about Gillham's vote ?—No.

42,950. You know nothing at all about that ?—I have seen that Gillham stated in his evidence that I had offered him money, but that is untrue.

42,951. You never did offer him any money ?—I never did.

42,952. Did you go to see him ?—Nothing more than to canvass him.

42,953. Did you not ask him how much he wanted ?—I never should have thought of asking him anything of that kind. Gillham at each election was always lying about half tipsy or in a half stupid kind of state.

42,954. (*Mr. Coleridge.*) Why would you canvass such a man as that ?—We make it a rule to canvass everybody.

42,955. Did you canvass Mr. Edmonds ?—Yes.

42,956. And Mr. Heath ?—Yes.

42,957. (*Mr. Bere.*) You have heard that Gillham has stated that you offered him this money ?—I saw it in the newspaper.

42,958. This is what Gillham states : "Were you "offered anything to vote for him ?—No, not for Mr. "Dent. Were you offered anything to vote for Mr. "Pender ?—I had an interview with the parties at "the 'Seymour' hotel, Mr. John Mitchell, Mr. Jeffery "Michelmore were present. What was the conversation ?—They asked what is your figure ? I said "150*l.*, and I left. The next morning Mr. Mitchell "called at my house, saying that my offer was re-"jected on account of Mr. Dent's resigning." Do you remember anything about that ?—No, I do not think we have had an election for the last few years at which Gillham has not been present.

42,959. To see what he could get ?—No ; merely as a spy.

42,960. Then you deny that any such conversation as this took place ?—I am positive it did not.

42,961. Did you see a man of the name of Lake ?—Yes ; I saw him canvassing with Mr. Pender.

42,962. Did you promise him any money ?—No.

42,963. Or anything in the shape of a consideration ?—No ; I can tell you how that occurred. We were going down at the back of this hotel, and we met Lake coming round with a gentleman ; we had called at his house before, but he was not at home. Mr. Pender asked him for his vote, and he said that he would not promise him his vote ; that if the duke's candidate had come forward he should have supported him, but that he did not think he was bound to support Mr. Pender ; he said, I think I should not be justified in doing that, as I have been offered a good sum by the other party. Mr. Pender then said, "Do "not vote against me and you shall be taken care "of." After we left the man Mr. Pender said, "Do "not let that be forgotten." Nothing more than that was said. When he came to pay his rent, without saying anything more I had a cheque drawn for 20*l.* which I gave him.

42,964. In the entry here the rent is put down as 20*l.* with your initials underneath ?—I gave him the 20*l.*

42,965. It is put down here as if it had been allowed him out of his rent ?—The cheque for 20*l.* was paid to him.

42,966. And he handed it back to you as for his rent ?—Yes.

42,967. Was the cheque which you gave to him signed by you in your own name ?—Yes, it was.

42,968. (*Mr. Coleridge.*) Was this 20*l.* given to Lake in fulfilment of a promise given by Mr. Pender during the election ?—Yes ; I do not mean to say that Mr. Pender promised him any money.

42,969. But in consideration of the promise of Mr. Pender you paid him this money ?—Yes.

42,970. And you considered that that was the amount which he ought to have been paid ?—Yes.

42,971. The sum was left to your discretion, but the command to do something for him was given by Mr. Pender ?—It was given in that way.

42,972. And Lake was there at the time that Mr. Pender mentioned this to you ?—Yes.

42,973. I suppose you knew that was enough to unseat Mr. Pender ?—Yes.

42,974. Is that your handwriting (*referring to a book*) ?—Yes.

42,975. He passed you 20*l.* in notes and 10*l.* in gold, and that is your cheque (*referring*) ?—Yes.

42,976. You afterwards charge that 20*l.* note not against Mr. Pender but against Mr. Seymour ?—No.

42,977. Just look at that book ?—It is not charged against Mr. Seymour, and I shall prove it.

42,978. You opened an account with Mr. Seymour on the 1st January 1863 ?—Yes.

42,979. And the first time you place anything to his credit was a sum of 189*l.*, which you say you received from Mr. Pender ?—Yes.

42,980. Why did you put that 189*l.* to Mr. Seymour's credit ?—It was unintentionally done. I paid it as money received under the election, and that is the only account that we have of the election.

42,981. But why enter it to Mr. Seymour and not to Mr. Pender ?—I cannot give you any reason.

42,982. Why did you not pay it back ?—Because the money was promised to be paid to different parties.

42,983. To whom ?—There was 100*l.*

42,984. You paid 50*l.* to Elliott ?—Yes.

42,985. Who was that through ?—40*l.* was paid to a man named Farley.

42,986. What was he to do with that ?—He had to give his own vote.

42,987. What became of the other 10*l.* ?—I cannot tell you. I fancy it was paid to a man named Pack.

42,988. The boots at the "Stars ?"—No; a man at the high end of the town.

42,989. Was it paid for his vote ?—Yes.

42,990. Was that in consequence of any conversation that you had had with him ?—No.

42,991. Who made the arrangement ?—I cannot say. I think it came through Mr. George Parrott.

42,992. Who made the arrangement with Farley ?—I cannot tell. I was told to pay it to Mr. Perrott, the tailor of Bridgetown.

42,993. Where did you receive the 289*l.* ?—I received it here in the hotel.

42,994. Had there been any understanding as to what sum was to be paid to you, and what sum was to be paid to the other Liberal canvassers ?—Not that I am aware of.

42,995. Did you get the 289*l.* without being told what you were to do with it ?—No, I had 289*l.*; that was more than was required at the time, I did not cash the cheque for some days. I had it before Mr. Pender's election, and when I cashed the draft 100*l.* was wanted immediately, and the remainder was placed to be taken out afterwards.

42,996. You paid the money to Elliott ?—Yes.

42,997. You directed him what to do with it ?—No.

42,998. What did he do with it ?—I do not know.

42,999. Do you know that there were large amounts paid after Mr. Pender's election by letters containing notes ?—No.

43,000. You never sent any letters ?—No.

43,001. (*Mr. Coleridge.*) Who told you to pay Farley ?—I do not recollect.

43,002. Who may it have been ?—It might have been Mr. Pender, but I do not recollect the transaction.

43,003. Somebody told you what you were to do with the 100*l.* ?—I was told that the money would be wanted.

43,004. Who told you ?—Mr. Cuming.

43,005. Did he tell you whom it would be wanted by ?—That I would be applied to by the different parties.

43,006. What party would you have to pay it over to ?—The parties who came.

43,007. Then if a man came for 50*l.* you knew he was to have 50*l.*, and if he came for 10*l.* he was to have 10*l.* ?—Yes. 50*l.* was paid to Elliott.

43,008. How did you get rid of the 40*l.* ?—It was paid to Mr. Perrott.

43,009. He was to pay it to Farley ?—Yes.

43,010. When was that ?—A day or two after Mr. Pender's election.

43,011. Were Farley, Pack, and Elliott all paid on the same day ?—That I cannot say.

43,012. How many different times ?—Only two.

43,013. Elliott came to you himself ?—Yes.

43,014. Perrott came to you for Farley's money ?—Yes.

43,015. Was that the same day ?—Yes.

43,016. How long was Farley paid after the election,—a day or two ?—Yes.

43,017. How long was Elliott paid after the election ?—I cannot say.

43,018. A day or a week ?—It may have been a day or a week.

43,019. About how long ?—A week.

43,020. Perrott got his money before Elliott got his ?—I cannot say.

43,021. Perrott got his money a day or two afterwards ?—Yes.

43,022. There were three transactions, Perrott, Pack, and Elliott, all within the week ?—Yes, I should think so.

43,023. Who paid Pack ?—Prout I think.

43,024. Did you pay Prout ?—Yes.

43,025. Perhaps you will tell me how you knew these were Pender's men ?—They promised to vote, and they also voted for him.

43,026. Do you know any other men besides these three who were paid between the two elections ?—Yes.

43,027. These are the only three that you can remember ?—Yes.

43,028. (*Mr. Bere.*) Do I understand that you had nothing to do with any other payments except what you have told us, directly or indirectly ?—I paid out 189*l.*

43,029. When did you do that ?—Some time afterwards. It was paid by cheques entered in the books.

43,030. How did you dispose of that ?—30*l.* paid by Mr. Charles Michelmore for a man named Samuel Hill.

43,031. Can you by looking at that ledger say which items belong to the 189*l.* ?—The first cheque is to selves, 50*l.*, that is for Charles Michelmore.

43,032. Is not the first to Prout for election expenses ?—Yes, but that is not on account of that election.

43,033. Your account with Mr. Seymour begins on the 1st of January, and the first item on the debit side is the 12th January 1863, so that all other accounts of 189*l.* must have come after Mr. Seymour's election ?—Yes.

43,034. There was 189*l.* of Mr. Pender's money not expended at Mr. Seymour's election ?—Yes, promised, but not paid.

43,035. Will you tell us how it was promised ?—Money was promised by different parties; for instance, Charles Michelmore promised Hill 40*l.* The next item is, Cross 10*l.*

43,036. What was that for ?—A gift for assistance during the election time.

43,037. That is not paid till the 16th Feburary ?—It was some time afterwards.

43,038. How do you discriminate between the "afterwards" at Mr. Pender's election and Mr. Seymour's election ?—It was paid each time.

43,039. It was paid on the 16th February, and that may be for Pender's election or for Seymour's ?—It was for Mr. Pender.

43,040. By entering the money in the way that you have done you have put yourselves in an awkward position with regard to the account. The first is the 16th January, and you debit yourselves with 1,000*l.* on Mr. Seymour's account ?—Yes.

43,041. All those payments which are made subsequent to the 16th January are made out of a sum of 1189*l.*, composed partly of Mr. Pender's and partly of Mr. Seymour's money ?—Yes.

42,042. How could you tell whether the money was drawn from Mr. Pender or from Mr. Seymour ?—The money was promised.

43,043. Which way ?—There is Mr. Cross 10*l.*, Mr. H. Michelmore 22*l.* 10*s.*; then there is 10*l.* for Allen the gardener, and 12*l.* 10*s.* for Sawdye; then the next is, Condy 25*l.* You will find two 25*l.* charged—50*l.* for bills left in arrear in Mr. Mills' time, during Mr. Cuming's management, and it was considered necessary that they should be paid, and the money was advanced, and we gave them an I O U for the amount.

43,044. (*Mr. Coleridge.*) Who audits the duke's account ?—The duke himself.

43,045. Does not Mr. Festing ?—He did some years ago.

43,046. (*Mr. Bere.*) What was the next item ?—The next is a cheque to Searle, 50*l.*, that is for James, the station master.

43,047. Did he get the money ?—Yes.

43,048. (*Mr. Coleridge.*) What did James get it for ?—For his vote.

43,049. Was that promised to him before Mr. Seymour's election ?—I cannot tell you. I am in a difficulty during the management with my father, but I will give it you as true as I can give it.

43,050. (*Mr. Bere.*) That makes 157*l.* ?—Then

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there is 2*l.* more; then there is the Reverend James Shore, travelling expenses, 6*l.*, but it is half of that.

43,051. Why half of that?—He came to both elections. Then there is a charge to T. Michelmore.

43,052. March 26th, 1864?—Yes.

43,053. Then there is 10*l.* to a man named Edmonds?—Yes.

43,054. That makes 168*l.* Had you known at all that those monies had been promised before by Mr. Pender?—Not before I was told of it. The money was passed through me in this way. I had the money, Mr. Cuming had not any money, and so the money passed through me in that way.

43,055. With the exception of canvassing, did you take any other part in Mr. Pender's election?—Nothing besides that.

43,056. Were you in constant communication with Mr. Pender on the subject of his election?—During the time he was here.

43,057. Did you write to him at all?—Not at the election; I did not at all.

43,058. Had you found that any of the duke's tenants were disposed to go wrong at that time?—About Mr. Seymour's election?

43,059. Before Mr. Seymour's election; Mr. Pender's election?—We had not a chance of trying them.

43,060. (*Mr. Coleridge.*) Before you leave Mr. Pender's election, do you know of any money spent by Mr. Dent at Mr. Pender's election. They say that he shut up and did not pay the money, and went away?—I do not know, but there is no doubt that there was a great deal of money actually paid.

43,061. In trying to operate upon the voters, did you find out that they had been operated upon on the other side in 1863 in Mr. Pender's election?—I did not find out any case for certain. We fought a sharp battle up to one o'clock that night.

43,062. (*Mr. Bere.*) Did you know anything of the communication between Mr. Kellock and Mr. Brooking Cuming?—No.

43,063. You were not consulted?—No.

43,064. Your father?—No.

43,065. You mentioned the name of Lake. Is that the only case where the money was offered on either side?—There were others.

43,066. Can you mention them?—No, I cannot.

43,067. There were several cases where they told you and Mr. Pender that they had been offered money on the other side?—They told me so.

43,068. (*Mr. Coleridge.*) Can you mention the names?—No. I should be safe, I think, if I were to say nearly one half of them.

43,069. One of the Conservative voters?—Yes.

43,070. That you canvassed?—And that took money. I should be safe if I said that half of the Conservatives that promised Mr. Dent at that time accepted money.

43,071. How many told you that they had been offered money?—I cannot tell you.

43,072. (*Mr. Longe.*) You say several?—Yes.

43,073. In the case of Lake, was Mr. Pender present when he told you that?—Yes.

43,074. Do you remember any other case?—I think a man named John Randle Vasey told me that he had been promised money.

43,075. Was Mr. Pender present then?—I do not think he was.

43,076. You told Mr. Pender?—No, it merely came up in conversation.

43,077. Did you offer anything?—No.

43,078. Was Lake the only man that you attempted to get on your side?—Yes.

43,079. You say there were several persons who said they had been promised money; were they Bridgetown voters?—I cannot tell you that.

43,080. Were they tenants of the duke?—No, I do not think they were tenants of the duke.

43,081. You must remember?—I cannot. I do not think they were tenants of the duke.

43,082. (*Mr. Coleridge.*) When the duke's tenants told you that they had been offered money you gave them an extra caution not to take it?—We tried to keep them. They would not go unless there was a strong pressure; that is their game. At the elections they come and offer our men large sums, and if we can keep them for 10*l.* we do it. We have always acted on the defensive.

43,083. You can remember whether they were tenants of the duke?—No, I cannot; Vasey is a tenant of the duke.

43,084. (*Mr. Bere.*) Is that all you know of the election of 1862?—Yes.

43,085. Was your father here in the election of 1862?—Yes.

43,086. You were actually employed in the election?—In the same way as I was with Mr. Pender. My father took an active part. I took merely the canvassing, nothing more.

43,087. What money did you distribute at that election?—Nothing.

43,088. What money did you promise?—Nothing.

43,089. Was the Liberal party very united at the first outset?—Yes.

43,090. Are you quite sure that there was not a disagreement between your father and Mr. Cuming as to who should take the lead in the matter?—No; I never heard a syllable, I am sure my father would not take it.

43,091. He had taken the lead up to that time always, had he not?—Yes.

43,092. Did not they agree that he should act for the ducal candidate?—He acted as Mr. Seymour's agent, there was no dispute as to who should have the leadership.

43,093. (*Mr. Coleridge.*) What is the meaning of this letter of Mr. Brooking Cuming, describing the election of Mr. Seymour: "At first we had a sort of "divided command, which never does when we have "to fight such daring and dangerous enemies as "Mr. Dent and his friends. I had nominally the "lead, but was obliged to consult Mr. Michelmore "about everything that was to be done." Is it true that he had nominally the lead?—I should have called him the leader of the Independents.

43,094. "On the morning of the nomination, how-"ever, I was entrusted with the sole conduct of the "election, and urged to win, and by putting forth every "possible nerve and working my men into the greatest "excitement to call forth every energy, I had the "great happiness and self-congratulation to find Mr. "Seymour one member by a majority of eight?"—Yes.

43,095. Do you recollect your father giving it up entirely to Mr. Cuming on the morning of the election?—My father was very unwell on the day of the election.

43,096. Do you recollect that there was an alteration in the state of the affairs on the morning of the election?—No.

43,097. Do you not recollect that Mr. Cuming took a more prominent part on the morning of the election than he had taken formerly?—No, I do not.

43,098. What is the meaning of that part of it, having the lead, and handing over both the parties to Mr. Cuming on the morning of the election?—I do not know in what way Mr. Cuming might have had it before that. It was so understood at the time.

43,099. (*Mr. Bere.*) But Mr. Cuming acted, did he not, down here with the Liberal gentlemen who were supporting Mr. Seymour?—Yes.

43,100. Was your father here also?—Nearly all the time.

43,101. Did reports from the different agents come in to your father as well as to Mr. Cuming?—No, I think Mr. Cuming took that part of it.

43,102. Did Jenkins take any part in the business?—I do not think he did; he was here during the time, I do not think he took any part in it.

43,103. (*Mr. Coleridge.*) Can you explain this letter from Mr. Brooking Cuming to Mr. Pender: "My dear sir,—I have received your letter and list "enclosed, of which I approve, only adding a name "or two. As soon as the election is over I will get "the committee formed and see how best to dispose

of your handsome donation;" that I suppose applies the 1,000*l.* ?—I suppose so.

43,104. "Thanks for adopting the list of the charities. Mr. Dent is silly enough to permit his address again to appear here, but he is again ill, and although not here, Messrs. Gill, Edmonds, and Frederick Kellock are actively canvassing for him and picking up some of the 'consideration men;'" what does that apply to ?—In 1863 they were taking them away, for instance, Briggs.

43,105. This is dated the 1st of January, before Mr. Seymour's election ?—They were fetching them away.

43,106. Before the 1st of January ?—No, immediately Lord Gifford died; Mr. Seymour's address came out.

43,107. Does not consideration men mean those that have been paid for beforehand on behalf of Mr. Pender ?—No.

43,108. Now tell me what does this mean: "I think, however, we are all right. We get several new promises, and shall lose a few of your men, but not many;" what does he mean by talking to Mr. Pender about your men ?"—Two or three men voted for Mr. Pender, that never supported our side before.

43,109. "A few of your men, but not many," that must be more than two or three ?—I do not think that.

43,110. Who do you call Mr. Pender's men ?—I consider Lorimer one.

43,111. Who else ?—Morgan.

43,112. Who else ?—Guppy.

43,113. It must mean more than that, "We get several new promises, and shall lose a few of your men, but not many;" there must have been a good many ?—I do not know what he means by that.

43,114. The same thing was kept even from you ?—Yes.

43,115. We may assume that there was another batch besides those he had to do with whom Mr. Pender was looking up ?—Oh, certainly.

43,116. (*Mr. Bere.*) Before Mr. Seymour came down do you know whether your father had communicated to him what amount of money would be required for the purposes of the election ?—We met him at Teignmouth.

43,117. Who are "we," you and your father ?—And Mr. Cuming. I think my father had some previous conversation with Mr. Seymour, and we had not heard of Mr. Seymour coming forward when Mr. Mills died.

43,118. Were you present at the interview with Mr. Chaster after Mr. Seymour arrived ?—I came in as he walked out of the house.

43,119. (*Mr. Longe.*) Did he see you or your father before he went away ?—Not before he came to this hotel. I came down at the same time to the station with him, but he went away in 10 minutes.

43,120. (*Mr. Bere.*) Can you fix the day when you saw Mr. Seymour at Teignmouth ?—No.

43,121. How long before the election ?—Mr. Seymour's address was not issued when Lord Gifford died, but immediately Lord Gifford was buried Mr. Seymour's address came out.

43,122. How long before the 20th of January ?—It was a week after Lord Gifford died.

43,123. Did your father tell him as he was coming back from Teignmouth or after he came, or before, what sum of money would be required ?—No.

43,124. Had you formed any idea yourself ?—No; I thought we should have fought the fight without any money at all.

43,125. Against Mr. Dent ?—We had a strong majority.

43,126. When between Seymour and Dent you only won by eight ?—We thought it would have been won purely.

43,127. I thought you had learned that elections were not fought purely. You on your side and the others must have been aware there was surely money to be spent; but had you not formed an idea what it would cost on the Liberal side ?—We did not know that Mr. Dent was coming.

43,128. Did you know that after the 16th of January Mr. Seymour caused 1,000*l.* to be paid into the bank to your account ?—It was done without his saying anything to us.

43,129. Was not that in consequence of what your father told him ?—I cannot tell.

43,130. When did you first know that 1,000*l.* was paid in to your account ?—Mr. Seymour told me of it in his letter.

43,131. At that time had you come to any conclusion as to the sum of money that would be wanted ?—No; we thought that money would be wanted.

43,132. You had not made up your mind as to the amount ?—No.

43,133. Did you know what Mr. Pender's uncontested election cost on the Liberal side ?—It cost quite as much as the contested one.

43,134. Do you happen to know that it cost over 1,200*l.* ?—I saw it in the papers. The election was fought just the same as if they had gone to the poll.

43,135. How was that 1,000*l.* expended ?—285*l.* or 286*l.* was spent not legally.

43,136. How was it spent ?—Mr. Charles Michelmore had 120*l.* on account of expenses; Mr. Parnell had 25*l.* Of Mr. Michelmore's 120*l.* 30*l.* was for Shillibeer, 30*l.* was to Smaridge, and 60*l.* for Forde, now the boots at the "Seven Stars." Parnell's, I do not know who it was for.

43,137. Who else ?—Bourne 30*l.*; I think that was had for a man close to the bridge called "Tucker." Mr. Edmonds had 20*l.*

43,138. That is J. B. Prout's payments ?—Yes.

43,139. Was not this money paid at the time of the election ?—No.

43,140. Do you mean to say Prout had paid that 20*l.* without your authority to Edmonds ?—No, I am sure he did not.

43,141. Had you promised it ?—I promised it. I had not promised any amount. I told him he should be remembered.

43,142. Who else ?—There was a man you asked me about just now; he was offered money by the Conservative party.

43,143. He told you that ?—He told me.

43,144. He voted with the Liberals ?—He voted for Mr. Pender.

43,145. (*Mr. Longe.*) How did he vote in 1863 ?—In that year for Mr. Seymour.

43,146. (*Mr. Coleridge.*) Your general plan seems to be to pay after the election, and not before ?—Yes.

43,147. Does that not apply to the regular men only; when they are applied to on the other side they are paid at the time ?—Yes, sir. Then the next is Henry Michelmore, 12*l.* 6*s.*, that was for Jourdain; the cheque drawn was for 22*l.*, and the other was for something else. Next there is 25*l.* to Mr. Condy, that is a similar thing.

43,148. That would be payments to voters ?—Payments of some arrears at public-houses. Then a cheque to Searle, 50*l.*

43,149. Whose cheque was that ?—Our own cheque.

43,150. What was it for ?—I think a portion to a man called Angel.

43,151. Edward Angel or Thomas Angel ?—He is a tailor. I do not know what his christian name is.

43,152. Mr. Barrett, 3*l.* 10*s.* 0*d.* ?—That was money he expended, and I gave it to him again.

43,153. Then out of the 1,000*l.* there was only 286*l.* spent ?—Yes. Then there was other money spent besides that.

43,154. Do you know whether it came through Mr. Webber ?—It came through his hands.

43,155. Do you know the amount ?—500*l.*

43,156. Only 500*l.* ?—That is all.

43,157. Do you know where the amount came from ?—No. You know I do not.

43,158. Who told you that we knew ?—The solicitor who was down here a day or two ago.

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43,159. (*Mr. Coleridge.*) Mr. Seymour's solicitor?—I do not exactly know.

43,160. What is his name?—Mr. Burt.

43,161. (*Mr. Bere.*) How was that spent? Did you have any portion of that 500*l.* yourself?—No; the 500*l.* was paid, I think, through Mr. Charles Michelmore's hands. I think Mr. Webber paid 50*l.* or 60*l.*

43,162. Would that 500*l.* appear in your books at all?—No; it never came through our hands.

43,163. Did it come through Mr. Cuming's hands?—It came through Mr. Charles Michelmore.

43,164. Then it came into Mr. Webber's hands?—Yes.

43,165. And then do you know to whom it was paid over by Mr. Webber?—No.

43,166. All that 500*l.* was paid in bribery?—No.

43,167. (*Mr. Coleridge.*) Did Mr. Seymour know how that 500*l.* had come down?—No.

43,168. Not at the time?—No; not that I am aware of. It was only the other day that I knew myself.

43,169. (*Mr. Longe.*) Do you know when it came?—No.

43,170. (*Mr. Coleridge.*) How long before the election was Mr. Danby Seymour down here?—About a week.

43,171. And all through the time of the election itself he was here, was he not?—The nomination day.

43,172. And the election day?—Yes.

43,173. Did you hear him say anything about money being spent on the nomination day?—No.

43,174. About two o'clock in the day Mr. Seymour got very nervous about his election, through Mr. Brooking Cuming coming here?—Yes.

43,175. Things were not looking well?—The election was perfectly secure. There were two or three names he had not marked.

43,176. Did you hear Mr. Danby Seymour about two o'clock say that it was going against him and money must be spent?—No.

43,177. Did you hear him make any speech at the hustings?—No.

43,178. (*Mr. Bere.*) When did you first know the 500*l.* had come down?—About the time of the election.

43,179. Was it on the morning of the election you became aware of that?—I am not aware that it was.

43,180. Who told you?—Mr. Cuming.

43,181. Had you told Mr. Cuming that the 1,000*l.* would not be enough?—No.

43,182. Had he asked you how far the 1,000*l.* would go?—No. I was with my father then.

43,183. (*Mr. Coleridge.*) Did you go to Mr. Pender about money at that election?—No.

43,184. (*Mr. Longe.*) Mr. Cuming knew you had 1,000*l.* for the election?—I am not sure that he did. I do not think it is likely that he did.

43,185. (*Mr. Coleridge.*) Mr. Cuming said he was the nominal head?—He was always thought so.

43,186. As long as there was a ducal party and an independent party, he was the head of the independent party?—Yes.

43,187. And when you were amalgamated together it was rather a divided empire?—Yes, it was.

43,188. He did not like to work under your firm, and your firm did not like to work under him?—Yes, I think that was about it.

43,189. (*Mr. Bere.*) Do I understand you positively to say that none of that 500*l.* came into your hands at all?—I cannot tell you whether it did or not.

43,190. (*Mr. Coleridge.*) Did some other money, if not that?—No. The only money I ever received of Mr. Seymour was the 1,000*l.*

43,191. But you cannot say whether any of that 500*l.* came into your hands?—No. Whether it did or not on the day of the election I cannot say. At one time I held some money in a bag down at the polling booth, which I gave back.

43,192. (*Mr. Bere.*) Where did you get that bag?—From Mr. Charles Michelmore.

43,193. Was it in gold?—Gold.

43,194. To whom did you give it back?—Either to Mr. Cuming or Mr. Michelmore.

43,195. Was that all you had to do with it?—Yes.

43,196. Did not you distribute that on the day of the election?—No, not a farthing.

43,197. Or promise anybody that they should be paid out of it?—No.

43,198. (*Mr. Longe.*) Was the 700*l.* of the 1,000*l.* kept back for any particular purpose?—700*l.*

43,199. There was 286*l.* which you have accounted for, and there was 700*l.* in your hands, while another 500*l.* was being spent?—No. The other money we paid the account with, the audit account.

43,200. At that time had you exhausted all that in payment of those expenses?—No. We paid 285*l.* out, which I described just now.

43,201. (*Mr. Bere.*) What my friend wishes to call your attention to is this, that you had promised 286*l.* in bribes?—Yes.

43,202. Therefore you might consider that 286*l.* spent?—Yes.

43,203. But all other expenses were not paid till after the election?—No.

43,204. Then why did you not pay, out of the 700*l.* in your hands, persons necessary to be bribed at that time? Why was it necessary to get 500*l.* elsewhere?—That I cannot tell you. I had nothing to do with getting the 500*l.* I never heard a syllable about it till the money was down.

43,205. (*Mr. Coleridge.*) You are aware the only legal expenses are those which are paid through the election agent?—Yes.

43,206. They only amount to 370*l.* 4*s.* 11*d.*?—Yes.

43,207. How did you account for the rest?—The bills are not returned to the auditors.

43,208. That must go among the legal expenses?—Yes; not bribery.

43,209. But you said bribery?—They are not bribery.

43,210. (*Mr. Bere.*) I think we had better go through this 700*l.* in the first place. "J. B. Prout, on account of election expenses." What was that for?—10*l.* I said just now.

43,211. 10*l.* was for some voter or another?—Yes.

43,212. That was Mr. Pender's voter?—Yes, and the other 10*l.* was paid to Mr. Prout during the three weeks at the "Seymour," and we had to send him out every day with ever so many papers to the electors. He had to buy stamps, and so on.

43,213. 10*l.* was paid for his services?—No, not for his services, money out of pocket.

43,214. That was in January 1863, before the election?—Yes, nearly three weeks.

43,215. That was paid at the time?—Yes.

43,216. Did Mr. Prout ever render you any account of what became of that money?—No, not any items at all.

43,217. You did not ask him?—No.

43,218. Both he and Mr. Callard were very active?—No.

43,219. Not particularly, not much more so than usual?—No, not particularly.

43,220. "John Elliott, on account of election expenses?"—I have a copy of that, if you will allow me to hand it up to you.

43,221. The first three items; 60*l.* out of the first 70*l.* belongs to Mr. Pender according to your account, 10*l.* to J. B. Prout on account of election expenses?—Yes.

43,222. 30*l.* to yourself?—That was to Mr. Charles Michelmore.

43,223. And cash paid Lake?—That was out of Mr. Pender's.

43,224. I say 60*l.* out of the first 70*l.*, the three items, and Mr. Pender's account?—Yes.

43,225. Then "February 2nd, John Elliott, on

count of election expenses;" what was that ?—I do ot recollect what that was for.

43,226. Did Elliott ever give you any account of at ?—No, I think that must be 20*l.* in addition to e 285*l.* The next item is, James Shute 56*l.*, and u find further on James Shute 19*l.*, that was to ay for watchers, messengers, poll clerks, and so on, iring the election.

43,227. You charge Mr. Seymour 45*l.* 15*s.* 6*d.* for hute ?—Yes, that is in Mr. Seymour's account, the her part of the account was with the election ditors.

43,228. Then his name is not there ?—No ; it mes under the head of "watchers, messengers, poll erks," and so on.

43,229. Then there is Mr. Cuming, loan for ourne ?—Yes ; that was some money advanced to r. Cuming at that time, which was connected with r. Pender in this way—that Mr. Pender wrote to r. Cuming to lend a man of the name of Bourne 70*l.*, at was between Mr. Cuming and himself. I believe was understood that Bourne would repay that oney.

43,230. But he has not done so ?—No ; but Mr. ender understood that he would do so. Mr. Cuming d not complete the mortgage at that time.

43,231. You gave Henry Michelmore 300*l.* as ection auditor ?—Yes.

43,232. The next item is Prout, you have told us out that ?—Yes.

43,233. Then Mr. Windeatt 50*l.*, that was the lary for his services ?—Yes.

43,234. Then Sawyer 17*l.* 10*s.* 0*d.*; what was that r ?—That was a council election.

43,235. You have only charged Mr. Seymour *l.* 18*s.* 6*d.* for that ?—I think you will find that is xplained.

43,236. Then there is a person of the name of How own as for a loan ?—Yes ; that was done through Ir. Sawyer.

43,237. Who is Mr. Sawyer ?—He keeps the Castle Inn," at the other end of the town.

43,238. Did How vote at the council election ?—I ink not.

43,239. There is no date to How's repayment ?— was repaid.

43,240. Do you mean to say that Mr. Sawyer came own and asked you to lend Mr. Seymour's money to nyone ?—No ; not unless it is to be repaid. This as merely a cheque drawn in the matter of the ouncil election; they wanted 10*l.*, and I drew a heque and cashed the cheque at Mr. Sawyer's.

43,241. Then there is "Elford for the loss of a ow ?"—I think he lost two cows at that time. He ame to my father's and my father wrote to Mr. 'ender and Mr. Seymour asking them for some assist- nce on his behalf, and Mr. Pender wrote back and aid he would give him 10*l.*, and I think Mr. Seymour id likewise.

43,242. You have charged 100*l.* for your services ? Yes.

43,243. If you go on further in the account on the th of April there is, "John Tozer, a loan, and "John earle, half a year's rent agreed to be paid," is not hat amount charged twice ?—Yes ; but that has een deducted at the end of the first payment, a lot of hose items are ticked, and those which are ticked are leducted and carried to the other account.

43,244. You make Mr. Seymour's legitimate ex- enses 689*l.* 18*s.* 4*d.* ?—Yes.

43,245. (*Mr. Coleridge.*) Who is Mr. Probyn who vas mixed up with Mr. Seymour's election ?—I never eard the name before.

43,246. Here is a letter of Mr. Brooking Cuming, Mr. Rennie was here this morning. Mr. Probyn as relinquished all claim, and leaves us to-morrow." Do you know anything of a Mr. Probyn having been down here ?—No, I never heard his name mentioned efore.

43,247. Is this the first time you have heard it ?— es.

43,248. Had Mr. Brooking Cuming been making complaints that you or your father had not been active enough in making votes ?—They have found fault with us.

43,249. Had they done so about the time of Mr. Pender's election ?—Yes, I think they had.

43,250. That may account for this letter of Mr. Cuming's to Mr. Pender :

"Totnes, 20th January 1863.

"My dear sir,

"Great excitement here—two o'clock.

"Seymour 157.

"Dent 140.

"We must beat them—I will fill this up after four "o'clock. Majority 8 for Mr. Seymour. I am glad "we had not a larger majority ; it will make the "duke's agents make more votes." Had there been some disputes between your father and Mr. Brooking Cuming about the want of activity on the part of the duke's agents ?—They fancied we ought to make more use of the land.

43,251. Was it after these complaints about your not making more use of the duke's land that an agreement was come to between the duke's party and the Liberal party to amalgamate ?—I think it was not owing to that.

43,252. The amalgamation was in 1864 or in 1865 ? —In 1864.

43,253. And were the terms of that agreement that the duke should give up all claim to nominate a member, and that the expenses of the registration should be entirely kept out of his hands ?—I never heard anything about that; my father told me that the duke had given up all expenditure connected with the borough of Totnes.

43,254. And from that time he gave up all connexion with the registration ?—Yes.

43,255. You consider that the ducal party is extinct now that it is all one ?—It is all one.

43,256. (*Mr. Bere.*) Had you anything more to do with the election of 1863, except what you have told us, directly or indirectly ?—No.

43,257. Had Mrs. Michelmore anything to do with it ?—No.

43,258. She took a little interest in it ?—She is a Tory in her heart.

43,259. Did she take as much interest in it as Mrs. Charles Michelmore ?—No, she never interfered in any way.

43,260. Do you remember Mr. Moore being down in 1862 ?—Yes.

43,261. Was he here in 1863 ?—No, not in 1863.

43,262. Did he not come down here some time about the Prince of Wales' marriage ?—He came down here some time afterwards.

43,263. Had you conversation with him about the expenses of Mr. Seymour's election ?—No.

43,264. You expressed your opinion as to what it had cost ?—Yes, I think I did.

43,265. What was your opinion at that time ?—I think I said 1,500*l.*, or something like that.

43,266. A little more ?—I cannot say.

43,267. You have been in communication with Mr. Moore ?—No.

43,268. Had he written to you ?—No ; the second time he came down here he stayed at my house.

43,269. You had conversations with him frequently on the subject of the election ?—Yes.

43,270. He is dead, is he not ?—Yes.

43,271. You wrote to him when he was in London about Mr. Seymour's election ?—No ; I never recollect writing any letter to him at all.

43,272. Was Baron Rothschild down here with Mr. Seymour ?—I think he rode over with him once from Torquay.

43,273. Whom did you think at that time the money came from ?—Mr. Seymour.

43,274. Mr. Seymour himself ?—Yes.

THIRTY-SECOND DAY.

Mr. J. Michelmore.

25 Oct. 1866.

43,275. Had not you told Mr. Moore that it came from Baron Rothschild ?—No, never.

43,276. Or given him to understand it ?—No, never.

43,277. This is a letter to which I will call your attention, in which Mr. Moore expresses his opinion to Mr. Pender, after giving an account of what he imagines Mr. Dent's election costs were : "The "Michelmores and Cuming set down the two elec- "tions as having cost him to the full 15,000*l.*, a very "pretty sum to get rid of for nothing." Is that your opinion now that Mr. Dent did spend that ?—Yes.

43,278. "A very pretty sum to get rid of for nothing. "Seymour's will have cost in what you may call secret "service, not much short of 2,000*l.*, and in legitimate "expenses, hotel, &c., say 700*l.* to 800*l.*" That is written from Totnes whilst Mr. Moore was staying at your house ?—Yes ; I recollect Mr. Moore expressing that opinion as to Mr. Seymour's costs, and I told him it was not the case.

43,279. It was not so much ?—Not so much.

43,280. Had Mr. Moore written to you at all about the election ?—No ; I had nothing whatever to do with Mr. Moore. He was here, and I believe every evening he made a lecture during the time he was here.

43,281. I mean during the time of Mr. Seymour's election had he communicated with you ?—No.

43,282. (*Mr. Coleridge.*) What was he ?—A barrister.

43,283. Of the English or the Irish bar ?—I do not know. I do not think he had practised at the bar for some years.

43,284. (*Mr. Bere.*) Did you know of anybody being down at Mr. Seymour's election to help him ?—Mr. Sandford was.

43,285. Was Mr. Delane, of the "Times ?"—He rode up from Torquay one day with another gentleman. I never saw him.

43,286. Do you know yourself whether, with regard to that election, Mr. Seymour was in communication with Mr. Pender ?—No.

43,287. He was not ?—I do not know whether he was or not. I never heard him say anything about it.

43,288. This is from the letter : "I learnt last "evening from Mr. Michelmore that the expenses of "Mr. Seymour's election do not exceed 1,500*l.*, of "which 1,000*l.* for hotel and legitimate expenses. "He says, if there be an election on this register both "Liberals are safe, and both will be returned for very "little more than the above. He says also that about "30 of the duke's Tory tenants have bolted at this last "election, and Dent, having done all that money can "do, at the next election both candidates will in fact "have all the duke's influence." Was that opinion which was intimated, Mr. Moore to Mr. Pender, derived from any opinion of yours in conversations with him ?—As to the 1,500*l.*; but I do not recollect anything about the duke's influence, or anything of that sort.

43,289. (*Mr. Longe.*) Do you know what that passage means, "30 of the duke's Tory tenants have "bolted at this last election, and Dent having done "all that money can do, at the next election both the "candidates will in fact have all the duke's in- "fluence."—I do not understand anything of it. 30 of the duke's tenantry had bolted ?

43,290. "About 30 of the duke's tenants have bolted at this last election ?"—He had not 30 Tory tenants in the place, or anything like it.

43,291. (*Mr. Bere.*) It may have referred to the men who had been tenants of the duke's, who voted against you ?—There were not 30.

43,292. Only 11 or 12, I think ?—Yes.

43,293. Do you know Mr. Moore's handwriting ?—No ; I know the signature.

43,294. Is that his signature (*handing the letter*) ?—Yes, that is his signature.

43,295. (*Mr. Longe.*) Does not the letter mean that your register would be clean by the next election ?—No.

43,296. That those voters would be removed ?—No ; I am sure that if I had any intention of doing it should not express that opinion to Mr. Moore.

43,297. (*Mr. Coleridge.*) You did not trust him enough ?—No.

43,298. (*Mr. Bere.*) Those 12 received notice immediately after ?—Yes.

43,299. And they had all voted before that ?—Yes.

43,300. (*Mr. Longe.*) At the election of 1859 do you know how many of the Bridgetown voters, tenants of the duke, split their votes and voted for Dunn ?—No.

43,301. I think there were some who split ?—We had some tenants who always supported the Conservatives. We never make any difference, or think of asking the question, whether Liberals or Conservatives.

43,302. In 1859, among the tenants of the duke, was there any men besides Mr. Kellock who plumped for the Conservatives ?—I cannot tell you ; those are all tenants of the duke that are marked off ; how they voted I do not know.

43,303. (*Mr. Coleridge.*) He had notice to quit after the election ?—Yes, but it had nothing to do with the election.

43,304. I suppose the others had not ?—Oh, yes, they had ; we do not disguise it ; they had notice to quit not only for taking money, but also for trying to corrupt the other men, and by forming clubs and getting them together.

43,305. (*Mr. Longe.*) When was Mr. Heath a tenant ?—He has been a tenant twice ; I think the last time he was tenant of the rectory up here, and then Sharpe took it off.

43,306. When was it that he had notice and was turned out ?—Many years back ; he has been tenant off and on up to the time of Mr. Sharpe, and then Mr. Heath, when this hotel was erected, wanted to take the hotel.

43,307. This "Seymour Hotel ?"—Yes, and my father refused to take him, and then he turned round and was as bitter as possible against us, and has continued so ever since. There is never a public dinner he goes to but he makes it a point to get up and propose the duke's health, and directly there comes an election he turns round upon us.

43,308. (*Mr. Coleridge.*) What do you say was the name of the boots at the "Stars" who has got 60*l.* ?—William Ford, of Bridgetown.

43,309. (*Mr. Bere.*) When did you first communicate with Mr. Seymour the fact that 500*l.* had been used for the election ?—Not for some time afterwards.

43,310. Not until after the election ?—Yes.

43,311. Quite sure ?—Yes.

43,312. Not during the election ?—No.

43,313. What passed between you and him when you told him that ?—I said in conversation that 500*l.* had been sent down, and I supposed that he had paid it.

43,314. Did you say "I suppose you paid it ?"—No, I did not say it in that way, and I spoke to him in the way as if he had paid it.

43,315. What answer did he make to that ?—He said he knew nothing about it.

43,316. In spite of that you still thought he did know ?—No.

43,317. I thought you told me the other day that you learned it was not Mr. Seymour's money ?—That is 12 months since.

43,318. Did you learn whose money it was ?—No ; I can show you correspondence ; I have been trying to find out and cannot.

43,319. With whom have you been in correspondence ?—I wrote in the first place to Messrs. Green and Allen, and they could not tell me, and I wrote to Mrs. Cuming to ask if she could find out through her husband, and she could not tell me.

43,320. Did your father take any active part in the election of 1863 ?—Yes.

43,321. You were the head agent ?—No.

43,322. Mr. Seymour said you were ?—That is

istake. Up to the time of my father's death I acted nder his instructions.

43,323. You did not go over night and ask your ther what you were to do the next day?—No, but a general rule my father was the person first con-lted.

43,324. You would consult him as an adviser?—es, being my father, I should be sorry to do anything connexion with politics that he would not approve .

43,325. All that you know about the election of 63 you have told us?—Yes.

43,326. Do you remember a meeting between Mr. ender and Mr. Seymour in 1863?—That is the meet-g I stated I came in at the end of.

43,327. Did you hear then the sum that the election the two candidates would cost?—2,000*l.*

43,328. To whom did you let the properties from hich these persons were evicted in 1863. But first ere is no doubt about this, that the reason why these rsons had notice was because they voted for Mr. ent and not for Mr. Seymour?—It was not for the ere fact that they voted against Seymour, but they rmed clubs amongst themselves and tried to corrupt her voters.

43,329. What do you mean?—They got three or ur together and met at public-houses, and tried to rrupt others.

43,330. Who joined themselves together; take ose 12 men (*referring*)?—Edward Turpin, Thomas lackler, Thomas Mitchell, and John Briggs.

43,331. Where was the place they met at at that me?—One house or the other.

43,332. How did they attempt to corrupt others?—y going and saying that others would take so much oney, and that they were fools not to take it them-lves.

43,333. Can you mention the names of some of em?—I cannot name them. Thomas Mitchell was ne of the most prominent.

43,334. (*Mr. Longe.*) Have you said that all those en took money?—Yes, without the slightest doubt.

43,335. Did you know it?—I stated to-day that I uld not actually tell whether they received the oney.

43,336. What reason had you for saying that they ceived money?—The way they went to work. hen we canvassed them these men promised almost a man to vote for Mr. Seymour.

43,337. Those very men?—Yes.

43,338. (*Mr. Coleridge.*) Those that did not pro-ise to vote for Mr. Seymour?—They were not rned out, except W. K. Hannaford.

43,339. Why was he turned out?—He has not been ving here. His wife has been living here. He was ving at Plymouth, and we wished to have a house.

43,340. If he had voted right you would not have rned him out?—We wanted to have a house.

43,341. To have somebody in it who would vote for our side?—Yes.

43,342. James Penwill?—Yes, he voted against us. e promised to vote for Mr. Seymour. He voted late the afternoon. I was with my father. We met enwill on the Plains. He came up and said to my ther he was sorry that he could not fulfil his pro-ise. While we were talking to Penwill Mr. Kellock me down. He said, "I have no hesitation in saying that I have told Penwill that if he votes against us I shall turn him out of his gardens and ground." enwill had been a tenant of the duke for years; and en Penwill told us he would rather give up his field an hold it in that way.

43,343. He did not?—He gave notice.

43,344. He did not receive money?—There was an derstanding with him that he wished to give up is field.

43,345. Did he ask you to turn him out?—He poke in this way, as renting under Mr. Kellock.

43,346. Did he wish to be turned out of the duke's ield?—Yes.

43,347. He asked you to turn him out?—He told us that he wished to give up the field.

43,348. Because he understood he could not hold and vote on the other side?—No, nothing of that was said.

43,349. For what reason did he wish to give up the field?—On the principle that he could not please two masters. Mr. Kellock's fields were the principal, they were market gardens and he is a market gardener.

43,350. If he disobeyed Mr. Kellock he would be turned out of the land he held?—It was not understood, but he did not wish to hold under the duke.

43,351. He did not wish to keep his field?—No; by taking those fields we put other men in who are perfectly secure.

43,352. What security had you that a man would vote according to the way you wished?—We have no security more than his word. We have no difficulty in letting all the lands in this borough to persons who are Liberal at heart. We have no difficulty, and if a man says, when he takes the field, that he will support the Liberal party, and if he votes against us for money, we take the field from him.

43,353. Do you assume that he receives money because he votes the other way?—If he says he will support the party when he takes the field, we expect him to.

43,354. Does he say that because he cannot get put out?—We can get plenty of tenants who will do it.

43,355. (*Mr. Longe.*) In the case of land it is taken on the understanding that they will vote for the Liberal party?—Yes.

43,356. Having taken the land, if a tenant does not vote he is evicted?—Yes.

43,357. Independently of the suspicion that he has taken money?—Yes.

43,358. (*Mr. Coleridge.*) In the answer you have just given with reference to the letting land on that understanding, have you those instructions from the duke to do so?—No.

43,359. Do you do it on your own account?—Yes.

43,360. Do you take upon yourself those extraordinary instructions in letting the land?—My father did.

43,361. You were a partner with your father?—Yes.

43,362. (*Mr. Bere.*) Is the money paid in to your joint account?—But when my father died I had to have an appointment for every one of my stewardships.

43,363. (*Mr. Coleridge.*) It is usual in stewardships for one of the persons to act, and one person to take the whole control of it?—No; in the case of my brother, who died in 1858, he was joint steward with my father.

43,364. You never were joint steward?—No.

43,365. Is it not a common thing for one to take the whole profits and act for one party?—It is not in my case.

43,366. (*Mr. Bere.*) You have marked 53 Bridgetown voters, tenants of the duke?—Yes.

43,367. Of those 53 in 1859 how many would be persons holding land on those terms?—None of the Bridgetown side.

43,368. Bridgetown voters, what is the difference?—The Bridgetown land has gone from father to son for years with very little change indeed.

43,369. Small tenancies?—Yes, and we have had very few changes.

43,370. Where do those 12 men get their votes?—They were in houses.

43,371. I do not mean Berry Pomeroy farms?—If a man carries out his politics conscientiously we do not interfere with him.

43,372. Could you point out any tenant householder who supported the Conservatives?—Yes, Mr. Winter.

43,373. In 1859?—I cannot tell, but he has always supported the Conservative party, J. L. Winter.

43,374. He is not in Bridgetown?—I do not know whether he was on the 1859 list or not; but we have Mr. Edmonds's brother-in-law a tenant, and we did not ask him how he would vote.

THIRTY-SECOND DAY.

Mr. J. Michelmore.

25 Oct. 1866.

43,375. Is there any tenant of the duke who did not vote for Lord Gifford in 1859, with the exception of Kellock, who was turned out?—No, I do not see any.

43,376. Of all those persons who were evicted in 1863 and 1864, were any of those householders?—Turpin was a householder. Five of those parties had houses.

43,377. In Bridgetown?—Yes.

43,378. Do you know what their tenancies were?—Yearly tenancies.

43,379. Small cottages?—No, a row of houses here, not cottages.

43,380. Those persons have not taken their houses on those terms?—No.

43,381. They had not been asked when they took their houses whether they would vote for the duke?—No, not to my knowledge.

43,382. Have you ever let a house yourself without inquiring into the politics?—Yes.

43,383. Houses in considerable demand, 12*l.* and 14*l.* a year?—I never asked the question, house, cottage, or any kind of house.

43,384. (*Mr. Coleridge.*) Has the duke ever made any observation about the frequent changes of tenants at election times?—No; there are very few changes.

43,385. You have had a great many changes?—We have added names.

43,386. When you turned out a batch of people after an election, has the duke made any observation to you about it?—No.

43,387. Never made any observation about his own tenants?—No.

43,388. Is the whole thing left to you?—Yes.

43,389. (*Mr. Bere.*) Do you send in detailed accounts?—We send in a copy of what you have there.

43,390. After the election?—We send up twice a year generally.

43,391. Does he make any observation why a tenant has left the farm or the house?

(*Mr. Longe.*) Are all those notices in your memorandum book?—No.

43,392. (*Mr. Coleridge.*) Whatever entries there are must be known to you?—I have known it, of course.

43,393. Where has the duke the book sent to?—London or anywhere.

43,394. Do you know the number of householders that are tenants of the duke?—I cannot say.

43,395. (*Mr. Bere.*) As far as you are concerned you know nothing at all about these 12 individuals being turned out after 1863?—Nothing more than I have told you.

43,396. If there was a change of that kind you would not inquire about it?—No.

43,397. (*Mr. Longe.*) From what you understood you would be surprised if the duke disapproved of that?—We had to send the entries of that. The property was under my father's charge to do what he considered best for the property. I know that there is a great dislike to a man who tries to corrupt his brother tenants.

43,398. You have gone according to precedent?—Yes.

43,399. (*Mr. Coleridge.*) When were you appointed steward?—In May.

43,400. What were the instructions?—Nothing more than to take my father's house, and take the stewardship.

43,401. What were the instructions that your father received?—To manage it properly.

43,402. Politically?—Nothing said about politics, but to carry out everything which was to be considered for the advantage of the property.

43,403. How long did your father have it? When was he appointed?—I can hardly tell you.

43,404. 20 years?—More than that.

43,405. Did he tell you the terms under which he was put in under the Duke of Somerset?—No.

43,406. How did you know what the duties were?—We carry out certain duties in connexion with the property; we manage it as best we can.

43,407. Have you carried out your duties in any other estate in the same way as you have done in this, in creating votes?—We had none.

43,408. At Ashburton?—We had created votes in Ashburton.

43,409. Had you not created them there against your employer's interest?—We did ultimately. Our landlord was, in the first place, on the other side.

43,410. Whom did you say that you are steward to besides?—Lord Macclesfield at Buckfastleigh.

43,411. How many votes did you make out in Ashburton?—That depends on the building and the qualification. If we had put up buildings in all we could have made a great number.

43,412. How many did you make on Lord Cranstoun's property?—As many as eight.

43,413. Were those votes made after the election or before?—Before, I think.

43,414. Was that Mr. Tucker's dodge in the first instance?—The company.

43,415. How many votes did you find upon Gerston?—I cannot answer that question.

43,416. How many have you made since?—We have made very few indeed. At the present time we have only three voters in the whole of the property.

43,417. You have failed in that?—We have not succeeded from first to last.

43,418. (*Mr. Bere.*) You said you let the house irrespective of politics. Is there a great demand for small houses in Totnes?—Yes.

43,419. It is not difficult to get a tenant?—No.

43,420. Is there any species of letting property for which there is not a great demand?—In larger houses there is, and greater difficulties.

43,421. Are not all those persons you mentioned as being Conservative tenants of houses, are they not all occupiers of large houses?—No; Winter is the occupier of a 12*l.* house.

43,422. He has not exercised his right?—Yes, two or three times; he voted for Mr. Dent twice.

43,423. What is Winter?—He is a clerk and accountant.

43,424. Is that Mr. Edmonds' brother-in-law that you spoke of?—No, he has been away.

43,425. What is his name?—Pige.

43,426. Has he been objected to?—I cannot tell; if he has been objected to, it was on our side.

43,427. You know nothing more than what you have told us about the election of 1863?—No.

43,428. Did not you send a man to see a voter named Pengilley?—No.

43,429. Did you not send your clerk to Martin?—No.

43,430. Did you have a conversation with Prout or Callard about Pengilley?—No.

43,431. Never at any time?—No.

43,432. Do you know a person of the name of Warren?—Yes; that is the man behind the walls.

43,433. He is dead now?—Yes; I never sent any person to him.

43,434. Did you ever go yourself?—No.

43,435. Did you not offer him some money in 1863?—No.

43,436. Are you quite sure of that?—Yes.

43,437. Do you know Baker?—I do not think he had a vote in 1863.

43,438. Did you not send Baker to Nickells to get Nickells' vote?—No; I do not know Baker to speak to.

43,439. Nickells has said that you sent Baker; that is not correct?—It is not correct.

43,440. Did you ever go and canvass Woodley?—I have canvassed him; I never asked him more than that; he was an out-and-out Conservative and an active partisan.

43,441. You helped to get a place for the son of Mr. Evens?—No, I had nothing to do with that; that was done by Mr. Seymour. I am willing to give you every possible information, and have no wish to keep back anything.

43,442. From that time until 1865 you were in onstant communication with Mr. Seymour ?—Yes.

43,443. You had the distribution of all the patro-age ?—Yes.

43,444. And the payment of all his subscriptions ? -Yes.

43,445. You acted from that period as his sole gent ?—It went through the office.

43,446. But you were the active person ?—Yes.

43,447. When he came in 1865 you acted as his gent ?—Yes, I did.

43,448. What sum did he bring down in 1865 ?— 00*l.*

43,449. How did that come here ?—It was remitted our County Bank; it is entered in folios 127 and 28.

43,450. That is a separate account ?—Yes; you will nd the balances are all brought down there.

43,451. How much more money was spent by r. Seymour besides that 500*l.* ?—Nothing on his count.

43,452. How much money had you the distribution on anyone's account ?—Only this 500*l.*

43,453. Had you no other money to distribute ?— ot a farthing.

43,454. Had you nothing to do at the last election ith any of Mr. Pender's money ?—Nothing at all.

43,455. Or did you know anything about it ?—No.

43,456. This is a statement of account of the way in hich you spent the 500*l.* ?—Yes.

43,457. Henry Michelmore, 115*l.*; what is that for? I can give you the particulars of that; 40*l.* I gave my brother as a cheque to get cashed for me, and hich was given to Tozer, in Bridgetown; 40*l.* to homas Pack; 10*l.* which Mr. Seymour had in cash he was going away; 5*l.* which Elliott the carpenter id on the day of the election; 10*l.* which Mrs. Charles ichelmore had.

43,458. Who gave her that ?—I sent it to her. 10*l.* Mr. Harvey had to give a man of the name of outhwood, a tenant of Mr. Durant's, and he voted ainst Pender and Seymour. It is only a few days ice I saw Mr. Harvey, and he had not paid the 10*l.*

43,459. He had put it into his pocket ?—No, he is ing to refund it.

43,460. The whole of that was spent in bribery ?— ; I gave Mr. Seymour 10*l.* and Mrs. Charles ichelmore 10*l.*

43,461. Mrs. Michelmore says she gave it to Deane his travelling expenses ?—I do not know anything out that.

43,462. Did you pay all this money yourself ?—I id not. Elliott's money was given to the father to ve to the son. Tozer said that his father-in-law, mbardini, had had so much money left at his house r his vote, and that if money was offered him he uld not refuse it, and that unless our party would ve him something he should vote against us. ooner than lose the man I gave him 40*l.* Pack's oney was given to William Perrott, and I do not ink Pack knew anything about it at the time; he d voted long before the money was paid.

43,463. You drew a cheque for your brother ?— es; he got it cashed and gave me the money.

43,464. Endle, travelling expenses from New-stle ?—Yes; that was 20*l.* for travelling expenses m Newcastle; he has a business there. They ve this town in the beginning of May and take all eir cyder to Newcastle. During the time they are ere the cyder is working, and if they have to leave, ey must appoint a deputy who thoroughly under-ands it.

43,465. Servants at the hotel, 20*l.* 12*s.* 0*d.* Does t that come into the usual charges ?—No, the ser-nts are extra. In that amount there is 6*l.* included id to Light, a blacksmith, for some stoves which Mr. ymour bought of him in 1863; and 3*l.* 2*s.* 0*d.* paid Dennis for carriage hire. A night or two before e election he said he must have the mouey.

43,466. Is that the Dennis of whom the fish was ught ?—Yes.

43,467. You paid Dennis for the salmon ?—I did not. Prout, my clerk, paid him.

43,468. Did you talk with Dennis about his vote ? —Yes.

43,469. What did you say to him ?—I told him that he should be remembered. I did not mention any sum.

43,470. James Shore, travelling expenses, 4*l.* ?— He came from Matlock, in Derbyshire.

43,471. Servant at the "Seymour Hotel," 2*l.*— That was the cook who had been omitted.

43,472. You gave Mr. Charles Michelmore 25 guineas ?—Yes.

43,473. (*Mr. Coleridge.*) Is it usual to pay the cook at an hotel ?—I paid all the other servants; the cook was not then present.

43,474. Did you ever hear before of a cook being paid ?—No; I was requested to treat the servants handsomely, and I did so. She had a great deal of trouble.

43,475. Had her husband a vote ?—No.

43,476. (*Mr. Bere.*) The next item is 117*l.* ?— That is the auditor's expenses.

43,477. S. Parnell, a loan ?—25*l.* He came one morning and asked me to lend him 25*l.*, which I did. He tells me that is to be repaid.

43,478. What shall you do when it is repaid ?— Carry it to this side of the account.

43,479. W. Windeatt, a loan ?—That is the old gentleman.

43,480. He was your paid agent ?—I never got any explanation about it. The money was advanced when he was going to London about the registration expenses.

43,481. Was the money paid by you by cheque ?— Yes.

43,482. He was not going to London on the 7th of October ?—I think it was paid by cheque, I cannot recollect.

43,483. The next is T. White Windeatt ?—That is for assistance during the election; he canvassed the whole time, and assisted greatly.

43,484. Who is R. Jackson, 10*l.* ?—A carpenter at Buckfastleigh who was very much tempted to vote against us by Captain Pim himself. He went out and saw him on the morning of the election and said, if he would ride in the carriage with him Mr. Edmonds would give him anything he liked to ask for. Some time after the election Mr. Hamlyn said he ought to be remembered, and I gave Mr. Hamlyn 10*l.* to give to him after Mr. Windeatt's death.

43,485. J. Green, railway fare, 5*s.* ?—He is a voter; he came to me one day before he went to London, on the petition, and said he wanted to go to Plymouth and had not the money to pay his fare, and I let him have 5*s.*; it had nothing to do with the election.

43,486. Mrs. Beazley, private hotel account, 40*l.* ?— That is Mr. Seymour's private account.

43,487. You have charged him with 133*l.* on other persons' account; I suppose that was the division of the account unpaid at the time of the petition ?—Yes.

43,488. Was that divided at your suggestion amongst other people ?—No; it was divided at Mr. Windeatt's suggestion. The instructions were given to Mrs. Beazley at the time that nothing was to be charged to Mr. Seymour unless he ordered it himself.

43,489. There was a well-understood arrangement that anyone who came in had what they liked, and Mr. Pender and Mr. Seymour would pay for it if there was no fuss about it ?—It was not so understood.

43,490. It had always been so done before ?—It had been so done before.

43,491. Do you know of any other money coming into Totnes during the election for Mr. Seymour ?— No.

43,492. No other money came to your hands ?—No a farthing.

43,493. Was that the only sum that Elliott had from you ?—Yes.

THIRTY SECOND DAY.

Mr. J. Michelmore.

25 Oct. 1866.

43,494. Have Prout or Callard ever had money from you to give to voters ?—No.

43,495. Have either of them the power to draw cheques ?—No.

43,496. Not even at election times ?—No, not at any time.

43,497. Was Prout employed at the second election? —He was here only two or three days.

43,498. Who paid him, you or Mr. Cuming ?—I paid him.

43,499. Was he ever employed by Mr. Windeatt or Mr. Cuming ?—No.

43,500. (*Mr. Coleridge.*) Was Mr. Tucker over here at the last election ?—He came over in the afternoon of the nomination day with Mr. Jardine.

43,501. What brought them here ?—I cannot tell you that. I have heard it reported that he brought money here to pay Mr. Seymour's expenses, but that is not true; Mr. Jardine was anxious to see how the election was going on; he had as many as 20 voters in this neighbourhood.

43,502. Did you ever hear of his offering any money to Mr. Danby Seymour ?—He was not here at the last election, at least I think he was not.

43,503. (*Mr. Bere.*) Besides those whom you have mentioned did you not hold out inducements to others, did you not see Thomas Blackler ?—The stonemason ?

43,504. Yes, the same.—I saw him, but I never held out any inducement to him ; the moment I saw him he began abusing me.

43,505. Did you not try to get over his abuse ?—No ; I stood outside the door; Mr. Seymour canvassed him. I did not go in.

43,506. You did go and call on Blackler with Mr. Seymour ?—No, we saw him at Farley's, the tailor's.

43,507. Farley is his son-in-law ?—Yes.

43,508. This question was put to Blackler, "Did "not he tell you you would lose your stores ?—No ; I "was out of the stores before that election. I told Mr. "Seymour I would not vote for him because I was "turned out of the stores ?"—Yes, that is quite right.

43,509. He says, "I cannot help that," and Mr. Michelmore was there, and I said that Mr. Michelmore could if he had liked, and he said, "My back is "pretty broad ; it will take a good piece of cloth to "make me a coat. That was in my son-in-law's shop, "who is a tailor. Mr. Jeffery Michelmore, not the "old gentleman. That is the words that passed be-"tween us." Did anything of that sort pass between you ?—I think it did. I do not recollect the large piece of cloth to make me a coat, but I recollect saying my back is very broad. I was accustomed to such things.

43,510. Did not you see Smaridge in 1865 ?—No.

43,511. Just think.—I am not sure about Smaridge whether I saw him or not. I know he was not at home when we got to his house.

43,512. Did not Mr. Jeffery Michelmore say if you voted for him he would make it all right this time ? And the answer is, "I think he did ?"—I will tell you that Mr. Charles Michelmore had 60*l.* to pay into the hands of Smaridge and Shillabeer. They said they did not receive the money. I told Shillabeer. I do not recollect about Smaridge. I was very sorry, and said that it should be all right.

43,513. Did you give William Mitchell notice to quit after that election of 1865 ?—I think I did.

43,514. What for ?—He was very abusive to me.

43,515. He had voted the wrong way, I suppose ?—He always did.

43,516. How long had he been a voter ?—I think he had been a voter some years on that property. I do not know how long. The property has only lately come under me ; it does not belong to the duke.

43,517. To whom does it belong ?—Philip Michelmore, a cousin of mine.

43,518. Is he the same way of thinking in politics as you are ?—Yes ; he never had a vote.

43,519. (*Mr. Coleridge.*) Has he a vote for the county ?—I do not think he ever voted for the county. He has a vote for the county, of course.

43,520. (*Mr. Bere.*) Had not you something to do with Charles Pengilley ?—No ; that is the young one.

43,521. Yes ?—No ; the only thing I had to do with him was this, on the day of the election, if he is the son of the other man, he came down to me and said the other party had threatened to turn his father out of the house, and I said, "Do not you be alarmed "at anything of that kind. If they turn you out I "will find you a house."

43,522. Had not you told Pengilley to go down and see Bovey ?—No.

43,523. Did not you tell him to go and see Bovey because you could not go yourself, because they were keeping too sharp a look out on the other side ?—No.

43,524. Are you quite sure ?—Yes. I never gave him a thought. When we first canvassed him he said he should not vote for us, and I never gave him a thought afterwards.

43,525. Did not you ever authorize Pengilley to offer him any money whatsoever ?—No.

43,526. Of these 12 men who voted against you in 1863, how many of them voted for you in 1865 ?—(*Referring to a paper.*) Byne, that is all.

43,527. How did you get hold of Byne ?—I do not know at all how he was got hold of.

43,528. I think you know how it was arranged with him ?—No, I do not.

43,529. What lease has he ?—Of the field, a yearly tenancy.

43,530. When did he become a yearly tenant ?—It must have been the Lady-day nearly twelve months after the election.

43,531. Lady-day 1866 ?—It was only recently that would be the probable time of that, Lady-day 1866. I do not think he actually became tenant; he came into some field that a man named Adams rented, and he took off Adams' lease.

43,532. Did not you let him off the rent between Michaelmas and Christmas ?—No.

43,533. Did you let Adams back that rent ?—No.

43,534. What was the reason ?—Adams gave up the field. He used to keep some cows and that, and he gave up keeping them. He had some more land belonging to Mr. Amery at the top of the hill. He now has a small field.

43,535. Byne had land from the other side ?—Yes.

43,536. Had he notice to leave that ?—I do not know, he is out of the land now.

43,537. You know that he had ?—No, I do not; I had nothing to do with the other side at all.

43,538. Did not he come and tell you that he had been turned out of his land by the Conservatives, and that you ought to give him some ?—He had the land when he was turned out.

43,539. When did he have your land ?—I could look at the Lady-day rental and tell you.

43,540. Is Adams a Lady-day tenant ?—Yes.

43,541. Did he give it up then ?—Yes.

43,542. Now had not Wm. Byne come to you before the election and asked you for some land ?—No.

43,543. Or your father ?—Not that I know of to my father.

43,544. How much does Wm. Byne rent now ?—He has two fields, 9 acres altogether.

43,545. What does he give for them ?—17*l.* the one and 16*l.* the other.

43,546. That is 33*l.* altogether ?—Yes, and that there is an understanding that next Lady-day his rent is to be increased.

43,547. Was there anyone else in the market for that field ?—Adams' field ?

43,548. Yes.—No.

43,549. Did nobody else come to you and offer a larger rent ?—No one.

43,550. Do I understand there was no inducement to Wm. Byne to vote on your side, by giving him land —Not by me.

43,551. By any person about whom you know ?—No, I do not think so ; no one with my authority.

43,552. Did you know that land had been offered to Wm. Byne ?—No, I did not.

43,553. Are you quite certain you had no conversation with Wm. Byne before the election of 1865 about the land ?—I do not think he was at home when we canvassed him, if I recollect right.

43,554. But any time before the election ?—I saw him after he had voted on the Plains.

43,555. What did he say ?—He merely told me how he had voted.

43,556. Did not he say something then ?—He said, "If I am turned out you must remember me."

43,557. And you said you would ?—Yes, but no inducement to vote.

43,558. Had he seen either of your clerks, Prout or Callard ?—No.

43,559. To your knowledge ?—No ; I have made up my mind to tell you everything I know.

43,560. Do you remember something happening about a man called Robert Mogridge at the last election ?—I recollect what he stated in London ; it was perfectly untrue my meeting him at Plymouth and asking him what his price was, and told him to go to Turpin. I never told him.

43,561. It is untrue that you told him to go to Turpin ?—Yes.

43,562. You knew nothing about his going up with Mr. Chaster to Turpin's house ?—No, I never saw Turpin about it.

43,563. Is it all untrue ?—About his going to the house ?

43,564. About his going to the house ?—I do not know.

43,565. Had you seen Turpin about the matter ?—No.

43,566. Or other voters ?—No.

43,567. None at all ?—No.

43,568. Had you given Turpin any money ?—No.

43,569. Or talked to Turpin about voters he might influence ?—No.

43,570. Nothing of the kind ?—Nothing of the kind.

43,571. Had you had nothing to do with Mr. Edmonds in 1865 ?—I do not think he was about then.

43,572. Is that all you know about the election of 1865 ?—Yes.

43,573. You have told us all ?—Yes.

43,574. You have neither directly or indirectly had anything to do with influencing any voter for his vote excepting what you have told us ?—No.

43,575. Neither directly nor indirectly ?—No.

43,576. At that time, when you went round among the voters, did you find any hesitation among your Bridgetown people in promising ?—No, not the slightest.

43,577. Did you find there was any hesitation among the persons whose property has been recently acquired in Totnes, the Gerston property ?—There were only three or four voters.

43,578. (*Mr. Coleridge.*) Then you say it was after your father came back from having been over to Stover to see the duke that the parties came together as one ?—Yes.

43,579. That was in 1864 ?—At the end of 1863.

43,580. Did your father know what he was going to Stover about at that time ?—No ; he went over on general business ; he had not seen the duke for a long time.

43,581. Had there been any conversation with the duke on the subject ?—No.

43,582. Did your father tell you what had taken place ?—He told me when he came back that the duke had given up the idea of any expenditure with regard to the borough.

43,583. From that time you date what you may call the fusion of the ducal party, and the independent Liberal party into one ?—Yes.

43,584. And since that time the duke has taken no interest whatever ?—No.

43,585. Did not he in 1865 ?—No, not the slightest.

43,586. You and your father as his agent went on pursuing the same course after he had ceased to take any interest as you did before ?—Yes.

43,587. And things went on just the same, with the exception of the duke's payment to the registration ?—I do not think there was any difference.

43,588. When the general election came, Mr. Seymour and Mr. Pender stood upon what we may call equal interests ?—Yes.

43,589. And there was no pressure put upon the duke's tenants to vote for Mr. Seymour in preference to Mr. Pender, in the event of splitting with the Conservatives ?—No.

43,590. Your functions ceased at that interview between your father and the duke at Stover ?—Yes.

43,591. I suppose that is what is referred to by Mr. Chaster about that time saying that the proposal coming from the duke was so unexpected, and at any of the ensuing elections it might not be necessary to have separate committees ?—I cannot say ; it is what, according to the context, might be the meaning.

43,592. (*Mr. Bere.*) You are really about the only person who could give us any specific information about the creation of votes for the borough of Totnes. Can you tell us when you first heard of the creation of faggot votes ?—It was before my time.

43,593. Before your time ?—Yes.

43,594. What do you call the commencement of your time ?—In 1859.

43,595. I do not mean the election matters, but about the creation of votes ?—I was home very little then.

43,596. You did not know much about Totnes then ?—No.

43,597. Then a great many were created when you came to live at Totnes ?—They were created in this way, the farmers in the adjoining parishes and the neighbourhood took the fields.

43,598. That is not the particular arrangement ?—You are alluding to the companies.

43,599. Beginning with the companies.—That is a very recent matter.

43,600. When were they first started ?—They were not started in 1863 ; since then.

43,601. They were started in 1864, were they not ?—Something like that.

43,602. They were started early enough in 1863 to enable them to have a qualification in 1864 ?—No, I do not think they were. They were started in 1864 to enable them to have a qualification in 1865.

43,603. For instance, we will take Mrs. Beazley's field. What is the name of that ?—There were four fields.

43,604. How many acres ?—14 or 15 acres.

43,605. Of whom did that company consist ?—That was the Dartmouth Company.

43,606. Was that the company of which Mr. George Fitze was the manager ?—Yes.

43,607. What was the arrangement ?—When Mrs. Beazley took the hotel the fields were not part of the agreement at all. We had the hotel in hand before she took it, and we had the ground, and up to the 31st July we stocked the ground.

43,608. Up to the 31st July 1864 ?—Yes ; we stocked that ground with cattle, and she merely had a couple of cows.

43,609. Who do you mean by "we ?"—My father and myself.

43,610. On your own account ?—Yes.

43,611. You charged yourself with rent to the duke ?—Yes.

43,612. Did you vote upon those fields ?—No.

43,613. Did any person vote upon those fields at that time ?—Yes ; a man of the name of Ford voted in the 1863 election.

43,614. Elias Ford ?—No, the man who had the 60*l.*

43,615. How did he get the vote ?—He was in the hotel before Mrs. Beazley came. Before it came into our hands the stables were taken by the ostler,

and the and was taken by the late waiter at the hotel.

43,616. He had a fair and egitimate vote ?—Yes.

43,617. You had the land up to July 1864 ; who took it then ?—The land was then let to the company.

43,618. To Mr. Fitze ?—No.

43,619. Give us their names. Was Christopher Grant Clift one ?—Yes.

43,620. Mark Fox ?—Yes. Noah Clift was another; somebody Rees was another, Henry Rees, I think.

43,621. William Henry Rees ?—That is it.

43,622. Thomas Stranger ?—I cannot recollect that. Mark Whittell was one.

43,623. How was it managed ?—It was managed in this way : these parties were nominally to be the tenants, and they were to take Mrs. Beazley's cattle to keep.

43,624. To take Mrs. Beazley's cattle to keep ?—Yes.

43,625. Had she got many cattle ?—Oh, yes; they keep a dairy.

43,626. And divide the profit between them, and if it came to more than 60*l.* that would give you each a vote. Was that the arrangement; or were they to pay you actually 60*l.* a year rent ?—68*l.* a year.

43,627. Of course they did not pay ?—Oh, yes, they did. We are in arrear now, I am sorry to say.

43,628. Have you not always charged the rent against Mrs. Beazley ?—No. Mr. Fitze attended at our office and paid the rent. We have a separate agreement for the house entirely. There is nothing mentioned in the agreement about the land whatever.

43,629. They paid their rents through Mr. Fitze, and then came down upon Mrs. Beazley for what was owing ?—Yes.

43,630. Then she was the real tenant ?—Yes.

43,631. They had no occupation at all ?—No.

43,632. (*Mr. Coleridge.*) Was that ingenious matter of cutting the cabbage suggested by you ?—No.

43,633. Do you know who suggested it ?—I do not know.

43,634. (*Mr. Bere.*) I suppose Mr. Tucker is the suggester ?—He was the starter of it.

43,635. That is one company. What other company was there ?—We had a company who voted on some land taken by Mr. Elias Ford.

43,636. Where ?—At Totnes.

43,637. A portion of Gerston ?—A portion of Gerston, and a portion of Mr. Webber's property.

43,638. (*Mr. Coleridge.*) That is the company to which Mr. Pender and Mr. Seymour gave a guarantee? —That is the one that failed.

43,639. (*Mr. Bere.*) Can you give us the names of that ?—The names of the voters ?

43,640. Yes.—The two Mr. Hamlyns.

43,641. The manufacturers at Buckfastleigh ?—Yes. Mr. Sawdye, an auctioneer at Ashburton; Mr. Bradridge, a farmer; Mr. Hepburn, another farmer ; Jackson, the carpenter, to whom we were alluding just now. How many is that ?

43,642. That is six. Then there are some more I think, is there not ? Furneaux ?—Yes. He is another.

43,643. John Hayling ?—I think there is a man called Hunt.

43,644. John Sparke Amery ?—Yes, and his son.

43,645. John Whiteway Hoppin ?—I think he was on that company, I am not quite sure.

43,646. John Knapman ?—Yes.

43,647. William Henry Rossiter ?—Yes.

43,648. Richard Stanning ?—Yes.

43,649. John Venn ?—I think you are mixing up the two companies. I can hardly tell you the names. There were two or three companies I think at that time. There were 11 that voted in companies in Totnes on our side.

43,650. (*Mr. Longe.*) Eleven Totnes voters ?—Yes; besides the five here.

43,651. (*Mr. Bere.*) Besides the six here ?—Five; one is dead.

43,652. Those were all ?—Yes.

43,653. I have given you a number of names to which you have said "Yes," and now you say "You are mixing up the companies ?"—I do not think they were all one company. I do not think there were 11 voted in that way.

43,654. But I read more than 11 ?—I cannot recollect now. Then there was a company of 11 or 12 that voted on the other side.

43,655. I know that. Is that a Gerston company or a Broomborough company ?—No. That was a Broomborough company the other side.

43,656. Did they vote ?—Yes, they voted, 11 or 12 of them.

43,657. What were their names ?—They were the other side. A man named George Browse was one.

43,658. (*Mr. Coleridge.*) Who was the manager ? —I think Mr. Robert Harris.

43,659. All these companies had managers, had not they ?—I think Mr. Robert Harris was the one. They tried to get up two companies. They got up one company, of five or eight parties, and they could not get them to speak so strong as they wished, so they struck them off.

43,660. (*Mr. Bere.*) They voted in the election of 1865 ?—Yes.

43,661. Can you give us their names in going through the list ?—I think I could.

43,662. Now the Gerston company, which came to an untimely end, that was a company of which Mr. Elias Ford was the manager ?—No ; he was merely the landlord.

43,663. (*Mr. Coleridge.*) Where did you get the land ?—We took it from the different parties in the neighbourhood.

43,664. And then sub-let it ?—Yes, into different farms.

43,665. (*Mr. Bere.*) That was to make 45 ?—Yes.

43,666. That the Tories allowed ?—Yes.

43,667. Do you know that Mr. Pender and Mr. Seymour were the guarantees for the losses and expenses of that estate ?—I think there was something of that kind.

43,668. Had you anything yourself to do with that company ?—Yes ; I was one of the supporters of it.

43,669. Were you a shareholder of it then ?—No.

43,670. (*Mr. Coleridge.*) Was it a limited liability company ?—No.

43,671. Were you the original promoter ?—No ; I was not the promoter.

43,672. You know Mr. Pender and Mr. Seymour each guaranteed 250*l.* towards those losses ?—Yes.

43,673. And had to pay it ?—No.

43,674. What was the loss ?—I have not made it up.

43,675. Was it more than that ?—I cannot tell you. Oh, no.

43,676. It was not a paying farm ?—It was not on long enough.

43,677. I see by Mr. Pender's correspondence that he urges all through that it should be managed in such an economical way that if the votes should fail it should answer as a commercial speculation ?—Yes.

43,678. Then why did it not go on ?—Because the company failed.

43,679. It failed politically, but it might have answered otherwise ?—We did not care about that.

43,680. (*Mr. Longe.*) How long was the company on Mrs. Beazley's land in existence ?—They only voted one election, in 1865.

43,681. They never did pay the 68*l.* ?—Oh, Mr. Fitze paid it to us. How he got it I do not know. I think he managed it through Mrs. Beazley.

43,682. He paid the whole 68*l.* ?—He paid the half-year's rent.

43,683. Did you ever get the whole 68*l.* ?—I got whatever was due up to that time.

43,684. (*Mr. Coleridge.*) You give Mr. Tucker the entire credit of this ingenious device ?—I think he may take the whole of it.

43,685. Have they struck those votes off at Ashburton ?—I do not think they have been brought on.

43,686. Not been objected to ?—No.

43,687. You did not support your votes if objected to ?—What, in Bridgetown ?

43,688. No, altogether ?—We had not a chance. In Totnes it is always an understanding that the Totnes list should be taken first, and the Totnes list being taken first, the Bridgetown did not go on.

43,689. How many voters have the Liberal party lost in Totnes and Bridgetown ?—I have not been through the list.

43,690. You did not support your votes in Bridgetown ?—The old register was taken in Bridgetown. There must have been seven or eight lost.

43,691. (*Mr. Bere.*) Seven or eight lost ?—Yes.

43,692. There were a number objected to in Bridgetown, were they all Liberal ?—All Liberals, with the exception of a man named Miller. I have not been through the list. I have not taken part in the registration this year.

43,693. (*Mr. Coleridge.*) Who manages it on your side ?—Mr. Windeatt.

43,694. Young Mr. Windeatt ?—Yes.

43,695. (*Mr. Bere*) Did Mr. Prout lose his vote ?—Yes.

43,696. In fact they all lost their votes ?—All on that list.

43,697. (*Mr. Coleridge.*) How many votes were there lost on the Liberal side, Mr. Edmonds ?

(*Mr. Edmonds.*) I do not know at all ; I have not looked into it.

43,698. (*Mr. Coleridge.*) You did not attend the registration ?

(*Mr. Edmonds.*) I did not.

43,699. (*Mr. Coleridge.*) Who attended ?

(*Mr. Edmonds.*) Mr. Harris, I believe so.

43,700. (*Mr. Bere.*) There were 34 voters objected to in Bridgetown. Just look at that list and see how many were Liberals (*handing the list to the witness*) ?—I think they are all Liberals on this list, except one. They would not support them. They were merely put on the register for a certain amount.

43,701. Then there has been another way of making votes, has there not, in making use of the land, in getting farmers of the neighbourhood to take fields and put buildings on them ?—That has always been, for years and years.

43,702. (*Mr. Longe.*) How long has that been ?—Longer than I can recollect, and the fields are mostly in the same occupation as they were then.

43,703. Single fields, with linhays on them ?—Yes.

43,704. (*Mr. Coleridge.*) Do you recollect the linhays being built ?—Oh, no.

43,705. They were built on purpose for making votes ?—I cannot say that.

43,706. They are taken by farmers who have regular farms ?—Exactly so.

43,707. And they would not require those buildings ?—Yes, they would. When a field is stocked in some way you must have some place for the cattle to go to. It is a most important thing and most essential.

43,708. (*Mr. Bere.*) Those buildings did not happen to be erected on those fields till the Reform Bill passed, which gave a vote for buildings and land ?—That I cannot tell.

43,709. I want you to go through the list of 1865, the duke's tenants in that list. Go through that list as you did with the 1859 one, and mark with a cross the names of the duke's tenants. Put a tick for those who are faggot votes, and a stroke down like that (*describing*) for those who are linhay votes. I mean by faggot votes company votes. In all those cases, as far as we have learnt yet, one person is the real landlord and the other is only sham ?—No. A farmer takes the field generally to stock it.

43,710. (*Mr. Coleridge.*) Do you mean they take the whole farm, and that as a general rule every farm is in one single man's name, and occasionally a son is put in ?—The farms of single tenants.

43,711. That is what I mean ?—Yes. Two tenants do not together take a field.

43,712. Where the whole farm is, say, a farm of 100 acres, is it generally taken by two men together ?—No. The son comes in sometimes. We had one farm where we had two tenants residing.

43,713. Residing together in the farm-house ?—Yes.

43,714. Any relations ?—They are related.

43,715. Brothers ?—Uncle and nephew.

43,716. I mean any instance where they are two perfect strangers ?—Oh no. (*The witness here handed up the list marked as requested.*)

43,717. (*Mr. Bere.*) This is only Bridgetown ?—I thought you only asked for that.

43,718. I should like you to give me Totnes too ?—The Totnes list has been ticked by somebody else.

43,719. Yes, but I shall recognize it ?—I shall put a cross over the ticks (*the list was ticked and handed in*).

43,720. Was not there a man of the name of Thomas Mitchell who rented some property under the Duke of Somerset ?—Yes, a house.

43,721. Did he receive a half-yearly certificate for the payment of 5*l.* for a half-year's rent ?—I saw it in the papers, that is all.

43,722. Do you know that for years and years his vote was objected to, on account of insufficient value, by the Conservatives ?—Yes.

43,723. And he came forward on all occasions and said his rent was 10*l.* a year ?—Yes.

43,724. Do you know that when he voted for the Conservatives the Liberals objected to his vote ?—Yes.

43,725. I do not know whether it was yourself who gave evidence that 10*s.* a year was always given back ?—No. He stated that to have been done by my father some years since. He declared at the time I was called that he was paying 10 guineas a year, and he was only paying 10*l.* I did not go forward to give evidence Mr. Dawe said, "There is Mr. Michelmore, the duke's agent, call him up, and I was bound to get up and say it was not 10*l.*

43,726. Did not you or your father give him half a sovereign ?—No.

43,727. Then this is not true : "When I first took "the house I took it at 10*l.* a year. After I had "taken it Mr. Michelmore considered whether it "might not be an objection to my vote in consequence "of there being an attached cellar, which led from "my house into a cartilage ; that being so, Mr. "Michelmore said you had better give me 10*s.* or "half a sovereign, and then you can say that you pay "11*l.* a year ?"—I cannot say it was not or it was. It was before my time.

43,728. It was objected to in 1859 ?—Yes.

43,729. And he appeared and swore that he gave 11*l.* ?—Ten guineas, I think, he swore.

43,730. He was objected to first in 1859 and then in 1863, and he paid identically the same rent when he was objected to by the Liberals as when he was objected to by the Conservatives ?—Yes.

43,731. Thomas Holman at Lady-day 1862 was the tenant of Barton Meadow ?—Yes.

43,732. At Michaelmas 1863 it was in the occupation of Angel, Blackler, and another ?—Yes.

43,733. You ticked them off ?—I ticked them off.

43,734. There was an agreement between you and Mr. Holman that the field should be used to make votes ?—Yes.

43,735. Those are what you call faggot votes ?—I ticked them off.

43,736. Who are Hodge and Co. ?—That is the same matter.

43,737. Is not that another lot ?—There is on Prout, Vasey, & Co.

43,738. Is that Prout your clerk ?—He was my clerk.

43,739. He is not now ?—No ; my brother's.

43,740. Does he live in Newton ?—Yes.

THIRTY-SECOND DAY.

Mr. J. Michelmore.

25 Oct. 1866.

43,741. He is not living here ?—No.

43,742. What instructions do you give before an election to your clerks, as far as working at the time of an election goes ?—I never allow them to interfere in any way at all, except by my orders.

43,743. What are the directions you give ?—I do not give any with regard to the election. If I wanted them to do anything I should tell them to do it.

43,744. And they do do it ?—Yes, if I tell them what to do.

43,745. The drawback lasts all the time the interest of the election lasts ?—It is a drawback as far as the clerks are concerned, by keeping them from other work.

43,746. (*Mr. Longe.*) William Knapman, he voted for the other side and was evicted ?—He was on the duke's property in 1859.

43,747. This is after 1859 ?—I think it was the property of the duke.

43,748. Are you sure he is not ticked off ?—There are many Knapmans.

43,749. There is the man I mean (*pointing out a name on a list*), was he a tenant of the duke ?—Yes.

43,750. How did he vote ?—For Dunn.

43,751. He was evicted, do you not remember the circumstances of the eviction ?—I recollect his being evicted, but whether in 1859 I cannot tell.

43,752. Did you canvass him at that election for Lord Gifford ?—I think very likely I canvassed with Lord John Hay the whole of the time.

43,753. You remember canvassing him ?—No, I do not remember that.

43,754. Do you recollect that when canvassing whether you asked for both the Liberal candidates or only one ?—Only Lord Gifford.

43,755. Was that early in the canvass ?—Yes, we canvassed quite distinct from each other.

43,756. You remember the eviction ?—I may have given them notice. I have not got a copy of the notice served on them.

43,757. Did you never hear anything about it; you do not remember the circumstances of the eviction ?—I recollect his leaving the premises.

43,758. I mean the reason for it ?—I should presume the great reason was because he voted against us.

43,759. That is your belief ?—Yes.

43,760. You have no doubt of that ?—My not having any copy of the notice I am not sure we have given the notice.

43,761. There was some dispute about it, and you could not get him out ?—I do not recollect it.

43,762. (*Mr. Coleridge.*) Was it not that the notice was one making the tenancy expire at the wrong time of the year, or something of that sort ?—I do not know.

43,763. Should you have a copy of the bad notice ?—Yes; our notice is to quit at the end of such a time, or else at the end of the current year.

43,764. It might be a twelvemonth's notice ?—Then I should have a copy of the notice.

43,765. (*Mr. Bere.*) I do not see that you have marked Underhill. There was a company of persons for building on land ?—Yes, Mr. Bartholomew was one.

43,766. And Mr. Henry Cuming is one ?—And Mr. Kennedy.

43,767. Robert Harris ?—And Mr. Luscombe. They never had a chance of construction.

43,768. Arthur Browse Niner ?—He was not in. Mr. Harris was manager of the whole company.

43,769. (*Mr. Coleridge.*) What qualification did he vote for ?—For his own house.

43,770. (*Mr. Bere.*) Is there anything more you can tell us ?—No. If there is anything I recollect that I have not given you, I will correct it.

43,771. We find that Mr. Windeatt's letter to Mr. Pender expressed great anxiety to give you and Mr. Jenkins the power, can you give any reason why Mr. Windeatt should have been so anxious for that ?—Only the reason that they both belonged to the same set. Jenkins was a very active man.

43,772. Did you know that Mr. Jenkins had gone down to live at Leeds at the time ?—No.

43,773. Was there not great anxiety expressed to get him back to Totnes, from the great support he was to the Liberal party ?—I do not know.

43,774. (*Mr. Longe.*) Was William Mitchell a tenant of the duke in 1865 ?—No, a tenant of my cousin's.

43,775. Did you give him a notice to quit before the election ?—Yes.

43,776. Did you canvass him with Mr. Seymour ?—I expect we did. We canvassed everyone. There were only two men we left out at the last canvass.

43,777. Did you give William Mitchell to understand the notice would be withdrawn if he voted for Mr. Seymour ?—No, I never heard a word about it. The house is in dispute at the present time.

43,778. You heard what he stated ?—No.

43,779. Do you remember any conversation with regard to the notice ?—No. I should not have thought of sending him any such thing at all. He came forward; his vote was objected to year after year by the Liberals; he came forward to swear that the rent was 10*l.*, and he also swore that a back house did not belong to the tenant, and by that means he kept himself on the register.

43,780. I do not think that you have marked Hodge on the list ?—William Hodge is a bonâ fide voter. Hodge & Co., I do not think they were on; they never voted.

43,781. (*Mr. Longe.*) Did not Magridge hold of the duke ?—Yes.

43,782. When was that ?—I think after the 1863 election.

43,783. Quite lately ?—Yes.

43,784. Between 1863 and 1865 ?—Yes, he was out of the tenancy. He was one of the 12 you were speaking of just now; they were evicted at that time. His name is not in this list; it must have been before that time, this begins in 1863. Mr. Kellock was 1859.

43,785. There might be others besides Kellock ?—Yes. I have only looked at the 1863 and 1864.

43,786. Was he a tenant in 1859; do you know that ?—What was his qualification ?

43,787. He is a Totnes voter, in Cistern Street ?—I do not recollect the name; he was not a tenant very long in.

43,788. Do you think there were any other tenants of the duke who had notice to quit after 1859 ?—I can let you know if there are.

J. W. Chaster.

JOHN WEBBER CHASTER recalled and examined.

43,789. (*Mr. Coleridge.*) From the time of Mr. Pender first coming here to the time of his election were you consulted with respect to the election ?—Very regularly.

43,790. Almost once a week ?—Not so often as that; very frequently.

43,791. Do you recollect this letter; "Totnes, Nov. " 25th, 1863. My dear sir,—I presume you will have " received from Mr. Cuming, per penny post, a letter " asking you to postpone your visit to Totnes for " some days. Mr. Thomas Michelmore writes Mr. " Alfred Seymour to the same effect, and you will no " doubt communicate with each other for a mutually " agreeable appointment, some days later than was " first intended. Although I left it with Mr. Cuming " to write you, I fancy you will like a line from me in " explanation, and I write with that object. The fact " is, there are matters of vital importance just turned " up, which must be settled, and it can only be done " satisfactorily in the presence of Mr. Thomas " Michelmore; he has engagements the week named " for your visit which render it impossible he can " be at Totnes to meet you, and on your account " most especially I consider it a necessity he

should be, and therefore press the postponement. On Monday night he asked myself and Mr. Cuming to meet him, and he then made a communication from the duke of so unexpected a character, and involving so many considerations for the future, that it at once knocked up the scheme for a separate committee in my mind, and created the necessity for another and more important similar one for the entire management of the whole Liberal forces. I wish you were nearer to consult upon the situation, which is a most delicate one, and ought not to be committed to paper, and I am too engaged just now to leave any distance to meet you. I will only say we have the reins handed us, and the only problem is how best to handle them, and who amongst us are most capable and most honest to do it." What does that mean, an unexpected communication from the duke ?—That communication had come directly from the Duke of Somerset, with reference to working the borough in the Liberal interest.

43,792. Why was that told you by Mr. Michelmore ?—I received it from Mr. Thomas Michelmore ; Mr. Cuming communicated it to me.

43,793. It was a thing of so delicate a nature that you would not like to commit it to paper ?—Not that it should go into the hands of another party.

43,794. Were there any terms ?—No.

43,795. Simply giving up the interest in the borough ?—No.

43,796. Was anything said about his being relieved of all expenses ?—No.

43,797. Was it that it was to be turned over to the Liberal party ?—That they were to have the nomination of the candidate.

43,798. You arranged to have a meeting ?—Yes, at Mr. Thomas Michelmore's, at True Street.

43,799. Did Mr. Pender come down ?—No.

43,800. What was determined at that time ?—We agreed to certain resolutions.

43,801. Where are they ?—They must be in writing somewhere.

43,802. What was the purport of them ?—We accepted the proposition. I do not recollect any nomination at the time.

43,803. Were you instructed from the duke. It was after the 20th of November that you wrote to Mr. Pender on the subject; how long after you received that intimation did you hold the meeting ?—I think we received it in the afternoon of the same day we met. It had nothing to do with Mr. Pender.

43,804. This is November 1863 ; Mr. Pender came in 1862 ; when he was the member did you write to him as the member ?—That was in 1862.

43,805. Then 1863 is a mistake for 1862 ?—No.

43,806. There must be some mistake here, because in 1862 you refused to have Mr. Seymour because there was a duke's vacancy ?—Yes.

43,807. Surely it cannot have been in January 1862 you refused Mr. Seymour, because you had a ducal vacancy in December 1862. Was it after Mr. Seymour's election ; what you have been saying is a mistake ?—There were two meetings ; I have rather confused it. Mr. Michelmore asked us to meet there before Earl Gifford's serious illness, and it was 12 months after that November 13th that the communication came from the duke.

43,808. As to the meeting in 1862, what was the effect of it ?—As to the meeting of 1862, we were asked to meet at True Street to nominate a candidate in case of a vacancy.

43,809. The ducal interest was made over at the date of this letter ?—Yes.

43,810. When you talk of things so delicate that they cannot be committed to paper, had it anything to do with any matter in addition to the expenses ?—I do not know about the expenses. I cannot charge my memory with what it refers to exactly.

43,811. Was there not some other agreement or proposition that you had to accept ; the duke would hardly withdraw unless he was to have a *quid pro quo* ?—He was to nominate his own candidate up to that period.

43,812. What was it for him to offer if there was not some *quid pro quo* to be rendered to him ?—He asked for nothing.

43,813. Was he to be relieved from all responsibility ?—I take it that his own candidate was to bear the expenses that he had previously borne.

43,814. What were they ?—I think the registration expenses.

43,815. Do you know whether he paid anything towards the municipal expenses ?—Not that I am aware of.

43,816. Do you know that before that he paid the registration expenses ?—I do not. From having nominated the man, I presume, he took on himself to bear the costs.

43,817. Of his election ?—The matters connected with the registration.

43,818. Was he to withdraw his subscriptions from the town ?—I never heard it.

43,819. Only 45*l.* was paid for the registration, and that he was to be relieved of; was there nothing else to relieve him of ?—Not that I am aware of.

43,820. This delicate matter was in reality that the duke would not interfere in the matter at all ; was there any chance of the Liberal party refusing to be freed from the duke ?—Yes.

43,821. Rather than that the duke should withdraw his influence ?—He had a deal of influence on that side.

43,822. Mr. Michelmore would have no faggot votes ; the evictions were just the same ?—Yes ; we had no claims on Mr. Michelmore.

43,823. Mr. Michelmore was to cease to care about politics ?—Just so.

43,824. Had he been doing anything in any way to lead you to suppose that ? — Not the least in the world.

43,825. Who were the people who had to be consulted in the matter ?—Only a few men, and letters.

43,826. Who were they ?—Mr. Cuming and Mr. Michelmore.

43,827. They were the two attorneys who acted professionally ?—Yes.

43,828. Was there anybody else ? — Mr. Charles Michelmore.

43,829. Cannot you on looking at that letter again give us any further account of what this could be ?—I see what you mean.

43,830. It was so unexpected ?—It was quite unexpected.

43,831. When you told us the other day in your evidence that if Mr. Pender had come down upon Lord Gifford's death you would not have had him, because there was a ducal vacancy, that was before you had this agreement ?—Yes.

43,832. At that time had there been any suggestion of this agreement being made at the meeting of 1862 ?—That was the first time I heard of it. I recollect Mr. Pender suggested that there should be a committee to manage matters almost solely. He was the chief, and everything went through his hands. The duties were too much for him, and Mr. Pender suggested that there should be a committee. That is the meaning of it. There was to be an entire management for the whole party, it being a Liberal committee to manage on the part of the duke and for the whole party.

43,833. Well, now, there is another thing that I want to ask you. We have seen in a letter of Mr. Brooking Cuming's that at Mr. Seymour's election there was a divided command on the morning of the election, and to prevent things going badly things were made over to him—what does that mean ?—I suppose the 500*l.* was handed over to him.

43,834. He said he had consulted Mr. Michelmore, although he was the head nominally ?—I suppose he would consult him. I do not suppose Mr. Cuming would take upon himself to do anything except the mere routine of business without consulting Mr. Michelmore. I think it extremely probable that 500*l*

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J. W. Chaster.

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must have come on the day of the election or the previous one. I never knew of any feeling between Mr. Michelmore and Mr. Cuming during the election. They were capital friends as far as I know.

43,835. You did not think very well of Mr. Seymour's chances of success?—No doubt of it.

43,836. Did you think the Liberal party were not supporting him as they should. You say in a letter, "I fancy a few lines from me in the present election "struggle will not be unacceptable to you. Mr. "Dent appears determined to fight, and scatters his "offers of gold among the small voters most pro- "fusely and most lavishly, in addition to which the "gentry of the neighbourhood are coercing and intimi- "dating the shopkeepers by threats of the loss of their "custom"; what does that refer to?—The gentry of the neighbourhood.

43,837. Who were they?—I could not give you any names.

43,838. Was there any intimidation?—Yes; they called on the shopkeepers and threatened them with a loss of trade.

43,839. The clergy?—The clergy and others.

43,840. Surely you must know the names of some of them?—I do not; reports were brought to me which I have no doubt were true.

43,841. To what distance did it extend; did it go to Dartington?—No. I never considered those things, the reports were brought to me.

43,842. Then the letter goes on, "If they do not "support him, or at least remain neutral, things wear "a serious aspect. I never knew up to this point a "tougher fight, and it requires to be met by a united "vigorous, and determined action. Unfortunately, "Mr. Alfred Seymour is not a man of your calibre, "he does not make much way personally, and is not "overstocked with that *suaviter in modo* so neces- "sary to successful canvassing. The duke's agents "are too confident, and the triumvirate attorneys "are too indifferent, evidently desirous to manifest "their own importance. I can assure you it re- "quires all the oilmen of my stamp can thrown "in to maintain the machinery in fair going condi- "tion and keep it in gear. Nevertheless we shall "render a good account at the poll, and I do not fear "we shall place Mr. Seymour at your side to assist "at the opening of the session in maintaining the "veteran Palmerston in the proud position he so well "and ably fills. Believe me to be dear sir, yours "very faithfully, T. W. Chaster." Then there is a letter which you wrote to Mr. Pender telling him you wish to have a list of the charities, because some were being worked against you, do you recollect when it was?—No; it was a suggestion of Mr. Windeatt's, he asked me to do it; it would refer I think to 1864.

43,843. Then there are several letters about the 250*l.*?—Yes.

43,844. There was a lump sum to the company?——Yes.

43,845. And 250*l.* a year, if necessary, for the purposes of registration?—Yes.

43,846. Then there are some letters of Mr. Pender remonstrating with that being a fixed sum, and saying that it ought not to cost so much?—Yes.

43,847. Then there is an arrangement for the municipal expenses to be paid out of the registration?—Yes.

43,848. (*Mr. Bere.*) No doubt the company was started simply for the purpose of making votes?—Unquestionably.

43,849. (*Mr. Coleridge.*) Read that letter and explain to us what it means (*handing a letter to the witness*)?—This would be about the time that the *quo warranto* bills were asked for and a committee appointed to investigate that and say what we should do.

43,850. What does that refer to—the handsome offer that was made?—The offer was to pay what the committee said was due because Mr. Pender was no party to the payment of that bill. Mr. Seymour was; it was never named to Mr. Pender when he came here.

43,851. You say in your letter, "in order to enable "the committee to discharge all expenses they have "incurred during and previous to the registration "then concluded." Then there is a letter of January 21st, 1865: "Will you be good enough to forward the "enclosed to Mr. Pender. I received your favour of "the 18th, and find you have since sent on Mr. "Pender's subscriptions to the various charities. I "think it would be well in future if the list were sent "down annually to Mr. Pender's committee for "revision before the money is forwarded. Many "changes have taken place, some of the charities are "worked against us; and Mr. Pender should be in- "formed of all the facts before deciding on the course "he will pursue." What does that refer to, "worked against us?"—Mr. Windeatt brought it to my knowledge, and said the committee ought to arrange it, to issue the tickets, and asked me would I write about it. I do not think the committee ever took any action upon it.

43,852. What do you mean by the charities being worked against you?—I think in the Blanket Society they were given away partially by the ladies in Totnes. It was thought there should be some new blood infused into it in order that the thing might be adjusted.

43,853. It was to be made a political matter if it worked for you, and by some circumstance it was worked against you?—Yes.

43,854. Were any changes made?—I do not remember the committee. I never sat upon it. I paid that sum to the same treasurer, the same amount.

43,855. (*Mr. Longe.*) After this communication you understood that the different candidates did not receive the same support from the duke?—We were promised the same support by Mr. Michelmore.

43,856. Did you suppose that Mr. Michelmore was acting entirely independent?—We did think so. That appeared to be the delicacy of the situation with us.

43,857. You thought that you had a great deal of support from the duke?—The duke no longer stood in the position that he had.

43,858. The duke could not interfere?—He could not interfere, but he had been presumed or supposed to interfere previously.

43,859. You had supposed up to that time that the duke had directly taken part in the election?—We had no knowledge of that.

43,860. What did you suppose to be the difference in your situation after that communication?—The duke always made his own nomination. The Michelmores assisted the party on this side of the bridge, and the independent candidate was separate altogether. We took care of him on the other side. There were two committees. The Michelmores acted on the part of the duke and Mr. Cuming on the other side; but after the amalgamation there was one head and one committee, and one worked with the other.

43,861. Did you consider this amalgamation to be the loss of the duke's interest?—No, but we had no longer any claim.

43,862. Because you did not pay the 40*l.* a year?—We took it upon ourselves.

43,863. The duke had always paid the 40*l.* a year?—I never knew of that.

43,864. (*Mr. Coleridge.*) How came it that if the duke paid the 45*l.* a year, and that was sufficient for his expenses, that you wanted 500*l.* from Mr. Pender and Seymour?—These companies were started, and we thought they would be expensive.

43,865. It is a difference of from 45*l.* to 500*l.*?—It did not follow as a matter of course that we should spend it.

43,866. But did you spend it?—We had extraordinary registrations which lasted a fortnight.

43,867. There is a letter from Mr. Brooking Cuming to Mr. Pender, and he says, "We have got a few of your men," and only a few?—There are extreme Liberals here who only support independent men, and will not support the duke's nominee.

43,868. Not when there is one Liberal and one Conservative?—That refers to independent men.

43,869. We have heard that several were paid after

Mr. Pender's election. Do you not think that following as it does, that means the men that were paid by Mr. Pender, and it was to be carried to Mr. Seymour's account?—It does look like it, but I do not take it that way, some of the men are very firm here.

43,870. Does it seem more feasible to be the other way?—It does, but it does not commend itself to me.

43,871. (*Mr. Longe.*) Was not this one of the changes, that Mr. Michelmore canvassed the duke's tenants for your candidate as well as their own, and that he went with Mr. Pender in 1865?—He did go with him, but I do not know that that was a change.

43,872. Mr. Michelmore canvassed for Mr. Pender in 1862?—Yes, I believe he canvassed for him throughout.

43,873. This agreement was made in February 1863?—Yes.

43,874. Michelmore never canvassed with Mr. Mills?—I do not think he did.

43,875. (*Mr. Bere.*) After the agreement in 1863, the ducal agents lent you as much assistance as their own party?—Yes.

43,876. And canvassed the ducal tenantry with your candidate?—Yes.

43,877. (*Mr. Coleridge.*) Was not that part of the arrangement?—No, I do not think it was. I recollect Mr. Michelmore saying, "You will get the same assistance as we have always rendered."

43,878. But you got a great deal more?—Perhaps in a certain sense we had.

43,879. Were there any dissensions among the leading men in accepting this offer of the duke?—None whatever.

43,880. We have heard from Mr. Michelmore that several evictions took place after 1859 and 1863, do you know any former elections where tenants of the duke who had waited on the other side, that the same course of proceeding had been carried out?—I know very little of elections previous to 1862. I know nothing of my own knowledge.

43,881. You knew of those evictions in 1863?—Yes, I heard of them.

43,882. They were as much in favour of the independent candidate, or were they only for the ducal candidate?—I do not think they were confined specially to the ducal candidate. I should say the Liberal interest altogether.

43,883. At that time?—Yes; you are speaking of 1863, and that referred to the whole Liberal party.

43,884. You the independent were great gainers, because you got Mr. Michelmore's power?—We always considered that we were gainers.

43,885. Was he acting as the agent of the Liberal party in evicting these?—I should say not. I never knew any consultation with regard to those matters.

43,886. If the duke had given up his right of nomination?—But he assisted us.

43,887. (*Mr. Bere.*) Do you know of any other instance of tenants of Liberal landlords being turned out for voting the other way?—No, I do not; my tenants always vote against me, and I never turn them out.

43,888. Did Mr. Seymour and Mr. Pender have separate committees in 1865?—No.

43,889. Joint?—Yes.

43,890. That is the first time that you ever knew two Liberal candidates jointly?—Yes, it was.

RICHARD CROSS sworn and examined.

43,891. (*Mr. Bere.*) Were you clerk with Mr. Michelmore for some years?—I have been accountant and surveyor for the Duke of Somerset in the office of Mr. Michelmore for 32 years, and I have retired from those duties about four years.

43,892. Had not you something to do with the books of this hotel?—Yes, I have been keeping them occasionally for Mrs. Beazley.

43,893. Did not you do something else besides keep them?—Some leaves I suppose taken out.

43,894. You took them out?—I do not know whether I did; I think I did and Mr. Beazley together.

43,895. In the little room inside the bar?—Yes.

43,896. Who recommended you to take them out?—The accounts were mixed up with other business of the house, and they were rather confused, and I think Mrs. Beazley suggested that all the election accounts should be kept in a separate book, and they were taken out for that purpose and new leaves put in, and the other portions of the business entered in in the new leaves, I believe by the lady in the bar.

43,897. Had not all the expenses incurred in the house during the election of 1865 been entered to Mr. Pender and Mr. Seymour?—Yes.

43,898. And were not the leaves you took out the entries of those expenses?—The entries were in those leaves.

43,899. Then did not you make out fresh accounts to different individuals; not to Mr. Pender and Mr. Seymour, but other individuals?—They were entered in the book to different heads.

43,900. Not when you took the leaves out?—Yes.

43,901. Were not they entered to Mr. Pender and Mr. Seymour?—No; to those who gave the orders they were entered, and this is a direct copy of the day-book.

43,902. When did you first alter the ledger from the general account to this particular account?—I think before the election matters were all entered up. I think there were several things entered afterwards.

43,903. Did not you after the election take out the separate items and put them down as an account to Mr. Pender and Mr. Seymour separately?—I think so. I think there were entries after that.

43,904. Up to that time had not everything been put down to Mr. Pender and Mr. Seymour?—No. There were several names independent of that.

43,905. Is this the portion of the account which you tore out?—No, that is the original account.

43,906. Is that in your handwriting?—It is.

43,907. Is this paper also in your writing?—No, it is not.

43,908. Who took those leaves out?—That I do not know. I heard Mrs. Beazley say that they had been taken out.

43,909. What leaves were taken out by you, from what book?—A common day-book. The entries were kept distinct from the other entries of the business of the house.

43,910. What have you had to do with election matters?—Very little.

43,911. What was the most you had to do with them?—Last evening I made out a report, and if it will at all facilitate your inquiries you are quite welcome to it (*handing a paper to the Commissioners*).

43,912. Most of the information here we have had already?—My first commencement was with Lord Boringdon. I suppose you had nothing to do with him?

43,913. We know that he did come here as a candidate. Is this the book that you kept?—That is the book that I kept. That is a copy which I took out of some portion of the day-book in order to keep it separate from the other accounts.

43,914. Where did you copy these accounts from?—I took them principally from the day-book, and at other times it was copied on a piece of paper by the barmaid, and then copied into the book in the evening or on the next day.

Adjourned to to-morrow at 10 o'clock.

THIRTY-THIRD DAY.

Friday, 26th October 1866.

THIRTY-THIRD DAY.

Mr. WILLIAM EDWARD JAMES sworn and examined.

Mr. W. E. James.

26 Oct. 1866.

43,915. (*Mr. Bere.*) Are you station-master to the South Devon Railway ?—I am.

43,916. How long have you been station-master here ?—Since 1851.

43,917. Ever since you have been station-master, have you had a vote ?—No, not all the time.

43,918. When did you first have a vote ?—In 1857, I think.

43,919. Did you vote for the Liberal candidates ?—I did.

43,920. Have you continued to vote for the Liberal candidates ever since ?—Yes.

43,921, Are you son-in-law to Mr. Cross ?—Yes.

43,922. What consideration have you received for voting for the Liberal candidates either before or after the election ?—I received 50*l.* in 1863, in October of that year, but not from a promise or from anything. Mr. Michelmore, in his evidence, says I was promised it in 1862, but I deny that.

43,923. You knew that you would get it ?—No, I did not, and I never expected to get it.

43,924. (*Mr. Coleridge.*) What did you get it for ?—It was sent to me.

43,925. (*Mr. Bere.*) Who sent it to you ?—The late Mr. Michelmore.

43,926. By whom ?—By Mr. Cross.

43,927. Was he at that time his clerk ?—He was.

43,928. (*Mr. Coleridge.*) What was it for ?—He told me Mr. Michelmore said it was for me, because I had stuck to my principles, and because there was very large temptation on the other side.

43,929. What was the temptation on the other side ?—In 1862 100*l.* was offered to me for my vote.

43,930. By whom ?—By Mr. Evan Evens, and if that would not do, any amount I chose to mention, or if I would not do it for that, if I would not vote for the Conservatives, I might receive an amount for not voting at all, but that I refused to do.

43,931. (*Mr. Bere.*) I suppose you communicated those offers to Mr. Cross ?—I do not know.

43,932. I suppose there was a long conversation and you mentioned it, and then Mr. Cross mentioned it to Mr. Michelmore, and for your steadiness Mr. Michelmore sent you 50*l.* ?—That is only how I can account for it.

43,933. In 1865 did you have any temptation ?—I had an offer from Mr. Evan Evens at that time, of a situation on a railway at a salary of 300*l.* per annum.

43,934. What railway ?—The Great Western, I understood.

43,935. Did he say how he was to get it ?—He did not say directly, but he said he was in a position to get it.

43,936. Was that at the time that Colonel Dawkins was standing, or at the time they were not quite sure who was going to stand ?—I cannot say.

43,937. How long was it before the election ?—It might be a week or 10 days. He waited on me at the station.

43,938. How many voters have you among the officials at the station ?—At present only one.

43,939. Is that Smith ?—No, Tope.

43,940. Smith was a voter ?—He was.

43,941. Did you ever ask him for his vote ?—Never asked him to vote except according to his conscience.

43,942. Did you ever say that you were going to vote according to your conscience, and you wished that your conscience and his should agree ?—I never hinted anything of the kind.

43,943 (*Mr. Coleridge.*) Had you any present after the election of 1865 ?—No, I had not.

43,944. Did you ask Mr. Cross how it was that there was no money going at that time ?—No, I did not.

43,945. You would not be surprised, from your experience of 1862, if you had got anything ?—I would not, but I never expected anything.

43,946. How was it that you got little hope in 1865 ?—I had no hope.

43,947. Expectation ?—I had none ; never expected anything.

43,948. You did not expect money in 1865 as in 1863 ?—I did not expect it in 1865 nor in 1863.

43,949. But in 1865 you thought it might be the same as 1863 ?—If I thought about it I might have thought that way.

43,950. Did you have any conversation with Mr. Cross ?—No.

43,951. (*Mr. Longe.*) When Mr. Cross gave you the money did you express your dislike to the money ?—I had a great deal of inclination to send it back.

43,952. Did you express that ?—No, not to him, but to others.

43,953. (*Mr. Coleridge.*) Did you give any receipt for it ?—No.

43,954. (*Mr. Bere.*) Was it paid in cheque or in money ?—In bank notes.

43,955. (*Mr. Coleridge.*) Did anybody at those elections, except Mr. Evan Evens, come to you ?—Yes, Mr. John Heath.

43,956. Which election was that ?—1863.

43,957. Did he come to you or did you go to him at the "Stars ?"—He came to my house at the station.

43,958. What did he say ?—He was very peculiar in the way he broached the subject. He said he was in a position to do me a favour, and he said that if 100*l.* would be of any service he could give me that amount that morning for a favour ; he did not tell me, but I was to guess.

43,959. You could guess from Mr. John Heath ?—Yes, I could guess very well.

43,960. When was that ?—Some few days before the election.

43,961. You refused that ?—Yes.

43,962. He came to your house ?—He came to my house. That was not convenient, and then he came to the station.

43,963. Was it then that Evan Evens came to you ?—That was another time when Evan Evens came to me. That was in 1862, and Mr. Heath came in 1863.

43,964. Who came to you on the other side in 1863 ?—I was waited upon by the candidates and the gentlemen with them.

43,965. In 1862 Evens came to you, and Mr. Heath came to you in 1863 ; did Evens come, too ?—No.

43,966. In 1865 Evens came again ?—Yes.

43,967. In 1865 did Mr. Heath come ?—No.

43,968. You voted Liberally on each occasion ?—Yes. Mr. Michelmore said I was promised that in 1862 and did not receive it till 1863, but that is not very likely, for I did not vote.

43,969. You were not offered anything on that side in 1862 ?—No, nor in 1863.

43,970. In 1863 did you tell anyone that you had been tempted on the other side?—Yes.

43,971. What did they say when you told them of the temptation?—Nothing to induce me to vote.

43,972. What did they say?—That it was a great shame, or something of that kind.

43,973. Did Mr. Michelmore talk to you about it?—No.

ROBERT BOURNE sworn and examined.

43,974. Are you an auctioneer living in Totnes?—Yes.

43,975. How long have you been living here?—15 years.

43,976. How long have you had a vote?—Since 1859.

43,977. Upon which side have you voted?—Always the Liberal side.

43,978. Council elections as well as the Parliamentary elections?—Always.

43,979. You have had a little to do with the elections besides voting?—A little.

43,980. What little have you had to do with the election of 1859?—I think that was Dunn's election. The night before the election I met Mr. Charles Michelmore and Mr. Brooking Cuming, or whether they called at my house I do not know; it was near my house, and they asked me to see a person named Pengilley.

43,981. Was it George Pengilley?—Richard Pengilley, the voter. I said, "For why?" They said, "We want you to try to get him to vote for the two Liberals." I refused, and said I would have nothing to do with that sort of thing. Mr. Michelmore said, "You belong to our party and attend our meetings "and so on, but when we ask you to do us a favour "you refuse." After a great deal of persuading I consented to see him. I sent for him and, he came to my house. I asked him if he would oblige me by voting for Gifford and Mills next day. This was the day before the election. He said he could not do it, not that it made any difference to him which side he voted for, but Mr. Bryett had a mortgage on his house and he was afraid if he voted for the Liberal party Mr. Bryett would call in his mortgage, and he should have to pay it off. My reply was, I thought there would not be any difficulty, and perhaps the Liberal lawyers on the other side would take the mortgage, and it might be arranged.

43,982. Did he tell you the amount of the mortgage?—No. He then said he did not think that would do, but if the Liberal lawyers could advance him 75*l.*, or what he had got on his house, he thought it could be arranged with Mr. Bryett. I said I would communicate this to the party, and if they thought so, no doubt he would hear from them by 8 o'clock in the morning. I communicated this to Mr. Michelmore. I met with him and Mr. Cuming together, and they said "Very well." I heard no more about it till the next morning. As I was going down to vote I met Mr. Michelmore, and he said, "You are a poor electioneerer." I said, "What do you mean?" He said, "I thought we understood from you last night Pengilley was all right." "Am I wrong," I said, "is it not all right?" "No, he has been down and voted for Dunn." "Did you send to him in the morning?" "Yes, a messenger was sent with a parcel. He came to the door, and the messenger said that he had a parcel for him." He said, "I know what it is; give my compliments and tell them I will do better." That is all I know.

43,983. When did you first vote?—I think in 1859.

43,984. That was your first time?—I think so.

43,985. There had been no means of ascertaining what were your political feelings before that time?—Oh, yes; I had always voted for the county members on the Liberal side, and my father before me.

43,986. Had they not tried to convert you on the other side?—No. In 1859 there were letters written to clients of mine, gentlemen who were Conservatives, desiring them to try to prevent my voting, if they could do so.

43,987. Who tried?—There was Mr. Samuel Lane, of Dorchester; he mentioned to me that he had had a letter from Mr. Bentall.

43,988. Was there any intimation to you that if you voted for the Conservatives Mr. Samuel Lane's custom should be taken away?—No.

43,989. That is all you had to do with 1859?—Another gentleman told me that a party had written to him from Totnes, the Rev. Mr. Wollaston, who told me some one had called on him and requested him to see what he could do to prevent my voting. When Mr. Woolaston told me that, I got annoyed and disgusted that I, who had been always a Liberal, should have anyone try to persuade me to turn my coat.

43,990. In 1862, at Mr. Pender's election, what did you do?—I think it was that time, one evening before the election, old Mr. Michelmore, or the late Mr. Michelmore, the son, Jeffery, spoke to me. I was at the "Seymour Hotel," he called me out, and asked me if I would accompany Mr. Durant's man to Stokenteignhead; that was the gardener of Mr. Durant, a man of the name of Hannaford, had been taken away, and he thought I would see what had become of him, because Mr. Durant was anxious that he should be found if possible. The parties had had information that he was at Stokenteignhead, at the house of a farmer of the name of Soper, and, I suppose, that my knowing Stokenteignhead, and this farmer's house too, was the reason Mr. Michelmore asked me to accompany him. I consented, and went up by the 8 o'clock train to Teignmouth, and there we took a fly and drove to the house.

43,991. Were you joined by anybody at Newton?—A person of the name of Veales, a manure merchant.

43,992. How was it that he came to join you?—We met him in the train.

43,993. Did you tell him what you were going to do?—He offered to accompany us.

43,994. Did he go with you?—Yes, he did. I went then to Soper's house, and I said, "Have you any parties here from Totnes"? "Yes," he said, "there are several." I said "Are you aware whether there is a person named Hannaford." He said he had not heard of him. I explained that this man had been taken away. I said "Allow me to go into your house and see whether he is there." Finch and I walked in, and we came into a room where there were four. Young William Willis said "Go on." I saw Mogridge, Stoyles, and Norrish. I do not know who the other was; there was another, but I forget his name now. Norrish was rather abusive, and he asked me my business. I said "We are in search of Hannaford." He said, "We have nothing to do with that party." He said "Hannaford is not here." Then I left the house and came back.

43,995. There was a little more disturbance than that?—Nothing more. I saw in the paper the other day an account, and it appeared there as if I had had some conversation with him. I never spoke to the man. Mr. Michelmore was with me.

43,996. Was that all you did in 1862?—That was all.

43,997. Did you offer any money to any voter in 1862?—None.

43,998. None at all?—No.

43,999. Had you any money given to you to distribute?—Not a farthing.

44,000. Before or after the election?—Not 1863.

44,001. Are you quite sure between 1862 and 1863 you had not something to distribute?—No.

44,002. Then, neither in 1859 or 1862, had you anything whatever to do with bribing voters than what you have told me?—No.

44,003. Now, 1863, you had a good deal to do with that, had not you?—I will state what I had to do.

44,004. Do so if you please?—The morning of the

THIRTY-THIRD DAY.

R. Bourne.

26 Oct. 1866.

election of 1863 the late Mr. Michelmore asked me if I would go to a place called Rolster Bridge, in the parish of Harberton; a voter by the name of Tucker, who lives there, had promised not to vote at all.

44,005. What christian name?—John Tucker. Mr. Michelmore, and, I think, the Liberal lawyers were informed on the morning of the election that he had been tampered with by the other party; that parties had driven out there in the morning to see him, and try to get him. The late Mr. Michelmore asked me if I would be kind enough to go out and see him, to ascertain if that was correct or not, and if so, to tell him if he would keep to his promise he should have a present of 25*l.*

44,006. You went there and saw him?—Yes.

44,007. Did you promise him 25*l.*?—I told him the message I took from Mr. Michelmore.

44,008. Did you go by yourself?—No, I think the young Matcham went with me.

44,009. James or Thomas?—Thomas. He did not see Tucker with me. When I went Tucker was not in the house. I saw his wife, and she said, "He "is almost worried out of his life, parties have been "here this morning worrying of him, and he is keep-"ing out of sight; he has gone out in the fields," and I went out in the fields, and I found him, and he told me that parties had been there that morning, and one party had put 100*l.* on his table, if he would vote for Dent.

44,010. Did he mention the names of the parties?—No, he did not.

44,011. Did you make any inquiries of him as to who they were?—No, I did not.

44,012. You contented yourself with the fact that 100*l.* had been offered him?—No, I did not. I contented myself with his word.

44,013. You sent him the 25*l.*?—Yes.

44,014. Who by?—Tom Matcham I think it was. The day after the election I spoke to Mr. Windeatt about this 25*l.* that had been promised to Tucker, and he said, "Bourne, if you will be kind enough to "advance this 25*l.*, when we settle I will give you the "money again." I did so. I gave him 25*l.* of my own money. I do not know the date, but I received a cheque from Mr. Jeffery Michelmore for the amount.

44,015. Was that cheque payable to you?—Payable to me.

44,016. Payable to you or bearer?—Payable to me or bearer.

44,017. What bank was that on?—The National Provincial.

44,018. Was this the only person you had anything to do with in the way of money?—The only person I ever had to do with in the way of money in my life.

44,019. In 1863?—Yes.

44,020. Had not you been to see some of the voters, in order to ascertain which side they were going to vote in 1863?—No.

44,021. Did you never go to see a man called Warren?—No, never.

44,022. Or a man called Woodley?—Never in my life.

44,023. Did you ever use your influence with a person of the name of Toms to make him vote?—No.

44,024. Had Toms your printing before 1863?—Yes, he had.

44,025. And did he have your printing after he voted in 1863?—No.

44,026. For what reason was that?—I will explain that. Some few days before the election I had occasion to go into his office in order to get some work done, and I said, "Mr. Toms, what are you going to do at the election?" "Well," he said, "I do not think I shall vote at all." He says, "I have friends "on both sides, in fact you are as good a friend as I "have, and therefore I shall be sorry to offend any-"one, and I shall make up my mind not to vote at "all;" and my reply was, "It is the best thing you can do." Of course I communicated this to Mr. Michelmore and Mr. Cuming, and I told them they might put him down as neutral, and they asked me why, and I stated the conversation I had with him, and to my great surprise, the evening before the election, a party came into my house, and said, "Have you heard Mr. Toms has promised Mr. Dent?" And I said, "Never! It cannot be possible," because I thought he was a person I could place the greatest confidence in. He said, "Depend upon it he has." I said, "I am determined to see him upon it," and I went to his house and saw his wife, and I said, "I hear your husband has promised to vote for Mr. Dent to-morrow?" She says, "Yes, he has," in rather an impertinent way. I said, "I am surprised at that, I should like to see your husband," and presently Mr. Toms came in. I said, "Mr. Toms, your wife tells "me you have promised to vote for Dent to-morrow, "I hope it is not the case that you have gone from "your promise in this way, because I have been and "told the party that you promised me you would not "do so." "Well," he says, "I cannot help it, I can-"not help it." I said, "Very well; up to this time I "have had the greatest confidence in you, but you "must not expect any further favours from me, I "have lost all confidence in you."

44,027. Then you took your business away from him in consequence of his voting against your party?—No. I lost all confidence.

44,028. (*Mr. Coleridge.*) You were afraid he would not do the printing properly?—No. I lost all confidence.

44,029. What had your confidence to do with it then?—I do not know.

44,030. (*Mr. Bere.*) What time was it that you called?—I think it was half-past 9, it might be 10.

44,031. Had you anything to do with the election of 1865?—No.

44,032. Have you any persons who rent houses of you?—No.

44,033. No tenants at all?—No.

44,034. Clerks in your office?—No. My own son is my clerk.

44,035. You had nothing to do with the election of 1863 excepting what you have told us?—No.

44,036. What had you to do with the election of 1865?—Nothing whatever.

44,037. You voted I suppose?—I voted.

44,038. Did you vote early in the election, or late?—Somewhere about 9.

44,039. And you voted for Pender and Seymour?—I did.

44,040. Have you been canvassed by the other side?—No, not by the other side; they never thought of canvassing.

44,041. Had you ever been with the Liberal candidates to canvass at any time?—No.

44,042. Were you down at the "Seymour Hotel" where they were?—No.

44,043. You were there frequently?—No.

44,044. What made you not take any part in the last election?—Because I had more business to do. I had not time to throw away upon it.

44,045. What are your customers, principally Liberal or principally Conservative?—Principally Conservative.

44,046. And did they in any way try to interfere with your vote the last time?—No.

44,047. Only on that one occasion?—In 1859.

44,048. Have you at any time received any consideration for your vote?—Never in my life.

44,049. Directly or indirectly?—Never in my life.

44,050. A promise of business or employment?—Never anything of the kind.

44,051. Have you had any communication with Mr. Pender on the subject of a situation for your son?—None whatever.

44,052. Never got a promise of a situation for your son?—No. I never required it.

44,053. I understand that you had nothing to do ith the election excepting what you have told us?—othing.

44,054. You never interfered with any persons vote, directly or indirectly?—Never, unless what I have told you.

RICHARD CROSS recalled.

44,055. (*Mr. Bere.*) Just look at this book (*hand-g account book to the witness*). Is that the book ou had a little to do with?—Yes.

44,056. Show us where it was that you took the aves out of that book?—There.

44,057. What became of those leaves which you took t?—They were given to Miss Weekes in the bar copy in all other accounts that were transacted at e bar in those new leaves, and all the old ones ken out; the election matters were all got into one ok at that time, and the other portions entered into e new leaves placed there for the purpose.

44,058. (*Mr. Coleridge.*) Do you really mean to y that your only reason for taking out those leaves as for the convenience of having all those leaves gether?—Well, there was one point more.

44,059. Tell us what that was?—The object was, at Mrs. Beazley was informed by the solicitor of the ustees under Mr. Lovely, that they would require e-day book, and she was not willing that the ection matters should appear in the day-book.

44,060. (*Mr. Bere.*) Is Mr. James, the station-aster, your son-in-law?—Yes.

44,061. Did you bring him a present of 50*l.* in ctober 1863?—Yes.

44,062. Where did you get that from?—From r. Michelmore, senior.

44,063. How came he to give it to you?—I will xplain it as near as I can remember. After the lection of 1863 we met, I think, between this and is residence, and we were talking over the amount f bribery that was transacted during the election. t came up in this way: "Well," I said, "I recollect Mr. James saying that he was offered 300*l.*, and he has been tried pretty much before in other elections." We were talking over the matter, and e said, "Well, I think James is a straightforward honest man, and I think he ought to be considered," nd he said he should be. Well, Mr. James knew othing then from me. It was a short time before e election; and then, eight months after the election, is money was sent to me as a present for James.

44,064. Had you any talk with Mr. Michelmore etween the time he said James was a straight forward an and the time you had the money?—No, not that remember.

44,065. Where did Mr. Michelmore give you the oney?—I think he gave it to me at my house, I am ot exactly certain.

44,066. He came over to you, bringing the money ith him?—Yes, I believe that was the case.

44,067. That was not all you had to do, was it, with at election?—I think so.

44,068. Come, just refresh your memory. Did you o to a man called Edward Randle Turpin?—Yes.

44,069. What had you to do with him?—He was he duke's carpenter.

46,070. What did you do with him?—Previous to he election, I should tell you, there were two car-enters in Bridgetown; both rented houses under the uke, and they were employed by the duke. Some ays previous to the election I called on Edward andle Turpin, because I had heard by-the-bye that e was tampered with in order to vote for the opposite ide, which he had always previously done for the uke's interest. Well, I had some conversation with im; I think I remonstrated "You know you have employ from the duke, and you rent a house of his, and if you go in favour of the opposite party, perhaps you will lose your house and employment, or you will have notice to quit your house." Well, t came to this: he said Mr. Jeffery Michelmore had ot treated him well, and if he gave more employ-ment to Elliott than to him, it was not fairly divided. He considered that Elliott had more work and em-ment than he had. I said, "I do not know, Turpin," but he said if Mr. Michelmore, not Mr. Jeffery, but if Mr. Michelmore would promise him that he should have a fair share of the work he would still support his interest. I went and communicated this to Mr. Michelmore at the hotel, and he said, "Go back, Cross, and tell Edward"—he called him Edward—"I was not aware but that he had a fair share of the work, but if not, he shall have it for the future." I went back and took Turpin with me to the "Seymour" at the same time, where there was a great deal of work necessary to be done, and told him he might commence with it immediately. This was some days before the election; I do not know how many. However he did not go about the work I had pointed out, and I heard by-and-bye, through a neighbour of his named James Mitchell, that he was going to vote on the other side, the Tory side. I went to him again, as I found he did not come about the work, and "Well," I says, "Turpin, why did not you go about the work that you promised me you would do?" and he had promised to go about it immediately. "Well," he says, "I do not think I shall be able to vote for you this time." "Why not? what for? "Perhaps there is something else you want besides "employment?" "Well," he says to me, "if you can give me 30*l.* I shall be all right." That is the phrase as near as I can remember.

44,071. 30*l.* he wanted?—30*l.*

44,072. What then?—Well, I had no power to offer any bribe to him, nor had I to any man. I went back and communicated this again to old Mr. Michelmore. This was, I think, the day previous to the election. I said I would make it all right with him, and it would have been all right during the day; but when I went to him again he said, "It is of no use; "I have promised my vote, and I shall not go from "it." I see by the newspaper that he states I offered him 50*l.* That is quite an error.

44,073. You only offered him 30*l.*?—I did not offer him that.

44,074. But you told him it would be all right?—I did.

44,075. You told him you would give him the same money if he voted for you that he would have if he voted on the other side?—I did not. I had no power of doing so.

44,076. Was he the only person whom you saw in 1863?—I believe that is all. I do not remember any more.

44,077. Did not Mr. Michelmore send you to other people besides Turpin?—No.

44,078. Did you not go to see some voters who were rather shaky?—I might have called to ask for a vote not to give any bribe or promise any bribe.

44,079. None at all?—No.

44,080. At that time were you clerk to Mr. Michelmore?—I was the duke's clerk. I assisted Mr. Michelmore.

44,081. Although you did not offer any money, did you say anything about land or houses to these voters who you considered uncertain?—What do you mean?

44,082. Did you not offer them some land if they would vote?—No.

44,083. Did you not tell them they would be turned out of their houses if they did not vote?—No, not except Turpin.

44,084. Was he the only person to whom you said that?—He was the only individual.

44,085. What had you to do with the last election?—I do not know that I had anything to do with it, except to vote.

44,086. You must remember whether you had or not?—I merely assisted in making out circulars, directing them, and so on.

THIRTY-THIRD DAY.

R. Cross.

26 Oct. 1866.

44,087. Did you go and see any of the voters ?—I might have kept the poll or checked it.

44,088. Did you get paid for that ?—I was paid for that.

44,089. How much were you paid ?—In 1862 and 1863 I got something.

44,090. What did you get in 1862 ?—I had 10*l.*

44,091. For each time ?—No.

44,092. For the two elections ?—Yes.

44,093. Was that for your services ?—Yes, for my services.

44,094. What had you done at the election of 1862 ?—I kept the poll, I think, nothing more ; and I voted for Mr. Pender.

44,095. Where did you keep the state of the poll ?—At the hotel.

44,096. Did you do the same in 1863 for Mr. Seymour ?—I think I kept a check.

44,097. Were you not paid your 10*l.* for what you did at the election of 1862 for Mr. Pender ?—In 1862 and 1863.

44,098. You were paid after the election of 1863 ; were you not paid 10*l.* for what you had done in 1862 only ?—I considered it might be for 1862 and 1863 ; I did not receive it until 1863.

44,099. Did you consider that you received that money from Mr. Pender or from Mr. Seymour ?—I do not know how that was ; it might have been divided.

44,100. You got your 10*l.*, and you did not much mind how it was ?—I got the 10*l.* I do not know who it was charged to.

44,101. (*Mr. Longe.*) When you first went to Turpin what did Mr. Michelmore tell you to say to him ?—There was a rumour that he was going on the opposite side ; he had always been straight forward before, and he was living in one of the duke's houses and getting employment from him. I therefore thought it very natural that he should support the Duke's interest. I found out that he was inclined to go the other way, and I communicated that to Mr. Michelmore. He complained that he had not had a fair share of work.

44,102. And that you told Mr. Michelmore ?—Yes, I went and told him. He said he had not been dealt with rightly.

44,103. Then what were you to do ?—I went and told Mr. Michelmore that he would still support the duke's interest if he got a fair share of employment.

44,104. What were you authorized by Mr. Michelmore to offer him ?—Nothing. I did not go to offer him anything at that time. I went to tell him that Mr. Michelmore said he was not aware but that he had got a fair share of work, and that if he had not had it he should have it. Then he promised me that if he got his fair share of work he would still continue to support the duke's interest.

44,105. When you first went to see Turpin you knew that he had been offered money on the other side ?—I had heard that people had been to him from the other side and that he was likely to go from us.

44,106. Who had been there, do you know ?—That I cannot tell.

44,107. You had heard money had been offered him ?—Yes. It was rumoured there was some obstacle in the way ; that he was not right as he used to be.

44,108. As to his losing his house that would have been a matter of course if he had voted for the Conservatives ?—I think he ought to do so, after being promised employment and so on.

44,109. Did you call on Blackler at the same time ?—I think I did call on Blackler, he was also a tenant of the duke's.

44,110. Did not Mr. Michelmore send you to him ?—Yes, I was sent there, most assuredly.

44,111. What was the matter with Mr. Blackler ; what did you go to him for ?—He had been a tenant under the duke many years. I can state as much as this, that when he took the premises he considered himself bound to support the duke's interest.

44,112. Those were the terms on which he took the premises ?—Yes.

44,113. What were the premises he held ?—A warehouse.

44,114. In what position is he ?—He is a stonemason ; he takes in goods at his warehouse.

44,115. What led you to go to him on this occasion ?—We heard that he was likely to go from us by bribery.

44,116. What did you go to do ?—I think now that you have reminded me of it, that he was to see me again in the course of the evening.

44,117. When you went to him was anything said by him about money matters ?—I think, if I remember, he asked 30*l.*

44,118. When you went to him did you ask him how much he was going to have for changing sides ?—I do not think I did.

44,119. Did he tell you ?—I do not think so.

44,120. What about the 30*l.* ; did he ask you to get him the 30*l.* ?—He asked me that, I think, because he was offered that or more on the opposite side.

44,121. Did he tell you ?—It appeared from the conversation that he had been offered more.

44,122. What did you say to him ?—I communicated it to Mr. Michelmore.

44,123. What did he tell you ?—That he was to have it.

44,124. And you went to Blackler ?—Yes, towards the evening, to see if matters could be arranged, but I did not see him. The fact was, that I suppose he had been better served, and he was not to be seen, and he voted against us.

44,125. And of course he was turned out ?—He had notice to quit.

44,126. Mr. John Tucker, he was another tenant of the duke's ?—I do not know.

44,127. Do you remember calling on him ?—I do not know anything of him.

44,128. Do you remember calling upon Mr. Mitchell, a tenant of the duke's, at the same time ?—No.

44,129. You did not ?—No.

44,130. Penwill, did you call on him about his vote ?—No.

44,131. John Briggs ?—No.

44,132. Hannaford ?—No.

44,133. Ellis ?—No.

44,134. Willis ?—No.

44,135. Were those the only persons ?—Yes.

44,136. You only recollected one before ?—I am glad that you called it to my mind.

44,137. Can you remember any more for the 10*l.* that you had ?—My recollection is not so good as it was 20 or 30 years ago.

44,138. You want reminding ?—You put it into my mind, or I could not remember.

44,139. Could not you give us a third ?—No.

44,140. (*Mr. Coleridge.*) You say that when Blackler took the premises, it was on the understanding that he was to support the duke ?—Yes.

44,141. Whom was the understanding made with ?—Mr. Michelmore, senior.

44,142. Were you present ?—I do not know.

44,143. How do you know that there was an understanding ?—Because there was an understanding at that time.

44,144. Did Mr. Michelmore tell you it was on that understanding ?—There were several premises let on that understanding.

44,145. Have you been present when any premises have been taken on that understanding ?—No, I do not know that I have been, but I understood that from Mr. Michelmore.

44,146. Did Mr. Michelmore tell you that that understanding was put in force ?—It was an understanding.

44,147. Part of the tenancy was, that he was to support the duke's interest ?—Yes, the duke claimed his interest for one vote from the tenant, and the other vote they had the discussion over.

44,148. Before anybody could get premises he had

promise that he would give a vote on that side ?—was generally, but there were exceptional cases.

44,149. Was Blackler one ?—Yes, and there have been others.

44,150. How came Blackler to be a man with whom there was that understanding ?—He was a doubtful man.

44,151. With those of whom they thought it was all right there was no understanding ?—Yes.

44,152. It was only those that were doubtful that there was an understanding with ?—Yes.

44,153. (*Mr. Bere.*) Did you know anything about the persons who were turned out after 1863 ?—I was out of office then.

44,154. (*Mr. Longe.*) Were you sent to Mr. Byne?—I was not.

44,155. (*Mr. Coleridge.*) When was your first introduction to bribery here; you have been a long time in the place ?—I commenced with Lord Boringdon's election.

44,156. Had you anything to do with paying money at that time ?—No, there was no bribery then.

44,157. Which is the first time that you had anything to do with paying money ?—I never paid any bribery money.

44,158. Never ?—No.

44,159. When did you first promise any ?—I never promised any.

44,160. You have told us about 1863 ?—Yes.

44,161. Was that the first time you ever did anything of that kind ?—I do not think I did anything before.

44,162. Think again, and perhaps you will find out that you did. When was the first time ?—I never paid any money, except those that I have mentioned.

44,163. But long ago, when was the first time that you ever promised any money for a vote ?—Never promised any except those that I have expressed.

44,164. But in former days ?—There was none in 1832.

44,165. But in the election of 1847 say ?—In 1832 there was no bribery, in 1835 there was no opposition, and in 1837 no bribery.

44,166. You have given Totnes a better character than anybody else has ?—I did not know of any.

44,167. Then go on with the list.—In 1839 there was a double return, and bribery then, I believe, was resorted to.

44,168. What had you to do with it on that occasion ?—I did not do anything in bribery cases.

44,169. What did you do ?—I kept the statement.

44,170. Did you promise anything at that time ?—No.

44,171. Go to the next election after 1839.—In 1840 it was Baldwin and Gisborne.

44,172. There was bribery then ?—I will tell you what I did. I had 200*l.* put into my pocket to go to Dartmouth to exchange the notes.

44,173. Who gave it to you ?—Mr. Watson and I went to Dartmouth to exchange the notes, and I gave him the gold.

44,174. You have no doubt what became of the gold ?—No; no doubt for bribery.

44,175. That was the first time you had anything to do with dirty bribery money ?—Yes. In 1841 there was no opposition.

44,176. What next ?—In 1847.

44,177. What had you to do ?—I kept the state of the poll.

44,178. Did you change any money ?—No.

44,179. Did you canvass ?—Yes, I always canvassed.

44,180. Did you promise anybody any money ?—No.

44,181. Did anybody ask you for money ?—No.

44,182. In 1852 what had you to do with it ?—I did not canvass with Lord Seymour. The eldest son of the late Mr. Michelmore accompanied me.

44,183. Had you anything to do with money at that election ?—There was bribery then.

44,184. What had you to do with it ?—Nothing.

44,185. Did you change money ?—No.

44,186. Carry any money ?—No.

44,187. Promise anybody anything—No.

44,188. What did you get yourself ?—Nothing.

44,189. Not for all your trouble ?—I think two guineas for keeping the poll.

44,190. 1855 was an unopposed election ?—There was an old saying at that time, among some of the electors, against Mr. Baldwin at the last occasion; they said that Mr. Baldwin had been a good milch cow for Totnes, but he was now milked dry!

44,191. As they did not want dry cattle they would not have him any longer ?—No, they would not have him any longer; they thought he was no use after that.

44,192. In 1857 ?—That was Lord Gifford, Mr. Mills, Mr. Mackenzie, and Mr. Gregory.

44,193. Did you get anything then ?—No.

44,194. Did you offer anything ?—No.

44,195. Promise anybody anything ?—No.

44,196. Had you anything to do with money the next election, 1859 ?—Nothing

44,197. Have you told us all that you have had to do with this money ?—Yes.

44,198. (*Mr. Longe.*) You remember that in 1832 there were only 19 voters at Bridgetown, going back to that time ?—I do not know.

44,199. You remember that they were increased ?—Yes, they increased.

44,200. All those voters, as they increased, were not they held upon those terms, that they held a qualification on condition that they voted for the ducal candidate ?—Not generally.

44,201. What led to the increase of votes ?—The increase was considerable upon building and land; it was let out in small portions.

44,202. What was it increased for; were they built to increase the town of Totnes ?—They were 10*l.* rentals, land and buildings put together, in order to establish them as votes.

44,203. Were not those voters, whoever they were, told it was supposed that they would vote for the ducal candidate ?—I do not know particularly that that was the understanding, but that was the object of making them.

44,204. (*Mr. Bere.*) Had you anything to do with making those votes ?—No.

44,205. Did not you let the land yourself ?—No, I did not.

44,206. Did not you arrange the buildings that should be put upon the land ?—No; I measured it after it was erected. There was no bribery during his lordship's elections by him.

Mr. JOHN PEDRICK CALLARD recalled and further examined.

Mr. J. P. Callard.

44,207. (*Mr. Coleridge.*) You are Mr. Michelmore's clerk ?—Yes.

44,208. How long have you been so ?—18 years.

44,209. Which Mr. Michelmore is it that you are clerk to ?—The old Mr. Michelmore.

44,210. You were to the old one, and now you are to Mr. Jeffery ?—Yes.

44,211. When did you first begin electioneering ?—In 1852.

44,212. In 1859, what were you then ?—A voter.

44,213. What else did you do besides voting at the election; did you canvass at all ?—No.

44,214. What voters had you to settle with after the election ?—None.

44,215. No money passed through your hands in 1859 ?—No.

44,216. Besides directing the circulars and acting as tally clerk, did you do anything else ?—I was not tally clerk.

44,217. What did you do in 1859 ?—Nothing.

44,218. You were in the office ?—Yes.

THIRTY-THIRD DAY.

Mr. J. P. Callard.

26 Oct. 1866.

44,219. About the time of the election were you much at the "Seymour Arms?"—In the evening.

44,220. Did you know anything about the money at that time?—No, nothing whatever.

44,221. In 1862 what did you do; that was Mr. Pender's election?—I was only a voter.

44,222. Were not you employed in any way?—No.

44,223. Who did you pay in 1862?—No one.

44,224. Did you offer any money in 1862?—No.

44,225. In 1863 did you pay anyone?—No.

44,226. Did you promise money to anyone?—No.

44,227. Did you take money to anybody after the election?—No.

44,228. Did you take money to anybody else to give away?—No.

44,229. Nothing whatever to do with money?—No.

44,230. Do you mean that all this time when these things were going you were not cognizant that money was given away?—No.

44,231. Although you neither paid money nor promised money, did you make arrangements with any voters?—No.

44,232. What did you do at the last election?—Nothing, only voted.

44,233. When Mr. Michelmore was managing these things did not you know what was going on?—No. I was in the office and occasionally at the "Seymour."

44,234. Never saw money pass there?—No.

44,235. Never saw money under the glass?—No.

44,236. Never took any packet to the "Seymour Arms?"—No.

44,237. You can tell us something about the last election, or you are the only man in Totnes who cannot?—I had nothing to do with it. I was sent one morning to Marldon to see Edmonds. Mr. Seymour had not time to canvass him, and I asked him to give his vote to them.

44,238. What did he say?—He did not promise anything. I said Mr. Seymour and Mr. Michelmore would see him.

44,239. Did he give you to understand that he wanted something to make him promise?—No.

44,240. Did you tell him there was money on your side as well as the other?—No, I never mentioned money.

44,241. You knew that he had had money the last time?—No, I never knew that he had had money.

44,242. Was not there one occupation that you had not told us about?—No.

44,243. Did you know John Screach?—Yes.

44,244. Did not you watch him?—No.

44,245. Were not you set to watch him?—No. I occasionally had a walk in the evening.

44,246. You were a sort of amateur detective?—No.

44,247. How many times have you watched him in the evening?—No.

44,248. Were you employed as a watcher?—No.

44,249. Did you watch John Heath?—When I saw him coming over the bridge I watched where he went.

44,250. Did you follow him?—Yes, occasionally.

44,251. Did you follow him any distance one evening?—To the "New Inn" one evening.

44,252. How long did he stay?—Perhaps five or ten minutes.

44,253. Did you wait outside till he came out?—No, I went in.

44,254. Did you have a conversation with him?—Merely a joke about the election.

44,255. I suppose you were watching one another in there?—Yes, I daresay.

44,256. When you both came out what did you say?—I went away.

44,257. You had nothing to do at the last election except voting?—That is all.

44,258. What did you get?—Nothing.

44,259. No present after the election?—No.

44,260. Nothing for your wife?—Nothing.

44,261. Nothing brought into your house?—Nothing.

44,262. What did you get in 1863?—Nothing.

44,263. Were you poll clerk in 1863?—No.

44,264. In 1865 what did you get for your trouble?—Nothing. I had 2*l.* for pocket expenses.

44,265. What was that for, treating?—No, turnpikes and so on.

44,266. When you were canvassing?—When I went to Marldon.

44,267. How far is that off?—Five miles.

45,268. Did you drive?—Yes, with a trap from the "Seymour."

44,269. You did not pay for it?—No.

44,270. 2*l.* for turnpikes?—Yes, and expenses during the election.

44,271. What did you receive in 1863?—I had 10*l.*

44,272. What for?—For work I had done.

44,273. What sort of work; was it 10*l.* worth?—Yes.

44,274. You would not mind doing the same for half the amount?—It would not pay me.

44,275. You got 10*l.* in 1863?—Yes.

44,276. You voted right?—Yes.

44,277. What did you get in 1865?—Nothing. I was not engaged.

44,278. In 1865, what room was it you went to at the "Seymour" in the evening?—In the smoking room.

44,279. The large room?—Yes, No. 4.

44,280. Did you go to any bedrooms in 1865?—No.

44,281. Is 10*l.* the most you ever got for any trouble at any election?—Yes.

44,282. Used you to dine at the "Seymour?"—No.

44,283. Get a glass of grog?—Yes.

44,284. That you did not pay for?—Yes, I paid for everything.

44,285. Where was there an account where you did not pay?—Nowhere.

44,286. What did James Edmonds come down to the bar of the "Seymour" on the morning of the election for?—He came down to the bar before he went over to the boat, and we had a glass of grog, I think it was, together.

44,287. And you paid for it?—Yes, I paid for it.

44,288. That came out of the 2*l.*?—Yes, it did.

44,289. That is all you know about 1865?—Yes, that is all.

44,290. (*Mr. Bere.*) You went in 1863 to Edmonds?—Yes.

44,291. Did you go with John Elliott?—John Elliott accompanied me once.

44,292. Do you mean to say that in 1863 you had not instructions to offer him money?—No, I had not.

44,293. Had John Elliott?—No, not to my knowledge.

44,294. No particular sum, but were not you authorized to say it would be all right?—No.

44,295. Did you say so?—I did say it.

44,296. (*Mr. Longe.*) When you saw Mr. Edmonds what did he say to you?—He said that Mr. Screach had been to him.

44,297. He told you the figure he was offered?—I think he did; I really forget the amount he told me.

44,298. At all events, whatever sum it was, you said —— ?—I said I should communicate that when I got back to the "Seymour," and so I did.

44,299. And they would make it all right?—No, I did not say anything about that, because I think at that time he was at Torquay, and he was coming home the Saturday evening; he said he should come over on the Saturday evening.

44,300. When you left Edmonds what did you tell him you should do?—Communicate what he had been offered by the other party.

44,301. With the object of what?—I do not know what.

44,302. Did not you tell him you would do your best, that you had been sent over by Mr. Michelmore to see him and make it all right with him?—I came back and told them what he had been offered.

44,303. Did you not tell him?—No.

44,304. You told him what you were sent for?—

nt for to see what the other parties had offered
m.

44,305. When you came back to whom did you tell
at?—Mr. Windeatt or Mr. Cuming.

44,306. What did they tell you?—I left it in their
nds.

44,307. What sum was it you reported, do you re-
mber?—No.

44,308. Was it 80*l.*?—I think it was over 100*l.*

44,309. That he told you he had been offered by
r. Screach?—Yes.

44,310. Do not you remember what they said when
u told them that?—No; I had merely got to de-
er my message, and that is all I had to do with it.

44,311. Do you mean to say that was the end of the
atter; did they say you were to see them again?—
o.

44,312. Was Elliott to see them again?—No; he
ly went as company, and had not anything to do
ith the message.

44,313. But you were acting together?—I saw
dmonds. Elliott was not in with us when the con-
rsation took place.

44,314. But he went over with you?—Yes, but he
as not present when I saw Mr. Edmonds.

44,315. Was Edmonds the only person you were
nt to?—Yes.

44,316. (*Mr. Bere.*) What had you got to do with
ne registration?—Nothing.

44,317. You had a good deal to do with it, had not
ou? "J. P. Callard, expenses to Collaton," what
oes that mean?—I was there, and came to substan-
ate my vote at the time the revising barrister was
ere.

44,318. Where is Collaton?—Nine miles the other
ide of Tavistock.

44,319. Had you gone for a holiday?—No; it was
tithe audit day.

44,320. And you came back and were paid 1*l.*?—
hat is railway fare.

44,321. "Expenses to Collaton?"—And back.

44,322. What did you go to Buckfastleigh about
he registration for?—To get signatures to a claim to
ote.

44,323. And you told me that you had nothing to
o with the registration. Were not you the person
who really in Mr. Michelmore's office managed the
whole of the registration?—No.

44,324. Who made out the bills against the Duke
f Somerset for registration expenses?—I never made
ut any bills.

44,325. What were your duties?—I had nothing
o do with the duke's accounts at that time. Cross
managed the duke's accounts.

44,326. Since Cross has left have you had to do with
the duke's accounts?—Yes.

44,327. Cross left four years ago?—He left in
1852.

44,328. You have had it then 14 years?—I mean
1862.

44,329. In 1862 the duke paid the registration ex-
penses; who made out the accounts then?—Cross.

44,330. Who made them in 1863?—I did not make
them out. Mr. Michelmore made them out then.

44,331. What was your business in the office?—
Merely to keep the general account.

44,332. What do you mean?—The day-book.

44,333. If a person came in and Mr. Michelmore
was out, and he wanted to know about taking land or
a house, did you see him?—I should take the message
and give it to Mr. Michelmore.

44,334. Suppose he was not at home?—He would
have to wait for a reply till he came.

44,335. But would not you make the arrangements
with any person who wanted a house or land and sub-
mit it to Mr. Michelmore?—Yes.

44,336. And would not your arrangements always
be sanctioned by Mr. Michelmore?—Not if he did not
accept the party as a tenant.

44,337. And if you did not accept him was he
likely to be taken?—Well, perhaps, my saying he
would not be a good tenant would make Mr. Michel-
more refuse him.

44,338. Did you always do that when you had a
man whom you could not quite trust?—Perhaps I
might put in a word that he should not take him as a
tenant.

44,339. Were not you the person who was really
engaged in letting houses and land to persons who
came to your office?—No; Mr. Michelmore might
have other objections.

44,340. Did you ever know any person to whom
you had objections to be accepted as tenant?—No.

44,341. Whose handwriting are these entries in?—
Mr. Jeffery Michelmore.

44,342. Whose is that in (*handing a book to wit-
ness*)?—Mr. Michelmore.

44,343. (*Mr. Bere.*) Did you go and receive the
rents with Mr. Michelmore?—Yes.

44,344. Did you go and receive them by yourself?
—No.

44,345. You see there are constant entries, "J. P.
Callard, on account, 1*l.*;" was that on account of
salary?—Yes.

44,346. Did not you receive a certain salary for
having to take care of the registration?—No, never.

44,347. What was your salary?—60*l.* a year.

44,348. (*Mr. Coleridge.*) Do you know Mr. Harris's
father?—Yes.

44,349. He was a tenant of the duke, was not he?
—Yes.

44,350. Do you recollect serving him with notice of
eviction?—I think I did.

44,351. When was that?—1862 or 1863.

44,352. He had no vote, had he?—No.

44,353. What did you tell him was the reason
you served him?—I do not know that I made any
remark.

44,354. Try to recollect. Did not you tell him that
the reason was the active part his son took on the
other side?—I think I did tell him so.

44,355. Not being a voter, and having done no
harm himself, he was turned out because his son was
active on the other side?—Yes.

44,356. Was that by Mr. Michelmore's instructions
you did that?—Yes.

44,357. (*Mr. Bere.*) Mr. Thomas Michelmore?—
Yes.

44,358. Of all these people who were turned out in
1863, did you draw out the eviction notices yourself?
—I think I wrote them out.

44,359. At Mr. Michelmore's suggestion?—Yes.

44,360. Or draw them out and then ask him to
sanction them?—I was instructed.

44,361. All the names given you?—Yes.

44,362. Do you think you can remember all the
people you served notices upon?—Yes.

44,363. We have had some names given, but not
others. The names of Briggs, Byne, and Blackler we
have heard; was not E. Endle served with notice of
eviction?—No.

44,364. Are you quite sure about that?—Yes.

44,365. R. C. Earle?—No, he gave notice.

44,366. James Ferris?—No.

44,367. No notice given to him at any time?—No.

44,368. Goodman?—No, Goodman was before
that.

44,369. When was that?—I think Goodman's was
1859.

44,370. What was he turned out for?—I do not
know.

44,371. He was turned out?—Then I do not know
the cause of it.

44,372. George Griffis?—No, no notice.

44,373. What happened about George Griffis?—
There was a distress for rent put in, I think.

44,374. Then he was obliged to go?—Yes.

44,375. Was that after the election of 1863?—That
was before 1863, I think.

44,376. Are you quite sure about that?—Yes.

44,377. Was that distress withdrawn on considera-
tion that he should vote for Mr. Seymour?—No.

THIRTY-THIRD DAY.

Mr. J. P. Callard.

26 Oct. 1866.

44,378. Or the money given back to him?—No.
44,379. Did you come down to value?—No.
44,380. Were you present at the sale?—No.
44,381. W. K. Hannaford?—He was served with notice.
44,382. Jeffery Maye?—No.
44,383. John Maye?—No.
44,384. Did nothing take place about him?—No.
44,385. Any others do you know about?—No.
44,386. Did you serve the notices of eviction?—Yes.
44,387. And did you serve them on the men personally as a rule?—Yes, if I could find them.
44,388. What did you say to them?—I said I had notice to deliver to them, and I suppose they must go.
44,389. What used they to say?—They received it, and did not make any remark.
44,390. Did you tell them the cause of it was that they voted for Mr. Dent and not Mr. Seymour?—No.
44,391. You knew what the cause was?—Yes.
44,392. Mr. Michelmore had told you?—Yes.
44,393. What cause had he told you?—Because they received bribes.
44,394. Supposing a person received a bribe and voted for Mr. Seymour, he was not turned out, was he?—No.
44,395. It was only those who received bribes, and voted for Mr. Dent?—Yes.
44,396. Was it always in case of receiving bribes?—Generally.
44,397. Harris's father never received a bribe?—No; but it was through his son.
44,398. You do not mean to say in all these cases you knew at the time this notice was given that they had received a bribe?—I did not know it then. I know that they had money from one side.
44,399. You never heard the facts that they had received any definite sum of money?—Oh, no.
44,400. You never heard who it was who had given it?—No.
44,401. You inferred from their voting that they had had money?—Yes.
44,402. (*Mr. Coleridge.*) Had you anything to do with the matter-of-course men Mr. Michelmore told me of?—No, I never had.
44,403. Used you to make out the list of names for Mr. Michelmore?—No.
44,404. Who did that?—I do not know.
44,405. Who told Mr. Michelmore these people would always vote right, but they must have the regular sum for doing it?—I do not know.
44,406. Would it not be part of your duty?—No.
44,407. Would it be a part of Prout's duty?—I do not know.
44,408. Did Mr. Michelmore ever ask you?—No.
44,409. Did you ever tell anybody else?—No.
44,410. Did you ever say a word to Mr. Michelmore?—No.
44,411. (*Mr. Bere.*) Are you a tenant of a field under the duke?—A house and garden in Totnes.
44,412. You served a notice of objection on William Byne?—Yes.
44,413. Did you see him?—I do not think I saw him.
44,414. Did you not see him just before the election of 1865?—No, I saw him on the morning of the election.
44,415. Where did you see him?—In the back street, going down behind the walls.
44,416. What did you say to him?—We were merely joking.
44,417. Had he voted then?—No.
44,418. Did you know how he was going to vote?—No.
44,419. What were you talking about?—About the election.
44,420. Tell us all he said about it.—I opened with "How was he going to vote?" He said he did not know how the election would turn out.
44,421. Did he say he thought it would turn out for the Conservatives?—No.
44,422. Do you mean to say that Byne did not tell you which way he was going to vote?—Yes; I never spoke to him about his vote.
44,423. Do you mean to tell me that that conversation passed between you and Mr. Byne about the election, and that he never told you which way he was going to vote, and that you never asked him?—No.
44,424. How long did you stay talking together?—A quarter of an hour or 20 minutes.
44,425. When did you find out how Byne had voted?—Not till he polled.
44,426. When did he poll; how long after you had talked with him?—Not till the middle of the day; I do not know exactly.
44,427. Though you did not talk about the election, was there any talk about the fields of a man called Adams?—No.
44,428. Did you have any talk with Byne at all about Adams's land?—No.
44,429. Who arranged with Byne for the fields?—Mr. Michelmore.
44,430. You did not arrange it?—No.
44,431. Did you not see Byne on the day of the election, and did he not tell you he was going to be turned out of the Conservative land, and you must find him some other?—No.
44,432. That you swear?—Yes, not a word.
44,433. You had no talk with him about land?—No.
44,434. What did you talk about?—Merely about the election, how it was going on. There was another man who came in, and we had a talk.
44,435. Who was the other man?—I forget his name now. I cannot tell you, but he came up to us.
44,436. Did you know that Byne had voted for Dent in 1863?—Yes.
44,437. And had been turned out in consequence?—Yes.
44,438. Did you know he had got land from the Conservatives?—I knew he had land.
44,439. Do you mean to say that there was no talk at all about the land?—I swear to it.
44,440. Do you know anything about Ackrell?—I know him.
44,441. Where does he live?—He used to live at Warland.
44,442. Was he the man that came up?—I think he was.
44,443. Did he talk about his vote?—No.
44,444. Had you voted?—Not then.
44,445. Did you say which way you were going to vote?—No.
44,446. You were talking together for a quarter of an hour or 20 minutes, and not one of you three said which way he was going to vote?—No.
44,447. (*Mr. Longe.*) Did you serve a notice on Byne?—I think I left it at his house.
44,448. Did you see him at the time?—No.
44,449. When you said, "You know what it is for," when you gave it to him, that is what you generally said?—I think so.
44,450. I ask you whether that is so?—No; I merely gave the notice and went away. Some did not say anything.
44,451. Sometimes they were evicted for other reasons besides voting?—I daresay there have been some cases.
44,452. What did you mean when you said, "You know what it is for"?—He did not go straight at the last election.
44,453. Do you mean to say that the understanding of those words was that because they had received money they were turned out, or because they had not voted right, when you used the expression, "You know what it is for," did not it mean because they had not voted the right way?—They had not voted the right way.

44,454. (*Mr. Bere.*) Was there a man called Knapman turned out after the 1859 election?—Yes.

44,455. Was there anybody else turned out after the 1859 election?—I do not know.

44,456. We have heard that Goodman was turned out, and Kellock was turned out; who else?—I do not remember any.

44,457. Can you tell who took the rents in your time?—I daresay I could.

44,458. Have you got the books with you?—No, I have not.

44,459. The election of 1859?—I can tell by the notices.

44,460. It was in April, was it not?—I think it was.

44,461. And the persons would receive the notice at Michaelmas?—It depends on the tenancy.

44,462. You can tell from the books what lands and houses have changed hands between April 1859 and Midsummer 1860?—Yes.

44,463. Was a man called Sercombe turned out in 1859?—I do not know whether it was before 1859.

44,464. When?—It may be 1859.

EVAN EVENS recalled and examined.

E. Evens.

44,465. (*Mr. Coleridge.*) When you were examined here before us the other day this question was put to you "You took no interest, I believe, in the election of '1862?—No. Nor again in 1863?—No. Was not 'the reason why you took no interest in those two 'elections because there was some peculiar circum-'stances affecting Mr. Seymour and your son?—Not 'Mr. Seymour; it was the Duke of Somerset. 'What were those circumstances?—The Conserva-'tive party gave me a nomination. To a Govern-'ment appointment?—Yes, to a Government ap-"pointment. In the Admiralty?—Yes, that is the "nomination, and my son went up and passed the "examination, and succeeded." The next question is, "Did you take any part in the last election, "excepting voting?—Never. Did you offer any-"body any money?—Never." Do you still say that is the truth?—I am not aware of any single instance.

44,466. In 1862 did you offer money to Mr. James, the station-master?—No, never.

44,467. Did you not offer him 100*l.*, or if that was not enough, anything he might like to mention?—Never in my life.

44,468. Did you ever make an offer to Mr. James at all?—I never spoke to Mr. James at all about election matters.

44,469. Did you speak to him about the election of 1862 at all?—Never.

44,470. Did you ever call upon him to see him about the election?—I called one evening about it.

44,471. What happened?—I did not see him.

44,472. Did you see his wife?—I did.

44,473. What did you say to her?—I asked her to ask Mr. James whether he would vote and support Dent's election.

44,474. Did you offer her anything?—I think I told her she could have a sum.

44,475. What did you tell her?—That was all. It was a brief conversation. It was done in two minutes, I think.

44,476. Then you did offer him a sum in 1862?—She said it was her particular wish Mr. James should vote for him.

44,477. Then when you answered us before that you took no interest in the election of 1862 that was incorrect?—Yes, decidedly, that far.

44,478. That is so, because we must correct the notes so far. You were engaged in bribing voters in 1862?—Decidedly.

44,479. Did you not offer D. Putt something?—In 1862?

44,480. Yes?—Never.

44,481. In 1863?—Never.

44,482. When was it you offered Putt anything?—Never.

44,483. Did you ever offer Putt anything or his wife?—Never. I did not, I assure you.

44,484. Did you ever canvass him?—I did, for Colonel Dawkins. That was the only circumstance I was connected with as regards the canvass at the election.

44,485. Putt was carried off, was not he?—No, not that I am aware of.

44,486. Will you tell us what the circumstances were about Putt in Colonel Dawkins' election?—He intimated some three or four years ago that it was immaterial to him whom he voted for, and this last election I solicited him to vote for Colonel Dawkins.

44,487. What did you promise him?—He said he had always had a respect for Mr. Seymour, and he wished to support him.

44,488. What did you promise him if he would vote for Colonel Dawkins?—I did not promise him anything.

44,489. Did you offer him anything?—I did not.

44,490. Did you say it would be all right?—I did not.

44,491. Did you offer him any situation?—I did not. He was a captain of a vessel.

44,492. In 1863 what did you do with the election?—I did not do anything.

44,493. Did you canvass anybody?—No.

44,494. Or promise anybody anything?—Not to my knowledge.

44,495. In 1865, besides Putt, did you canvass anybody?—No, I never went outside my door to do so.

44,496. Did you canvass Mr. James?—I did not.

44,497. Did you offer him 300*l.* a year on the railway?—I was authorized to go to him without reference to politics whatever.

44,498. When did you go to him for that purpose?—I cannot recall it to my memory.

44,499. Was it a day or two before the election?—No.

44,500. How many days?—I think it was months before.

44,501. Months before?—Yes; that is to the best of my belief.

44,502. But were you authorized to offer Mr. James a situation on the railway?—I was authorized to go to Mr. James, and that if he would accept a station-master's place, or something of that sort, I do not know what it was, I was authorized to offer it.

44,503. Did you tell him the value of it?—No.

44,504. Did you know where it was?—No.

44,505. Do you know what the value of Mr. James's place here is?—I do not.

44,506. Do you know whether it was a better place than he has got here?—I think it was intimated to me it would be advantageous to him.

44,507. Who intimated to you it would be better for Mr. James?—Mr. Edmonds.

44,508. When you went to Mr. Edmonds did you see him about it?—Yes.

44,509. What did he say?—He said he would give it a consideration. He immediately replied, "I think "the ultimate object must be a political one." I said, "I am not authorized to say one word about politics "whatever."

44,510. Was anything said, if he did not like to vote for you, he might keep neutral?—Nothing of the kind, not on that occasion.

44,511. When did you say that was, in 1865?—Yes.

44,512. In 1862 you said you did not see him, but you saw his wife?—Yes.

44,513. In 1865 did you say anything to him about the offer of 100*l.*?—No.

44,514. It was only as to a situation?—Yes, nothing to do with the election whatever.

44,515. You went to make this offer, knowing Mr. James had voted against you?—Yes.

44,516. You knew it was a political matter?—He said, "Mr. Evens, I have nothing whatever to say about politics." I said, "I know you have not, Mr. James."

THIRTY-THIRD DAY.

E. Evens.

26 Oct. 1866.

44,517. Is Daniel Putt a brother-in-law of Mr. James?—Yes.

44,518. And he did not vote after all, did he?—No.

44,519. Do you know why he did not vote?—No, I do not know. He was quite indifferent about voting.

44,520. Had you anything to do with his not voting?—No, I had not a word to say.

44,521. As far as 1862 goes, you did take some interest in the election, and as far as 1865 goes, you did offer a situation to Mr. James?—No, nothing whatever to do with the election; nothing whatever.

44,522. But you did offer a situation to Mr. James in 1865?—Yes.

44,523. And you did canvass Mr. Putt?—Yes, for Colonel Dawkins.

44,524. And you did take some interest in the election of 1865?—Yes. If I omitted to mention it it was entirely from not being asked; not intentionally.

44,525. How was this situation to be obtained?—That I do not know.

44,526. Did Mr. Edmonds tell you?—I think he told me he had communications for some station-master, or something.

44,527. Did he tell you who the communication was from?—He did not.

44,528. Was it from Mr. Potter, the chairman of the Great Western Railway Company?—I cannot tell. I do not think there was any name mentioned whatever.

44,529. Was there any name mentioned of the railway it was on?—No.

44,530. Are you sure the Great Western was not mentioned?—I do not think it was.

44,531. Had Mr. Harris spoken to you about going to vote in 1865?—I never had any conversation with Mr. Harris in my life about anything of the kind whatever.

44,532. Did not you?—No, never. I know he said in his evidence that Mr. Putt was under Mr. Evens's influence, but I never had an influence over him.

44,533. You went to see Mrs. Putt, did you not?—No, never; I deny it.

44,534. Then it is not true what Mr. Harris has said, according to you?—It is not.

44,535. Did nothing of this sort with Mr. Harris take place; did Mr. Harris say "I have seen so-and-so, I think he is to be had?"—Mr. Harris is the last person I should dream of expressing myself to about a voter. I never had a communication with him about anyone.

44,536-7. Do you think you can tell us what the exact date was you offered that situation to Mr. James?—I really cannot, I assure you.

44,538-9. Might it be as little as a fortnight before the election?—I should think it was months before.

(*Mr. James.*) It was within a week or 10 days.

(*The Witness.*) If you can assist me, Mr. James, I should be obliged.

(*Mr. James.*) Within a fortnight; I should think about 10 days previous to that.

(*The Witness.*) If it is so, it is so; I cannot tell.

(*Mr. James.*) I have no doubt that was about the time.

44,540. (*Mr. Bere, addressing the witness.*) Do you know at the time you made that offer to Mr. James that Mr. Potter, the chairman of the Great Western Railway Company, was talked of as a candidate here?—Yes.

44,541. Knowing Mr. Potter was likely to be a candidate here, did you not know from Mr. Edmonds that it was on the Great Western Railway the situation was to be?—It was some railway, some branch on the Great Western Railway.

44,542. Some branch on the Great Western Railway?—I think it was.

44,543. Did not you also know that the value of the situation was 300*l.* a year?—There was some mention made that it was considered to be very advantageous to Mr. James.

44,544. Did not you know it was so?—I do not know. It was intimated to me it would be advantageous.

44,545. By Mr. Edmonds?—Yes. He was the only person I spoke to.

44,546. Did you tell Mr. James about the value of it?—I cannot say. Mr. James was better aware of the value of this situation than myself.

44,547. And whatever the value was Mr. James, upon the receipt of this intimation, knew it was something better than he had at present?—I suppose so.

44,548. You say he took time to consider. How long was it before he gave you an answer?—I think a day or two.

44,549. Did you go to see him or did he come to see you?—No, he came to me.

44,550. What did he say; he said he could not do it?—He said something would be expected politically from him, which Mr. James knows; and I said, "I had nothing whatever to do with that."

44,551. And he refused it?—Yes. He would rather remain where he was, he was very comfortable where he was.

44,552. Was there a man called Stephens you had to do with, a tailor?—Never.

44,553. Never at any time?—Never.

44,554. Did you ever offer Stephens, a tailor, any money?—I have not the slightest knowledge of doing it; never. I never offered him any money.

44,555. You are quite sure about that?—Yes, I never did.

44,556. John Stephens of Fore Street I mean?—No, never.

44,557. He is a tailor?—Yes.

44,558. Did you in 1859?—I might have canvassed him, but I never offered him money.

44,559. You are quite sure of that?—Never.

44,560. At no time?—I have not spoken to the man for the last six or seven years.

44,561. Have you quarrelled with him?—Yes.

44,562. What about?—That was about electioneering.

44,563. What was the quarrel about?—I should tell you, I think it was the election between Mills and Baldwin, there was a very stubborn fellow, a very noted man, who lived in the higher quarter of the town, called Searle.

44,564. John Parnell Searle?—Yes.

44,565. A man who goes by the name of "Slippery Jack?"—Yes. This is how it occurred. We were up at the auction mart, and there was an intimation that Mr. Jeffery Michelmore, Mr. Charles Michelmore, and some other people were there in a carriage endeavouring to take away Searle, and there were four or five of the Conservatives who went up to prevent their taking him away, and this man, who is a very abusive fellow, came to me, and without any provocation abused me most shamefully in the street, and ever since that I have never spoken to him.

44,566. Have you not offered him money?—Never. I have canvassed him, not offered him money.

44,567. Have you had anything to do directly or indirectly with any other persons than those whom you have mentioned?—I can assure you most conscientiously that there are no others.

44,568. Did you not offer 100*l.* to Mr. James's wife in 1862?—I never offered 100*l.* to anyone in my life.

44,569. You mentioned some sum to his wife?—Either 50*l.* or 60*l.*

44,570. Have you been a candidate for the council?—Yes.

W. E. James.

WILLIAM EDWARD JAMES recalled.

44,571. (*Mr. Coleridge.*) Did Mr. Evens canvass you personally in 1862?—No.

44,572. He came to your house and saw your wife?—He did.

44,573. Did you ever hear your brother-in-law, Putt, say that he had been canvassed by Mr. Evens?—No, never.

GEORGE PENGILLEY sworn and examined.

44,574. (*Mr. Longe.*) How long have you had a vote?—I never had a vote.

44,575. Where do you live?—In Fore Street, Totnes.

44,576. You keep a shop there?—Yes. I have not been there above six months.

44,577. You will have a vote for that house?—Yes.

44,578. How long have you lived in Totnes?—All my life.

44,579. What was the first election in which you took any part at all; were you employed at all by either party?—I have been employed at three elections as a messenger. I think in 1859 was the first time I had any money.

44,580. In 1859 on which side were you employed?—Always on the Liberal side.

44,581. Who was the gentleman whom you communicated with?—Mr. Cuming, I think.

44,582. What were you employed to do?—As a messenger some few days of the election.

44,583. Were you sent to any voters?—No.

44,584. You were merely employed about the committee room?—Yes.

44,585. Not to communicate with any voters?—No.

44,586. The next election was in 1862, Mr. Pender's election?—I was not employed then at all; I was at Mr. Seymour's election.

44,587. That was a month afterwards?—Yes.

44,588. Who employed you then?—I think Mr. Shute engaged me then at the "Seymour Hotel" to deliver some circulars; that was the first thing I did. I was engaged for several days then.

44,589. How long was that before the election?—It might have been a week or two.

44,590. Were you sent to any voters then?—No.

44,591. Not in 1863?—No.

44,592. Do you know anything of money being sent to anyone at that time?—I do not know it for a fact.

44,593. You knew what John Elliott was about?—No.

44,594. Do you know of any money being spent?—I could not swear it. My own opinion is that there was a lot of money spent, but it did not pass through my hands, and I do not know whose hands it did pass through.

44,595. Were you employed in 1865 by the same side?—Yes.

44,596. Who was the person you were chiefly in communication with?—Mr. Parnell was that person; I do not know that he employed me.

44,597. What did you get for your services?—Two guineas.

44,598. What were you to do?—To act as a messenger.

44,599. Where did he send you to?—He did not send me anywhere in particular. The day before the election I saw Mr. Harris, who is a voter, and had some conversation with him; he was an intimate friend of mine. I asked him who he was going to vote for; he said he hardly knew, but that he had promised Mr. Pender, and the other side had been offering him as much as 150*l.* if he would vote for both the Tories. I think he said that Mr. Robert Harris had offered him money.

44,600. What was the christian name of your friend?—Richard Harris.

44,601. Is he any connexion of Mr. Robert Harris?—Not that I am aware of. He said it was a great temptation. I told him that if his second vote was worth so much to the Conservatives it would be worth a trifle to Mr. Pender.

44,602. Did he ask you if you could get him some money?—Those were the words he used.

44,603. Did you get him any money?—I asked him what he would expect; he said, "If you can get me "20*l.*, I and Tarring are intimate friends, and he will "do exactly the same as I do. If you can get 20*l.* "for each of us we will both vote alike, and both vote "for Mr. Pender."

44,604. You mean give one vote for Mr. Pender?—Yes, and one for Dawkins, as he had promised. If you will get me 20*l.*, and 20*l.* for Tarring, I will give the money to Tarring. I never spoke to Tarring myself.

44,605. Did you tell this to Mr. Parnell?—I did. I saw Mr. Parnell and I told him it was very likely that these men would vote for both the Conservatives, and I said, "If you let me have 30*l.* for each of them I think I can secure them." He said, "Do you think you can get both their votes?" I said, "I did not think I could." He gave me a parcel, and when I went home I found 100*l.* in the parcel. He said, "You will make the best bargain you can, so as to "get both votes. If you cannot do that you will give "them 30*l.* each for the single votes; they told me "they had promised Dawkins, and I did not tempt "them very much."

44,606. What was the result?—I paid 40*l.* to Harris.

44,607. For his single vote?—20*l.* for himself and 20*l.* for his friend.

44,608. What did you do with the other money?—I gave Mr. Parnell 40*l.* the next morning, and 20*l.* I kept myself.

44,609. You had two guineas besides?—That was some months after.

44,610. Had you not some money for William Pengilley?—Yes; I saw him on the morning of the election. I thought a few pounds would do him as much good as anyone else. On the morning of the election I saw my uncle and asked him how he was going to vote; he said he supposed he should vote for the Conservatives; that he had been made right by that side and had had 50*l.* for three or four days in the house, but that he would sooner vote on his own side if he could get the same amount. I asked him to keep from voting until I saw him again. It was early in the morning then, about 8 o'clock. I then saw Mr. Parnell and told him that my uncle would vote for the Conservatives, and I said that if I had 55*l.* I would make sure that he would vote for the Liberals, and I had it. I had a 5*l.* note and a 50*l.* note. My uncle told me he did not like the note, he would rather have the gold, and I took the note to the bank and changed it for him.

44,611. To which bank did you take it?—The Devon and Cornwall Bank.

44,612. And I believe Mr. Pearce asked you to indorse your name on it?—Yes, and I did.

44,613. What became of the 5*l.* note?—That was mine.

44,614. Did you get cash for that?—No. I did not cash that at the bank.

44,615. Did William Pengilley vote for the Liberals?—Yes. I stayed in his house until he voted.

44,616. You did not think him very safe?—No.

44,617. As to the other two how did they vote?—I could depend upon them; they voted. I paid Harris after they voted.

44,618. Did Tarring and Harris vote right?—Yes, as they had promised; one on each side for Dawkins and Pender.

44,619. Did you have any more money?—No; that was all I had to do with.

44,620. Were you employed to negotiate?—No, I was not employed to do that; I did it of my own accord.

44,621. You knew of other persons being bribed on your side?—I cannot answer for more than what I did myself.

44,622. You know of other cases at the last election we have not heard of?—No; these were the only men I had dealings with. I have heard from general talk of a great many people.

THIRTY-THIRD DAY.

G. Pengilley.

26 Oct. 1866.

44,623. You have some one in your own mind whom we have not before heard of?—No, I have not.

44,624. (*Mr. Bere.*) Is that all that you had to do with the election?—Yes, at any time.

44,625. (*Mr. Coleridge.*) Have you had anything to do with municipal elections?—Not at all.

44,626. Are you a voter at those elections?—No.

44,627. (*Mr. Bere.*) Is Charles Bowden Pengilley a cousin of yours?—Yes.

44,628. Is he a son of William Pengilley?—Yes.

44,629. Is your father alive?—Yes.

44,630. What is his name?—John.

44,631. Is he a voter?—Not for the borough, he is for the council.

44,632. Did you ever use any influence with him in his voting for the council?—No; he might have had a breakfast, perhaps, some years ago; he never had any money.

44,633. What was the name of this Mr. Harris for whom you say you got the money?—Richard Harris. Harris said to me, "If you can get any money for yourself I shall be very much pleased about it."

JOHN SLOGGETT JENKINS sworn and examined.

J. S. Jenkins.

44,634. (*Mr. Bere.*) What are you?—Nothing at present.

44,635. What have you been?—I have kept a school.

44,636. How long ago did you keep that?—I have done nothing in the educational line since I have left India. I had a situation under the old company.

44,637. How long have you been home from India?—Seven years.

44,638. Have you lived all that time in Totnes?—No.

44,639. How long?—I came here on the 1st October 1860.

44,640. Had you voted in the election of 1862?—That is Mr. Pender's election?

44,641. Yes.—I had.

44,642. Had you been connected with Totnes before?—No, except through my ancestors.

44,643. When did you first begin to take a warm interest in politics?—I took a warm interest in Mr. Pender's election.

44,644. Before you knew Mr. Pender personally?—That is the second election.

44,645. But on the first you did?—No. I merely gave my vote, and nothing more.

44,646. When did your interest in Mr. Pender commence?—When he came here first, I called upon him in company with Mr. Paull, the Independent minister, and had some conversation with him.

44,647. Did you not express considerable interest in Mr. Pender before the last election?—I am not aware that I did.

44,648. Had you not been in communication with Mr. Pender before he was elected?—I think not.

44,649. Will you look at that; is that your handwriting (*referring to a letter*)?—Yes, that is just on the eve of the election.

44,650. You are familiar enough to write to him as "Dear sir?"—Yes.

44,651. Had you known him before?—No.

44,652. You saw him and ascertained his political intentions?—Yes, his intentions to fight honourably and purely.

44,653. And you promised him, of course, your vote?—I had a conversation with him.

44,654. I believe from that time you continued to correspond with him at intervals till the last election?—Yes.

44,655. Did you write to him at all between the 10th December 1862, the day after his election, till February 1864?—I am not aware.

44,656. Can you remember whether you wrote to him in 1863?—I have seldom written to him except in his position as member, and in connexion with the election.

44,657. And in connexion with your own personal desire?—If you put any question to me I will answer it.

44,658. You were a candidate for the inspectorship of schools?—Yes. I applied for it as any other gentleman would.

44,659. Did you write to Mr. Pender on the 10th December, expressing your desire to have purity in the elections, and at the same time hint in your letter about the request that the Wesleyan chapel should be assisted?—I am not ashamed to say "Yes," or of any letter written to Mr. Pender.

44,660. Did you consider that was a proper influence to bring to bear immediately after an election?—I should not have done it if I had not thought so.

44,661. You thought that that was not interfering with purity?—Not after an election.

44,662. Not with a view to a future election?—No.

44,663. It is: "I make bold enough to bring before "you the case of our Wesleyan chapel. It has recently "been erected at a considerable cost, and is still in "debt. If, as an M.P., you could look upon this, and "give us a donation, I should be greatly gratified, and "our Wesleyan friends generally would receive it with "much pleasure. Let me not, however, press it. If "your own feelings lead you to respond, I shall be "happy to be the medium; if otherwise, my senti-"ments towards you will remain those of a sincere "admirer and well-wisher." Did Mr. Pender respond?—No.

44,664. Did he give you any donation?—No.

44,665. Was their chapel brought into the distribution of the 1,000*l.*?—It was.

44,666. How much?—You already know, 100*l.*, and that at the meeting I requested that the money should not be given to the Wesleyan chapel.

44,667. What was your reason for that?—I thought the town might consider that it was buying the Wesleyans.

44,668. In spite of your opposition it was given?—Yes.

44,669. You are one of the committee?—Yes.

44,670. You have been on the committee for some time?—I am on no committee.

44,671. I have some letters of yours?—I took a deep interest in Mr. Pender's election.

44,672. Did you leave Totnes for some time between December 1862 and February 1864; did you take up your residence anywhere in the north of England?—I generally visit the north of England once a year.

44,673. Were you not resident one time at Oldham?—I was with my family in the north. I have relatives at Oldham, and went to see them.

44,674. Is that Mr. Paull's handwriting?—These letters which you have here are letters on private matters, and I am prepared to answer any questions about bribery and corruption, but I think it is rather unfair to bring a private letter into court in this way.

44,675. We are the judges about that. What I want to know is, were you away from Totnes as a resident?—No.

44,676. Can you explain a letter of Mr. Windeatt's to Mr. Pender, that he should take pains to bring you back again to Totnes?—I cannot explain it. I can only explain my own matters.

44,677. Mr. Windeatt being dead, we are obliged to go to other persons?—I know nothing about Mr. Windeatt's communication.

44,678. You were intimate with Mr. Windeatt?—Yes, very.

44,679. He was a member of the same chapel as yourself?—No, he was an Independent.

44,680. Do you know his handwriting?—I think I do.

44,681. Is that his handwriting (*referring*)?—It looks like it, and I should think it was.

44,682. (*Mr. Bere.*) Till February 1864 to the time of the election 1865 did you communicate constantly with Mr. Pender?—I do not know what you mean by "constantly."

44,683. Nearly every week?—No, I am not aware that I did. I frequently communicated with him, but if you have my letters, and ask me any questions, I am prepared to answer the questions.

44,684. Is that your handwriting (*referring to a ter*) ?—Yes.

44,685. Is that your handwriting (*referring to ano- r letter*)?—It seems to be a source of great pleasure you, but when you ask me questions why not ask questions upon the letters.

44,686. You are here to answer our questions.—I ll answer any questions upon the letters, but I will t be badgered about in this way.

44,687. You had better mind, or you may go from re to some other place.—It will not affect my moral aracter a bit.

44,688. Did you send Mr. Pender, on the 7th October 65, an account of how you expected certain persons Totnes would vote ?—I got a list from Mr. James es, and I enclosed it in the letter.

44,689. Is that your handwriting (*referring to a ter*)?—Yes.

44,690. There is something here that I want you explain. Here is a letter that you copied ?—Yes.

44,691. Did you put the numbers ?—I copied them actly as the paper gave.

44,692. Did you put the numbers to the different mes ?—Yes.

44,693. No. 6 is opposite the name of F. Coombes, d your remark is, "Must not vote." What do you ean by that ; is that your handwriting ?—These numbers seem to be mine, but I know nothing of Mr. Coombes.

44,694. I ask you to explain. In your letter to Mr. Pender you say that "No. 6 must not vote." Explain what you wrote that for.—I cannot explain it. I am not aware that the number is mine, and if it be I could not explain it. I will tell you that is merely a copy made from Mr. Rees's list.

44,695. Is that a copy (*referring*) ?—No, these are my remarks.

44,696. Why make the remark that Mr. Coombes must not vote ?—I cannot tell.

44,697. Consider : we should like to know.—I cannot tell.

44,698. Why not ?—I do not remember.

44,699. Had you anything to do with Mr. Coombes ? —No, except as a tradesman.

44,700. Had you anything to do with his affairs?—No.

44,701. This is an odd and singular remark.—I will explain any question.

44,702. You do not answer them.—I appeal to the court whether I do not.

44,703. No. 8, John Ferris, you make a remark not to vote ?—I cannot remember.

44,704. Then you had better retire, take your letter and the list, and see whether you cannot remember.—If you keep me a month I cannot remember.

CHARLES BOWDEN PENGILEY sworn and examined. *C. B. Pengiley.*

44,705. (*Mr. Coleridge.*) How old are you ?—24.

44,706. Have you got a vote ?—No.

44,707. Were you employed at the last election ?— es.

44,708. What were you employed as ?—Poll clerk id messenger.

44,709. What else ?—Nothing else.

44,710. Who employed you ?—I think it was Mr. harles Michelmore first spoke to me.

44,711. What were you employed at ; how much a eek ?—I had no regular sum. There was no under- anding.

44,712. How long were you employed ?—Three ays.

44,713. What did you get for it ?—I think it was *s.* for the Monday, and 10*s.* for the Tuesday ; and I ink it was about a pound for the Wednesday.

44,714. Was it the Monday, Tuesday, or Wednes- ay that you called upon W. H. Bovey ?—I called everal times.

44,715. Is he a brother-in-law of yours ?—Yes.

44,716. He married your sister ?—No, it is a brother f his, that married my sister. I married his sister.

44,717. Did you canvass him ?—Yes.

44,718. Who sent you ?—No one.

44,719. You went of your own accord ?—Of my wn accord.

44,720. You asked him to vote for the two Liberals suppose ?—Yes.

44,721. What did he say ?—A great deal of hem- ning and hawing. I saw he wanted money.

44,722. Did he say anything about money having een offered him on the other side ?—Not that I ecollect.

44,723. Did he tell you they said it would be all ight for him if he voted the other way ?—I cannot ay. I do not recollect.

44,724. Did he say he had been canvassed the other ide ?—He did not tell me he had been canvassed.

44,725. What did he say ?—He said he wanted money, and money he must have.

44,726. He did say that ?—Yes.

44,727. Did you say you would get him some money? —I did not.

44,728. Did you offer him anything ?—I did.

44,729. What ?—I offered him 40*l.* and 60*l.*

44,730. Where were you going to get the 40*l.* or 60*l.* from ?—I do not know.

44,731. Did he get the money ?—Not that I am aware of. He was very much disappointed at not receiving it.

44,732. Do you recollect what time he voted in the day ?—I think it was very late.

44,733. Which way did he vote ?—I think he voted for the Conservatives.

44,734. What was the last time you offered him any money ; the day of the election or before ?—I did not offer him the day of the election.

44,735. The day before was it ?—I think it was the day before.

44,736. Did he come to you about the money ?— No, he did not.

44,737. When you offered him that money did he say he would vote for the Liberals if you got it for him ?—I almost forget.

44,738. You must recollect it. When you offered him the 40*l.* what did he say ?—He told me he would consider it. He would not give me a straightforward answer whether he would or not.

44,739. How long after you had offered him the 40*l.* did you go and offer him the 60*l.* ?—It might be perhaps an hour, or an hour and a half.

44,740. He did not answer in the right way, so you raised it to 60*l.* ?—Yes.

44,741. What did he say to the 60*l.* ?—He said he could not do it for that.

44,742. You offered him 80*l.* afterwards ?—No.

44,743. Never ?—I did not.

44,744. 60*l.* was the highest you offered him ?—No.

44,745. Did he ask you where you were going to get it for him ?—He did not.

44,746. He did not ?—No.

44,747. Do you think he took it for granted ?—Yes. I think he would believe anything he was told ; he is a queer sort of fellow.

44,748. It might have been on the Monday when you offered him the 40*l.* ?—It might be or not.

44,749. When you offered him on the Tuesday did he not say his business compelled him to vote on the Conservative ?—Yes.

44,750. What was his business that compelled him to vote on the Conservative side ?—I cannot tell you. It is a queer thing to me that he had got any business at all.

44,751. You mean, that his business merely meant that he wanted money ?—I believe that is it.

44,752. You did not admit offering him 80*l.*, but you admit 60*l.* ?—Yes.

44,753. Were you examined before Mr. Tucker at he time of the petition ?—Yes.

44,754. Where ?—At the "Seymour."

44,755. Did he take down your statement in writing ? —Yes.

44,756. You told him that you did not offer him anything. You did not tell Mr. Tucker you offered this voter money ?—I do not think he put it to me.

44,757. Yes, he did, because here are your words,

THIRTY-THIRD DAY.

C. B. Pengiley.

26 Oct. 1866.

"I offered no bribe to anybody." Is Bovey anybody?—Mr. Tucker alluded to my father.

44,758. "I offered no bribe to anyone, nor did I know of any?"—It was my father that he asked me if I offered money to.

44,759. "My father is a voter;" and not only did you say you did not offer anything to anybody, but here is a marginal note of Mr. Tucker's, in which he puts, "Witness denies offer of bribe to anybody?"—Well, I do not think I cared about telling Mr. Tucker all I knew of the truth.

44,760. You did not care?—No.

44,761. Then you did not tell Mr. Tucker the truth?—No, I did not think it was worth while.

44,762. Although it was read over to you, and you signed your name to it?—Yes. I was not on my oath over there. Had I been upon my oath I should have told different, perhaps.

44,763. Is it true what Bovey says? He is asked this question, "Did he raise his offer again after the "visit when he offered you the 60*l.*? Yes, he came "to me and said, would 80*l.* do." Is that true?—No.

44,764. Who did you tell that you were making these offers to him?—No one.

44,765. Did you tell Mr. Michelmore?—No, I did not.

44,766. Who were your immediate chiefs?—I do not know.

44,767. You were a watcher?—No, a messenger.

44,768. To whom did you carry messages?—I had no message at all to carry, to tell you the truth.

44,769. From whom did you get your money?—I got it from Mr. Tucker of Ashburton, young Mr. Tucker.

44,770. He paid you for being a messenger?—That was some time after the election. I was paid with a quantity of others.

44,771. Did you get anything paid at the election?—No, nothing paid.

44,772. Nothing for money paid out of pocket?—Not a farthing.

44,773. Did you go to the "Seymour Arms?"—Yes.

44,774. Did you have any beer there?—Yes.

44,775. Did they make you pay for all you had there?—I am not aware; most likely they did.

44,776. Now on Wednesday did you go to know Bovey's decision?—Yes, I did.

44,777. That was the day of the election?—About 6 o'clock in the morning; he told me he could rest no longer.

44,778. Did you then ask him if any larger sum would be a consideration; whether he would not make up his mind for a larger consideration?—I have no doubt I did.

44,779. What did he say to your asking him if a larger sum would be a consideration?—Well, he said it would, or something to that effect. I saw 60*l.* would not be enough for him.

44,780. Did he name a sum?—Yes.

44,781. What was it?—200*l.*; that was the amount. He was very careful about it.

44,782. Do you recollect going to him on the Wednesday, and saying you came to know what message you were to take back?—I did not. I never put those words to him. I said this, "Well what are you going to do; have you made up your mind?" that was all. And he said "Yes," I think.

44,783. What did you say about the 200*l.*?—I said, "What do you want?" He said, "I do not like to tell you, Charley, about it; it is rather a delicate affair." I said, "If you do not like to tell it write it down."

44,784. Did he write it down?—He did.

44,785. What did he write down?—Two and two noughts; 200*l.*

44,786. Did he say that was the message you were to take back?—I laughed at him.

44,787. Whom did you tell him you were to get the money from?—No one.

44,788. Never at any single time; the Monday, Tuesday, or Wednesday, did he ask you where the money was to come from?—No.

44,789. Did he make no inquiries where the money was to come from?—He might make inquiries where the money was to come from, but if he had I did not know myself. He did not ask the question.

44,790. Did he ask, in the event of his accepting the offer, when he should get the money?—No, he did not.

44,791. When did you tell him he should have the money?—I never told him when.

44,792. You merely told him if he voted right he should have the money?—No, I never told him that exactly.

44,793. What did you do with Mr. John Elliott at this election?—Nothing more than I should do with you if I saw you.

44,794. Did you carry any messages for him?—No, not at all.

44,795. Did not Mr. John Elliott send you to Mr. Bovey?—No.

44,796. Did you have any conversation with Elliott about Bovey?—I might have said, "I have got a fine tool in hand, and he has some money."

44,797. Did you say so?—I might have done so.

44,798. Have you no recollection that you said anything about Bovey to Elliott?—I have no doubt I did.

44,799. Was Elliott the person you talked to about it, if you talked to anyone?—Oh no.

44,800. Who else did you talk to about it?—No one.

44,801. You did not talk to anybody else about it?—No.

44,802. Did you tell John Elliott about it?—Yes, I did. I am not sure.

44,803. You are on your oath, and remember you are not before Mr. Tucker now. Did you say anything to Mr. Elliott about Mr. Bovey?—Yes, I did.

44,804. You are sure you said something about Bovey?—Yes.

44,805. Did you tell him about having made those offers to Bovey?—No.

44,806. What did you say?—I told him I had a fine tool in hand, a brother-in-law of mine. That was all I said to him.

44,807. Had you also a conversation with Mr. Windeatt about Bovey?—No, I had not.

44,808. Did not Mr. Windeatt send you to Bovey in the first instance?—No.

44,809. Did nobody say to you, knowing you to be a brother-in-law of Bovey's, "Go to him, and get him to vote?"—No.

44,810. Did not Mr. Windeatt say so?—I do not recollect it, or I would say so.

44,811. Did Mr. Windeatt say anything to you about it?—No.

44,812. Nor anyone else?—No.

44,813. It was entirely out of your own head?—Entirely out of my own head.

44,814. To whom else did you go at that election and talk to about money?—No one.

44,815. No one at all?—Not that I recollect.

44,816. Just try and recollect?—Not specially anyone.

44,817. Did you make any offer to anybody else?—No, I did not.

44,818. Did you have any "fine tool in hand" besides Bovey?—No.

44,819. You are quite sure of that?—I am.

44,820. Did you go to anyone else and offer money as you did to Bovey?—No.

44,821. Did you go to anyone else without offering them?—No.

44,822. Did anyone come to you?—No.

44,823. What were your duties as messenger?—I was about the "Seymour Arms," in and out of the house. I was there if required. I can tell you what I did the Monday, Tuesday, and Wednesday.

44,824. What did you do?—All I did on the Monday was to go and see after some bills.

44,825. And to see Bovey?—No.

44,826. You said you would tell me what you did—That was nothing to do with him.

44,827. You went the rounds with the placards?—On the Monday I did nothing but go out with the addresses; that was my Monday's work.

4,828. In distributing those addresses did not you to any of the voters about their voting?—No.

4,829. Not one?—Not one.

4,830. On the Wednesday you were about the tion I suppose?—Yes.

4,831. About the hustings?—No. I was in the ing booth from 8 in the morning till 4 in the noon.

4,832. And for that you got 35*s.*, 5*s.*, 10*s.*, and —Yes.

4,833. That is all you received?—Yes. I am not e sure you have my bill, and it might be 6*d.* or 1*s.* re.

4,834. Besides what Mr. Tucker paid you, did body else pay you anything?—No.

4,835. Nothing at all?—No.

4,836. (*Mr. Bere.*) Did you get any money on Conservative side?—No.

4,837. Was any offered to you?—No.

4,838. None at all?—No.

4,839. Was not there some money offered to you en you were going up as a witness?—Oh, yes.

4,840. By whom?—That was offered to me by vey.

4,841. What did he offer you?—400*l.*

4,842. Did he say where he should get it?—Yes.

4,843. Whom from?—Mr. Edmonds, the solicitor.

4,844. What were you to have that 400*l.* for?— r telling just what I told that gentleman there (*Mr. leridge*).

4,845. Or for not telling?—To go up and tell .

4,846. Have you been telling this gentleman lies? No.

44,847. (*Mr. Coleridge.*) You reserved your lies for Mr. Tucker, was that it?—No.

44,848. (*Mr. Bere.*) You told Mr. Tucker about the 400*l.* being offered you?—Yes, I told about that.

44,849. You thought it was worth while to tell him that?—Yes.

44,850. (*Mr. Longe.*) You understood when you were with Mr. Tucker that you were to make out a case when he was taking your evidence, that you were not to tell all the facts you knew, but as little as you could?—No. Mr. Tucker asked me the whole truth; he did not wish me to tell any lies.

44,851. You are sure he asked you for the whole truth?—Yes.

44,852. And you gave him the whole falsehood?— No, I gave him the whole truth. He has down my statement what I told him.

44,853. (*Mr. Coleridge.*) You told us that you did not tell him the truth because not on your oath. Which do you mean, did you tell him the truth, or did you tell me the truth?—I have told you the truth.

44,854. Then you did not tell the truth to Mr. Tucker?—Certainly not.

44,855. (*Mr. Longe.*) Did not you understand that you were to tell, I do not say it came from Mr. Tucker, but was not your own view on that occasion that you might be examined before the House?—No. He asked me, and all he asked me for I told him. I do not think he wished me to keep back anything.

44,856. The only difference on the two occasions is that then you were not on your oath and you are now?—I am on my oath now, then I was not. I did not much care what I told him. When in London I should have told quite different perhaps.

JOHN SLOGGETT JENKINS recalled. *J. S. Jenkins.*

44,857. (*Mr. Bere.*) Can you give us any informa- on now?—I cannot give you any information. If u will allow me to take that to Mr. Rees I will ask m. He lives in Fore Street. I will answer any estion I can.

44,858. Allow me to read your letter to you:— In my last I promised to forward an abstract or rather a *précis* of the state of the burgess list. In making it care has been taken to get as accurate an account as possible. In doubtful cases the benefit has been given to the Tories. You will understand for whom the initials stand." That is a matter I not understand, because I do not understand what T" was for?—Unless it be Tory I cannot say.

44,859. Mr. T., Mr. Tory?—I really cannot tell u. I could not say just now what the "T" meant.

44,860. Do you mean to say you cannot give us any formation?—I cannot.

44,861. As to the reason you wrote?—You should ot have to ask the same question twice if I could nswer you. I have not the slightest recollection hat that means.

44,862. You say "there is a large number of voters who are numbered who you say, although doubtful, will very probably," underlined, "vote for you?"— es.

44,863. Let me ask this. Is the "very probably" nderlined because you knew there was a certain mount of influence would have to be exercised?—No. Mr. Pender was the popular candidate at all times; nd if I made use of an expression of that kind as I ave in the letter that I think will answer it, they would very probably vote for him.

44,864. What did you attribute Mr. Pender's popularity to?—To his general character, his well-known character as an honourable man, as I believe it to be even now, though such ugly things have been brought out in this court, a thoroughly honourable man.

44,865. Had you canvassed any of those people?—Never. I did not know until Thomas Smith appeared the other day, and that I saw in the paper, that I had ever asked a man for a vote. I know it was stated at the time by Mr. Harris, who is on my right, that I had done as he had, gone about feeling the symptoms of the people. I never asked a man for a vote in his life.

44,866. Two or three of these people you have marked John Fox Green, Thomas Matcham, Robert Lorimer; those three are men who did vote for Mr. Pender?—Mr. Lorimer did.

44,867. And so did John Fox Green?—I really do not know whether Fox Green did. I scarcely know the man.

44,868. Thomas Matcham?—I think I have seen him in the town.

44,869. I think you know something about Thomas Matcham?—No; you think very wrongly there.

44,870. (*Mr. Coleridge.*) Do you mean you do not know him at all?—I do not say that.

44,871. (*Mr. Bere.*) Is that your letter (*handing letter to witness*)?—That is my writing.

44,872. Will you read that statement, and then tell me whether you know nothing about Thomas Matcham?—It was a rumour about the town everybody knows, and it has come out in evidence I see by the papers. I think that will hardly show that I knew anything particular about Mr. Matcham. It was a common rumour about the town that a cheque had been drawn.

44,873. I will take it shortly that you reported to Mr. Pender from time to time about the registration?—I think not. I have sent him communications, but when you say from time to time, I may have done so once or twice.

44,874. Did you do so in the autumn of 1864?—I can tell you if you will show me any communication that bears upon it.

44,875. Do you mean that you do not remember what you wrote Mr. Pender at all?—No. Mr. Pender was a very particular friend of mine, and I treated him always as a friend.

44,876. But that would not make you forget?—Only I bore no relation to Mr. Pender as a political agent.

44,877. You took so much interest in Mr. Pender's political success that you corresponded with him on the means of insuring his success?—Yes.

44,878. Did you write to him about the registration of 1864?—I cannot tell you.

44,879. (*Mr. Longe.*) You remember being in court when the 45 votes about the Gerston estate?—Yes

THIRTY-THIRD DAY.

J. S. Jenkins.

26 Oct. 1866.

44,880. (*Mr. Bere.*) Did you write to him about that; surely you must remember that?—Yes, I do when you tell me, but not the particular year.

44,881. Look at that (*handing a letter*)?—Yes.

44,882. Are those three letters written to Mr. Pender on the subject of the registration, the last two letters I shewed you in 1864?—They are on the registration questions.

44,883. Is that other letter with regard to the registration of 1865?—Yes, I see that is 1865.

44,884. Did you often make suggestions to Mr. Pender on the way in which the plans of the opposite party might be met?—I do not know. I communicated with Mr. Pender from time to time.

44,885. Will you read the last paragraph of it (*the witness read it*)?—Yes, I see that. I cannot recollect all I have written.

44,886. Can you not recollect generally?—I can recollect when you show me any correspondence; I do know then.

44,887. Then you communicated with Mr. Pender about the registration of 1864, and you also communicated to him that document you got from Mr. Rees?—Yes.

44,888. Did you take an interest in the election of 1865?—No.

44,889. Did you go down and attend a meeting of the Liberal party at the "Seymour Hotel?"—Never.

44,890. Were not you at the "Seymour Hotel" during the whole of that election?—Yes, I was with Mr. Pender two or three times.

44,891. Were not you in a room with Mr. Chaster and Mr. Holman, conversing about the election?—I might have been.

44,892. Did not you make up a poll-book at that election?—No.

44,893. Did you go through a poll-book at that election?—No, I am not aware that I did.

44,894. Did you?—I say no, then, if that language is not plain enough. I meant to convey to you no. I have not the least recollection of it.

44,895. Did you canvass for Mr. Pender?—No.

44,896. Or with him?—One morning I went with him to show him where Mr. Guppy lived.

44,897. Who is Mr. Guppy?—A gentleman who lives in the town. He happens to be an independent.

44,898. You went to show him where he lives?—Yes.

44,899. Is that all you did?—I am not aware of anything else.

44,900. Did you go into the house with him?—Yes.

44,901. Did you see Mr. Guppy?—Yes.

44,902. Then you did more than go to show Mr. Pender where he lives?—No, I did not.

44,903. Did you talk to Mr. Guppy?—No.

44,904. Did Mr. Pender talk to him?—He asked him to give him his vote.

44,905. Did you introduce Mr. Pender to Mr. Guppy?—I did.

44,906. After the election did you interest yourself in the registration of 1865?—I really cannot tell you.

44,907. That is the letter put in about the 45 votes?—(*Referring*) I was present at that registration.

44,908. Would you be kind enough to read that letter and tell me whether you did not take an actual part in managing the expenses of Mr. Pender's election?—No.

44,909. Do not answer in a hurry, but read it to the end?—Yes.

44,910. Did you go down with Mr. Chaster and Mr. Jeffery Michelmore, and Mr. Thomas Windeatt?—I think Mr. Windeatt, senior.

44,911. To look through the accounts connected with the late election at the "Seymour Hotel?"—Yes; that is at the Mechanics' Institute.

44,912. Were the hotel charges put before you?—No.

44,913. How did you know the hotel charges were of course the heaviest?—I heard from gentlemen they were heavy.

44,914. You are of opinion they tended to very little good?—Very little good, and worse than that.

44,915. When the petition was brought forward d you take any interest in that?—I have always take an interest in Mr. Pender's affairs.

44,916. Did you go over to Ashburton to assist M Tucker in getting up the evidence?—No.

44,917. Will you look at that letter (*the witne examined the letter*)?—Yes.

44,918. Having seen that letter, did you go over t Ashburton to confer with Mr. Tucker about th petition?—With reference to my getting a minut book.

44,919. Was there any other business connecte with that petition except that?—I believe not.

44,920. Now look at that letter?—Yes, I wrote it.

44,921. Will you read that one?—Yes, and that.

44,922. After having read those letters, you sti adhere to what you said just now, that you did n assist in getting up the evidence?—Most distinctly.

44,923. And you repeat it?—I repeat it.

44,924. Did you know of the evidence after it wa collected?—I am not aware of anything except tha book.

44,925. We must have these letters published, an then the public can judge of them. This is a lette written on the 9th March 1856 by J. S. Jenkins t Mr. Pender: "My dear sir, This morning's 'News' state " that the Totnes petition is withdrawn. Is it so? " I shall not be sorry if this proves true. Meanwhile " all is being done here to meet the emergency, and u " to this time nothing has transpired in the examinin " of the men subpœaed to make us fear. Chaster wil " have told you that on Tuesday Mr. Tucker (Ashbur " ton), was here, and he arranged to be here to-day " Some of the parties examined by Mr. T. have give " excellent testimony as to the attempts made by th " Conservatives to perjure themselves, and althoug " this would not be sufficient to destroy their attempt " yet it would very materially affect the judgment " a committee sitting on the case. John Heath sai " to Byne, from whom he had some hay, and wit " whom he was bargaining for more, 'Now you ca " have 50*l.* for that rick if you will tell all you know' " the rick itself being worth only 30*l.* From Pen " gilley, too, capital evidence was got, and althoug " there is not direct connection with Edmonds, yet i " is morally certain that E. offered him a large sum " I presume if the rumour of the 'News' be correct yo " will have had intelligence. I shall be glad to know " that this is so. Heartily shall I congratulate yo " (although I never feared for the result), it will sav " you from annoyance and vexation." There is a endorsement on the letter, will you read that?—I hav read it.

44,926. What do you mean by saying, "There ca " be nothing made, nor any evil arising out of sendin " direct to you from Totnes. Of course you must b " kept informed, and that can be done only by writing " In sending to Totnes it is better to have some on " else address, and not you. I have spoken to Chaste " on this matter, and he quite concurs. Some thing " can be communicated only to you direct?"—Wha it conveys?

44,927. Will you explain what it conveys?—I can not tell you anything more than what it convey there.

44,928. I will tell you this, that your connexio with Mr. Pender was so intimate that you must hav known a great many things that went on.—If you wi ask questions I will answer them.

44,929. What were the things that could not b communicated?—I cannot tell, and you must know, a a gentleman, that there are a great many things tha cannot be communicated in a letter.

44,930. What things were they that could not b communicated?—I cannot tell.

44,931. What were the things that could not b communicated by Mr. Pender direct?—In addressin letters I suggested to Mr. Pender the propriety o other persons addressing the letters to me, because know that there are busy people about the town wh look at letters.

44,932. (*Mr. Coleridge.*) "In sending to Totnes, " to" double underlined, "it is better to have some

body else to address, and not you.—That was in writing to me.

44,933. That Mr. Pender was not to write to you?—That he himself should not address the letters.

44,934. (*Mr. Bere*). That his writing should not be known?—Yes.

44,935. (*Mr. Coleridge.*) Who was the postmaster?—Mr. William Hannaford.

44,936. Which side was he on?—I never asked, and never knew.

44,937. Did he vote?—I do not know.

44,938. Was it not because William Hannaford was on the Conservative side?—I do not know.

44,939. Living here and taking that interest that you did, did you not know which way the postmaster voted?—I do not know.

44,940. To whom was that letter written (*referring to a letter*)?—It was mine.

44,941. To whom written?—To Mr. Pender.

44,942. No, we can inform you that it was written to Mr. Tucker.—Certainly not.

44,943. It was found in Mr. Tucker's papers?—Certainly not.

44,944. What is the meaning of that endorsement; perhaps you will read it out?—If you like. "It will "be well to acknowledge receipt of letters just now; "one does not know what influences are at work."

44,945. What influence did you allude to?—Do you think I can remember?

44,946. Then you are a very unsatisfactory witness.—I am sorry you think so, nobody in the town would think so but you.

44,947. Cannot you answer that?—No.

44,948. Then there is a letter of February 26th, it begins, "One thing I wish to refer to; have you had "any equivalent from Revd. ——— for the loan? Did "he deposit with you the scrip? If not, that should "be at once attended to, and the possession of such "would prove a *bona fide* transaction."

44,949. Is that Mr. James?—Yes.

44,950. Had you heard whether the scrip had been deposited?—I had not.

44,951. From whom had you heard of Mr. James?—I had heard from the town, I think, some months afterwards.

44,952. Used Mr. Pender to answer your letters?—Yes.

44,953. Did you destroy them?—Ye.

44,954. When?—Generally as they came.

44,955. Were some kept?—Yes.

44,956. Were they destroyed?—Yes.

44,957. When were they destroyed?—About two months ago. We are removing, and I am clearing up.

44,958. Is it since this Commission was appointed?—Yes.

44,959. Since the summons was served?—Yes, since the first.

44,960. Mr. Pender's letters?—I did not say that.

44,961. I asked you that; did you destroy any letters of Mr. Pender's?—Yes.

44,962. Now, you having been so intimate with Mr. Pender, and taking such an interest in his political success as to keep up correspondence, and about the registration matters and the expenses of the election and the petition, you mean to say that you did not know that a large sum of money was spent by him in 1865?—No.

44,963. Nor in 1862?—Not a penny.

44,964. I do not ask whether any money passed through your hands?—I mean it as you mean it.

44,965. You did not know that he spent a large sum of money in 1865?—I did not know.

44,966. Never till this Commission was instituted?—No.

44,967. Never suspected it?—No; so green as that that I never suspected it.

44,968. (*Mr. Longe.*) Up to this time you thought Mr. Pender was standing on purity principles?—Yes.

44,969. And now you are sadly undeceived?—Like others; but you gentlemen coming strangers into the town will have a different impression from those in it. I think Mr. Pender has been victimised.

44,970. This is the letter that I spoke of from Mr. Windeatt to Mr. Pender: "Our friend Jenkins is "talking of leaving, I wish you could have got some-"thing to keep him here, or at least to enable him to "keep up a residence within the borough. He will "be a loss to Totnes if he leaves. He is now near "Leeds." Were you living near Leeds?—Visiting only.

44,971. You do not know how it was proposed that you should be retained to be for the service of the party?—No; never made any application.

44,972. (*Mr. Coleridge.*) You made use of the term "victimised" with regard to Mr. Pender. Do you think that Colonel Dawkins was more victimised?—I think he spent more.

(*Mr. Bere.*) Now Mr. Rees is here, perhaps you can explain this document.

Mr. Rees recalled.

44,973. (*Mr. Bere.*) Did you get those numbers there (*referring to a paper*)?—No, never saw them before.

44,974. (*Mr. Coleridge.*) You cannot swear, Mr. Jenkins, whether that No. 6 is or is not in your handwriting.

(*Mr. Jenkins.*) No. I would tell in a moment if I knew.

44,975. (*Mr. Bere.*) Opposite to No. 6 appears this remark, "Must not vote." Do you know what that means?—No.

44,976. Did you send Mr. Jenkins a poll book; the thing seems to be a copy?—I cannot answer that question. To the best of my recollection I did supply Mr. Jenkins with the poll book. But to what date do you refer?

(*Mr. Jenkins.*) 1865.

(*The Witness.*) No doubt I did.

44,977. (*Mr. Bere.*) Did you put numbers against the names of certain votes?—I think I did, but I am not quite sure.

44,978. Will you look at No. 6?—Mr. Coombes.

44,979. Did you append a note to that "must not vote?"—It is very likely I did append some note.

44,980. If you appended the note "Must not vote," what is the reason of it?—I do not say I did append such note, but it is very likely that I did; but as far as my recollection goes, if there was a note, it would be probably "would not vote."

44,981. You knew Mr. Pender?—Yes.

44,982. Why not communicate with him and not through Mr. Jenkins?—He never asked me.

44,983. Do you know whether Mr. Jenkins was ever asked to do so?—No.

44,984. You can give us no explanation of the entry "Must not vote?"—No, I do not admit it is my handwriting. If you will show it to me in my own handwriting I will acknowledge it.

44,985. The note is Mr. Jenkins's, "Must not vote?"—I cannot endorse Mr. Jenkins's remark.

Mr. John Sloggett Jenkins recalled.

44,986. (*Mr. Bere.*) With Mr. Rees's assistance you cannot explain it?—No.

44,987. Have you got Mr. Rees's note?—No. I do not know that I did retain the book.

44,988. (*Mr. Bere.*) Did the book come back to you Mr. Rees?

(*Mr. Rees.*) No, I never saw it.

44,989. (*Mr. Bere.*) Did you get a summons similar to that (*referring to a summons*)?

(*The witness.*) Yes.

44,990. Did you read it, or did you treat it with contempt, like some others?—No, I read it. I never treat anything with contempt, except when questions are asked me which attack my position, and then I think it is time to show indignation.

THIRTY-THIRD DAY.

J. S. Jenkins.

26 Oct. 1866.

44,991. Did you read this: "The Commissioners "do hereby summon and require you personally to "appear and attend before them in the forenoon to "be examined by and before them, touching the sub-"ject matter of the inquiry directed by the said Act, "and the said Commissioners do hereby summon and "require you then to bring with you, and to produce "before them all books, papers, deeds, and writings in "your possession or custody, or under your control, "which relate to any of the matter to be inquired "into by them." Did you read that?—Yes.

44,992. And after that you destroyed the letters?—I object to produce any private correspondence.

44,993. Did you do so or not?—Yes. I received nothing but private communications.

44,994. (*Mr. Longe.*) Having read that you destroyed those letters?—All letters lying about my rooms.

44,995. You destroyed letters of Mr. Pender relating to the election?—I have never written anything but letters as from a friend to a friend.

44,996. (*Mr. Bere.*) Similar to those they would be?—Very likely.

44,997. Do you think that your letters have anything to do with the election?—So far as my interest with Mr. Pender is concerned.

44.998. We have heard it asserted that you had to do with the conveying away of Mr. and Mrs. Smith in 1865?—No man in the town dares to say so.

44,999. Do you know Mr. Smith?—Yes.

45,000. Is he a member of the same chapel as you are?—No.

45,001. Have you ever been to see him with regard to the election of 1865?—No. I met him on one occasion at the Newton station.

45,002. Did you talk to him about his vote?—Yes.

45,003. What did you say?—I asked him how he thought he was going to vote, and I said I should be glad if he had made up his mind to vote for Mr. Pender, and that is all that passed. He said he did not think he should vote.

45,004. Did you suggest to him that if he did not vote for Mr. Pender it would be better to go away?—No.

45,005. Did not you see Mrs. Smith?—No; and my wife's name has been mentioned.

45,006. She can answer for herself. As far as you know did your wife go and see her?—Yes.

45,007. You repeated your answer that you did not know of any money being spent illegally in 1865?—Never a penny.

45,008. Is Mrs. Smith a member of the same body as yourself?—She is.

45,009. Had you no conversation at any time with Mrs. Smith about her husband's vote?—No, never.

45,010. Did you canvass anybody?—Have I not just answered that?

45,011. Did you see Mr. James Paddon?—Yes, I saw him at the station.

45,012. Did you ask him which way he was going to vote?—He did not tell me. One vote to Mr. Pender. I did not go to see him. He told me that Mr. Harris had been to see him.

45,013. (*Mr. Bere.*) We are all clearly of opinion that by your conduct with regard to Mr. Pender's letters you have committed a contempt of court, and we shall want you here to-morrow to determine what course to pursue.

(*The witness.*) Will you allow me, with respect to Mr. Harris, to say that I was obliged to appear as a witness against him, when he was expelled from the Methodist society for lying. Hence you may have a clue to any remarks that he may have made against me and my wife.

Mrs. Webber.

Mrs. WEBBER sworn and examined.

45,014. (*Mr. Bere.*) Were you the wife of Mr. Webber, a linendraper in this town?—Yes.

45,015. He was in a large way of business?—Yes.

45,016. And took a great interest in politics?—Yes.

45,017. And was a Liberal?—Yes.

45,018. He was a magistrate?—Yes.

45,019. When was he made a magistrate?—I think in 1863.

45,020. Do you remember having received 1,200*l.* in Mr. Pender's election of 1862?—I have seen that letter.

45,021. Have you that letter?—No; it has been destroyed.

45,022. Who was that from?—Mr. Thomas Allin, his nephew.

45,023. What did it contain?—Money that was to be sent or had been sent.

45,024. Did your husband tell you the money had come?—No.

45,025. Did he tell you what he had done with it?—No.

45,026. When did you destroy that letter?—Two or three months since, amongst some other papers that were destroyed after his death.

45,027. When did you destroy the letters?—Two or three months since, among some other papers that were destroyed after his death.

45,028. Can you give us any information with regard to the 1,200*l.*?—I cannot; I have not the slightest idea.

45,029. Whether he paid it into the bank or to an individual, or what became of it?—I have not, indeed, any idea.

45,030. Do you know anything about a sum of 500*l.* with regard to the election of 1863?—No; I know nothing about it; I never saw anything of the kind.

45,031. And never knew anything about it?—Never.

45,032. He never spoke to you or told you about it?—Those matters he never talked to me of.

45,033. Did you ever hear anything from him about going down to the National and Provincial Bank in 1863, and giving a guarantee for the advance of a sum of money?—No.

45,034. Have you got the banking book?—There never was any bank book.

45,035. Did he not bank?—Yes. There was never any banking book that I have seen.

45,036. There must have been a banking account?—I do not know how he transacted the business; I have never seen any.

45,037. If you had to get any money did you go to the bank?—I went to my husband.

45,038. Did he give it you in a cheque or in cash?—In cash.

45,039. You would not know whether cheques were drawn by him on the National and Provincial Bank?—I suppose he would if he required it. I cannot understand those things at all.

45,040. Did you not send to the bank yourself?—I have sent at times.

45,041. Were you the executrix?—No.

45,042. Who would be the executors?—My brother-in-law and my son-in-law.

45,043. Who are they?—Mr. Watson and Mr. Charles Webber.

45,044. If there had been a banking book you would have known it?—I think I should have known it.

45,045. (*Mr. Coleridge.*) Do you know Mrs. Westaway?—I do.

45,046. Did you ever tell her anything about some money in the election of 1862?—I asked her, by my husband's desire, for her husband to vote, and he did so.

45,047. Was there anything about 150*l.*?—No, certainly not.

45,048. You do not recollect anything being said about money?—I recollect her saying she wanted money, and I told her I daresay I should be able to get it.

45,049. How much?—60*l.* I told her I did not think I could get so much for her. I told my husband afterwards what she had said, and I never heard anything more about it.

45,050. Did Mrs. Westaway tell you of it after-

wards?—My husband put the money on the table, and told me to send for her.

45,051. Did you send?—I did.

45,052. Did she come?—Yes.

45,053. Did she take the money away?—She took the money away. I showed her where to find it.

45,054. That was in 1862?—I think 1863.

45,055. Mr. Seymour's election?—Yes, I think so.

WILLIAM HENRY SAWDYE sworn and examined.

45,056. (*Mr. Bere.*) What are you?—A farmer, at Newton Abbott.

45,057. How long have you lived there?—About six years.

45,058. Where before then?—At Ashburton.

45,059. When did you first become a voter for Totnes?—About eight years ago.

45,060. What was your qualification?—A 10*l.* occupier.

45,061. What of?—Building and land.

45,062. Where?—At Cornworthy, a field a little below the turnpike.

45,063. Who else occupied the land with you?—No one.

45,064. Did you occupy it entirely yourself?—Yes.

45,065. What rent did you give for it?—14*l.* or 16*l.* a year.

45,066. You occupied it with your own cattle?—Yes.

45,067. How many acres was it?—Three or four acres.

45,068. When did you first vote?—The first time for Mills and Gifford.

45,069. What did you get for it?—Nothing.

45,070. Were you offered anything?—No.

45,071. Did you ask for anything?—No.

45,072. Did anybody else suggest to you that you might get something?—No.

45,073. Was nothing left with your wife?—No.

45,074. You got nothing at all at that election?—No, nothing.

45,075. Now then in 1862?—Mr. Pender offered something.

45,076. Did you go and vote for him?—No.

45,077. Did you not get something after the election?—No.

45,078. Do you know what Mr. Jeffery Michelmore swore yesterday?—I do not know.

45,079. Do you know Mr. Henry Michelmore?—I do.

45,080. Did he in 1863 pay you any money?—No.

45,081. At any time?—No.

45,082. Did he allow you any money?—No.

45,083. In 1863, did you receive 12*l.* 10*s.* from anybody?—No.

45,084. You say your rent was 14*l.*?—I think 14*l.*, if I remember right.

45,085. Are you still the occupier of the field?—No.

45,086. Was it allowed back to you?—No; I paid my rent in full when it was due.

45,087. Is there any other Sawdye living in Newton Abbott?—No.

45,088. Nobody else you could mention of that name?—No; a letter addressed to Mr. Sawdye, Newton Abbott, would reach me.

45,089. Do I understand you to say you received no money from Mr. Henry Michelmore in 1863, or about that time?—I did not.

45,090. In no way?—In no way whatever. I never received any money in any respect from Mr. Henry at all.

45,091. Mr. Jeffery?—No, nor Mr. Jeffery.

45,092. From anybody?—Not from anyone in respect of voting.

45,093. Did you never receive 12*l.* 10*s.* in respect of your vote from anyone?—No.

45,094. Nor 10*l.*?—No, nor any other sum. I have been offered money.

45,095. Who offered the money?—Mr. George Heath.

45,096. When was that?—On the 17th of January 1863.

45,097. How do you particularly happen to know the date?—I made a memorandum in my book. (*handing the book to the Chairman*).

45,098. Where was that money put down?—On my front room table.

45,099. At Newton?—Near Newton.

45,100. Where is it you do live?—A little way out of the town, about half a mile.

45,101. Towards Totnes?—No, the Churtney Road.

45,102. You were not within the list?—I was not, but my vote was passed before the barrister before I removed without the distance. I was living nearer before.

45,103. Was that the only money you were ever offered?—That was the only money.

45,104. Did he leave it on the table in a bag?—He put it down.

45,105. What did you say?—I said I would not take it.

45,106. Am I to understand that this is a mistake of Mr. Jeffery Michelmore?—I do not know what he said.

45,107. He says, on being questioned about some sums, Mr. Henry Michelmore 22*l.* 10*s.*; 12*l.* 10*s.*, Sawdye?—That is not me. I do not remember having the money.

45,108. (*Mr. Coleridge.*) You had no vote in 1865?—No.

45,109. (*Mr. Bere.*) Did you not get any of the sum of 12*l.* 10*s.* and the 10*l.* from Mr. Michelmore?—Not any.

45,110. Not to give it to anybody else?—No.

45,111. Did you ever, directly or indirectly, receive any money for your vote at any time?—Never.

45,112. Were you never offered any except that?—Never in my life.

45,113. When you took the land, did you understand that was the ground on which you had it?—I took it for cattle. I asked the son of Mr. Thomas Michelmore to let me have the field for the change of cattle. He said yes.

45,114. That conferred a vote?—Yes, it did.

45,115. Did you understand that if you had it for your cattle you would have to vote for the Liberal party?—Nothing was said about it.

45,116. (*Mr. Longe.*) Were you a Liberal at the time?—I was.

45,117. You always had been a Liberal?—Yes, and my father before me, I believe. I have no doubt Mr. Michelmore understood that if I had the field, and it conferred a vote, I should vote that side.

45,118. (*Mr. Coleridge.*) Was it the general understanding that anybody who rented under the duke was to vote for the Liberals?—I do not know that.

45,119. You think it was the understanding you were to do it yourself?—He might expect it, because he knew there would be no difficulty about it. I may mention one circumstance that occurred when Mr. Dunn came, and Mr. Mill came and said, "We are here." I said, "You may go away, if you please." Then he went away from me, and I said to Mr. Dunn, "You may depend upon it your name is Dunn, and done you will be at the next election."

45,120. (*Mr. Bere.*) Had you some land at Summerhill before you had this land?—No, I was away from it many years.

45,121. Was Mr. Jeffery the agent when you were away?—The agent for the lands I was farming.

45,122. What were those?—Under Lord Cranstoun.

45,123. Where?—In Ashburton.

45,124. That was a large farm?—Yes, a large farm 200 acres.

45,125. Do you live within the list of Ashburton?—Yes.

45,126. Within the seven miles?—Yes.

45,127. Had you got this field then?—Yes.

45,128. Did you want this field of four acres besides the large farm of 200 acres?—Yes, I did.

THIRTY-THIRD DAY.

W. H. Sawdye.

26 Oct. 1866.

J. B. Prout.

45,129. Did the proposal to take the field come from you or Mr. Michelmore ?—I asked him if he had a field to be kind enough to let me have it.

45,130. Did you hear that this field was vacant ?—He wrote and said, I have now a field if you like to take it.

45,131. (*Mr. Coleridge.*) Is it grass land ?—Very good grass.

45,132. Near the river ?—Yes.

JAMES B. PROUT sworn and examined.

45,133. (*Mr. Bere.*) You are clerk to Mr. Henry Michelmore now ?—Yes.

45,134. How long have you been so ? — Six months.

45,135. What were you before ? — I was with Michelmore and Son.

45,136. How long were you clerk to Michelmore and Son ?—Four years.

45,137. You came in then about 1862 ?—1862.

45,138. Had you been at Totnes before ?—No.

45,139. Where did you come from ?—Tavistock.

45,140. You had nothing to do with the Totnes elections before that time ?—No.

45,141. What was your business as the clerk to Michelmore and Son ?—To keep the general accounts.

45,142. And to copy them out from the day book into the ledger ?—Yes.

45,143. From whom did you take your instructions as to how the items were to be added. I will give you an instance (*pointing to an entry*) : is that your handwriting ?—Yes.

45,144. Where would you have taken that item from, from the large book ?—From the cash book I should say.

45,145. Would the cash book have it, the information about half a year's rent ?—No.

45,146. Would it be your explanation of why the 10 guineas was paid ?—Mr. Michelmore would not say what it was for.

45,147. You mean to say that these two extracts are put from the day book into the ledger without asking Mr. Michelmore about them ?—No, except what we did not know. If there was anything particular we had no knowledge of, we would ask about it.

45,148. For instance, in 111 there is an entry, J. Searle, 10 guineas ?—Yes.

45,149. Would the entry in the day book be half a year's rent of house ?—No.

45,150. The entry in the day book would be J. Searle ?—Yes.

45,151. Do you remember asking Mr. Michelmore what you should say about the 10 guineas to J. Searle ?—No doubt I did.

45,152. Do you remember doing it ?—I cannot remember it. No doubt I did it.

45,153. It is all the same handwriting ?—Yes.

45,154. You had been from the time you began to be Mr. Michelmore's clerk pretty active in election matters, had you not ?—Yes, I had.

45,155. You had to do with the council matters ?—Very little to do with that.

45,156. What does this mean, November 3rd, 1864, J. B. P. cash, council election ?—50*l.* I merely had a cheque, went to the bank, and passed the cheque.

45,157. To whom did you pay the money ?—To Mr. Windeatt at the committee room.

45,158. At the committee room for conducting council elections ?—Yes.

45,159. Had he been down to ask for it ?—He asked me in the street ; he wanted 50*l.* he said.

45,160. Did he tell you what for ?—I knew what it was for.

45,161. In paying voters ?—Yes, I suppose so.

45,162. You went to get it ?—Yes.

45,163. Where did you get it ?—I had the cheque from Mr. Michelmore.

45,164. Where did you get it cashed ?—At the National and Provincial Bank.

45,165. In notes or gold ?—Gold.

45,166. You paid it over to Mr. Windeatt ?—I did. Mr. Michelmore scribbled at first to advance the 50*l.* He went to the committee room, and Mr. Windeatt asked him in.

45,167. The first election you had anything to do with was in 1862, Mr. Pender's election ?—I was a poll clerk.

45,168. What did you get for that ?—Two guineas.

45,169. Nothing after the election at all ?—No, not a farthing.

45,170. Did you get a sum of 20*l.* on the 1st of January 1863 ?—Yes.

45,171. What for ?—To pay the servants at the "Seymour Hotel," and postage stamps and telegraph messages.

45,172. Are you quite sure the servants were not paid afterwards ?—Yes. It was 2*l.* 10*s.* the cook had at the election.

45,173. There was a second sum of 20*l.* afterwards, which Mr. Michelmore yesterday told us was paid to the servants ?—There are two twenties. I will give an account of the other.

45,174. The first was paid to the servants ?—The first for the servants and the other expenses of the election.

45,175. What do you mean ?—Telegraph messages, and postage stamps and so on.

45,176. How much did you give to the servants ?—Ann Satchwell had 5*l.*, Miss Weeks had 3*l.* ; and it went down to the postboy.

45,177. (*Mr. Coleridge.*) Did the bus driver have anything ?—I do not think he had.

45,178. (*Mr. Bere.*) Had you a vote in 1862 ?—No.

45,179. You began a little earlier than 1862 ?—No, I did not.

45,180. (*Mr. Coleridge.*) Have you not a sum of money down for bribing Samuel Hill ?—That was before my time.

45,181. Is there anybody else you can name ?—No.

45,182. Had you been in Totnes before you came to live here as Mr. Michelmore's clerk ?—I was with Mr. Michelmore before I came here, at Tavistock.

45,183. Used not Mr. Michelmore to have you up here at election times to help ?—No.

45,184. (*Mr. Coleridge.*) Did you ever bribe Samuel Hill ?—No, never.

45,185. Did you offer him anything ?—No.

45,186. Nothing ?—No.

45,187. That is a mistake ?—That is a mistake.

45,188. On the 5th of May Mr. Seymour is charged with 10*l.* ; ditto, 20*l.* ; ditto, Thomas Latimer, newspaper account, 2*l.* 18*s.* 4*d.* What is that 10*l.* for on the 5th of May ?—That was 10*l.* for Thomas Pack. He was in sickness at the time.

45,189. When did you pay him ?—I cannot say.

45,190. Before or after the election of 1863 ?—A week after.

45,191. Had you seen Pack before the election ?—Not before.

45,192. After the election did you see him ?—He called on me, and said he had been suffering from sickness.

45,193. Did you tell Mr. Jeffery Michelmore ?—Yes.

45,194. And he thought Pack ought to have 10*l.* ?—He gave me 10*l.* to carry to him.

45,195. As to the other 20*l.* ?—That was spent in the election.

45,196. How ?—There were 6*l.* odd to Light for grates or stoves had by Mr. Seymour, and 3*l.* odd to Dennis for carriage hire at the council elections, and postage stamps and telegrams, and expenses of parties I sent about during the election.

45,197. What sort of parties ?—Those who went with letters to Torquay.

45,198. How much of that 20*l.* did you get yourself ?—Nothing at all.

45,199. Did you account for all the 20*l.* ?—I did. I brought vouchers to my master for the whole.

45,200. When did you first have a vote ?—In 1865. I only voted once.

5,201. You got on the register in 1864?—Yes.
5,202. As the occupier of a field?—Yes.
5,203. What was the field called?—Tram Ridges' ink.
5,204. Who occupied it before you?—Two besides elf.
5,205. Who were they?—Mr. Amery and his son.
5,206. Who were the real occupiers?—They were.
5,207. Did you ever put a head of cattle on it in r life?—No, I let it out.
5,208. To whom?—To anyone who had cattle to .
5,209. Did it not oddly enough happen that the e persons always had cattle to keep?—It was so first year. I altered it afterwards, or I would not e got my vote.
5,210. You tried it on upon one occasion?—Yes.
5,211. On the second occasion who was the owner hat field?—I was.
5,212. Who put their cattle there?—I took in eral persons' cattle.
5,213. I could not have put my cattle there?—Not hout you paid me.
5,214. If I had paid you could I have turned out a se there?—If you had paid me you could.
5,215. There were only two or three who did turn le in there?—No one did without my sanction.
5,216. How many people put cattle there in the rse of the year?—Four or five, Holman, Roberts, . Beazley, and Berry.
5,217. Did you keep an account with Amery and ?—Yes; I was the manager.
5,218. That is the way you got your vote?—Yes.
5,219. (*Mr. Coleridge.*) Was it a profitable ma- ement?—We made it pay.
5,220. You paid your rent?—Yes.
5,221. (*Mr. Bere.*) What was the rent?—32*l.* 10*s.*
5,222. Did you pay the rates and taxes out of it? es.
5,223. What was the acreage?—About eight or acres.
5,224. You kept a separate account with Mr. helmore for the expenses you incurred in the e?—Yes.
5,225. "Prout, for postage and receipt stamps?" es.
5,226. Where shall I find an entry as to the pay- nt of this rent in the ledger?—Not in the ledger.
5,227. In the rent book?—Yes.
5,228. (*Mr. Coleridge.*) Were you a good deal in n Elliott's house at the election?—No, not at all.
5,229. Were you there the day before?—No.
5,230. Or the day before that?—No.
5,231. Do you know Farley, of the "Bridge Inn?" Yes.
5,232. Do you recollect his asking for you at liott's house?—No.
5,233. You heard that he had been looking about you?—I heard it in London for the first time.
5,234. What had Elliott to do with the election? That I cannot tell.
5,235. Was he working with you?—No.
5,236. Were you a great deal at the "Seymour ns?"—I was.
5,237. Were you in the large room where the oking and drinking was going on?—I was there metimes.
5,238. You dined there?—No, I did not dine re.
5,239. Before or after the election; within a week? No.
5,240. What you had to drink did you pay for?— s.
5,241. Did you meet a man named Dennis there? I saw him there.
5,242. Did you have any conversation with him? I had a conversation with him the same evening out the account.
5,243. Did you tell him he might have what he ed to drink?—No.
5,244. Who took your evidence?—Mr. Tucker.
5,245. Did you sign it?—I think I did.
5,246. Was it read over to you?—I think so.
5,247. You told Mr. Tucker—"I was at the "'Seymour Hotel' for a week before the election; "I was there on the business of Michelmore and Son; "I took my dinner there and did not pay for it?"—You asked me as to the big room.
5,248. Did you pay for it?—No, Mr. Michelmore paid for it.
5,249. It went into the general account?—Mr. Michelmore told me that he would pay for it. I was not to leave the house; I had to do my work there.
5,250. Did you sleep there?—No.
5,251. What time did you leave the house?—About 10 or 11 o'clock.
5,252. And what time were you there in the morning?—About 9.
5,253. Were you in any of the bedrooms in the house?—No. I was never in any one of the bedrooms in my life.
5,254. Did you see a man named Sloggett before the election?—Yes.
46,255. Did you offer him any money?—No.
5,256. What did you see him about?—I did not speak to him.
5,257. Did you have any conversation with him about the election?—No.
5,258. Or canvass him?—No.
5,259. Did you call on Drew?—I never called on him.
5,260. Did you meet him anywhere?—No.
5,261. Or offer him any money?—No.
5,262. Or Crawford?—No.
5,263. Did you offer him any money?—No.
5,264. Or Reeves?—I never spoke to him on the subject.
5,265. You did not canvass either of these four men?—No, nor anyone else.
5,266. You did not canvass a soul?—No.
5,267. Did you tell people where to go and look for money?—No. I did not know that money was going.
5,268. Did not Mr. Michelmore tell you that?—No, he did not; he kept that from me.
5,269. (*Mr. Bere.*) Had you anything to do with paying Ford at the "Seven Stars?"—No.
46,270. Did not Mr. Michelmore give you a sum of money to take over to him?—No; he might have given me a letter. If there had been notes in it I should have known it.
5,271. You would not have known if there had been a hundred-pound note in it?—I should not have known that.
5,272. You said you might have taken him a letter; did you ever do so?—I do not know that I ever did.
5,273. Are you sure that you did not take Ford a letter?—I do not think I did.
5,274. Did you carry many letters about during the election?—No, I had something else to do.
44,275. Did you carry a letter to Ford?—I do not think I did at that election. I am certain I did not.
5,276. When did you first know that Ford had had 60*l.* for his vote?—Not until yesterday.
5,277. Had you any communication with Ford at all?—No.
5,278. Did you not canvass him?—No.
5,279. Was he at that time the ostler at the "Stars?"—Yes.
5,280. Although he was employed at the "Stars," was he thought to be a person who might be got to vote on your side?—I never was let into the secrets.
5,281. And yesterday was the first time that you knew Ford had got this money?—Yes, I assure you.
5,282. You had nothing to do with taking it to him?—I had not.
5,283. Were you ever sent with any message to Ford by Mr. Michelmore?—No.
5,284. Mr. Amery and his son were your co-occupiers in 1864; had not Mr. Samuel Cuming and Mr. Veasey been your co-occupiers the year before?—No.
5,285. Had you ever had any field with them?—Mr. Amery and his son left me in 1865, and then Mr. Veasey and Mr. Cuming succeeded them.

THIRTY-THIRD DAY.

J. B. Prout.

26 Oct. 1866.

45,286. During the whole time that you had this sham occupation of this field have you ever had a head of cattle in it of your own ?—No.

45,287. Here is an account in your own handwriting; will you explain this item, "Jeffery Michelmore in account with Michelmore and Son;" then under the date of June the 4th, 1864, there are the words, "On account of election;" what does that mean ?—I really do not know.

45,288. Where did you take that from ?—From the cash book.

45,289. Would the cash book have an account of election monies ?—I think not.

45,290. Must you not have asked Mr. Michelmore where that money came from?—I might have asked him.

45,291. Then on the 13th February, "J. B. Prout for cash, 9*l.*;" what is that ?—I cannot tell; I was the cashier in the office.

45,292. There is a payment by Mr. Jeffery Michelmore to you of 59*l.* 8*s.* 7*d.* ?—This is Mr. Jeffery Michelmore's private account.

45,293. I see that your name occurs there constantly; why should that be so ?—This was in relation to his household affairs, it has nothing to do with the election; these are receipts.

45,294. But it is on the other side of the account ?—These are his private affairs; these items have nothing at all to do with the election.

45,295. Do you mean that all these entries under the head of J. B. Prout refer to his private affairs ?—Those are bills that I paid for his private affairs.

45,296. Your name occurs very often ?—Yes, I had to pay those.

45,297. Did you pay the household bills for Mr. Michelmore ?—I did, and every other bill.

45,298. I do not see how that could be so; this is "in account with Michelmore and Son ?"—It is Jeffery Michelmore in account with himself and firm.

45,299. Why does he credit himself with his private expenses against the firm ?—That is not my business, that is Mr. Michelmore's business.

45,300. How is that money expended on account of the firm ?—It is debited to himself. It is [illegible] private matters in account with Michelmore and Son.

45,301. (*Mr. Longe.*) How much did Edmonds get in 1863 ?—I cannot tell; I do not know.

45,302. You had the money given to you ?—I never had a farthing in my hands to pay anyone.

45,303. (*Mr. Bere.*) I will read you what Mr. Michelmore has said: "Edmonds had 20*l.*; that "J. B. Prout's payment ?—Yes. Was not this money "paid at the time of the election ?—No. Had you "promised the 20*l.* to Edmonds ?—I had not promised any amount; I told him he should be remembered." That is what Mr. Jeffery Michelmore swore yesterday ?—I never paid any money to him.

45,304. (*Mr. Longe.*) You have said that you had money for the election in 1863 for your expenses ?—I did not say that; I said I paid for certain expenses.

45,305. You paid a certain sum to Edmonds when he was sent to Torquay ?—I did not say that. I said for sending letters to Torquay, that was by a messenger. I never sent Edmonds anywhere.

45,306. (*Mr. Bere.*) Mr. Jeffery Michelmore says he gave you 20*l.* to pay Edmonds ?—I never had 20*l.* to pay Edmonds.

45,307. Or any money ?—Not to pay Edmonds. I paid back 10*l.*

45,308. Was he the only person you paid ?—Yes.

45,309. Mr. Michelmore is incorrect in that ?—I did not pay Edmonds.

45,310. Were you Mr. Michelmore's clerk in 1865 ?—No, I left six months ago.

45,311. Had you anything to do with the mortgage on Edmonds' house ?—Nothing whatever.

45,312. Do you know anything about it ?—No.

C. F. Michelmore.

CHARLES FREDERICK MICHELMORE recalled.

45,313. (*Mr. Coleridge.*) Did you pay Ford 60*l.* at the last election ?—I did not; I promised it him. It was not paid; we fell short of finances; it was not paid to him.

45,314. Mr. Jeffery Michelmore says that 30*l.* was for Shillabeer, 30*l.* for Smaridge, and 60*l.* for Ford ?—In the newspaper it is stated that Mr. Michelmore said he paid 120*l.*, that out of that I had 25*l.*, Shillabeer 30*l.*, and Ford at the "Seven Stars" 60*l.*

45,315. This is it: "Mr. Michelmore had 120*l.* on "account of expenses. Mr. Parnell had 25*l.* of Mr. "Michelmore's 20*l.*, 30*l.* was for Shillabeer, 30*l.* to "Smaridge, and 60*l.* for Ford, now the boots at the "Seven Stars ?"—That is wrong.

45,316. What became of the 120*l.* ?—I do not know.

45,317. Did you give Shillabeer 30*l.* ?—I did not.

45,318. Did you give Smaridge 30*l.* ?—No, nor did I give Ford any.

45,319. (*Mr. Bere.*) Did you get the 120*l.* ?—That I would not answer for, but I am positive Ford never had anything, for this reason, the arrangement at the last election was that Ford was to have 40*l.* and the other men were to have 50*l.*, over and above what they were promised at the former election.

45,320. What did you do with the 120*l.* ?—I cannot tell you, in that money was flying about, and I am satisfied that the money was expended, I will not say in a legitimate way but in electioneering, and I am prepared to say that Mr. Ford did not have the money promised.

45,321. Nor Mr. Smaridge ?—No.

45,322. Nor Shillabeer ?—No.

45,323. Did you give them any ?—Not a farthing.

45,324. You recollect for a certainty that although you promised him and did not pay him, did you pay anybody ?—I paid Searle if you remember. It was in this way. Supposing Parnell or any other person engaged in electioneering matters came to me, they would say, "I want 10*l.* or 20*l.* or 30*l.*," and the money was handed over.

45,325. Mr. Jeffery Michelmore's account is correct ?—Yes.

45,326. He says you had 120*l.*, of which you gave Shillabeer 30*l.* ?—I promised him more. I considered 150*l.* to go to Shillabeer, 50*l.* to Smaridge, and 50 to Crawford.

45,327. That is the last election ?—Yes, quite so.

45,328. What did you promise Ford ?—60*l.* That is perfectly correct, but he had nothing.

45,329. That is the last election ?—Not the last.

45,330. That was in 1863 ? — Yes; Seymour election.

45,331. To make that up to them you put them down at a much larger amount for the last election ?—We put them down at 80*l.* each.

45,332. What became of them ?— They left it. Mr. Ford was not a voter, but the other two were.

W. Ford.

WILLIAM FORD sworn and examined.

45,333. (*Mr. Bere.*) What are you ?—I am postboy at the "Seven Stars."

45,334. How long were you there ?—Three years.

45,335. Where before ?—At the "Seymour Hotel," ostler.

45,336. While there had you a vote ?—Yes.

45,337. Did you rent land under the Duke of Somerset ?—Yes.

45,338. How much was it ?—70*l.* a year.

45,339. Did anybody occupy it with you ?—No.

45,340. Did anybody else vote on it besides you ?—Not at that time.

45,341. Has anybody since ?—Yes, since I left.

45,342. Were you turned out ?—I turned myself out.

45,343. Did you give notice to leave ?—Yes.

45,344. How long had you held it ?—About three years, but I had a vote before.

45,345. Where ?—In Bridgetown.

45,346. Was all the 70*l.* a year in Bridgetown ?—Yes, close by the river, below the "Seymour."

5,347. How many acres was it?—I think about

5,348. Then you left and went to the "Seven rs?"—Yes, some time after I went to the "Seven rs."

5,349. Had you voted for the Liberals always?—

5,350. How often had you voted?—I first voted Seymour and Ricardo.

5,351. Did you vote in 1857 for Mills and Gif- 1?—Yes.

5,352. What did you get for that?—Nothing.

5,353. What did you get in Dunn's election in 9?—Nothing.

5,354. What promised?—Nothing.

5,355. When did you first get anything promised? The first was in Pender's election.

5,356. In 1862 who promised you anything?—arles Michelmore.

5,357. What was it?—He promised to pay some s for me, which he did, amounting to 60*l.*

5,358. What were they?—Corn and straw. The corn to Mr. Bowden, and the other to George Perrott of Weston.

45,359. Did Mr. Michelmore give you the receipts?—No.

45,360. They amounted to 60*l.*?—Yes.

45,361. Did you vote for Mr. Pender then?—Yes.

45,362. Were these bills paid before the election or after?—After.

45,363. In 1863 what did you get?—Nothing.

45,364. Were you promised anything?—Yes.

45,365. What were you promised?—50*l.*

45,366, You ceased to be a voter?—Yes.

45,367. (*Mr. Coleridge.*) Did you ever ask him for 50*l.* afterwards?—Yes, I asked for it, and he said it was "good cold," I think.

45,368. You were joint proprietor of the hotel?—Yes.

45,369. You took the land?—Yes.

45,370. How did you vote in 1863?—For Mr. Seymour.

45,371. You did not get anything at the last election because you had no vote?—No.

Mrs. Maria James sworn and examined.

Mrs. M. James.

5,372. (*Mr. Bere.*) Are you the wife of Mr. nes, the station master?—Yes.

5,373. And the daughter of Mr. Cross?—Yes.

5,374. Did you have an interview with Mr. Evan ens previous to one of the elections?—Yes, three es.

5,375. Three different elections?—No, all at same election.

5,376. Which election was that?—1862.

5,377. Will you tell us what passed at those erviews, as well as you can remember? (*No answer.*)

5,378. How long before the election did the first e place?—I cannot say,

5,379. Was it at your own house?—Yes.

5,380. Did he come and talk to you about your band's vote?—Yes.

5,381. Had you known him before?—Yes, long ore.

5,382. He called and spoke about your husband's e?—Yes.

5,383. What did he say about your husband?—asked me to try and get him to go out of the n, and offered 50*l.*, 60*l.*, or 70*l.*, and I said it uld not buy him, it was not enough.

5,384. Did you mention any sum?—I asked him, ne wished him to vote, what he would give him to e, and he said 100*l.*, and I said it would not buy n.

5,385. Did you mention any figure that would buy n?—Yes, 10,000*l.*, and then I would leave the vn.

5,386. Did that all pass the first time?—It is all same sort of story.

5,387. Did not he approach your figure at all?—, we talked a long time together, but I never ended that he should sell his vote.

5,388. (*Mr. Coleridge.*) It is not true, as Mr. an Evens says, that you are a Tory in heart?—No.

5,389. Did he come to you before the last elec- n?—Yes.

5,390. What did he say?—That he would get my sband a situation.

5,391. What was it?—300*l.* a year on a railway.

5,392. Are you sure that he mentioned a sum?—s.

5,393. Did he say where it was?—Yes, the Great estern.

5,394. Did he say who he was going to get it ough?—Yes.

5,395. Whom?—Mr. Potter.

5,396. That is the chairman of the Great Western ilway?—Yes.

5,397. At that time Mr. Potter was thinking of nding for Totnes?—Yes.

5,398. How long was it before the election?—I not know.

5,399. About?—About a fortnight.

45,400. Then he had an interview with your husband also, and made him the same offer?—Yes.

45,401. You did not let your husband go for that even?—No.

45,402. (*Mr. Longe.*) In 1863 you had an offer?—Yes.

45,403. Did your husband vote in December and January?

(*Mr. James.*) I stated that I did not vote in 1862.

45,404. It was before the election that Mr. Evens made this offer?—Yes.

45,405. When did you tell Mr. Cross of that?—Probably very shortly afterwards.

45,406. At that time did Mr. Cross say that the Liberals would take care of your husband as well as the Conservatives, or anything of that kind?—I do not know.

45,407. You told Mr. Cross of this offer before the election of 1862?—I told all my friends.

45,408. When did Mr. Cross say anything about getting money for your husband?—He never said a word about it at all.

45,409. When did you first hear that your husband would have some money from the Liberal side?—After the election was over, months after.

45,410. Was that the first time that any words passed between you and Mr. Cross with regard to the 50*l.*?—Yes.

45,411. (*Mr. Coleridge.*) Mr. James has told us he was out of the place in the 1863 election?—Yes.

45,412. Did anybody come and offer anything?—Yes, Mr. John Heath.

(*Mr. James.*) I was at home then.

45,413. Had you any letter from Mr. Evens?

(*The witness.*) No.

45,414. What relation is Mrs. Putt to you?—Sister.

45,415. Had you any conversation with her about what Putt should get?—I cannot say.

45,416. What was he to have?—He did not get anything.

45,417. What was the conversation you had with your sister about what would buy Putt?—I never had any conversation about any offer made to Putt or her.

45,418. What was the conversation that you had with her about the election?—I do not know. We are Liberals, both of us.

45,419. Did she tell you that they had been after Putt, and were trying to buy him?—No.

45,420. Did you say they had been after your husband?—No.

45,421. Did you know what Putt could get for his vote?—No.

45,422. Do you know what he got to stay away?—No.

45,423. At any election?—No, he never voted but once.

45,424. What did Mrs. Putt get?—Nothing at all.

THIRTY-THIRD DAY.

Mrs. M. James.

26 Oct. 1866.

45,425. Not even a bonnet?—No.

45,426. Did you ever hear of her getting anything after the election?—No.

45,427. Nothing left in the house?—No.

45,428. (*Mr. Bere.*) When did you know that your husband had 50*l.*?—It was put into my hands and I took care of it. He wanted to send it back, and I said it was an insult.

45,429. Which way was the insult?—To send it back. I knew better what to do with it.

J. P. Callard.

JOHN PEDRICK CALLARD recalled.

45,430. (*Mr. Bere.*) Have you got the books?—Yes; this is Michaelmas 1859.

45,431. There is a notice served, 1860, on Mr. Knapman?—Mr. Michelmore's tenancy.

45,432. Is Mr. Jeffrey Michelmore at home to-day?—No.

45,433. What was Knapman?—Michelmore's.

45,434. Do you know what number?—No. 4, cottage and orchard.

45,435. Termination Lady-Day?—Yes, but I think it was wrong.

45,436. You gave him notice at Christmas?—Yes.

45,437. And he left?—Yes.

45,438. Who succeeded him?—Crook.

45,439. Who else?—Sercombe had notice.

45,440. What is his?—The "Bell Inn," and orchard.

45,441. 16*l.* a year?—Yes.

45,442. That was a Michaelmas holding?—Yes.

45,443. You gave him notice at Lady-day, 1860?—Yes.

45,444. Who succeeded him?—George Griffis.

45,445. Anybody else?—No.

45,446. There is only Knapman and Goodman?—Yes.

45,447. What was Goodman's holding?—That was in Totnes.

45,448. That is all in Bridgetown besides Mr. Kellock's?—Kellock's was in Totnes.

45,449. Goodman's is 24th July, 30*l.* a year?—Yes.

45,450. When was he turned out?—September 1859.

45,451. W. K. Hannaford, do you know anything about him?—That is in 1863.

45,452. William Kellock, that is Tucker and Heath's field, 5*l.* 10*s.*?—Yes.

45,453. When did he get notice?—Michaelmas, 1859.

45,454. Are those the notices that you have got in your hand?—Yes.

45,455. Whom should you engage if you wanted a solicitor?—Mr. Henry Michelmore.

45,456. Samuel Goodman, you have told us about him. Mrs. Venning, she was a tenant?—Yes.

45,457. Robert Mogridge, he was a tenant in 1859?—Yes.

45,458. Mr. M. Page?—That is a farm; there was an alteration there.

45,459. Nicholas Norrish, did not you give him notice in 1859?—No.

45,460. Did he not have notice at any time?—Not that I am aware of.

45,461. Quite sure about that?—Yes.

45,462. Is he a tenant of the duke's now?—No.

45,463. Was he a tenant of the duke's?—Yes. I do not know when he had notice. He did have notice at one time.

45,464. How long ago?—Many years ago.

45,465. What do you mean by that?—I should think ten years ago.

45,466. You have not got an alphabetical list of the duke's?—No.

(*Mr. Michelmore.*) It was what is called Panchard's quarry. I know he was a tenant.

45,467. Were all those persons who were turned out in the election of 1859?—(*The witness.*) Yes.

45,468. (*Mr. Longe.*) There is Mr. Page?—Yes.

45,469. What was his notice served for?—They change the field. It is taken from them and given to Mr. Edmonds.

45,470. Mr. Edmonds the gardener?—Yes.

45,471. Had Mr. Robert Page a vote after that?—No.

45,472. You took away the vote of Mr. Robert Page?—Yes. The farm changed hands, and Mr. Robert Page was gone.

45,473. (*Mr. Bere.*) Was Mr. Robert Page a Conservative?—Yes.

45,474. There are three Mr. Pages, William, Robert, and Merrifield?—Yes.

45,475. All Conservatives?—One Liberal.

45,476. Which?—Merrifield.

45,477. Are they still tenants of the duke's?—Merrifield is.

45,478. That is the reason that was given, the same as the others; they gave this field to a Liberal?—Yes.

45,479. Were there any notices served between 1859, 1860, and 1863?—Yes, notices were served to all in 1861 on account of the building sites.

45,480. You forgot to tell me about George Robins Stone?—He was not the duke's tenant.

45,480*a*. He was turned out?

45,481. Who is he?—He is a man at Plymouth.

45,482. Through Mr. Michelmore?—Yes.

45,483. Whose writing is that?—(*Referring*) Mr. George Fitze.

45,484. Did he serve it?—Mr. Fitze, yes.

45,485. (*Mr. Bere.*) Mr. William Michelmore, Mr. Crocker, Mr. Lewis, Mr. Goodridge, and James Edmonds?—I served James Edmonds.

45,486. What is the name of Barker?—It is Mrs. Barker.

45,487. J. P. Searle?—Yes.

45,488. Edward Shinner and Henry Eastman?—Yes.

45,489. P. K. Turpin?—Yes.

45,490. George Robins Stone?—Yes.

45,491. George Willis?—Yes.

45,492. William Ellis?—Yes.

45,493. Robert Lake?—Yes.

45,494. Another Robert Lake?—No, we served one, and he gave one himself.

45,495. W. K. Hannaford?—Yes.

45,496. John Briggs?—Yes.

45,497. James Penwill?—Yes.

45,498. Thomas Michelmore?—Yes.

45,499. William Harris?—Yes.

45,500. William Byne?—Yes.

45,501. John Tucker?—Yes.

45,502. Are those all?—Yes, all the notices I have got.

45,503. Were not the notices served for the purpose of enabling votes to be made, because the holders of the lands and houses voted against the duke's interest?—I should think so.

45,504. In the case of Lake it is a notice to quit the mill?—Yes; we gave him notice to quit with the borough, and he gave us notice to quit with the borough.

45,505. (*Mr. Coleridge.*) He did not want his mill without his vote?—No.

45,506. (*Mr. Bere.*) William Mitchell, who succeeded him?—Thomas Mitchell.

45,507. Who succeeded Crocker?—He is not out.

45,508. This notice has not come into effect?—No.

45,509. This notice was served on Mrs. Stamm because the man at the "Seymour" gave evidence against you?

(*Mr. Fitze.*) That notice is withdrawn again.

45,510. Since the Commission?—Yes.

45,511. Lewis Goodrich, who succeeds him?—James Cole.

45,512. James Edmonds, who is to succeed him?—William Henry Lee.

45,513. Is he one of the persons objected to?—I objected on the list.

45,514. Nicholas Barter and Elias Barter; is there for the manufacture of votes?—Yes.

45,515. J. P. Searle, who succeeded him?—The Gerston Company, I think.

45,516. Edward Shinner?—That is the Gerston Company.

45,517. Henry Eastman?—The Gerston Company too.

45,518. That is the fourth field?—That is Adams or Byne.

45,519. How did Eastman vote at the last election?—One and one, Dawkins and Pender.

45,520. E. R. Turpin, who succeeded him?—Mrs. Steed, I think, is the name.

45,521. Who is she?—An old widow lady; she is now dead.

45,522. George Robins Stone, who succeeded him; —Henry Crouch.

45,523. How did they manage about turning out Stone?—I had nothing to do with that.

45,524. But you knew how it was done?—No.

45,525. Did you not know they went?—I had nothing to do with that.

45,526. Did not you know anything about that?—No.

45,527. Thomas Blackler, who has his?—Fowle.

45,528. Captain Fowle?—Captain Fowle the stores and Browse has the house.

45,529. Does that make Browse a voter?—Yes.

45,530. John Willis, who has got his?—Philip Tozer.

45,531. That is the father of John Tozer?—Yes.

45,532. Had he a vote before?—Yes.

45,533. William Ellis, who has his?—Thomas Jacob Searle.

45,534. Both?—Byne has one.

45,535. Lake, who succeeded him?—John Crook of Fleet Mill.

45,536. Who has the other?—He has both.

45,537. W. K. Hannaford, who succeeded him?—Mrs. Spiller.

45,538. Has she a son who has a vote?—No, Mrs. Spiller.

45,539. John Briggs, who succeeded him?—Nicholas Tar the cottage, and Stab the land.

45,540. Do both get votes?—No, only one.

45,541. Which?—Stab.

45,542. He is a true, a good Liberal?—He has not been tried.

45,543. James Penwill?—Knapman, I think, succeeded him.

45,544. Thomas Mitchell?—John Tozer.

45,545. The son of Philip?—Yes.

45,546. William Byne, who succeeded him?—The Gerston Company.

45,547. John Tucker?—That was the company.

45,548. Are you quite sure that Drew succeeded William Mitchell?—Yes.

45,549. Does not one of the Pengilleys live in the house?—That is since Drew's death.

45,550. He does now?—Pengilley does now.

45,551. Has he a vote?—I do not know whether he has.

45,552. Which one is it?—William.

(*Mr. Harris.*) He that had the 50*l.*, that is the man.

45,553. Old William Harris, who succeeded him? Crawford, was not it? Had William Harris been a tenant of the duke 18 years, and, as far as you know, always paid his rent regularly?—Yes.

45,554. (*Mr. Coleridge.*) Do you recollect a conversation with a man called Farleigh about his not voting?—Yes, I thought of that afterwards.

45,555. When was that?—1862.

45,556. What took place in 1862?—I came down from the office and dropped in there and had a glass of beer, and he said that Mr. Niner had been over and offered 100*l.*

45,557. How long before the election was that?—About a week. 100*l.* if he voted, and 50*l.* if he did not.

45,558. 100*l.* to vote for Mr. Dent?—Yes.

45,559. What did you offer?—Nothing. He said if he could get 50*l.* from our side he would vote.

45,560. Did you tell him you would try?—I would go and communicate with Mr. Windeatt.

45,561. What did Mr. Windeatt say?—He said he would consider it, and I never heard anything of it after.

45,562. How did he vote?—For Mr. Pender.

45,563. And he got his 50*l.*?—I suppose he did.

45,564. Do you know whether he did or not?—No.

45,565. Did you never ask him, as you had negotiated the matter with him?—No, I never mentioned it.

45,566. But you now know he got it?—Yes. The conversation you were asking me about Byne I remember. Mr. Matcham passed at the time we were there, and we had a laugh.

45,567. When was that?—1863.

45,568. How long before the election?—The morning of the election, and we laughed because we saw the old man was going down to settle it.

45,569. Did not Byne want his business settled too?—No.

45,570. Did not you undertake to get him something?—No.

45,571. (*Mr. Bere.*) Has Crawford paid the rent as regularly as William Hannaford?—No; he objects to paying rent now.

45,572. What does Maye hold in Bridgetown?—A building and land; he is not a tenant now.

45,573. (*Mr. Longe.*) He is a relation of Mr. Michelmore's, is not he?—Yes; he gave it up.

45,574. (*Mr. Bere.*) Did he receive a polite intimation that if he did not give it up he would be turned out?—No.

45,575. What relation is he to Mr. Michelmore?

(*Mr. C. F. Michelmore.*) He is an uncle of Mr. Jeffery Michelmore who was examined yesterday, and brother-in-law of Mr. Thomas Michelmore, whose name you have heard mentioned before.

45,576. (*Mr. Bere.*) Mr. Winter, what has he?—He occupies a house.

45,577. You have not turned him out?—No.

45,578. Is that because he is a lawyer?—No.

45,579. The Commission came in time?—No; we never intended to turn him out, he always votes honestly according to his principles.

45,580. He has only had one vote?—I do not know whether he has voted more than once.

45,581. (*Mr. Longe.*) Mr. Winter is the only tenant of the duke in Bridgetown who votes for the Conservatives?—No. There is a Captain Page, the occupier of a land and house in Bridgetown.

(*Mr. Harris.*) He has never voted.

JAMES B. PROUT recalled.

J. B. Prout.

45,582. (*Mr. Bere.*) What have you had to do with the serving of these notices, or seeing people who were to be turned out?—You will see on the back what I served.

45,583. (*Mr. Coleridge.*) Have you been in the habit of giving a good or bad word of these tenants, the same as Mr. Callard has?—Not to them.

45,584. But to Mr. Michelmore about them?—I do not know that Mr. Callard has.

45,585. He says he has?—I do not think he did. I merely delivered the notices, never said anything to them.

45,586. (*Mr. Bere.*) Nothing at all?—I never spoke to them on the subject. I did what I had to do, and left.

JAMES FARLEIGH sworn and examined.

J. Farleigh.

45,587. (*Mr. Coleridge.*) How long have you had a vote?—Since 1852.

45,588. How did you vote in 1852?—I voted for Mr. Pender; 1862, I mean.

45,589. Is that your first vote?—Yes.

45,590. Who canvassed you?—Mr. Pender and Mr. Charles Michelmore.

45,591. Did Arthur Niner canvass you?—I do not think he did.

45,592. Did he offer you anything?—Not Arthur.

THIRTY-THIRD DAY.

J. Farleigh.

26 Oct. 1866.

45,593. Which was it?—The old Mr. Niner.

45,594. What did he offer you?—He first offered me 50*l.*

45,595. What was that to do?—To vote for Mr. Dent.

45,596. And you told him that was not enough?—I said I should not vote for that, and he asked me if 100*l.* would do.

45,597. What did you say to that?—I said, "No. "I have promised Mr. Pender, and I shall vote for "him."

45,598. How long before the election was it?—I do not recollect. He then offered me 50*l.* if I did not vote at all.

45,599. What did you say to that?—I said, "I do not know; I have promised."

45,600. Did you give an answer?—I did not give an answer whether I should or not.

45,601. Did you soon afterwards see Callard?—Yes. He was in the habit of calling in at my house.

45,602. Did you tell him about this offer of Niner's?—Yes, I think I did.

45,603. What did you say to him?—I think I told him that Niner had been over to me, and he first offered me 50*l.*, and then offered me 100*l.* to vote and 50*l.* not to vote.

45,604. What did you say about wanting something from your own side to vote?—Well, I said I was inclined for Mr. Pender, and if they would give me 50*l.* I would rather vote for the Liberals than the others.

45,605. But if they had given you 100*l.* you would have voted on the other side?—No, not at all.

45,606. Your chief inclination was to get 50*l.* in some way?—I thought if I got 50*l.* it would be better than nothing.

45,607. You would not have voted against Mr. Pender, but you would have taken the 50*l.* to stay away, unless you could have 50*l.* to come and vote?—I do not know that I should, but I merely said that.

45,608. When did you know that you were to get 50*l.* for voting for Pender?—I think on the nomination day.

45,609. Who told you?—Really I do not know, there were parties there in the house.

45,610. Who were they?—I rather think it was Mr. Hodge, of Berry Lodge, or Mr. Cross.

45,611. They told you it would be all right. They were both there in the house?—In my house.

46,612. Old Mr. Cross?—Yes.

45,613. You think it was either Mr. Hodge or Mr. Cross who told you you should have 50*l.*?—Yes.

45,614. When did you get the 50*l.*?—Not for some time.

45,615. How long after?—Several weeks. I do not know how long.

45,616. Did you get it before Mr. Seymour's election, which took place about a month afterwards?—I had 10*l.* about a fortnight or three weeks after the election.

45,617. Who paid it to you?—John Elliott.

45,618. When did you get the rest?—I did not get the other 40*l.* for some time.

45,619. Did you get the odd 40*l.* before or after Mr. Seymour's election?—I do not know; I rather think it was before.

45,620. Who paid you that?—Mr. William Perrott.

45,621. Did he at the same time ask you to vote for Mr. Seymour?—No.

45,622. Did you give any receipt for this money?—No.

45,623. In 1863, the next election of Mr. Seymour, did you vote for him or for Mr. Dent?—I voted for Mr. Seymour.

45,624. What did you get for voting for Mr. Seymour?—Nothing.

45,625. What did you get after the election?—Nothing.

45,626. No present?—No, I will not say whether I had the 40*l.* before; I think it was before.

45,627. But between the two elections you got 50*l.*?—50*l.*

45,628. You had nothing at all after?—No.

45,629. Did you vote again in 1865?—Yes.

45,630. Did your wife get anything in 1863?—No. I had no wife at that time.

45,631. In 1863 did you have a bill there?—No.

45,632. You keep an inn, do not you?—Yes.

45,633. Was there any drinking going on which was paid for by Mr. Michelmore?—No, I think the men had about 20 quarts of ale after the election was over.

45,634. Who paid for it?—I rather think it was Mr. Prout. I will not be certain.

45,635. How much was it?—About 20 quarts of beer, and it came to about 10*s.*

45,636. That is all you got out of the 1863 election?—Yes.

45,637. In 1865 how did you vote?—For Mr. Pender and Mr. Seymour.

45,638. In 1865 did the Conservatives offer you anything. Did Niner come to you again?—Not Niner.

45,639. Who did?—Some of the party

45,640. Who was it?—Different ones.

45,641. Tell us who they were?—The day previous to the election, very soon after the nomination, there were three or four came to my house.

45,642. Who?—Henry Hodder.

45,643. Who were they?—Mr. Narramore, and I think, as well as I can recollect, one of the young Darts. There were three or four of them.

45,644. What did they say to you?—They asked me to vote for Dent.

45,645. What did they offer you?—They offered me 50 sovereigns or 100*l.*, and they asked me if that was any good to me, but I said, "No," and I think they went so far as 200*l.*, and I said, "No, if you offered me 500*l.* I would not vote for him." I said, "All the money in your camp would not do for me."

45,646. Although they offered you 200*l.* to vote for Dent, you voted for Seymour without getting anything?—Yes, without a farthing; I never was offered anything.

45,647. You got nothing after the election, no presents of any kind?—Not a farthing.

45,648. Did you get anything between the election of 1863 and the last election?—No.

45,649. At the last election did you get anything?—No.

45,650. Nothing since?—No.

45,651. Were you promised anything?—No.

45,652. Were you offered anything?—No.

45,653. Not on either side? Did not your Conservative friends come and offer you anything?—There was a man on the morning of the election who spoke to me the first thing, but I did not take any account of what he said.

45,654. Who was it?—(*No answer.*)

45,655. Come, out with it, who was it?—Heard, I think he was called, asked me to vote for the Conservative. I said I should not do so; I had promised my vote; I did not intend to do so.

45,656. Did he offer you anything?—He did not.

45,657. Did you go down to the "Seven Stars" at all?—No.

45,658. Did he say anything to you about going to the "Seven Stars?"—No; I never went there.

45,659. Was there beer at your house at that time?—No.

45,660. Do you believe your vote has only been worth 50*l.* altogether?—Only 50*l.*, and that I did not expect to have, as there was no contest.

45,661. You did not think you would get it?—No.

45,662. Have you voted at the municipal elections?—I have. I generally vote on the Liberal side.

45,663. Have you ever got anything for that?—No.

45,664. Nothing at all?—No.

45,665. (*Mr. Bere.*) Do you know something about Fox Green at the last election?—No, I do not know that I ever saw him. I know the man.

45,666. Was he at your house at all?—I do not think he was at the last election, not to my recollection.

45,667. Did you have a conversation with Mr. Heard about him?—No, I never had anything to say or do with him about electioneering; I never did.

45,668. Do you keep the "Exeter Inn?"—The "Exeter Inn."

45,669. You do not know anything more about it, do you?—Nothing more.

45,670. Have you never had money at any other time?—No.

45,671. (*Mr. Coleridge.*) Or any benefit of any sort or kind?—No.

45,672. (*Mr. Bere.*) Have you ever given anything to anybody else?—No.

45,673. (*Mr. Coleridge.*) Have you got any land of the duke's?—I have.

45,674. Where is it?—Very near my house.

45,675. In Totnes?—In Bridgetown.

45,676. (*Mr. Bere.*) How much have you got?—I have got two fields.

45,677. What is the acreage of them?—About five acres, I think.

45,678. What rent do you give?—14*l.* a year, I think.

45,679. (*Mr. Coleridge.*) You knew if you voted for the Conservatives you would be turned out, I suppose?—No, I did not give it a thought.

45,680. How long have you had the land?—About three years, I think.

45,681. Since you voted for Mr. Pender?—Yes.

45,682. Had you tried to get any before you voted for Mr. Pender?—I had asked them for a field long before, if it was convenient for me to have one.

45,683. You had asked for a field long before, but they did not give it to you till after Mr. Pender's election; is that it?—Yes.

45,684. I thought so. When did you first get it?—At that time I had a little field of an acre and a quarter, first.

45,685. When was that? In March 1863 did you get it first?—Just about that time.

45,686. Just after Mr. Seymour's and Mr. Pender's election?—Just about that time.

45,687. So you got your land as well as your 50*l.*?—Yes.

45,688. (*Mr. Bere.*) Does anybody else vote on the land besides you?—No, I vote on my house.

45,689. Then who votes for your land?—No one.

45,690. No one?—No one that I am aware of.

45,691. You are quite sure about that?—No one that I am aware of. The first is a little field that I have.

45,692. (*Mr. Coleridge.*) They have not built a linhay for you yet, have they?—No.

HENRY HODDER sworn and examined.

H. Hodder.

45,693. (*Mr. Bere.*) Where do you live?—I live in Totnes.

45,694. How long have you lived there?—About seven years.

45,695. How long have you been a voter?—About four years, I think.

45,696. Was the first time you voted in 1862?—I did not vote then.

45,697. For whom should you have voted if you had?—I should have voted for Mr. Dent.

45,698. Did you see anybody on the Conservative side at that time, about voting for Mr. Dent?—I was continually at the "Stars."

45,699. Did you know there was a good deal of money going about?—I understood there was.

45,700. Did any of it come to you then?—No. I had nothing to do with any money at all.

45,701. In 1863 did you vote for Mr. Dent?—Yes.

45,702. Did you get any money then?—No.

45,703. Neither directly or indirectly?—No.

45,704. What are you?—I am a solicitor's clerk.

45,705. To whom?—To Mr. Kellock.

45,706. You are Mr. Kellock's clerk?—Yes.

45,707. You voted again in 1865, I suppose, for Dawkins and Pim?—Yes.

45,708. Had you anything to do with distributing money at any time?—No.

45,709. Never?—No.

45,710. Did you ever go down to Mr. Kellock, at the "Stars," and see Mr. Evens there?—Yes.

45,711. Did you see any money going about in 1865?—I saw some.

45,712. When did you see that?—That was what Narramore paid to a voter.

45,713. From whom did Narramore get it?—I did not see him pay it. I saw him in the lobby of the "Stars" with the money.

45,714. Did he tell you where he got it?—He told me he got it for Dennis.

45,715. Did he tell you how much?—I think he said 100*l.*

45,716. Do you know James Farleigh?—Yes, very well.

45,717. Did you ever go and canvass him?—I went with Mr. George Heath.

45,718. What did Mr. George Heath say, that you heard?—I do not know how it was brought up. It was the day after the nomination, and he suggested that we should go over and see Mr. Farleigh, and I walked over with him, and I heard him offer him money. I heard him ask if he would vote for Mr. Dent, and he said Mr. Dent was a person who would not accept a favour without returning it.

45,719. Was that all that passed?—Yes.

45,720. Did you offer him anything?—No.

45,721. Is that what you wish to say?—That is all I wish to say.

45,722. (*Mr. Coleridge.*) Were you employed at any of those elections?—As a clerk I was employed.

45,723. Were you employed in 1862 as clerk?—Yes.

45,724. What did you get for your services?—I got 2*l.*

45,725. Is that all?—And two guineas as a poll clerk.

45,726. What did you get in 1863?—The same.

45,727. And what did you get in 1865?—The same.

45,728. Four guineas at each?—Yes.

45,729. No present, or anything of that kind?—No.

45,730. Nothing after the election?—No.

45,731. Did not Mr. Kellock see that you were remembered with the rest?—No.

45,732. (*Mr. Bere.*) Did he give you a present for your services at the election?—No. I never did anything but writing.

45,733. (*Mr. Coleridge.*) Then in addition to your ordinary salary you got 4*l.* for each election?—Yes.

THOMAS PACK sworn and examined.

T. Pack.

45,734. (*Mr. Bere.*) How long have you lived in Totnes?—15 or 16 years.

45,735. How long have you had a vote?—Since 1857 I think.

45,736. Whom did you vote for then?—For Mills and Gifford.

45,737. What was your qualification, a house?—Yes.

45,738. Where?—In Fore Street.

45,739. What are you?—A labourer.

45,740. Do you mean an agricultural labourer, a person who works on a farm?—Yes.

45,741. What did you get for voting for Mills and Gifford?—Nothing at all.

45,742. Neither before or after the election?—No.

45,743. Did you ever find anything in your house?—No.

45,744. Or did your wife get anything?—No.

45,745. In 1859 who did you vote for then?—At the first election I thought of voting for Mackenzie. I was along with a party at the "Dartmouth Inn"

THIRTY-THIRD DAY.

T. Pack.

26 Oct. 1866.

when Mr. William Oldrey came to me and called me away.

45,746. You mean the high bailiff?—Yes, he called me out; he said he did not want to see me amongst that party; he wished me to go home, I should only have the headache the next morning. This was the night before the election. He afterwards wanted me to go and mix with the other party to see if they would offer me any money, and if I would tell him he would double it.

45,747. Did you take his advice?—No; and I thought I would have nothing to do with them.

45,748. You did not get any offer from the Tories?—No.

45,749. Was Mr. Oldrey a Conservative at that time?—Yes.

45,750. Whom did you vote for in 1859?—For Mills and Gifford again.

45,751. How much did you get for that?—Nothing.

45,752. Did you ask for anything?—No.

45,753. Were you promised anything?—No.

45,754. When was the first time you ever got anything?—Mr. Prout brought me 10*l.*

45,755. When did he bring you that?—After Mr. Pender's first election.

45,756. Was it in sovereigns or notes?—In notes.

45,757. What did he give it you for?—I did not know of its coming; it was after the election.

45,758. Mr. Prout brought it you himself to your house?—Yes, to my house.

45,759. And paid it to you?—Yes.

45,760. Into your own hands?—Into my own hands.

45,761. (*Mr. Coleridge.*) Did he say there was any more to come after it?—No; he said there was a present for me.

45,762. (*Mr. Bere.*) Had Mr. Prout got the notes in an envelope, or did he take them out of his waistcoat pocket?—I do not know where he took them from; he had them in his hand.

45,763. Did you get any more afterwards?—Not at that time.

45,764. When was the next time you got anything more?—At the last election.

45,765. How much did you get then?—I got 40*l.*

45,766. Who gave you that?—George Parrott.

45,767. When did he give you that?—On the morning of the election.

45,768. Had anyone been to you before?—No one came to me. I did not know of its coming. He brought it to me and said that he had got a present for me. I had had a great deal of sickness, both myself and my wife, and had a long bill from the doctor. I had been always straightforward on their side, and had been offered a great deal of money on the other side, but had never taken it. I never knew of the money coming until it was brought to my house. I had been offered 200*l.* the same morning on the other side.

45,769. Who had offered you that?—John Pack, my nephew.

45,770. Why did you not take it?—I told him that if he would offer me 500*l.* that I would not vote for them, for that I could not bear the Tories, and that I would not accept it.

45,771. (*Mr. Coleridge.*) Why could you not bear the Tories?—They had served me such a trick the first time through Mr. Oldrey.

45,772. Do you know the difference between Whigs and Tories?—I know this, that I have always held to one side, and I know that the Liberal party will get me a cheaper loaf of bread than the other side; that is the best reason that I can give.

45,773. (*Mr. Bere.*) Had you anything offered to you in 1863 by the Conservatives?—I had not; there was nothing offered to me; they did not come to me. When Mr. Dunn was here they kept on coming then.

45,774. Who kept on coming?—Mr. William Oldrey sent for my wife many different times to come to his house. He told her that he would give her 10 5*l.* notes wrapped in a parcel. She said she would not take it, as she knew I had told her she was not to take anything from that party.

45,775. Was that the only offer which you had made to you?—A gentleman showed me a purse of gold.

45,776. Who was that gentleman?—I did not know him, he was a stranger to me.

45,777. Who was it came to your wife?—He sent for her to come to Mr. William Oldrey's house.

45,778. Is your wife alive?—Yes, but she is in a very bad state of health.

45,779. When you got this 10*l.* from Mr. Prout had you not asked for it, and said that as you had had a great deal of sickness you wanted it?—I believe Mr. Haines the surgeon spoke to Mr. Michelmore about it. I had had a deal of sickness; my doctor's bill was nearly 10*l.*

45,780. It was to pay your doctor's bill the 10*l.* was given?—Yes.

45,781. Your doctor's bill was not 40*l.* in 1865?—No, but then I owed some other bills, and I had had a great deal of sickness.

45,782. Did you owe any money to Mr. George Parrott?—No.

45,783. Did you work for him?—Yes.

45,784. How long have you worked for him?—49 years, and for Mr. Searle his uncle.

45,785. Have you always worked for the same masters?—Yes, always on the same farm.

45,786. How did you spend the 40*l.*?—It was all gone before I got it.

45,787. You had to pay it away?—Yes.

45,788. Did you pay any to Mr. Searle or to Mr. Parrott?—No.

45,789. Had you borrowed any money?—No. I owed some money.

J. F. Green.

JOHN FOX GREEN sworn and examined.

45,790. (*Mr. Longe.*) How long have you had a vote for the borough?—The last election was the first time.

45,791. How long have you lived in Totnes?—All my life.

45,792. What are your politics?—Liberal.

45,793. At the last election did you see John Elliott?—Yes.

45,794. When did he see you and take you to Plymouth?—He did not take me there.

45,795. When did he give you money to go there?—On the Tuesday week before the election I went away.

45,796. And he gave you 5*l.* to go to Plymouth?—No, he did not.

45,797. What did he say to you?—He did not come to me.

45,798. Did he send to you?—No. I went to Farley's house at Bridgetown, and by accident we met each other there; there were several tailors there; we had a drop of drink at the public-house, and then I went down to Elliott's house. I said to him, "Worthy wants me to go to Dartmouth, but I do not "consider that I ought to go away." Mr. Elliott persuaded me to go away. On the Tuesday morning Colonel Dawkins canvassed me about dinner-time with Mr. Kellock; he asked me if I would vote for him; I said I would not promise him. Mr. Kellock asked me if I had any questions to put to Colonel Dawkins; I said I had none. Mr. Kellock asked me if I would promise to meet him at the "Stars;" I said I should not be able to make it convenient. That very afternoon I walked from Totnes to Brent, and from Brent I went on to Plymouth, where I saw Mr. Elliott; I knew that he was coming there.

45,799. At whose house did you see him?—I saw him on the platform at the station.

45,800. On what day was this?—That was on the Tuesday evening.

45,801. On that occasion did you tell him that Colonel Dawkins had been canvassing you?—Yes.

45,802. And that you were afraid to stay in Totnes?

was not afraid, I wanted to go away and have a of a spree.

45,803. Supposing you had some money?—Yes, I l none of my own.

45,804. Did you start without any money?—I had f a sovereign.

45,805. That was your own?—No.

45,806. Who gave it to you?—John Elliott.

45,807. At Plymouth how much more did he give ?—The next morning between five and six he e me a five pound note.

45,808. You were going to have a spree?—Yes.

45,809. Was anyone with you?—No, I was all ne.

45,810. Where was your wife and family?—In nes.

45,811. You were there for a week?—Until the ednesday when the election took place.

45,812. Did you spend your 5*l.* ?—Yes, very soon. went rather too quick for me. It did not last long ough.

45,813. Who brought you back?—I happened to et young Mr. Windeatt at the station, and we came to the Brent station, and there was a carriage wait- for us there, and we went from there to the "Sey- ur Hotel."

45,814. When was that?—That was the morning the election.

45,815. You were brought to the "Seymour Hotel" th Mr. Windeatt?—Yes.

45,816. Was there anyone else with you?—A ne- ew of mine.

45,817. Was he helping you in your spree?—No, he as at work every day.

45,818. And you voted for Pender and Seymour? Yes.

45,819. Then how much did you get for that?— *l.*, that was all I got.

45,820. And the 5*l.* 10*s.* made 20*l.* 10*s.* ?—Yes.

45,821. You did not tell Colonel Dawkins that you d promised your vote?—No.

45,822. But you were open to conviction on that le?—No, I was not. Mr. Kellock asked me if I d any questions to put to Colonel Dawkins, and I ought there was some money to be had, and so I left em.

45,823. But you did not mind having any money I ppose?—I did not expect to have any. I did not ow that I was going to have a farthing when I went ay.

45,824. Did you sign the requisition?—Not that know of. If I were to see my name there I ould own that it was mine; but Mr. Harris has en to see me so many times that I cannot remember I recollect the first time that he came was when was over at Screach's, he had a sort of circular then ith him, and he asked me if I would sign it. I said, , I would not sign it, because the moment that I did gn it I would pledge myself to support the person med in the requisition. Mr. Harris said, no, that is t so; we only want to get the man down here or we all not have any election.

45,825. But you do remember signing a requisition? -If you will show me the paper I will tell you whe- er I signed it or not.

45,826. What do you vote for, your house?—Yes, r my house. I have two parlours, a kitchen, four edrooms, and a large garden.

45,827. What are you by trade?—I am a tailor.

45,828. (*Mr. Bere.*) Is that all that you ever got r your vote?—Yes.

45,829. How much did you get afterwards?—On e morning when I went away from here to go to ondon Mr. John Elliott gave me 2*l.* 10*s.* When he ave me the 5*l.* note at the time I was at Plymouth I anted to change it so that I might send something to y wife, but Mr. Elliott said that he would take care send her something, and I understand that he then nt my wife a sovereign, that is in addition to what received.

45,830. You were examined in London before the Committee of the House of Commons?—Yes, and I m sorry for it now.

45,831. You did not tell the same story there that you have told to-day?—No, I should have done so, but I did it to screen Mr. Elliott.

45,832. (*Mr. Coleridge.*) Then which is the truth, what you told then or what you have told here now? —What I have said here is the truth.

45,833. Then the whole of the evidence which you gave in London before the Committee was untrue?—Yes, it was untrue.

45,834. Not what you told here?—No.

45,835. You were pretty well schooled in your evidence by William Perrott?—He never put a question to me about the election.

45,836. Did you not go to London with him?—No, he never asked me. I worked for him 18 years.

45,837. I am talking about the petition?—No, never.

45,838. You went up to London together in the same carriage?—Yes.

45,839. Who do you rent your house under?—Mr. Brooking Cuming's sister.

45,840. Your wife does Mr. Brooking Cuming's washing?—Yes.

45,841. Have you paid your rent for the last year? —Yes.

45,842. Nothing taken off it?—The house used to let at 16*l.*

45,843. What now?—10*l.*

45,844. How came it to be let down?—It had been vacant many years.

45,845. When did you first come?—Four years ago. We never paid more than 10*l.*, when we first went in Mr. Presswell was there.

45,846. Have you paid this year's rent too?—Yes.

45,847. Was nothing allowed for that?—Not a halfpenny.

45,848. What did you get altogether?—5*l.* was given for my travelling expenses to London and to pay my keep.

45,849. How long were you there?—Five or six weeks.

45,850. Where were you staying all the time?—At my brother's after I left the "Ship Hotel."

45,851. How long were you at the "Ship?"—Four days.

45,852. Who was there with you, Perrott?—Yes.

45,853. Who else, John Elliott?—No.

45,854. Who was it?—George Fitze, and George Mitchell, the currier.

45,855. Did he give you your fare to London?—I paid it myself out of the 5*l.*; and 30*s.* or 36*s.* Mr. Smith paid me.

45,856. Had you ever told Elliott what you were going to say in London?—No.

45,857. Not what evidence you should give before the Committee of the House of Commons?—After I had notice that I was to go to London I went to Mr. Elliott, of Bridgetown. I went and told him I was not going to London to say a falsehood for 15*l.*; that was after I voted; I went and told Mr. Elliott I should not go and tell a story for the sake of 15*l.*

45,858. How much more did you want to tell a lie? —I did not ask for anything more.

45,859. What did he offer you?—Not anything. He said, "Do not mention my name, and that I went to Plymouth with you; say nothing about it." After I went down to the "Seymour" and he took down my affidavit I found the door was shut, and I saw something was wrong. Before that I used to come up every day to Mr. Elliott with messages.

45,860. You went to see Mr. Elliott again before you went to London?—I saw him the same morning; that is the time he let me have the 2*l.* 10*s.*

45,861. What did he say then about your evidence? —Not a word.

45,862. When did you have the next conversation about this before you went to London?—That was the morning I went to London.

45,863. He told you you were not to say you were sent to Plymouth?—Certainly.

45,864. You were not to mention his name?—Certainly.

THIRTY-THIRD DAY.

J. F. Green.

26 Oct. 1866.

45,865. Or say anything about the money?—He told me the money was his own money; and he said, "Tell them that I spent 150*l.* out of my own pocket at the last election."

45,866. In consequence of what Mr. Elliott said to you, you went and gave the evidence you did in London?—I did.

45,867. (*Mr. Bere.*) After you were served with the warrant or subpœna that called you up to London did you see Mr. Robert Harris?—Yes.

45,868. What did he give you to go up and tell the truth?—He did not give me anything.

45,869. How much did he say you would get if you did go?—He said, "If you go to the Whig party and "say you are going to tell the truth in London you "will get 100*l.* out of them." That is what he told me. That is on the Plains, down at the bottom of the New Walk.

45,870. Did not Mr. Harris say you had been bribed, and if you told it the Conservatives would give you something for saying it?—Only about 10*l.*

45,871. (*Mr. Coleridge.*) He suggested that you might get 100*l.* out of the other party by threatening them?—Yes.

45,872. (*Mr. Bere.*) What did you get for signing the requisition?—I do not know that I signed it.

GEORGE FITZE, jun., sworn and examined.

G. Fitze, jun.

45,873. (*Mr. Bere.*) What are you?—An accountant.

45,874. How long have you carried on your profession?—I collect the property and income tax, and I assist the overseers in collecting the poor rates.

45,875. For the parish of Totnes?—For the parish of Totnes.

45,876. How long have you been an overseer?—I have not been an overseer, only assisting them.

45,877. When did you commence?—In 1854, only assisting the overseers at different times.

45,878. For which they paid you?—Yes.

45,879. Where do you live?—In Totnes.

45,880. In Totnes itself?—Yes, Fore Street.

45,881. Whose tenant are you?—A lodger. I do not occupy.

45,882. What did you vote for?—When I was a voter I voted on building land.

45,883. You do not now?—No.

45,884. When were you struck off?—Last year.

45,885. As one of the Gerston Company?—Yes.

45,886. How long had you been a voter before?—At first in 1862.

45,887. What was your vote for then?—Building land at Gerston.

45,888. Who was the real occupier of it?—We were the occupiers.

45,889. Was it a company?—Yes, three.

45,890. Who were they?—Myself, Venn, and Cuming.

45,891. Is that John Venn?—Yes.

45,892. At Mrs. Thomas's?—Yes, and Samuel Cuming, junior.

45,893. Who stocked the land?—We took in different parties.

45,894. Generally the same cattle?—No, different parties.

45,895. You never had any cattle of your own in?—No, it was done to make a vote, there is no disguising the fact.

45,896. What was the rent?—36*l.* a year.

45,897. You found it successful, and it paid you?—It was not very successful.

45,898. You got a vote by it?—It was not very profitable. I never had anything for the vote. It is true I had 50*l.* for telegraphic messages.

45,899. Did you start the Dartmouth Company?—No, I was the agent.

45,900. That was on Mrs. Beazley's land?—Yes.

45,901. Had you anything to do with the Gerston Company?—I was only one of the company.

45,902. Who is the manager now?—Mr. John Endle.

45,903. Did you have anything to do with the Farming Company; was there not a company called the Farming Company?—Not that I am aware of; are you alluding to the Broomborough Company?

45,904. No.—That is on the other side, the clerical company.

45,905. Is this a correct description of the way in which the company was managed? "The accountant "George Fitze is the manager; his place is to take "in cattle for the week of A., B., and C.; but Mr. "George Cole, the previous occupier, occupied the "land as before he rents; he renders a fictitious "account of the rents paid; the rates and rents are "paid in their names, as previous." Is that a correct description of the way in which the company is managed?—With regard to the Dartmouth Company it is like the Broomborough Company; it was done to make votes.

45,906. No real occupation?—No.

45,907. Used you to cut Mrs. Beazley's cabbages?—Yes. Mr. Robert Harris was on one side and I was on the other.

45,908. (*Mr. Bere.*) You paid the rent?—Yes.

45,909. With regard to the Dartmouth Company, from whom did you get the rent to pay?—From Mrs. Beazley. I paid all the outgoings.

45,910. It was paid in your name?—I paid everything.

45,911. And Mrs. Beazley paid you back again?—She has not paid it, she owes me 29*l.* 2*s.* 11*d.*

45,912. When the Dartmouth Company was knocked on the head there was a sum of 12*l.* owing for rent?—Last Michaelmas a balance of 12*l.* 11*s.* 10½*d.*

45,913. That has not been paid?—No, that has not been paid yet.

45,914. Besides the various occupations you follow, you occasionally serve notices for Mr. Michelmore?—I have.

45,915. Who are the men?—One is Mrs. Thomas, and one is George Robins Stone.

45,916. He held a house in Bridgetown?—I was asked to do it by the other parties.

45,917. To whom did the house belong?—Mr. Honey, of Plymouth.

45,918. Who were the persons who asked you to serve the notice?—In the case of Stone, Prout asked me to serve it for him.

45,919. Did you know that Mr. Holman and Parrott had had something to do with Stone's house?—No.

45,920. You went and served the notice?—Yes.

45,921. Did you see stone when you served it?—I did.

45,922. Did you tell him why it was served?—I saw the notice and I left it. I waited while he read it.

45,923. You never had anything to vote?—No.

45,924. Did Prout tell you why Stone was to be served with a notice?—All the tenants had got notice to quit at the time. There were four or five of them besides him that had notice.

45,925. Did Mr. Michelmore manage for Mr. Honey?—Yes.

45,926. Did not anybody (until Mr. Michelmore) have any house there?—I believe Mr. Michelmore took the house of Mr. Honey and agreed to pay so much a year.

45,927. The house was Mrs. Stammers'?—Yes; I served it on Kellock.

45,928. On what account?—On account of Crocker.

45,929. He had gone and voted against him?—He did not vote.

45,930. He had made himself busy at different times?—In London.

45,931. He was a witness before the Committee?—Yes.

45,932. That was after the notice was given you to serve?—Yes.

45,933. You served it last June?—Yes.

45,934. He would have had to go out at Christmas?—Yes. Since then Mrs. Stammers wrote a letter to Mr. Jeffery Michelmore desiring him to withdraw the notice.

45,935. When ?—A fortnight since.

45,936. What was Mr. Jeffery Michelmore pleased do, to withdraw the notice ?—I believe so, she is ere still.

45,937. Though you did not have money yourself, you have any money to give to others ?—No.

45,938. Never at any time ?—I never had any ney put in my hand for others.

45,939. Have you ever been to anyone in order to money ?—Never.

45,940. What have you had to do with elections ? Nothing but to conduct the registration.

45,941. Used you to sign notices of objection ?— ver.

45,942. What did you do ?—Look after the votes, that the land was stocked, and keep them entered to claims.

45,943. That was to a certain extent your business, assist the overseers ?—Yes, in a double sense.

45,944. You were assisting the overseers to find who was entitled to vote ?—Yes.

45,945. And object to those who were not entitled ? I did not object, but I gave information.

45,946. (*Mr. Coleridge.*) You helped, I suppose, to end the 72*l.* spent at Mrs. Beazley's during the gistration ?—I had nothing to do with that.

45,947. Did you not dine with the people there ?— . When I found the registration going on I had ncheon at the "Castle" Inn.

45,948. You were not living at the "Seymour ?" No.

45,949. Were you paid a salary for looking after the gistration ?—Yes.

45,950. What were you paid ?—1*l.* a week.

45,951. Who paid you that ?—The agreement was ade in February 1863, between Mr. Michelmore and r. Brooking Cuming, that I was to have 1*l.* a week, s. on each side.

45,952. Have you always received that money from r. Brooking Cuming, or received it in a lump ?—I ve not received it. I have not received it all.

45,953. Perhaps you have not been paid lately ?—I ve not.

45,954. When was the last payment ?—The last yment that I had was in August 1865. I have had payment since.

45,955. Are you still looking after it ?—No. It is l wreck at present.

45,956. Whom did you succeed ?—Mr. Shute.

45,957. Now you can tell us, I daresay, when this anufacture of votes began ?—It began in July 1863.

45,958. Not merely your side, but the other ?—It gan before that. The first manufacture of votes as a field that John Creed had ; that was the first anufacture of votes.

45,959. How was that manufacture brought about ? It was only one vote. Mr. Heath had this field nder Robert Earle.

45,960. And Mr. Heath gave it up and Mr. Creed took ?—No. Mr. Heath rented it, and Mr. Creed was put on it to make a vote, and then Mr. Heath had notice.

45,961. To whom did the field belong ?—It has en in chancery for some years.

45,962. And in the hands of the trustees ?—No.

45,963. Is it let yearly ?—It is let by auction ; the st time, I think, for six or seven years.

45,964. And Earle took it ?—Yes.

45,965. And let it to Heath ?—Yes ; but Mr. reed was on when Mr. Heath took it.

45,966. Mr. Creed is rated as the occupier ?—Yes.

45,967. He never occupied ?—No.

45,968. When did Creed vote ?—In 1863.

45,969. That was the first creation of those votes ? —Yes.

45,970. What was the next attempt on your side, or the Conservative side ?—Then Mr. Dent took the Broomborough property.

45,971. There was a manufacture of votes there ?— Yes.

45,972. How many votes did they try to get on the registration for Broomborough ?—The first was the Clerical Company.

45,973. They did not succeed ?—No ; Mr. Harris was too greedy, and put himself on, and Mr. White was on before.

45,974. How many votes did they try for the Clerical Company ?—14.

45,975. Out of the 14 how many were clergymen ? —Four.

45,976. That company did not succeed in establishing any ?—No. Mr. Harris was too greedy, and he put his name there, and put on Mr. White before him.

45,977. Were any of the clergymen called to support their vote ?—Yes ; Mr. Liskin.

45,978. His evidence was not satisfactory ?—No ; and the others, when they heard the evidence, went away. The next was the Colly Park Meadow, and they got on 13.

45,979. Let me have the names ?—George Browse William Byne, Henry Weymouth Foster, William Gilbert, Frederick James Gardner, Robert Harris, George Freeman Marks, John Marks, Joseph Marks, Robert Maye, William Michelmore, William Daniel Narramore, and Arthur Niner.

45,980. What was this ?—Colly Park Meadow.

45,981. How long did they stay on the register ?— One year. They were votes in 1865.

45,982. How many acres was this ?—I cannot say. The gross rent was about 80*l.*

45,983. (*Mr. Coleridge.*) How did they get 13 votes for 80*l.* ?—That is the question.

45,984. (*Mr. Bere.*) They thought it worth 130*l.* ? —Yes.

45,985. (*Mr. Coleridge.*) Who swore that ?—Mr. Harris.

(*Mr. Harris.*) The rent was 150*l.*

45,986. (*Mr. Bere.*) And rated at 80*l.* ?—Yes.

45,987. That is before the new rating ?

(*Witness.*) No.

45,988. Were all these the companies on the Conservative side ?—No, there were two more. There is the Bowden Company,

45,989. Did they vote in 1865 ?—No ; never on the register.

45,990. How many did they get ?—Twelve.

45,991. Then the other company, did they succeed in getting names on ?—They all came here to get the votes on, but they did not.

45,992. The only one that succeeded was the Collyfield Company ?—Yes.

45,993. They tried to put on 30 votes, and they did not succeed ?—More.

45,994. Forty-three they tried altogether ?—29 they they did not succeed in getting on, and 11 they did.

45,995. Now how many companies have you got on the Liberal side. Have you got a list ?—No ; I can let you have a list to-morrow morning.

45,996. Can you tell us by going through the register of 1865 how many voters have buildings and land, not as householders. Have you a poll-book ?—No.

45,997. Take this poll-book (*handing one to the witness*), and mark those who have buildings and land. Put B. L. to distinguish them, and bring it to-morrow. —I will.

JOHN FOX GREEN recalled.

J. F. Green

45,998. (*Mr. Coleridge.*) Is that your handwriting (*handing a paper to the witness*) ?—Yes.

45,999. What did you get for writing it ?—Nothing.

46,000. Did you get anything from Mr. Harris for writing anything ?—Not that I know of. I borrowed 5*s.* of him.

46,001. Did you get anything after this ?—I do not know.

Adjourned till to-morrow morning at 10 o'clock.

THIRTY-FOURTH DAY.

THIRTY-FOURTH DAY.

Saturday, 27th October 1866.

J. S. Jenkins.

27 Oct. 1866.

JOHN SLOGGETT JENKINS recalled, and further examined.

46,002. (*Mr. Bere.*) How long ago is it since you destroyed those letters from Mr. Pender to yourself?—As I told you yesterday, since the Commission was opened.

46,003. How long ago?—Immediately after receiving the summons.

46,004. Are you quite sure of that?—Quite sure.

46,005. Is it not less than a month?—Immediately after receiving the summons.

46,006. Is it not less than a month since you destroyed those letters?—It was immediately on receiving the summons.

46,007. Will you answer the question?—I cannot unless you tell me the date.

46,008. Is it not less than a month?—I have answered that, and I cannot answer it better unless you tell me the date that I received the summons.

46,009. Did you go to consult with your friends as to whether you should destroy the letters?—I asked no one.

46,010. Take care. Did you not go and see Mr. George Bennett, and consult with him whether you should destroy the letters?—No.

46,011. That you swear?—I swear I destroyed them without consulting any one.

46,012. Did not you go afterwards?—I did not go and consult afterwards.

46,013. Did you not do it?—I could not afterwards.

46,014. Will you answer the question instead of making a speech?—I am not making a speech.

46,015. Between the issuing of the Commission and the serving of the summons did you consult any one about destroying the letters?—I am not aware that I spoke to any one.

46,016. Will you swear you did not?—I will swear I did not.

46,017. Did you take counsel's opinion upon that?—I do not know any counsel.

46,018. Did you or not?—I did not.

46,019. That you swear?—That I swear.

46,020. How many letters of Mr. Pender did you destroy?—I cannot say; it may have been half a dozen.

46,021. More or less?—I cannot say.

46,022. Did you have an opinion taken on your behalf?—No.

46,023. Did you see your friends to obtain an opinion concerning the legality of the destruction of the letters?—No. If you will allow me to state the ground upon which I destroyed them, it is that I deny any one's right to see my private correspondence. That is the principle, and I wish it to be most distinctly understood.

46,024. (*Mr. Coleridge.*) Did you take the trouble to read the Act of Parliament before you did that?—No.

46,025. (*By Mr. Bere.*) Did Mr. Pender return you any answer to that letter (*referring*)?—I cannot tell.

46,026. Did he or not?—I cannot say.

46,027. You must?—I am not aware that he did.

46,028. Will you swear that he did not?—I cannot swear. Do you wish me to tell falsehoods?

46,029. Did you read the letters before you destroyed them?—I cannot say; but there was not a sentence in those letters that dishonours or damages Mr. Pender.

46,030. It is not a question of dishonouring or damaging Mr. Pender or you, but did you destroy those letters in answer to yours?—I cannot speak to any particular reply.

46,031. Will you undertake to say that you did not?—I cannot say it, but if you drive me to give you a reply after what I have said, you will make me say what is not true.

46,032. Did you usually receive answers?—In proportion to the letters that I wrote I did not. As a personal friend I gave him information.

46,033. What made you destroy them?—I deny the right of anyone to look into my private correspondence.

46,034. Was it to prevent the Commissioners from looking into it?—I have stated it before. I deny any one's right to see it.

46,035. Answer the question?—It is on that broad English principle.

46,036. Was it to prevent the Commissioners seeing the correspondence?—To prevent any one.

46,037. Was it to prevent the Commissioners?—I have stated it already.

46,038. (*Mr. Bere.*) That being the case, we are of opinion that you have been guilty of contempt of Court in wilfully and determinedly putting it out of your power to produce documents that might be essential to this inquiry, and you are fined 20*l.* for that. That fine will be remitted to the Court of Exchequer, who will levy it upon you or your goods.

The Witness.—You must commit me to prison. I cannot pay it, and I deny any one's right to take my letters and read them.

G. Fitze.

GEORGE FITZE recalled, and further examined.

46,039. (*Mr. Bere.*) You told us, yesterday, the number of persons who had formed companies on the Conservative side?—Yes.

46,040. You were good enough to promise me a list of those who formed companies on the Liberal side?—Yes.

46,041. Were you the manager of all these companies?—Yes.

46,042. And they were all conducted on the same principle?—Yes.

46,043. Henry Bradridge, jun., Samuel Cuming, jun., George Fitze, jun., John W. Hoppin, John Knapman, jun., Wm. H. Rossiter, Richard Stanning, John Venn, William Veasey; had that company any particular name?—No.

46,044. John Furneaux, John Hamlyn, Andrew Hepburn, Robert Jackson, Edward Sawdye, William Hamlyn. Is that called the Buckfastleigh Company?—Yes.

46,045. Christopher G. Clift, Mark Fox, William H. Rees, Thomas Stranger, Mark Whittell; were they called the Dartmouth company?—Yes.

46,046. You have been good enough to mark the poll-book in the way I have asked you. Where the qualification is merely building and land you have put "B. L.," and "H. L." where houses and land?—Yes.

46,047. And "A." where it is warehouse?—Yes.

46,048. Have you counted up the numbers?—No.

46,049. Take the list and count them?—86.

46,050. Are there any Conservatives amongst those?—Yes.

46,051. They will appear from the poll-book?—Yes.

46,052. Now besides those that were actually registered for their votes there was the Gerston Company?—That came afterwards.

46,053. When was that tried?—That was tried last year at the Registration Court.

46,054. That was 45 votes?—The revising barrister passed them, but they were not allowed by the Court of Common Pleas.

46,055. 45 votes?—44.

46,056. Were they upon the Gerston estate?—The Gerston estate.

46,057. Was the Gerston estate taken by Mr. Elias Ford as landlord?—Yes.

46,058. What was the amount at which the company was rented and rated at?—I cannot tell by this rate book I have here, because it was made in 1864.

46,059. You can get at the rating?—I can.

46,060. The Broomborough Company, what was that rated at?—The Clerical Company is the first, 33 acres 2 roods; gross rating 83*l.* 15*s.*

46,061. What was the Broomborough Company rated at?—24 acres 2 roods 13 poles; gross rating 82*l.* 15*s.*

46,062. Now the larger company of yours, the liberal company, what was that rated at?—24 acres 9 perches; rated at 93*l.* 2*s.* 6*d.*

46,063. Now the Buckfastleigh Company?—64*l.* gross.

46,064. And the Dartmouth Company?—I have not got that.

46,065. That is the Bridgetown Company?—Yes.

46,066. Who is the Bridgetown overseer?—William Veasey.

46,067. Do you know what the origin was of the "building and land" votes, when it was first brought before the revising barrister?—The first time.

46,068. Have you heard when it was first tried?—No. I do not know when it was first tried.

46,069. Do you know whether they were first manufactured on the Gerston estate, when it was the property of Mr. Baldwin, on the Bridgetown property?—I cannot tell you.

THOMAS JACOB SEARLE, senior, sworn and examined. *T. J. Searle*

46,070. (*Mr. Bere.*) How long have you lived in Totnes?—Pretty nearly all my lifetime.

46,071. Has that been a long one?—Yes.

46,072. How long?—76 years.

46,073. Have you had a vote for Totnes from the time of the Reform Bill?—I have.

46,074. What qualification did you vote on?—Premises in Bridgetown, "house and land."

46,075. Whose property was that?—The duke's.

46,076. What was the value of the house?—5*l.* I give for the house, and 6*l.* 10*s.* for the land.

46,077. Has that been the qualification you have always had?—Yes.

46,078. Were you living at that house at the time of the passing of the Reform Bill?—Yes.

46,079. At that time there were only 19 votes in Bridgetown?—I beg pardon, I was going too far.

46,080. How far can you go back?—When I first voted was for the present Duke of Somerset.

46,081. In 1835?—Yes.

46,082. Were you living in that house in 1835?—Yes.

46,083. Have you lived there ever since?—Yes.

46,084. Can you tell us when votes began to be made by building, and linhays and places for cattle upon land?—I cannot.

46,085. How long after the election of 1835 was it?—I cannot tell.

46,086. Was there a good deal of building after the election of 1835 in Bridgetown?—Yes.

46,087. And did that building consist generally of linhays upon fields?—Yes.

46,088. Do you know at all who ordered the erection of those buildings?—I do not know.

46,089. Were you ever then upon the Gerston estate?—No.

46,090. You did not know what Mr. Baldwin was doing there?—No; I knew nothing about it.

46,091. Have you known fields which, when you remember them in 1835, had no buildings upon them, have had buildings built on them since?—I can hardly tell you the dates.

46,092. Were there not a great many fields which had then no buildings upon them at all?—Yes.

46,093. Have not a great many of those fields now got buildings erected upon them?—Certainly.

46,094. But you cannot tell very accurately when that was done?—No.

46,095. Have you had a vote at all the elections?—I have.

46,096. And you always voted for the Liberals?—I always voted for the Liberals.

46,097. When you took your house in 1835, were you told you must vote for the Liberals?—No; I never was told so at all.

46,098.—If you had voted for the Conservatives, would you have expected to be turned out?—I do not think that.

46,099. You do not think that?—No.

46,100. When did you first begin to have anything to do with distributing money for the Liberal party?—Well, I had some for Mr. Mills. I gave the paper to the secretary.

46,101. You can repeat what was on that paper. When was it you first began?—I gave 50*l.* first.

46,102. To whom did you give that 50*l.*?—It was given to me.

46,103. By whom?—By my son. Mr. Thomas Holman gave it to my son to give to me.

46,104. Is your son called Thomas Jacob?—Yes.

46,105. You are called Thomas Jacob, too, are you?—Yes.

46,106. But he is more generally known as Thomas Jacobs than you?—I suppose so.

46,107. What did you do with the 50*l.*?—Spent it.

46,108. It was given to you for your vote?—It was sent to me; I never knew I was going to have one sixpence, I assure you.

46,109. Which election of Mr. Mills was that?—I never got but that one.

46,110. Never but that one?—No.

46,111. But you had money at other times to give to voters, had you not?—Never. I never had to do with anything of the sort in my life.

46,112. You never have?—No, I never had anything to do with anything else, I assure you.

46,113. Did not your son give you a list of persons you were to go and see?—Never. I never went to a man in my life. I defy any man in the two towns to say that ever I did.

46,114. Did they come to you?—Never.

46,115. What are you? an innkeeper?—I am a tanner and fellmonger by trade.

46,116. Is that all you ever had to do with elections?—Yes.

46,117. Did you get any money last time?—Yes.

46,118. How much did you get last time?—50*l.*

46,119. The last time you got 50*l.*?—Yes.

46,120. That was the only time?—50*l.* before. Three fifties altogether.

46,121. And you always spent it?—To be sure I did.

46,122. Now in 1862 had you anything to do with the company called the "Slippery Company"?—Never.

46,123. Never at all?—Never.

46,124. Did you know that your son had?—Never.

46,125. You have heard that your son had since?—I do not believe he had.

46,126. Or something of that kind?—I do not know, I assure you.

46,127. Perhaps you do not like the name?—I do not care. You may call it Slippery, or any name you please. I am here to tell the truth.

46,128. Did not you always vote as your son told you?—Never.

THIRTY-FOURTH DAY.

T. J. Searle.

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46,129. Never as he told you?—Never.

46,130. You always voted the same side?—Certainly.

46,131. After consultation with him?—I have been a Whig a number of years, and always stick to it, and shall, to the day of my death.

46,132. And you received 150*l.* for sticking to it?—No, I have been so this 30 or 40 years.

46,133. Did you know of your son going over to the "Seven Stars" in 1862, and offering to sell a number of votes for 1,000*l.*?—I did not. I assure you I never heard anything of it.

46,134. You did not know. Were not you to have part?—I have heard of it since, but I did not know anything about it.

46,135. Not at that time?—No, I did not.

J. Perrott.

JOHN PERROTT recalled.

46,136. (*Mr. Bere.*) You have not had a vote since 1859?—Not since Mr. Dunn's election. I forget the date.

46,137. What was your qualification then?—I was out of my qualification.

46,138. And yet you voted?—Yes.

46,139. What had your qualification been?—House and garden.

46,140. In Bridgetown?—Yes.

46,141. How long had you held that?—Since my father's decease.

46,142. How long had that been?—At that time?

46,143. Yes?—Several years.

46,144. How long have you lived in Bridgetown?—All my life.

46,145. How long had you a vote before 1859?—The first time, as I told you the other day, was Mr. Ricardo's election; I do not know the dates.

46,146. That was 1847?—Yes.

46,147. You had lived in Bridgetown before that?—Yes, all my lifetime.

46,148. Do you remember when first they began to put buildings on lands that before had no buildings on them?—The date I do not know. I was one of the first.

46,149. What land did you occupy then?—I occupied a field called Paradise, with an old building upon it; it is the third field from the "Seymour," along the path leading to Weston, and the last house.

46,150. With an old building upon it?—An old building that had been there ever since my recollection, and I suppose my father before me.

46,151. Did you vote on account of that building being on the land?—Yes; the building was altered; it was a very large building, which I dare say you have noticed, an open large shed for cattle to run in and out, and all inclosed with a lock-up door.

46,152. By whose direction was that done?—By that of Mr. Thomas Michelmore; there is no doubt about that.

46,153. Did he consult you about it before the alterations were made?—No.

46,154. Were you a voter before that?—No.

46,155. Then you claimed to vote for that field with the building in it?—Yes.

46,156. Was your vote objected to?—Yes.

46,157. Before the revising barrister?—Yes.

46,158. And the barrister decided in your favour?—Yes.

46,159. Did he go down to look at the building?—No.

46,160. But he decided that it was a building within the meaning of the Act of Parliament?—Yes, certainly.

46,161. How long ago is that?—I cannot tell you; I dare say you will be able to ascertain from the books. It was directly or very shortly after Mr. Blount's election. It was considered right that some new votes should be made. If I recollect rightly, Mr. Blount came down himself, and there was a meeting at the "Seymour" hotel, and a committee was formed; then the buildings were altered and new ones were raised up, and I amongst others was considered to be a fit person to take one of those buildings. The date of that I do not know.

46,162. Can you tell us how many new votes were made by these alterations?—First of all I do not think there were many besides myself, but they have been progressing since. There were not more than four or five old buildings within the manor.

46,163. I suppose there is hardly a field now without a building in it?—There is not; there may be one or two exceptions.

46,164. And upon that qualification you voted?—Yes.

46,165. Did you continue to vote on that until 1859?—I lost my vote at one time; I do not know the date.

46,166. At that time did you know the Gerston property belonging to Mr. Baldwin?—Yes.

46,167. Was there the same system of altering old buildings going on in regard to that property?—Yes, soon afterwards.

46,168. Did they begin quite as soon as you did with regard to the other property?—I do not know whether they did or not.

46,169. About how many votes were added by Mr. Baldwin's party at that day?—I do not know; I cannot tell you that.

46,170. You were not one of the committee that was formed at the "Seymour" hotel?—I was not.

46,171. Do you know who the members of that committee were?—I did know them; those whom I knew are all dead now. My uncle was one of them, and Mr. Turpin took a very active part; he is dead. Mr. Bishop, of the "Seymour" hotel, used to tell me a great deal about it; he is also dead.

J. T. Tucker.

JOHN THOMAS TUCKER sworn and examined.

46,172. (*Mr. Coleridge.*) How long have you had a vote for Totnes?—I had a vote about 30 years ago for the first time; then from the year 1840 I was not on the list until 1865.

46,173. Which way did you generally vote?—Always for the Tories.

46,174. What did the Tories ever give you for your vote?—Never a farthing.

46,175. Nothing at all?—Never.

46,176. Neither before the election or after the election?—No, never.

46,177. When do you first recollect their making votes by means of putting buildings upon the land?—The commencement was from the time of the passing of the Reform Bill. I did not reside in Totnes at that time, but I attended the registration, and I recollect some trifling instances occurring.

46,178. Can you tell us who you remember to have began that first?—The first instance that I have any recollection of was in a field of the Duke of Somerset's, and that was done by a man of the name of Drew some day or two before the registration.

46,179. Do you recollect what year that was in?—That was in 1833, I think.

46,180. What happened about that, will you tell us, as well as you can recollect?—I recollect being present at the time; he was a mason, and was asked when he had commenced this building. He said the day before, and the consequence was that he was rejected.

46,181. I suppose by the next occasion he had finished it, and they put him on?—They were not increased to much extent, I think, for some years.

46,182. How many votes should you say were made in that way up to 1840 when you cased to have a vote?—I should suppose from 20 to 30.

46,183. Do you mean 20 or 30 altogether, or only upon the Duke's property ?—I mean altogether.

46,184. Do you remember about what time they began making votes on the Gerston property ?—About 1839 or 1840.

46,185. Then they made votes on the Gerston estate in the same way, by putting these buildings on the land ?—Yes, afterwards.

46,186. Can you tell us anything more in relation to that matter ?—I cannot.

46,187. Did you ever hold any house or land under the Duke of Somerset ?—I had a house in Bridgetown, I think, from 1835 to 1837.

46,188. How did you vote at the time you held that house ?—I voted on the Tory side for Sir George Adams.

46,189. Were you turned out of the house after that ?—When I rented the house first, jointly with my mother, it belonged to Mr. Heath ; but as soon as it was sold to the Duke we had notice to quit ; that notice, I think, proceeded from the trustees of Mr. Heath.

46,190. Were you turned out then, or did you hold it afterwards ?—We left then, and removed to Totnes.

46,191. Do you know why it was that you got that notice to quit the house ?—That I cannot say ; I can only speak to the fact of the notice.

46,192. You had voted for the Tories, you say, at the previous election ?—I had.

Mr. Robert Earle sworn and examined. *Mr. R. Earle.*

46,193. (*Mr. Bere.*) How long have you had a vote ?—26 or 28 years.

46,194. Do you remember when they began to make votes by adding buildings or erecting fresh ones ?—I remember, but there were not any made on Gerston to make votes, there were buildings on it before.

46,195. The votes were not claimed in consequence of the buildings ?—Not till Mr. Baldwin bought it.

46,196. When was that ?—I cannot tell.

46,197. (*Mr. Coleridge.*) Was it in 1837 ?—I really cannot tell.

46,198. (*Mr. Bere.*) After the votes were allowed to those who had the old buildings, were there any buildings erected in some of the fields ?—There is none there now.

46,199. None at all ?—There are a good many buildings about the yard, and they have been making votes on that, that is the old buildings. There were two or three in the fields.

46,200. Were not those buildings altered, and did not they put doors to them ?—Yes.

46,201. They were open buildings before, and those doors were put on, so that things might be locked up ?—Yes ; I used to have the barn over the linhays, but I was not a vote on that. I am a vote on the house that I live in.

46,202. Whose house is it ?—My own.

46,203. You never lived in the Duke's house ?—No.

46,204. Never at any time ?—No.

46,205. Have you a son called Robert Earle ?—Yes.

46,206. Has he a situation under Mr. Pender ?—I do not know, but he was recommended to Mr. Whitworth to learn the business. He never got any wages, and it cost me nearly 300*l.* to keep him there. He was recommended and introduced to Mr. Whitworth. I saw Mr. Whitworth myself.

46,207. (*Mr. Coleridge.*) Do you know that Mr. Pender was a large shareholder ?—I have heard so.

46,208. (*Mr. Bere.*) Although you have a house of your own, you rented some land of the duke ?—Yes ; I rented a good deal of the Gerston estate when it was bought by the duke, and continued when the company was formed.

46,209. You can tell us when the duke did buy Gerston ?—No ; I think seven or eight years ago, not very long ago.

46,210. (*Mr. Coleridge.*) Did he buy it before the election of 1859, Dunn's election ?—I do not think he had got it then. Mr. Chaster can tell you.

46,211. (*Mr. Chaster.*) It is prior to that.

(*The Witness.*) My father had a good deal of the land.

46,212. (*Mr. Coleridge.*) What is the acreage of Gerston ?—113 acres.

(*Mr. Bere.*) In 1859 you voted for Mr. Dunn.

46,213. What did you do in 1862 ?—I voted for Mr. Pender.

46,214. Had your son got the situation then ?—No.

46,215. That was after you had changed your landlord ?—Yes.

46,216. Did you vote for Mr. Pender because you were afraid of being turned out by the duke ?—No ; Mr. Michelmore never mentioned anything about voting for the party when I took the land. The old one or the young one never asked me to vote.

46,217. Why did you change ?—Because I thought the Liberal party best for the country, and my landlord was a Liberal landlord, and all had something to do with it.

46,218. Was not the real reason because you had got a new landlord, a Liberal landlord instead of a Conservative one ?—It may be that.

46,219. Are you the Robert Earle who had something to do with letting a field to Creed, of Abbots Kerswell ?—I let it to John Heath, and he let it to Creed, and made a vote for it without asking me.

46,220. Creed was rated ?—Yes.

46,221. Did you ever know about it ?—Afterwards.

46,222. Did you turn Heath out of that ?—Yes, soon after.

46,223. (*Mr. Bere.*) Is there anything more that you can tell us ?—I do not think I can.

46,224. Have you had anything to do with other elections ? You voted for Mr. Pender in 1863 ?—Yes.

46,225. Pender and Seymour in 1865 ?—Yes.

46,226. Did you get anything for your vote ?—Not a penny.

46,227. Nor give anything ?—No, I was answerable for an old fellow who worked for me at one time. I sent him to Buckfastleigh, and they went out and waylaid him in the road.

46,228. What time was that ?—About 15 years ago.

46,229. Was that on the election day ?—No, a week before. They took him back to the "Seven Stars," and they sent for me. They wanted to send him away, but he would not go without 15*l.*, and I was answerable, and when I went to the "Stars" to get the money for him, they said they had not any left.

46,230. Did you pay him ?—Yes, I paid him, I promised him, and I never had the money for years.

46,231. Whose election was that in ?—Baldwin's.

46,232. Who was the other man ?—I do not know. I forget.

46,233. It was 15 or 16 years ago ?—Yes, and I did not get the money for at least three or four years.

46,234. How did you get it ?—It was brought to me. I think Mr. Pack brought it. Mr. Adams brought me 5*l.* before, and he said that was all they could raise, and I got the other afterwards.

46,235. Who is Pack ?—He is a maltster in the town.

46,236. How did you pay Crocker ?—He was a baker, and he had six sacks of flour which came to 15*l.*

46,237. You are sure that this was not Dunn's election ?—No, that was when I had the 10*l.*

46,238. Mr. James Pack brought you that ?—Yes.

46,239. How did Crocker vote at the election ?—For Baldwin. They took him right off for seven days, and they brought him back to vote, and he came for his money. He would not go away till I was answerable ; and they said, "You go and see him.

THIRTY-FOURTH DAY.

Mr. R. Earle.

27 Oct. 1866.

"There is your brother there, and let him have the "money," and I should have a cheque. I said there was no occasion for that, and I went the day after the election for Crocker's money, and they said there was none left.

46,240. (*Mr. Colcridge.*) Did you remonstrate about that?—I did.

46,241. (*Mr. Bere.*) Did Crocker vote for Dunn in 1859?—I do not know; he did not work for me then.

46,242. (*Mr. Coleridge.*) Do you know whether he got anything in 1859?—I do not know.

46,243. (*Mr. Bere.*) Did you get anything for him?—No; that is the only time I had anything to do with bribery.

46,244. (*Mr. Coleridge.*) He would not be likely to vote without bribery?—No; he was not the sort of fellow.

46,245. Did he get any sacks of flour in 1859?—No, nothing. I had nothing to do with it more than I have said.

46,246. Whom did you ask to pay you that 10*l.* when you got it?—I do not know.

46,247. How many elections had there been between the time of your paying that 15*l.* and your receiving the 10*l.*?—I do not know. I do not think any.

46,248. There was one in 1857?—Yes.

46,249. Did you try to get it then?—I do not know. I do not think I did. I had it just before Dunn's election.

46,250. Did they bring you that 10*l.* in Dunn's election, or did you go and ask for it?—They brought it to me.

46,251. Had you said anything to Mr. Pack or any of them that when money was going you wanted the 10*l.*?—They knew it was owing.

46,252. Whom did you remind of it?—Mr. Pack, I think.

46,253. Was he active on the Tory side?—I think he was rather.

46,254. That is all you had to do with it?—Yes.

J. Elliott.

JOHN ELLIOTT sworn and examined.

46,255. (*Mr. Coleridge.*) What are you?—A carpenter.

46,256. Where do you live?—In Bridgetown.

46,257. Do you occupy a house and land?—A house and garden.

46,258. You voted upon that?—Yes.

46,259. Who employed you at the last election?—I was not employed at all. I was a volunteer.

46,260. Who were you under?—No one.

46,261. I mean from whom did you receive instructions?—No one.

46,262. You did what you liked without any directions at all?—Just so.

46,263. I want to know with whom generally you communicated?—Mr. Holman was the only one I communicated with.

46,264. Did you not take any instructions from Mr. Michelmore?—None at all.

46,265. You went out to see a man of the name of Edmonds?—I went out with Callard. Callard was going to take a ride out there, and he asked me to go.

46,266. What happened when you went out to Edmonds?—Callard saw him.

46,267. Did you not see him?—I did not. I saw Edmonds go with Callard.

46,268. Did Callard tell you what he had done with him?—No.

46,269. Did you see Callard give him anything?—No; certainly not.

46,270. What was it you did about Mr. Green?—I saw him about a week before the election.

46,271. What did you give him?—Who?

46,272. Green?—Well, 20*l.* was the arrangement.

46,273. What did you give him at first to go away?—I gave him a half sovereign. I went with him. The arrangement was to meet him at the Brent station. He went to the Brent station, and I met him there.

46,274. Did you pay his fare down to Plymouth?—I gave him a half sovereign.

46,275. When did you pay him that?—After he got to Plymouth.

46,276. Did you not promise him 45*l.*?—Certainly not.

46,277. Did you give his wife 10*l.*?—No, certainly not.

46,278. Did you promise her 10*l.*?—Certainly not.

46,279. When did you give him the 20*l.*?—15*l.* after he voted.

46,280. He voted all right?—Yes.

46,281. He only got 20*l.* in all?—His wife had a sovereign when he was at Plymouth.

46,282. And he had 20*l.* 10*s.*?—22*l.* 10*s.* When he was going to London he told me he had spent all the money, and he asked me for 2*l.* to take him up.

46,283. Did you go to London with him?—No, I did not.

46,284. Did you go to town at all?—No.

46,285. What conversation had you with him about the evidence that he was going to give?—I did not not have any.

46,286. Come?—I did not.

46,287. Do you mean to say, in the interest of your party, you never tried to find out what he was going to say?—I did not.

46,288. You did not caution him as to what he was going to say?—No; I always avoided it.

46,289. That is not true then?—No.

46,290. What was it you said about mentioning your name?—Nothing at all.

46,291. When you gave him the 2*l.* 10*s.* to go up to London, did he tell you what he was going about?—He showed me the summons that he had received.

46,292. Did you have any conversation about what he was going to say?—No.

46,293. Did you ask him on which side he was going to give evidence?—No.

46,294. How came you to give him the 22*l.* 10*s.*?—He told me he had spent the money.

46,295. Where did you get it from?—It was my own money.

46,296. Have you been repaid?—I have not, unfortunately.

46,297. Where did you get the 15*l.*?—From Mr. Holman.

46,298. Where did you get the 5*l.*?—From Mr. Holman.

46,299. How much did you get from Mr. Holman at that election?—20*l.* 10*s.*

46,300. What did you get from Mr. Michelmore?—Mr. Michelmore told me at that election to go into a certain room to take up some notes on a table.

46,301. When was it he told you that?—The polling morning.

46,302. Where were you to go?—Into the bedroom adjoining the ball-room.

46,303. On the ground floor?—That is adjoining the large room there.

46,304. That was adjoining the large ball-room?—Yes; he told me to go and take it up from the table, and take it to Phillips.

46,305. Did you go into the bed room?—I did.

46,306. What did you see there?—I saw some 5*l.* notes.

46,307. Was there a roll of them?—No, flat on the table.

46,308. About how many, from the look of them?—I have heard it was 40*l.*; that would be eight of them.

46,309. You gave one to Tozer?—Yes, Philip Tozer.

46,310. Who else had you anything to do with?—No one.

46,311. Did you have no other money to distribute?—Not a farthing.

46,312. What about Godfrey?—I never heard anything about him.

46,313. What was it you had to do with Diggins about his evidence?—About his evidence?

46,314. Yes?—None whatever; what evidence are you alluding to?

46,315. Was all you had to do with him at the last election?—Yes.

46,316. At the election of 1863 did you not pay John Diggins something?—Not at the election. Sometime after, I think three weeks, Mr. Michelmore handed to me 20*l.* to pay him.

46,317. Which Mr. Michelmore?—Jeffrey.

46,318. Had you promised it to him before?—I did not know what it was for. I gave it to him.

46,319. Who else in 1863?—No one.

46,320. Nobody else in 1863?—No.

46,321. What did you do about James Edmonds, of Torquay, in 1863?—I had nothing to do with him.

46,322. You went down there canvassing?—Just for a ride. I never asked for his vote.

46,323. Did you go to see him in 1865 also?—I went down to Marldon.

46,324. Twice you went to Edmonds?—Yes, we did.

46,325. Who else besides John Diggins did you pay after the election of 1863?—No one.

46,326. Did you not carry any money for Mr. Michelmore?—Not a farthing.

46,327. Were you a paid agent?—I was, sir. Unfortunately I am out of pocket by it.

46,328. In 1862 do you recollect Mr. Michelmore sending for you up to the "Seymour"?—I do not at that election?

46,329. When was it?—A fortnight or three weeks after.

46,330. Were Mr. Windeatt and Mr. Jeffery Michelmore there?—They were.

46,331. What did you do with them?—They gave me a list of five men, and they told me to take 50*l.*; that was 10*l.* each.

46,332. Who were they?—William Farley (Bridgetown), John Drew, and William Crook.

46,333. James Farleigh?—Yes.

46,334. And your old friend, John Diggins?—Yes.

46,335. What had you to do before the election?—Nothing more than voluntarily. I never asked for a single vote in my life.

46,336. What did you do?—I spoke to the parties about it.

46,337. What did you do if you did not ask for votes?—I did nothing more than what Mr. Michelmore asked me.

46,338. Did he not ask you to go about and help to look after the voters before the election?—He did not.

46,339. Did you not go about with him at all?—I did not.

46,340. During election times you do not do much work?—It is an anxious time with every one.

46,341. You were up at the "Seymour Arms" all day?—I did not do much work.

46,342. On the nomination day you did not do much work?—No, it is not likely.

46,343. After the nomination were you not about the "Seymour Arms"?—After the nomination most of the electors dropped in.

46,344. Used you to go into the big room of an evening?—I was there once, that was all.

46,345. That was the last election?—That was the last.

46,346. What night was it?—In the week after the election.

46,347. Were any of the Michelmores there?—I do not think there were.

46,348. Was Mr. Bowden there?—I do not believe he was.

46,349. Mr. Holman?—I think he was.

46,350. And Thomas Jacob Searle?—I did not see him.

46,351. Nobody paid for any thing?—I paid for what I had. I think that was the general thing there that evening, at any rate; I heard there was some drink there.

46,352. Did you have any bill sent into you for what you had at the "Seymour Arms" after the election?—No, certainly not.

46,353. Did you know at all the evidence that Fox Green was going to give in London?—I did not.

46,354. Do you know that when he gave the evidence it took you all by surprise?—I thought he would state the facts when he went up. I told Mr. Tucker the facts of the case.

46,355. What did you think he would have stated?—The facts as they transpired.

46,356. What did you tell Mr. Tucker when he took the evidence?—I told him what I had taken from Green.

46,357. What about the 20*l.*?—15*l.*

46,358. 10*l.*, 5*l.*, and 10*s.*?—I do not think he mentioned that.

46,359. This is what you told him?—He might have inserted it after.

46,360. Was what you said written down?—He took down a few words of it.

46,361. Did you sign your name to it?—No, I did not.

46,362. Was it read over to you?—No.

46,363. You saw a good deal of Green before he went up to London?—He was continually coming to me and asking for money.

46,364. At those several times when he came and asked you for money do you mean to say you did not have the slightest conversation with him about what he was going to tell?—No.

46,365. Did it not occur to you to find out whether he could give any damaging evidence or not?—I knew he could if he had minded.

46 366. Did you not tell him to give the evidence he has sworn to, and to keep your name out of it?—I did nothing of the sort, and if he has sworn that he has sworn falsely.

46,367. Had you any conversation with any others of the witnesses going up to London?—I did not.

46,368. He had a warrant, and you had no further notice to go up?—No, I had not.

46,369. (*Mr. Bere.*) Did Fox Green stay at your house at all during the election of 1865?—No, only the day previous to going to Plymouth.

46,370. How long did he stay then?—About, I think, a quarter of an hour.

46,371. Did you know your house was being watched by the other side?—I have heard so.

46,372. Was Mr. Prout at your house at all?—Not at all.

46,373. Never at any time during the election?—No, he was not.

46,374. Not inside your door?—No.

46,375. Did anybody come and ask whether Fox Green was there or not?—No, I believe not. Mr. Farley will prove that, I believe. I never heard of the case.

46,376. (*Mr. Coleridge.*) Did anybody come and inquire for Mr. Prout at your house?—I believe not.

46,377. Did not you hear the servant say so after you had been out at some time?—No.

46,378, What other voters did you see at Plymouth when you got there except Fox Green?—None.

46,379. Did not you meet any voters?—No.

46,380. On either side?—No, it was late at night when I got down, and I came back again by an early train the first thing in the morning.

46,381. What public-house did you go to?—I called at Devonport.

46,382. What public-house did you go to?—Opposite the theatre, I forget the name of the house.

46,383. Did you see any other voters there?—No.

46,384. Did you meet any of the Totnes people there?—No.

46,385. Think. Did not you meet any one?—I met young Mr. Windeatt at the Plymouth station, I am not certain whether he went to Devonport or no.

THIRTY-FOURTH DAY.

J. Elliott.

27 Oct. 1866.

46,386. What was he doing there?—He was living at Plymouth.

46,387. Did he go with you to Devonport?—I am not certain.

46,388. Do you not recollect whether he went to this inn with you?—No.

46,389. Had he any voters with him?—No; he was on the platform.

46,390. You went back the first thing next morning?—Yes.

46,391. Did you go to Plymouth more than once?—I heard Green had gone between that and the election, and I went; however I did not see him.

46,392. You did go a second time?—Yes.

46,393. How long was it before the election?—I think the Sunday previous.

46,394. Did you find him there?—He was stopping with his relatives down there; I heard he was.

46,395. You did not see him?—No.

46,396. Whom did you see?—The party who kept the house.

46,397. They said they had him all safe?—They said he was there.

46,398. When did Green come back?—On the morning of the election.

46,399. Did you bring him back?—There was a carriage ordered at the "Seymour," and I went to the station to meet him.

46,400. Did you find him?—Yes, at the Brent station.

46,401. Why did he come to the Brent station instead of at Totnes?—I understood it was his wish to get out at Brent.

46,402. That you might bring him quietly up to the poll?—Yes, I suppose so.

46,403. Did you hear whether the other side had been at him?—Yes.

46,404. At Devonport or Plymouth?—No; I heard he had been offered money.

46,405. What other voters did you bring from Brent?—None.

46,406. Was not there any other got out there?—A relative, I think, and young Mr. Windeatt came.

46,407. They had him safe between them?—Yes.

46,408. And you all went together and polled him?—Yes; we went first to the "Seymour."

46,409. He did not get his money till some little time afterwards, did he?—The same day.

46,410. (*Mr. Bere.*) What have you had to do with the elections for the council?—I think I had the paying of some of the voters.

46,411. How often have you paid them; at how many elections?—Two or three, I dare say.

46,412. That would take you some time back?—Yes, 1862 or 1863, I should think it was.

46,413. What was the highest sum that you ever paid a man?—Well, I do not think I ever paid more than 10*s*. It was Bridgetown mostly, that I did it, not Totnes,

46,414. Did you ever come to Totnes to try?—No, I do not think I did.

46,415. Have not you given a man as much as 3*l*.?—No, I do not think I have.

46,416. What sum of money have you had to distribute at each election?—Ten, and under.

46,417. Was ten the largest sum?—Yes.

46,418. Where did you get the money from for the municipal election?—Mr. Jeffery Michelmore, I think it was.

46,419. Did you always have it from him?—No, I had it from Mr. Windeatt at one election.

46,420. When you got the money did they give you directions as to whom you were to go and see?—No.

46,421. They believed in your discretion, and trusted you?—Yes. In fact, the labouring class got into that position, the Conservative party, that you could not get them to the poll without it.

46,422. But 10*s*. is a good day's wages?—Yes, it is.

46,423. (*Mr. Longe.*) How many years have you taken this part?—Two or three years; there has not been any contest the last few elections.

46,424. When was it that you got money from Mr. Windeatt?—I am sure I cannot tell you; I think it might have been about 1859.

46,425. Was not it later than that?—No. Mr. Michelmore I think I had it from on the last occasion.

46,426. (*Mr. Bere.*) I understand you to say that, excepting what you have told us, you never, directly or indirectly, were engaged in bribing persons at any election?—Never in my life.

46,427. Have you ever received anything for your own vote?—No.

46,428. You were one of the carpenters on the Bridgetown property, were not you?—Yes.

46,429. Who was the other carpenter?—I had some of the work.

46,430. Who was the other carpenter?—There were different carpenters.

46,431. His name was mentioned yesterday?—That is Turpin.

46,432. Did he ever complain that you got an unfair share of the work?—I never heard it till Mr. Cross mentioned it yesterday.

46,433. He never complained to you?—No.

46,434. You have the best share now?—I do not know that it has improved since Turpin has given it up. I think it is given to the tradesmen of Totnes.

46,435. How long have you been carpenter to the Duke?—All my lifetime, ever since I knew anything about trade, and my father before me.

46,436. How long is that?—Ten years, I suppose.

46,437. Have you been concerned in altering or putting anything on the fields?—I have not.

46,438. (*Mr. Coleridge.*) Does not old Mr. Farley live near you?—He lives opposite me.

46,439. Do you recollect his coming to you on the morning of the election?—No; it is all false.

46,440. Do you recollect his coming to you at all on the morning of the election?—Certainly not.

46,441. Do you recollect meeting him?—I do not think I saw him during the election.

46,442. Where were you about 8 o'clock on the morning of the election?—Green had not arrived then, I think, from the Brent station.

46,443. What time were you up that morning? Had you stayed up all night?—No, about 6 o'clock.

46,444. Whom did you see that morning before the poll opened?—We went to the Brent station after Green.

46,445. What time?—We left about half-past 6.

46,446. What time did you get back?—Half-past 8 or 9.

46,447. Then you polled Mr. Green directly?—He went over to the "Seymour." I did not go to the poll with him.

46,448. Where did you go?—To the "Seymour."

46,449. Before you went to the Brent station, did you see Heard anywhere about your house?—I did not. I did not know the man.

46,450. You do now?—I have made inquiries since, and have seen him in court.

46,451. Do you know that that man turns out to be the man who was in Farley's house;—No.

46,452. Or outside Farley's house?—No.

46,453. Did Farley come over to you that morning?—Certainly not.

46,454. About getting money for Heard?—No.

46,455. Did Farley ever ask you for money at all?—No.

46,456. For himself?—Certainly not.

46,457. You had no conversation with him?—He did not ask me, because I had no means of getting it.

46,458. But you said you had means?—He knew it was handed to me from another source.

46,459. Did you ever tell anybody at that election that 150*l*. was the highest price the Liberals would pay, and then Farley did not ask you for 100*l*. for Heard?—Certainly not.

46,460. No sum?—No.

46,461. No conversation about the election?—No.

46,462. Or about money?—No.

46,463. At any other election?—No.

46,464. In fact that 10*l.* he did not expect. When you gave him the 10*l.* did not he ask you whether you had another 10*l.* for Heard?—That was back in 1862. I did not hear anything about Heard.

46,465. You do not recollect Mr. Prout being at your house?—No.

46,466. Was he in the habit of coming there?—He does sometimes.

46,467. He was a good deal there about the election time?—I do not think he was at all, he was busy at the "Seymour."

46,468. And when you wanted anything you went to him instead of his coming to you?—No; I had no communication at all.

46,469. There were some men locked up at the "Seymour" at the time of the election?—I do not know.

46,470. Do not you know that certain men were brought there and slept there?—I have seen an account in the report of the evidence.

46,471. Did you ever look after those who did sleep there?—No.

46,472. You did not know about it at the time?—No.

46,473. You say the whole of this evidence of Heard's about you and Farley is untrue?—Yes, it is.

46,474. You are quite certain that Farley did not come to you that morning?—No. I have made an inquiry of Farley about it, and he says it is quite false.

46,475. (*Mr. Bere.*) Did not you see Mr. Crawford?—No, I do not think I saw him during the election.

46,476. Was not he brought into the kitchen in which you were staying?—I was not in the kitchen during the election.

46,477. Did you know what the money of Philip Tozer was to be done with?—I did not at the time.

46,478. It was handed to the son, John Tozer?—I have heard so.

46,479. You communicated with John Diggins in 1863, and you know that afterwards he returned 50*l.*, do not you?—I have heard so, not from John Diggins.

46,480. Do not you know that he returned that 50*l.* in consequence of a threat from Mr. Michelmore?—I do not.

46,481. Were not you sent by Mr. Michelmore to tell him to return that 50*l.*?—Certainly not; I never knew anything about the 50*l.* then.

46,482. Were not you sent by Mr. Michelmore to tell him it was understood he had received money from the other side, and he was to send that money back?—Certainly not.

46,483. Did you know that Diggins had received money?—I did not at the time.

46,484. (*Mr. Coleridge.*) What was it that occurred with regard to a man called Godfrey in 1859?—It is a mistake somewhere; what man are you alluding to?

46,485. Do you know John Godfrey?—The tailor?

46,486. Yes?—Yes, I do.

46,487. Did you canvass him at Dunn's election in 1859?—No, I never canvassed anyone at all.

46,488. Did you give anybody any money in 1859?—Certainly not.

46,489. Nor after?—No, I do not recollect it.

46,490. I suppose you would recollect if you did?—Well, I did not.

46,491. Did you receive any money in 1859?—I did not, not a farthing.

46,492. Were you asked for any money by anyone?—No.

46,493. Did no voter ask you if you could get him some money in 1859?—I do not recollect anything of the sort. If he did I never got it.

46,494. Do you recollect in 1859 being present when the three Mr. Michelmores were canvassing Godfrey?—No, certainly not.

46,495. Do you recollect anything about Godfrey asking you whether you could get him any money?—I do not recollect anything of the sort; I believe it to be untrue.

46,496. Are you quite sure you did not?—If he asked me he would know I had not the means.

46,497. Did he ask you?—I do not believe that he did.

46,498. Who did ask you in 1859?—Nobody, not a single soul.

46,499. What did you do at the election of 1859?—Nothing.

46,500. Did you pay any money to anybody?—No.

46,501. Did you receive any money?—No.

46,502. Did you receive any money after the election?—No; 1862 was the first election that I paid any money.

46,503. And you are quite certain that you paid none in 1859?—I am.

46,504. (*Mr. Bere.*) What did you pay upon?—A house and garden.

46,505. Who is the real occupier of that?—Myself.

46,506. Does your mother live with you?—She is dead now.

46,507. How long has she been dead?—About three months.

46,508. Was not she the real occupier whilst she was alive?—Certainly not.

46,509. You were the real occupier?—Yes.

46,510. (*Mr. Coleridge.*) Was any money left at your house for voters to come and fetch when you were out?—No.

46,511. (*Mr. Bere.*) Not that you know of?—No.

46,512. (*Mr. Coleridge.*) Did you know Mr. John Fogwill?—Yes.

46,513. Was he much at your house during the election times?—No, certainly not.

46,514. Did you go to Fogwill's house?—No.

46,515. Never at all?—I have had dealings with him in the timber line, nothing else.

46,516. No political dealings?—No.

James Pack sworn and examined.

J. Pack.

46,517. What are you?—A maltster.

46,518. How long have you been a voter for Totnes?—Since 1838.

46,519. You voted at all the elections on the Conservative side?—Yes.

46,520. And taken a great deal of interest on the Conservative side?—No.

46,521. Did you pay Mr. Earle a sum of 10*l.* before the election of 1839?—No.

46,522. Just think?—No, never thought of such a thing, and never had any money put into my hands to do anything of the kind with by any person.

46,523. (*Mr. Earle.*) I said I considered it was Mr. Pack; I told him something about it; it was when Crocker was taken away.

(*The Witness.*) I have heard something of it.

46,524. (*Mr. Bere.*) Are you quite sure it was not you?—I am, on my oath.

46,525. But you may have forgotten?—I have not.

46,526. Had you anything to do with the election of 1859?—I voted, nothing more.

46,527. Were you on the Conservative committee?—I was put on the committee without my consent.

46,528. Were you at the "Seven Stars"?—I may have been on the election day.

46,529. Had Mr. Earle said anything about paying Crocker then for his vote?—He never said anything to me, and I never knew anything about it.

46,530. You said just now that Mr. Earle had spoken of it?—I heard Mr. Earle say that he had advanced the money.

THIRTY-FOURTH DAY.

J. Pack.

27 Oct. 1866.

46,531. Did you hear him say that before Dunn's election?—I do not know about the date; I do not know the date of it at all.

46,532. Had you anything to do with money at elections at any time?—No.

46,533. (*Mr Coleridge.*) Do you know about Mr. Earle being paid that 10*l.* back?—No.

46,534. He seems to be under the impression that you paid him?—It was not I.

46,535. Were you walking about the committee room?—No.

46,536. Do you remember Mr. Earle complaining to you at different times that this 10*l.* had been outstanding?—I do not recollect that he complained to me alone.

46,537. What do you mean?—He did not tell me of it; it was named to the Conservative party. I remember hearing the remarks at the time, but I had nothing to do with it myself.

46,538. Do you recollect before or at the time of Dunn's election Mr. Earle mentioning that to the Conservative party when you were present?—I might pass Mr. Earle's door in passing up the street as neighbours. I think I recollect Mr. Earle saying that he paid a certain sum to Crocker, but I knew nothing about it.

46,539. Did he say that there was 10*l.* still unpaid?—I do not recollect the sum.

46,540. He told you there was some person still unpaid?—I do not recollect.

46,541. Did he ask you, being on the committee, to say whether you could get the money?—I do not recollect.

46,542. Mr. Earle seems to be under the impression that you go it from the committee?—I do not recollect.

46,543. Do you recollect this being talked over?—No.

46,544. They put you on the committee?—Yes.

46,545. If they met you, it is likely that some of the other party would talk to you; do you recollect any of the other committee talking to you?—No.

46,546. You were not consulted whether it was a just claim?—No.

46,547. Not asked whether he mentioned it to you?—No, I did not busy myself very much about electioneering matters.

46,548. Then Mr. Earle is mistaken?—Yes.

46,549. (*Mr. Bere.*) It is in consequence of Mr. Earle mentioning your name that you were sent for.

(*Mr. Earle.*) I said I thought it was he.

46,550. (*Mr. Coleridge.*) Whom do you think it was?

(*Mr. Earle.*) I do not know; I dare say the books will tell you.

46,551. (*Mr. Coleridge.*) They do not keep notes of it.

(*Mr. Earle.*) It was brought to me by some one. I remember telling Mr. Pack.

(*The Witness.*) I remember something about it, but I had nothing to do with it.

46,552. (*Mr. Coleridge.*) Was it in consequence of Mr. Pack being on the committee that you asked him?

(*Mr. Earle.*) No, I did not know that he was.

46,553. You are sure you were paid?—Yes.

46,554. Were you paid in gold or notes?—Gold.

E Sawdye.

EDWARD SAWDYE, sworn and examined.

46,555. (*Mr. Bere.*) Do you live at Ashburton?—Yes, I do.

46,556. What is your qualification to vote for Totnes?—Building and land.

46,557. Who occupies it?—It is occupied by many parties.

46,558. You are one of the company?—Yes.

46,559. Did you vote in the election of 1862?—I did not.

46,560. Was any money paid for you after the election of 1862?—Not that I am aware of.

46,561. At any time, was any money paid for you?—Not for voting. I never received a bribe or gave one in my life.

46,562. After the election, was it that a certain sum of money was paid on your behalf?—There was a deficiency in making up the accounts.

46,563. When was that?—In 1864.

46,564. At what time of the year?—I think in July.

46,565. When you came to pay the Midsummer rent?—Yes.

46,566. What was the rent?—Between 60*l.* and 70*l.*

46,567. What happened about the money then?—The rent was all paid.

46,568. Who paid it?—I paid it.

46,569. Where did you get the money?—We sold some apples off the orchard.

46,570. They must have been early; they were sold on the trees?—Yes.

46,571. Where did you get the rest?—It was made up by taking in cattle to keep.

46,572. Did not you get money from Mr. Henry Michelmore?—Oh, no.

46,573. Did you not owe Mr. Tucker of Ashburton some money about the election time?—Not that I am aware of. I do not recollect it. I will tell you the truth about all that I know.

46,574. Was not the sum of 12*l.* 10*s.* paid for you by Mr. Henry Michelmore?—Not that I am aware of. When we made up the rent there was a balance of 3*l.* each that had to be paid.

46,575. Was not that given back to you?—Yes.

46,576. Who gave it back to you?—I received a cheque from Mr. Jeffrey Michelmore.

46,577. What amount was that?—I think 18*l.*; about 3*l.* each.

46,578. When did Mr. Jeffrey Michelmore give you that cheque?—I think that must have been some time after July.

46,579. How long before the election of 1865?—A long time before.

46,580. Was it in 1864?—Yes. I think it was before Christmas.

46,581. When did you pay the rent next?—Up to July. We only occupied a year and a quarter.

46,582. Had you no more rent to pay after that?—No.

46,583. Who paid the rates?—They were paid by Mr. Fitze.

46,584. (*Mr. Coleridge.*) Do you believe Mr. Jeffery Michelmore gave you the cheque to return 3*l.* to each of the others?—Yes.

46,585. (*Mr. Bere.*) Do you know that a sum of 12*l.* 10*s.* was paid for you at this time?—No.

46,586. (*Mr. Coleridge.*) Did you owe Mr. Henry Michelmore any money at this time?—No.

46,587. (*Mr. Bere.*) You know Mr. Henry Michelmore?—Yes.

46,588. Did you owe any person the sum of 12*l.* 10*s.*?—I have no recollection of it whatever in the slightest.

46,589. Are you a voter for Ashburton?—Yes.

Mr. H. Michelmore.

MR. HENRY MICHELMORE sworn and examined.

46,590. (*Mr. Bere.*) Are you an attorney and solicitor practising at Newton Abbott and at Totnes?—I am.

46,591. How long have you been in practice as an attorney and solicitor?—About six years, nearly, not quite six.

46,592. Where did you pass the time of your articles?—In Exeter.

46,593. With Mr. Gray?—With Mr. Gray.

46,594. Have you been living at Newton Abbott all the six years?—I have.

46,595. Never lived in Totnes?—Never.

46,596 Have you ever had a vote for Totnes yourself?—Never.

46,597. You, I believe, are the son of Mr. Thomas Michelmore, and the brother of Mr. Jeffery Michelmore?—I am.

46,598. Was the election of 1863 the first time you were professionally concerned in the Totnes election?—It was. Then I should state I was not professionally concerned; further, I was not retained for that election.

46,599. Not retained for that election for Mr. Seymour?—No.

46,600. Are you quite sure about that?—I was never paid for it at any rate.

46,601. But did you not come here and act as Mr. Seymour's legal adviser in that election? Did you not come when Mr. Seymour came down here, and stay with him at your fathers? Did you know at that time of a disagreement between Mr. Brooking Cuming and your father about the conduct of that election?—Certainly not.

46,602. And that it was in consequence of your having been retained as the attorney for Mr. Seymour?—That is the first I have ever heard of it. It is entirely new to me. I cannot say. I did not stay at my father's during the election. I may have slept there a night or two, but certainly not as you state.

46,603. Do I understand you to be quite certain in this, that at that election you were Mr. Seymour's election auditor and nothing more?—Agent.

46,604. Agent for the election expenses, and nothing more?—Yes.

46,605. What were Mr. Seymour's authorized expenses at that election? (*The witness referred to some accounts*)—I can scarcely tell you the figures of the authorized expenses. I paid the election auditor 331*l.* 7*s.* 10*d.* the first payment.

46,606. And any other payment?—The second payment I paid Mr. Francis, the election auditor, his charges, 16*l.* 16*s.* 8*d.*, and again, I paid him 5*l.* 11*s.* 3*d.*, and again I paid him the balance, 17*s.* 2*d.*

46,607. What did you pay him 5*l.* 11*s.* 3*d.* for?—On account of the expenses.

46,608. From whom did you get the money to pay?—I received 300*l.* from Messrs. Michelmore and Son, and the 5*l.* 11*s.* 3*d.* I received from Messrs. Michelmore and Son.

46,609. From whom did you get the 16*l.* 16*s.* 8*d.*?—You will find there will be a balance of 56*l.* 2*s.* 8*d.* on the sums I have given you, and that I have received back again from Mr. Francis on the settlement.

46,610. What was that for?—I paid him more money than was required. I gave him a cheque in the first instance for more than was required.

46,611. I suppose you gave a cheque for some expenses which were not quite legal, and then you had them returned?—You are entirely wrong. That was the first time I acted as agent, and I was told it was always customary to give the auditor a cheque for the amount, which was supposed to cover the amount he would have to pay, and then to balance the account afterwards.

46,612. What amount did you first of all pay him? That 331*l.*?—331*l.* 7*s.* 10*d.*

46,613. Was not that sum arrived at by certain calculations of yours?—It may have been.

46,614. Must it not have been?—Well, it must have been.

46,615. Can you tell at all what sums made up that 331*l.* odd?—No, I cannot. Mr. Francis, as auditor, has had all the vouchers. I dare say you have them.

46,616. What became of that sum of 56*l.*?—The 56*l.* balanced my account as the election agent.

46,617. As between you and Mr. Seymour?—As between me and Mr. Seymour.

46,618. Is that your ledger (*referring*)?—That is my ledger.

46,619. Have you an account there with Mr. Seymour?—No.

46,620. You have not kept an account with him?—I have never received any money from him.

46,621. Is that an account between you and Messrs. Michelmore and Son?—It is headed "The Totnes "election account." The same account was carried on.

46,622. Was that all the money you paid as legal expenses for Mr. Seymour up to that time?—It was.

46,623. Were you here during the election of 1863?—I was.

46,624. Did you canvass for Mr. Seymour?—I did not.

46,625. What part did you take in that election?—As agent for the election expenses and attending at the polling both.

46,626. You were not acting as his legal adviser?—I was not retained generally throughout the election.

46,627. After that election did you receive some money from Michelmore and Son, independent of the 300*l.* you have mentioned. Did you receive on the 19th of May 1863 two sums, one of 12*l.* 10*s.*, the other of 22*l.* 10*s.*?—No.

46,628. Did you receive any such sums about that time?—No. I have no such sums down here.

46,629. Perhaps you have not entered them, they might have been applied to particular purposes?—If you refer to Mr. Sawdye, all that I can tell you about that is that there was a bill of his about that time to be settled.

46,630. To whom was that bill due?—To Mr. Tucker, of Ashburton. I do not think Mr. Sawdye knew any thing about it. I believe he did not; it was a disputed bill between Mr. Tucker and Mr. Sawdye as to the amount: Mr. Sawdye considerred that he ought not to pay the bill, and at that time the bill was paid for him through me.

46,631. Was it a sum of 12*l.* 10*s.*?—I cannot tell you what was the amount; the bill was paid. I believe it was between 30*l.* and 40*l.*

46,632. Out of the sums which you received from Michelmore and Son, was 12*l.* 10*s.*, to be given in payment of this bill?—Any money I received about that time, up to the extent of 40*l.*, went in payment of that bill.

46,633. Was there not a man of the name of Allen to whom you paid some money?—No. I do not think there was; I do not find any name like that.

46,634. If that be so, there is a strange conflict of evidence between you and your brother?—There was a man of that name to whom I advanced a sum of 25*l.*, previous to the 19th of May; so far as I am aware, that was previous to the election of 1863. The advance of that money had nothing whatever to do with the election.

46,635. Your brother said this in his evidence; he was being examined upon an account, and in that account your name appears three times, once as having 300*l.* for being election auditor, which is entered on the 26th of March, and there are two other entries of 12*l.* 10*s.* and 22*l.* 10*s.* on the 19th of May?—Those would be the sums which I have told you of.

46,636. Your brother's explanation is this: "Henry "Michelmore, 22*l.* 10*s.*; that is 10*l.* for Allen the "gardener, and 12*l.* 10*s.* for Mr. Sawdye."—On April the 3rd, 1862, I advanced a sum of money to Allen, but that was a private transaction, so far as I was instructed at that time, and as I believe at this moment, of my father's.

46,637. Did you advance that money at your father's request?—I did.

46,638. Was the money advanced on a bill of sale? Yes.

46,639. A bill of sale to you or to your father?—To my father.

46,640. What was Allen?—He was a gardener.

46,641. This money was 15*l.* advanced by you to Allen on a bill of sale given to Mr. Michelmore. Do

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you know which way Allen had voted in 1862 ?—My impression is that he voted against us.

46,642. Is this man, William Allen, of Fore Street ?—I do not know his christian name ; I know he is a gardener.

46,643. Do you know how he voted in 1862 ?—That I cannot remember.

46,644. Do you know how he voted at Mr. Seymour's election ?—My impression is that he voted against Mr. Seymour.

46,645. What reason can you assign for the 10*l.* which was paid to Allen being charged to Mr. Seymour or to Mr. Pender ?—I cannot give you any. My impression is that there must be some mistake in the matter. I do not think that 10*l.* ever could have gone to him; I have no recollection of ever having paid him that amount.

46,646. Did you ever receive any money for him from your brother, or from your father ?—At the period which I have mentioned I received a sum of 15*l* to advance to him ?

46,647. Did you ever receive 12*l.* 10*s.* and 22*l.* 10*s.* ?—I have already told you that I have no doubt I received these two sums for Mr. Sawdye only.

46,648. Then the whole of the 35*l.* went to Mr. Sawdye, and to no one else ?—It went to Mr. Tucker for Mr. Sawdye.

46,649. What was the reason that you so kindly paid Mr. Sawdye's bill without his knowing anything about your doing so ?—The reason was that I had been instructed to do so.

46,650. Who had instructed you to do this ?—My father.

46,651. Had he given you any reason for so doing ?—None whatever ; but I have no doubt what was his reason.

46,652. What do you think it was ?—I have no doubt his reason was that, as between Mr. Sawdye and Mr. Tucker, he thought it was a very good time for the bill to be paid, and the bill was pressed by Mr. Tucker.

46,653. Upon Mr. Tucker pressing him, did Mr. Sawdye come to you or to your father ?—Not that I am aware of ; he may have doue so ; I was instructed to settle with him.

46,654. (*Mr. Coleridge.*) Mr. Tucker must have gone to some one about it ; and perhaps Mr. Sawdye told your father that he had been pressed about it ?—Probably he did.

46,655. (*Mr. Bere.*) Was this a bill for professional services rendered by Mr. Tucker to Mr. Sawdye at Exeter ?—It was.

46,566. That is all the explanation you can give of these items ?—Yes ; I have not the slightest doubt that is correct. As to the payment to Allen of 10*l.* I have no recollection of it.

46,657. That is a mistake of Jeffery Michelmore ?—Yes. I received 15*l.* on the 7th March 1863 from Allen.

46,658. You cannot tell how you received that money from Michelmore and Son, whether by cheque or notes ?—No.

46,659. Can you give me any reason why two 12*l.* 10*s.* and 22*l.* 10*s.* should be entered separately ?—No.

46,660. (*Mr. Longe.*) They are both on the 19th of May ?—I cannot tell. I have a perfect recollection of settling this matter with Mr. Tucker to the amount of, I think, 40*l.*

46,661. You cannot give us any explanation for those two sums being entered separately ?—If they were cheques drawn, I received the amount no doubt about the same time.

46,662. You have no corresponding entry ?—No ; I had it handed to me for the purpose of settling with Mr. Tucker.

46,663. (*Mr. Bere.*) It does not appear on your books ?—No.

46,664. Have you any account between yourself and Mr. Tucker ?—I do not think I have. No.

46,665. Did you take an interest in Pender's election in 1862 ?—No.

46,666. Were you down here at all during the election ?—I came down, I believe, as poll clerk to Mr. Gray. He then occupied the position that I did in 1862.

46,667. He was for the Conservatives, was he not ?—No.

46,668. For the Liberals ?—I think the Earl of Gifford's agent.

46,669. Not in Pender's time, the Earl Gifford was not standing then ?—Mr. Gray never came down in Pender's time.

46,670. Did you take any particular part in Pender's first election ?—I think I took the same part in Pender's election as I did for Mr. Seymour in 1863.

46,671. What were you paid for services then ?—Five guineas.

46,672. Who paid you that ?—My brother or father.

46,673. (*Mr. Coleridge.*) If you were not Mr. Seymour's legal adviser he had none ?—I really cannot tell.

46,674. Was Mr. Brooking Cuming his legal adviser ?—I always understood that my brother Jeffery acted as his adviser.

46,675. (*Mr. Bere.*) Did you know that after Mr. Pender's election there was a sum of nearly 1,200*l.* distributed among the voters in Totnes ?—It was a sum of 1,000*l.*, I understood.

46,676. Did you know of any other sum ?—No.

46,677. Did you know of any money given to Mr. Webber ?—I have seen it in the paper.

46,678. You did not know of it ?—No ; I had nothing to do with it.

46,679. Did you know that in the election of 1863 a sum of 500*l.* was given to Mr. Webber ?—No.

46,680. Did you receive any money, except on account of Michelmore to Seymour ?—No.

46,681. Neither from Brooking Cuming, Mr. Windeatt, or Mr. Webber ?—No.

46,682. Did your brother tell you that there was 289*l.* came after the election, and that Mr. Sawdye was paid out of that ?—No.

46,683. Did you inquire where the money came from to pay Mr. Sawdye's debt ?—No.

46,684. You asked no questions, but paid the money ?—Yes.

46,685. Can you explain a letter from Mr. Brooking Cuming to Mr. Pender about what took place at Seymour's election. It is about the command. Read it yourself. It has been put upon the notes ?—It is not my name that is referred to there.

46,686. It is your father. But you were present with Mr. Seymour all the time, and do you remember any change in tactics taking place on the morning of the election ?—Nothing to do with it.

46,687. Do you recollect your father giving up the leading position, and Mr. Brooking Cuming doing as he liked ?—My impression is that my father had no leading command.

46,688. You see what he says. Do you recollect any conversation with your brother about that ?—No ; I can safely say never. It does not refer to my father. He was at that time a great invalid, and kept out of it.

46,689. (*Mr. Bere.*) In all probability it does refer to your brother ?—Yes.

46,690. (*Mr. Coleridge.*) As far as any legal adviser that Mr. Seymour had, do you remember any change taking place, and Mr. Brooking Cuming being invested with more power on the morning of the election than he had had before ?—Till I saw that letter I was entirely ignorant of it. I had nothing to do with the conduct of the election, or the secrets of the party.

46,691. How long were you here before the election ?—I was backwards and forwards for two or three previous days. I think my part consisted in the convivial part of the evening.

46,692. Did Mr. Seymour never tell you that in

the convivial part that there was an alteration?—I never heard anything of it.

46,693. Do you think there was an alteration, or that it is a hallucination of Mr. Brooking Cuming?—He says it is so.

46,694. (*Mr. Bere.*) Did you keep a poll-book in 1862?—I did not keep a poll-book.

46,695. You kept the poll?—Yes. I never kept the poll-book.

46,696. Did you canvass anybody at that election?—I cannot tell you whether it was Pender or Seymour; but I canvassed Mr. Edmonds.

46,697. Edmonds of Marldon?—Yes. It was one of those two elections. My impression is that it was Seymour's.

46,698. Did you vote for Seymour?—Yes.

46,699. Where did you canvass Edmonds?—At Marldon.

46,700. How did you come to do that?—It was not the July election.

46,701. 1865?—Yes, 1865. I canvassed him.

46,702. Had you anything to do with the distribution in 1862 and 1863?—Not further than what I told you.

46,703. You knew that there was money going about on both sides?—I think there was, but I had not the pleasure of seeing it.

46,704. It did not come into your hands to distribute it?—No.

46,705. You did not derive any advantage except the five guineas?—No.

46,706. In 1865 what position did you occupy with regard to the election?—In 1865 I was retained by Mr. Pender.

46,707. And I presume received your retaining fee?—I have not, but I hope to.

46,708. Were you retained by letter?—No.

46,709. Who retained you?—Mr. Jenkins.

46,710. (*Mr. Coleridge.*) Do you know whether he has received your retaining fee?—I presume not.

46,711. (*Mr. Bere.*) Where did Mr. Jenkins retain you?—At my own house.

46,712. Did he tell you he had Mr. Pender's authority to retain you?—Yes.

46,713. That he had been instructed by Mr. Pender to retain you as his agent?—He did.

46,714. Do you know whether that was before Mr. Pender came down here?—I think it was the same day as Mr. Pender arrived; I think I met Mr. Pender the same day.

46,715. Did you go to Totnes that evening?—I went direct to Totnes, I think.

46,716. Do you know how long was Mr. Jenkins with him?—Not long; it might be ten minutes.

46,717. Did you have any talk with him about the situation of the parties at Totnes?—No.

46,718. Had you attended to the registration at all?—No.

46,719. Did you gather from what Mr. Jenkins had told you that he was acting as Mr. Pender's agent. I do not mean as a paid agent, but as a confidential agent?—No. Mr. Jenkins's conversation with me was very short. He told me nothing further than this: I think he told me that he had mentioned my name to Mr. Pender, and Mr. Pender wished me to be retained.

46,720. Were you the only attorney retained at that election?—I think Mr. Windeatt was Mr. Pender's election agent entirely.

46,721. What were you retained as?—To assist.

46,722. I suppose you came to Totnes as soon as you were retained?—I was backwards and forwards.

46,723. You were here a great deal?—Yes.

46,724. And consulted about the affairs of the election?—I think, with the exception of the one I mentioned to you, I can say nothing.

46,725. I think you told us you came to canvass Edmonds?—Yes.

46,726. What made you go to see him?—He was a client of mine.

46,727. How long had he been a client of yours?—I think in the beginning of the same year, 1865.

46,728. What did he come to you at Totnes about?—About some difficulty that he had in the purchase of a house.

46,729. Will you explain to us what that was? Where was the house, to begin with?—It was in the Warland at Totnes.

46,730. He came to see you about the purchase of a house?—Yes.

46,731. Was that a house of which a Mr. Thomas Glyde was the tenant?—Yes.

46,732. Was that a house which Mr. Edmonds had purchased?—He had agreed to purchase it.

46,733. With whom had he agreed?—With Mr. Charles Frederick Michelmore, at Totnes.

46,734. What sum had he agreed to give for it?—120*l.*

46,735. Had any money passed between them then, as far as you know?—I do not know.

46,736. Was the house then in Edmonds's possession?—I do not know. He had not taken any rent then.

46,737. The Lady Day rent was not paid to him, then?—I do not know; it did not pass through my hands.

46,738. Was there a mortgage on the house at that time?—I think Mr. Charles Michelmore was selling it as mortgagee.

46,739. At that time was Mr. Glyde living in it, or Mr. Edmonds?—Mr. Glyde.

46,740. Was not Edmonds living in it before?—I think so.

46,741. Do you not know that while he was living in it he was the actual owner of the house?—I do not think he was; I was never so instructed.

46,742. What sum was given to Mr. Charles Michelmore for purchasing that house?—120*l.*

46,743. Is the receipt at the back of that deed?—Yes.

46,744. He came and consulted you about buying this house?—About completing the purchase.

46,745. And when was the purchase completed?—The 29th of May 1865.

46,746. Did you pay the money?—A portion of it.

46,747. How much did you pay?—I think 50*l.*

46,748. That left 70*l.*?—Yes.

46,749. Who paid that?—Edmonds himself.

46,750. By a cheque?—No, in notes.

46,751. Where did he get that from, do you know?—He brought it to me by instalments.

46,752. Was that all that happened about the house at that time?—Yes.

46,753. You canvassed him in July 1865?—Yes.

46,754. When you canvassed him, what did you say about the house?—When I canvassed him I made mention about this. He had had difficulties about the completion of this.

46,755. The purchase was completed on the 29th May?—Yes; but he had had difficulties, and was owing me money.

46,756. Had he paid you money on account?—He paid me money on account, and it was carried to the cash account.

46,757. Did he owe you more than 50*l.*?—No, he did not.

46,758. What were the difficulties that he was under with regard to the completion of the purchase; you must know about it?—I had rather not tell you; the difficulties that he had were with Mr. Charles Michelmore.

46,759. The allegation now made against you is that you paid this for obtaining his vote?—At that time he had these difficulties in getting the matter completed, and through Mr. Bryett the matter was completed and brought to a termination, and when I canvassed him I told him as he was in these difficulties, I would re-buy the house of him clear of cost to him.

46,760. You did re-buy the house of him?—Yes.

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46,761. And you gave him 95*l.*?—140*l.* for the house.

46,762. That was 20*l.* more than he gave for it?—That is what it cost him.

46,763. You gave him more than that. You gave him 95*l.* and 50*l.* You paid 50*l.* and then you gave him 95*l.*, and the 95*l.* added to the 50*l.* makes the sum of 145*l.*?—Yes, but the real amount paid for the house was only 140*l.*, and 5*l.* I am told he holds my memorandum for, and I am aware it was entered in my books; but the 5*l.* was by mistake at the time in conversation.

46,764. That is your receipt [*referring*]?—Yes.

46,765. That is for 95*l.*?—Yes.

46,766. You kept the 95*l.*, and you are to give him 5 per cent.?—Yes; the 95*l.* I have had invested at his request.

46,767. Have you received the rent of that house? No, and I was not aware till his examination that he had received the rent. That rent that he has received will go against the 95*l.* He has no authority from me to receive the rents.

46,768. Have you got the deeds?—Yes.

46,769. It is executed on the morning of the election?—Yes.

46,770. Where were they executed?—At the "Seymour" hotel, that one [*referring*].

46,771. Now tell me, did not you find when you canvassed Mr. Edmonds that there was any hesitation about his vote?—I found that he had been promised money by the other side.

46,772. To relieve him did you suggest that?—I did.

46,773. Without that relief do you think he would have voted for you?—I cannot tell you that.

46,774. Was it not on that account?—It was on that account that I bought the house for him to obtain his vote.

46,775. Was that all that you had to do with the election of 1865?—I acted then, I think, as election agent also.

46,776. Have you got the account of the expenses of the election?—I have. I then received 117*l.*

46,777. Do you know in this return that you made to the returning officer that you left out a number of items that ought to have been there?—I am aware that there are some items always omitted from the Totnes accounts that ought to be there.

46,778. You know the items of the hotel bills?—They were never included; I raised the objection at the time that they were not sent in to me.

46,779. (*Mr. Coleridge.*) It was considered right to cook the accounts of Totnes?—I do not know that.

46,780. It amounts to that?—I never knew it prior to that.

46,781. Did you have a retaining fee for Mr. Pender?—I did.

46,782. What did you have as a retaining fee on that account?—I received 5*l.*

46,783. Were you also retained by Mr. Seymour in that election?—I was.

46,784. (*Mr. Coleridge.*) I believe you drew up the agreement for the Gerston Company when it was formed?—Yes.

46,785. Did you not draw up the agreement to lend them 800*l.*?—No.

46,786. Who drew that agreement, are you sure you did not?—It is rather difficult to say "I am "*sure*" I did not, but it is almost certain I did not draw the agreement as to the 800*l.*

46,787. Probably there was no agreement?—I cannot tell.

46,788. In what way did you lend the 800*l.*?—I lent it to form the company on their personal bond.

46,789. Have you got that bond?—I have not; I looked for it this morning and could not find it.

46,790. Who are the people who were the parties to the bond?—The Gerston Company I dare say; their names I really have not got.

46,791. They all joined in a joint and several bond?—A joint and several bond.

46,792. At what interest?—At 5 per cent.

46,793. Has it been paid off, or any part of it?—It has not; it is still due.

46,794. You look to those gentlemen for the repayment of that money?—I do.

46,795. Is the company wound up?—I do not know.

46,796. (*Mr. Bere.*) From whom was the money borrowed?—If you will excuse me making the name public, I will show it to you [*handing a book to the Commissioners*].

46,797. Was there any understanding that your client who advanced the money should be repaid by Mr. Pender?—As far as I was concerned none whatever.

46,798. Did you lend the money of your client under the belief that the Gerston Company would be good security?—I lent the money under the belief that the several bonds of any of the parties I lent it to was sufficient for the amount; it was a simple money bond.

46,799. Have you got the bond?—I had it, but, as I tell you, I looked for it this morning and could not find it.

46,800. (*Mr. Coleridge.*) Can you give us the names of the Gerston Company?—I do not know; any of the gentlemen in Totnes can tell you. Mr. Fitze can do it, and Endle can do it.

46,801. Can you give us the names of all the persons who signed the bond?—Endle could tell. I am sorry I could not find it when I looked for it to day.

46,802. Has the money been repaid to your firm?—It has not; on the 18th of July last I received the last half year's interest.

46,803. The interest has been paid regularly?—Yes.

46,804. By whom?—Mr. Endle, the manager.

46,805. The company have ceased to be in occupation of the land?—I was not aware of it.

46,806. Did you draw the guarantee that Mr. Seymour and Mr. Pender were to give as to the losses of the company?—Till I saw it in the newspaper I was not aware that such was done.

46,807. (*Mr. Bere.*) Now that you know that Mr. Pender and Mr. Seymour have guaranteed the losses, has the security become a better one for your client?—I was quite satisfied with it before.

46,808. (*Mr. Longe.*) Do you know how many other gentlemen were retained by Mr. Pender; we did not gather it from Mr. Jenkins. I do not mean lawyers?—There was another point raised at the same time, that the retaining fees were not sent into me to insert.

46,809. You did not put your own in?—I do not know what I am to receive yet.

46,810. (*Mr. Bere.*) Who was acting as Mr. Seymour's legal adviser at the last election?—I am not aware of any one. I always understood from my brother that he was the sole manager.

46,811. At the last election?—Yes.

46,812. (*Mr. Coleridge.*) In fact you were the only lawyer retained at the last election?—No, I should think not; Mr. Windeatt and all the Totnes lawyers, I should think, but I do not know.

46,813. The lawyers on the liberal side?—I presume all the Totnes liberal lawyers.

46,814. (*Mr. Bere.*) Did you not get a retainer for your brother?—Mr. Charles Michelmore had a retainer.

46,815. A retainer for himself?—In the last election.

46,816. In the last election was Mr. Jeffery Michelmore's retainer 50*l.*?—I have not had it, possibly I may get one, I do not know.

46,817. (*Mr. Coleridge.*) That was not the election of 1865?—There were no retainers at all. I have an abstract of the 1865 account, because it passed through my own hands, 117*l.* 18*s.* 4*d.*

46,818. Were you retained for the registration in

1864 ?—I never had anything to do with the registration in 1864.

46,819. (*Mr. Longe.*) Were you employed by Messrs. Michelmore and Son to draw up the notices of eviction ?—No.

46,820. I suppose you would do it in all probability if there was any legal business transacted ?—Yes.

46,821. (*Mr. Bere.*) Are you concerned in the Newton firm ?—No.

46,822. Who act as solicitors there ?—D'Arcy and Beachey used to do it before Mr. D'Arcy left. I cannot tell who does it now ; I presume Mr. Hooper continues to do so.

46,823. That five guineas you received in 1862 ?—I believe it was. I will refer to my business book.

46,824. It is paid on the 23rd April 1863 ?—(*Reading*) "Totnes election: Pender, 15 guineas; Seymour, 10 guineas."

46,825. So you see it is more than five ?—I was speaking from recollection only.

46,826. Did you ever know anything about an arrangement between the Duke and the independent liberal party here about the return of the member ?—Never until this commission was opened.

46,827. You were never consulted ?—I never had anything to do with it.

46,828. Were you acting for Mr. Pender in 1865 ?—No.

46,829. With the exception of James Edmonds, do I understand you to say that you did not canvass anybody ?—No.

46,830. Not with your brother ?—No.

46,831. What were your duties, to act as legal adviser ?—I was not the legal adviser.

46,832. You were retained on the part of Mr. Pender; what did you consider you were bound to do ?—I should do whatever was wanted.

46,833. What was wanted ?—I understood nothing was wanted.

46,834. Nothing except your influence with Mr. Edmonds ?—Yes.

46,835. You kept the poll book ?—Yes.

46,836. You did not make up the poll book on that occasion ?—No.

46,837. Nor go through the list of voters in order to see how the election was likely to go ?—I was going to say I went at that time through other gentlemen's poll books. I had none of my own, I dare say I saw several.

46,838. (*Mr. Coleridge.*) Did you know that your brother, Mr. Jeffery Michelmore, received 25*l.* from Mr. Seymour after the election ?—No.

46,839. (*Mr. Longe.*) You do not know the relation between the Duke and the Liberal party for the last four or five years ?—Since this Commission sat I have.

46,840. But before that ?—No.

46,841. (*Mr. Coleridge.*) Did your father ever talk to you about an interview he had with the Duke in 1863 about his going over to Stover about the position of the parties ?—I heard of my father's going over to Stover, but I do not know why he went; in fact, I do not think that was the reason he went.

46,842. Have you heard since that an offer was made by the Duke, and of the state of the parties here ?—What offer ?

46,843. To give up his interest altogether ?—I have not heard of that.

46,844. That is the evidence which has been given before us ?—I have not read the papers daily, I have not noticed that.

46,845. (*Mr. Bere.*) Had you not something to do with an elector of the name of Goodman ?—Yes ; I had.

46,846. What had you got to do with him ?—I had something to do with him through his son at Newton.

46,847. What is Mr. Goodman's son at Newton ?—A fly proprietor.

46,848. And did you send the son at Newton to Totnes ?—I may say the son at Newton is a friend of mine, and I sent the son to his father to ask him to oblige me by not voting.

46,849. By not voting ?—Yes.

46,850. Was that the election of 1865 ?—That was the election of 1865.

46,851. Did you give him any reason why he should not vote ?—No.

46,852. In order to do you a favour ?—Yes.

46,853. Did you authorize the son to intimate that his father would have anything for not voting ?—The son, as I told you, is a friend of mine.

46,854. You sent him to get his father to abstain from voting. Did you succeed ?—I did not succeed. I saw the father myself before I sent the son to him.

46,855. Did you say anything about receiving a recompence for not voting ?—I told the father at the time pretty well the position of the son.

46,856. The position of the son ?—Yes.

46,857. Was the son in unfortunate circumstances then ?—In very unfortunate circumstances.

46,858. What influence would the position of the son have upon the father's vote ?—I asked him to oblige me, as I had obliged the son.

46,859. You had assisted the son I suppose ?—Yes.

46,860. Have you been repaid your assistance of the son ?—I have not.

46,861. You have not ?—No.

46,862. Do you know how many voters on the Totnes register had also votes for Ashburton ?—I do not.

46,863. (*Mr. Coleridge.*) Do you know any Totnes voters who also vote for Ashburton ?—I believe my brother Jeffery does.

46,864. Your brother Jeffery ?—I think so.

46,865. (*Mr. Bere.*) Is there any man called Edwin Shinner, who votes for Ashburton ?—I do not know, I think not.

46,866. I will ask you this general question : Have you had any other transaction with regard to the election of 1865, except what you have told us. Have you either directly or indirectly influenced any voter in any way or form, except in the way you have mentioned, or canvassed any ?—Not that I recollect.

46,867. You must recollect ?—I may say I do not know. I may have met some one in the street, and spoken to them, but I cannot say.

46,868. There is an allegation, I believe, made about your father, that you wish to say something about ?—It was an allegation made at the commencement of the Commission by Mr. Bentall, of Totnes.

46,869. Do you remember what it was ?—It was in answer to a question put by Mr. Longe, that the late Mr. Thomas Michelmore had said if he lost the last election it was as good as losing his place.

46,870. We will get the actual question and answer ?—I do not think the question led up to the answer at all.

46,871. This is the question, No. 1668, "What is "your hypothesis as to how that is brought about ?—"The Duke is never here except at elections. I "heard the late Mr. Thomas Michelmore said if he "lost the last election it was as good as his place." Then there is an answer, 1702, "Mr. Michelmore, "you say, stated that it would be worth his place ?—"I do not know that he said so, but I have heard it "said so. It was at the time when I took no active "part. I happened to be returning officer at the "time; I merely heard of it afterwards. It ran very "close between Mr. Dent and Mr. Seymour, who was "the Duke of Somerset's nominee.——In 1863 ?—"Yes; and I heard it was said by Tom Michelmore "very late in the day. He was in a terrible fidget "about it, that it was as much as his place was worth "to lose the election. Whether he did so or not I "cannot say ?"—That was not reported in the papers.

46,872. That is on the short-hand writer's report ?—That report was not reported in the paper. I may mention at that election, when Mr. Bentall was returning officer, my father taxed Mr. Bentall's bill, and declined to pay it. There was a quarrel at that time between Mr. Bentall and my father, and seeing that remark apparently in an uncalled-for way in the paper,

THIRTY-FOURTH DAY.

Mr. H. Michelmore.

27 Oct. 1866.

I thought it proper to write to Mr. Bentall for his authority for making that statement. I wrote this letter to him :—"Dear Sir,—In your evidence given "on Saturday before the Commissioners for inquiring "into the corrupt practices at the Totnes elections, "you are reported in apparently an uncalled-for "answer to have stated in answer to Mr. Longe that "you had heard that the late Mr. Thomas Michelmore "said that if he had lost the last election it was as "good as losing his place. Had my poor father been "living I feel assured that remark would never have "been made, and I shall feel obliged by your giving "me the name of your informant. You will not, I "am sure, decline to give me this information, in "order to clear the memory of one who is, I am sorry "to say, unable longer to clear himself in this "world."

46,873. (*Mr. Bere.*) What answer did you receive to that?

The witness handed the answer to Mr. Bere, who read as follows :—

My dear Sir,

I have received your note of yesterday, and am much vexed that the evidence which I gave of the report relative to your late father has given pain to you or any of his family. I did not consider that what I said cast the slightest blame or reproach on him, but that any undue influence which he might be supposed to have used emanated rather from a higher power. I had always been on friendly terms with your father from the time we were schoolboys, and would not willingly have offended him in his lifetime or his memory after his death. The occasion to which I alluded was not the last election, but the time of the contest between Mr. A. Seymour and Mr. Dent, when I was returning officer, and purposely avoided taking any active part in the election beyond the duties of my office, and giving my own vote, but I certainly did hear the report among many others as generally current, but who were the individual persons from whom I heard it I cannot say. It was the general rumour in the crowd, and as such I heard it.

That is really what Mr. Bentall said in his evidence before us.

46,874. (*Mr. Coleridge.*) Do you know a man of the name of Robert Ryder, old Mr. Robert Ryder?—Yes.

46,875. Are your offices in his house at Penton?—At Totnes.

46,876. At Totnes I mean. He is a voter, is he not?—I presume that he is; yes, he is.

46,877. Have you ever paid him any money at election times?—Except the rent?

46,878. Excepting the rent?—Yes; I may have paid him that weekly.

46,879. But you never paid him anything extra?—No.

J. R. Veasey.

John R. Veasey sworn and examined.

46,880. (*Mr. Longe.*) Where are you living now?—At Bridgetown.

46,881. How long have you voted for your house?—I have voted on my house.

46,882. How long in Bridgetown?—I do not know exactly, somewhere about two or three years. I was evicted in 1863, after the election of Mr. Seymour.

46,883. Where were you living at the time?—In a house of Mr. Manning.

46,884. How long had you been in the house of Mr. Manning?—I had been tenant of Mr. Manning six or seven years altogether; I had not been a voter till 1862.

46,885. 1862 is the first time you had a vote for the borough?—Yes.

46,886. Whom did you vote for?—Mr. Pender.

46,887. You were at that time a tenant of Mr. Manning?—I was.

46,888. Did you get anything for voting?—I will tell you; after the election, some few weeks after, there was a present made to my wife of 20*l.*

46,889. Before the election of 1863?—1862, a few weeks, I think, after the election.

46,890. Was it before the election of 1863?—Yes, certainly.

46,891. There was only six weeks' difference between the two?—I cannot tell how many weeks' difference it was before that.

46,892. How much was given to your wife?—Twenty pounds.

46,893. Who gave it?—Mr. Parnell.

46,894. Were you canvassed on the other side at that time?—Mr. Pender's election?

46,895. Yes, that election?—Yes, I was offered more than 100*l.* for my vote.

46,896. Who offered you that?—Young Mr. Heath, of the "Seven Stars."

46,897. Did Mr. Manning canvass you himself?—Yes, previous to the election, he came and said to me, at the time Mr. Rennie thought of standing for the borough, "Veasey, I think that you can get 50*l.* if "you like to vote for Mr. Rennie;" I said, "That is "to be considered, sir." After that Mr. Rennie had nothing at all to do with it; then there were two offered themselves, that is, Pender and Dent. Mr. Dent withdrew his opposition on the nomination night. That was it, sir.

46,898. How long before the election had Mr. Manning offered you 50*l.*?—I cannot tell.

46,899. When you took this house of Mr. Manning, were you asked what your politics were?—He knew; everybody in Totnes knew my principles.

46,900. How was it known in Totnes that you were a Liberal?—I dare say from the expression of my opinions at different times in electioneering affairs.

46,901. You never voted before?—Never before.

46,902. Did you vote for the town council before?—Yes, I think I did.

46,903. Had you lived in Totnes before?—Yes, I am a native of Bridgetown.

46,904. Did you live in Bridgetown or in Totnes?—In Totnes.

46,905. You had voted for the town council previously?—Yes.

46,906. Which side?—On the Liberal side, sir, generally.

46,907. You had sometimes voted for the Conservatives?—No; but I am not particular in electioneering matters. I consider politics ought to have nothing to do with the council in electioneering matters; I always give the preference to the Liberal party.

46,908. Did you ever receive any money for voting at municipal elections?—It is not likely.

46,909. Not for the expenses or trouble?—Certainly not.

46,910. Have you ever been offered money?—Certainly not.

46,911. Did you ever take any part in canvassing in municipal elections?—No, I go with my own party.

46,912. What is your occupation?—I am a painter.

46,913. After the 1862 election, at the next election, in 1863, whom did you vote for then?—Seymour.

46,914. Were you canvassed by the Conservatives for Mr. Dent, at that election?—I was canvassed by Mr. Dent in person, in company with Mr. Edmonds. When Mr. Dent solicited me, I said, "You would not "like me to promise you, and break my word after, "will you?" He said, "No, certainly not." I said I had previously promised Mr. Seymour, and I would not like to break my word on any consideration whatever. He thanked me twice for my candid reply, and he wished that every elector would answer as I did.

46,915. Did anybody else call upon you?—Frederick Evens came down and said he thought it would be a good thing for me if I promised to support his side.

46,916. Before you saw Mr. Seymour?—The day after I promised Mr. Seymour I saw him. I told Frederick Evens I had promised Mr. Seymour, and I

said, "You know me very well, Fred; I cannot break "my word." He said, "I know that; I shall go "and report it to the committee." I told him that he knew it would be useless to come down and tamper with me, and this is the last time he came.

46,917. Did Mr. Manning come?—Yes, Mr. Manning came into my house and spoiled my appetite just after I had returned from a long walk in the country. Mr. Manning came in and asked which way I was going to vote. I told him I had promised Mr. Seymour, and of course I could not break my word. Mr. Manning says, "You supported Mr. Pender last time "against me and my interest, and it is nothing but "right now that you should support Mr. Dent, my "friend." "What," I said, "Mr. Manning; vote for "the Liberals at one election, and then vote for the "Tories next year; is that consistency in my con-"duct." After that he said, "If you do not choose "to support my friend, I shall turn you out of my "house, as I may as well find somebody to support "me. I give you notice from to-day." I said, "Mr. "Manning, I would rather break stones on the high-"way than be bound by you or any other man which "way to record my vote. You may consider that my "franchise is not free, but I will soon convince you "that it is free, and I will act independently of all "parties, and support the party I promised." The consequence was, I had notice of ejectment.

46,918. On a former occasion you got something?—I had a present of 20*l.* after the first election.

46,919. After Mr. Seymour's election, was any other present made to you?—Certainly not; not to me nor my family.

46,920. Did you ask for anything?—Certainly not.

46,921. (*Mr. Bere.*) Did they give you any work to do?—Who do you mean by that?

46,922. The Liberal party?—I had been previously working for the Liberals, in turns, as well as the Conservatives; but at the first the principal part of my employment was for the Conservative side, as I was occupying premises belonging to Mr. Manning.

46,923. (*Mr. Longe.*) Is there any other painter in Totnes in the same line of business as your own?—By the same name?

46,924. Is there another tradesman carrying on the same trade as your own?—Several.

46,925. Are they employed by one side or the other particularly?—Yes, who chooses to employ them. They have a share of some of the Liberals' work, and so have I, and they have a share of the Conservatives' work, and I do work for some of the Conservatives. I have been recently sent for by the company to do graining and papering.

46,926. After this election of 1863 did Mr. Manning give you notice to quit?—Yes, I had; he sent it by Mr. Harris.

46,927. Did Mr. Harris give you the reason?—I had no interview with Mr. Harris upon the matter; he brought the notice and gave it to my wife. I do a great deal of work in the country, and when I came home one day she said, "Here is a notice brought to "quit." I said very well, that is as I expected. During the conversation that took place between Mr. Manning and myself, I asked Mr. Manning, when he threatened me with loss of work, if there was any fault to find with my work I had previously done for him, and he said "Oh dear no, I am perfectly satisfied, "but you cannot expect to keep in my house when "you are keeping out a good many, and always voting "against me."

46,928. You left the house?—Yes.

46,929. When you got the notice did you apply to Mr. Michelmore for a house?—I did. I did not know where to go. I went and saw Mr. Michelmore, and told him I had got notice to quit, and I did not know if there was any house in Bridgetown that he considered would suit me, and he pointed out to me the house I am at present in occupation of.

46,930. Do you know who was the former tenant of the house you occupied?—He was an artist or photographer. I forget his name.

46,931. The house you have now gives a vote?—15*l.* a year I have to pay.

46,932. Do you not know who was the tenant in succession to you?—I forget his name.

46,933. Was it Peaguin?—I do not know.

46,934. When you took the house, did you tell Mr. Michelmore you were a good Liberal?—Me tell him so?

46,935. Yes.—He knew I was. I dare say he did; he did not ask me anything about it.

46,936. You had no reason for voting for the Conservatives?—No, I do not like the Tory party. I believe they are the enemies of the progress of the country.

46,937. At the last election you voted for Pender and Seymour?—I did.

46,938. Were you canvassed by the other side?—Well, sir, I was here at the time, and I think my wife told me either Colonel Dawkins or Captain Pim had called. I forget when it was.

46,939. Did Frederick Evens call?—Oh no.

46,940. Did any one call?—To tamper with me?

46,941. To offer consideration?—I do not believe he did.

46,942. Besides the Liberals who canvassed you?—I was canvassed by Mr. Windeatt, I think, in company with Mr. Pender, one morning before I got up. Mr. Pender expressed a wish to see me, as Mr. Windeatt had told him I was one of the dependable men, and he could rely on my going straight. I believe that was the remark he made. After that I had an interview with Mr. Pender himself, but we did not say much on electioneering matters, only just a few words. Mr. Pender asked if I would support him at the ensuing election. I told him I would do so with a great deal of pleasure, and that ended the affair.

46,943. Mr. Michelmore called on you?—It was suggested that, as I had supported him on the last election, I should do it again.

46,944. You were considered one of the safest men?—He considered so, I dare say.

46,945. You did not get anything?—I did not.

46,946. Did you take any part in the last election in getting any other votes for Pender and Seymour?—Not that I can recollect. I generally find enough to mind my own affairs.

46,947. You never offered any money to any one?—No, not that I am aware of.

46,948. You never received anything but what you have told us?—No. I tell you the truth. I do not intend to disguise anything.

46,949. (*Mr. Bere.*) Who did you get the money from?—Mr. Parnell.

46,950. Did you not get some money from Mark Fox?—That was a thing I was going to ask you gentlemen to listen to. I remember being one evening at Screach's house.

46,951. John Sandford Screach?—Yes.

46,952. How long ago was that?—Several months ago.

46,953. After the last election?—Yes, he came in, and Mr. Screach said to me, "You need not say "anything to me about taking bribes, it is well "known you have been pretty well paid." I said, "When?" He said, "You were paid 95*l.* or 75*l.*, "I forget which, down in the coffee-room of the "'Seymour.'" I said, "By whom?" He said, "By Fox." I said, "John, you will have to answer "this before the Commissioners."

46,954. It was after the Commission was opened he told you this?—No, before the Commissioners came; but the report was circulated that the gentlemen were coming.

46,955. Is there any truth in it?—I can assure you there is not a particle of truth in it.

46,956. Did you get any money from Fox at that time?—I do not know him.

46,957. Did you get any before or after the election?—No.

46,958. (*Mr. Coleridge.*) Besides turning you out of your house and taking away his own custom, has

THIRTY-FOURTH DAY.

J. R. Veasey.

27 Oct. 1866.

Mr. Manning injured your trade in any other way?—I have reason to believe that I lost the work of a family or two for some time afterwards. I had worked for Mr. Presswell before, but I did not do much for him during the following year.

46,959. Do you know whether he had any work to do at that time?—That I cannot tell you.

46,960. But you have no direct charge to bring against Mr. Manning for having persuaded people to take their work away from you?—I cannot say that.

46,961. Mr. Manning has stated here that there is no truth in what you have stated?—I wrote a letter to the "Western Times" to contradict his statement. I do not know whether you may have seen it. I was in hopes of being able to meet Mr. Manning here, so that I might refute his statement.

46,962. You are quite certain he said he could get you 50*l.* if you would vote for Mr. Dent?—I will get you 50*l.* if you will support our friend, that was Mr. Rennie.

46,963. That was supposing he had come; he turned you out of the house because you would not vote for Mr. Dent on the next occasion?—Yes, in opposition to Mr. Seymour. I will swear that a hundred times over.

46,964. As you would not oblige him when you were his tenant, he did not attempt to do anything with you at the last election?—No. I had gone to the other side of the water then; I had been turned out of the free country and had gone into the slave states.

46,965. And when you were in the slave states you voted as a slave?—Yes.

46,966. (*Mr. Longe.*) Bridgetown is a land of liberty to you, I suppose?—Yes, and will be so as long as I remain there.

46,967. (*Mr. Bere.*) Although you lost the Conservative work, have you got any more Liberal work?—I do not know about that; trade has been flourishing.

46,968. Have any gentlemen, who were Liberals, become customers of yours?—I cannot bring my mind to say that; I know of nothing of the kind.

46,969. Have you had any work from the Duke's party?—I used to have work from the Duke's people before.

46,970. Have you had more of the Duke's work than you had before?—Perhaps, I might.

46,971. Has it been made up to you in that way?—No.

46,972. (*Mr. Coleridge.*) Has your business generally been better or worse since Mr. Manning turned you out?—It has been better. I am an industrious man and work hard.

46,973. Then you have nothing to complain of?—No; and I would be glad to get more if I could; I work hard enough for it.

46,974. (*Mr. Longe.*) Do you know of any other persons in the same position as yourself who took refuge in Bridgetown after having been turned out in Totnes?—No, I do not recollect any others at this moment.

46,975. (*Mr. Coleridge.*) Did you get any money at the last election?—No.

46,976. Did your wife?—No; I wish she had.

46,977. You would not have been above taking it?—No.

46,978. If they had made you a present, you would have thought it was all right?—Certainly. If a man was to put down 50*l.* before me, you would think me very foolish if I did not take it up. I did not vote with that idea at all.

46,979. (*Mr. Bere.*) You never directly or indirectly received any money for your vote beyond what you have told us?—No.

46,980. Or any other indirect favour?—No.

46,981. Did you tell your grievance to Mr. Michelmore when you took your house?—I do not know that I did.

46,982. (*Mr. Coleridge.*) Did he not know of it?—He knew it; I had told him previous to that.

46,983. (*Mr. Bere.*) Did he not say we will make it up to you, and give you some more work from the Duke's party?—I do not remember any such observation.

46,984. Are you quite sure that he did not?—I am quite sure that he did not.

46,985. (*Mr. Coleridge.*) Do you know any other persons whom Mr. Manning has served in the same way?—No; I only mind my own affairs.

46,986. Do you know of any instances?—I do not. He has generally made tools of his own party.

46,987. He has generally made his tenants vote the same way that he does?—Yes; I was the only tenant who voted against him; and I would stand out against any man who tried to coerce me in that way.

46,988. Was this a cheap rented house of yours?—I always considered the house rather dear.

46,989. Then you were not sorry to be turned out of it?—I was vexed; not on account of political matters, but on account of the inconvenience of it.

46,990. It was not a low rent?—I paid 10*l.* a year.

46,991. You did not consider it a low rent?—I considered it rather dear.

46,992. Dearer in proportion than your present house?—Yes, no doubt of it.

46,993. Was not Kelland a tenant of Mr. Manning's?—Yes; I think he is now.

46,994. Did he not vote for the Liberals?—I do not know.

46,995. Did not Mr. Manning tell you that he had been offered anything himself?—No; he is too shrewd for that; too sly a fox.

H. Michelmore.

HENRY MICHELMORE recalled.

46,996. (*Mr. Bere.*) Have you anything further to say?—I remembered, as I was going down the street just now, when passing a house, now occupied by a man of the name of Godfrey, that I had entered into an agreement after the election of 1865 to purchase that house for Mr. Pender.

46,997. From whom was that purchase to be made?—From Lieut.-Col. Windeatt, since deceased.

46,998. Had that purchase anything to do with the election?—Nothing whatever, further than that it was made for Mr. Pender.

46,999. Was it a good investment for Mr. Pender?—I cannot tell that; I bought it for him.

47,000. It is his house now?—The purchase has never been completed to this moment. Colonel Windeatt is since deceased; and since I have come here to-day, I have heard that his successor is deceased.

47,001. What was the purchase money?—It was bought under Mr. Bourne's valuation.

47,002. What is the rental?—Thirty pound odd.

47,003. What would it pay, 7 per cent.?—About that.

47,004. (*Mr. Longe.*) Does Mr. Pender own any houses in the town?—Not that I am aware of.

47,005. (*Mr. Coleridge.*) How did the tenant vote before Mr. Pender bought it?—The tenant voted against him.

47,006. (*Mr. Bere.*) Who occupies the house now?—The same man.

47,007. Is he under notice to quit?—He is.

47,008. Is not William Pengilley to have it?—He was to have had it had he been turned out. I was instructed to buy a house at that time if I could, and if William Pengilley was turned out of his house, he was to have gone into it.

47,009. Who suggested to Mr. Pender to buy the house?—I asked Mr. Pender whether I should buy it for him.

47,010. In order to provide for Pengilley?—Yes.

47,011. When was this negotiation began?—At the time of the election.

47,012. In fact, the house was bought to provide for Pengilley?—Yes, I believe so. The purchase was not completed.

47,013. Has Mr. Pender paid the deposit?—I paid it on behalf of Mr. Pender.

47,014. (*Mr. Coleridge.*) Have you an open account with Mr. Pender now?—I have of 5*l.*, that is all.

JOHN REED FOGWILL sworn and examined.

47,015. (*Mr. Bere.*) Are you the postmaster at Teignmouth?—Yes.

47,016. How long have you been so?—Five years last October.

47,017. In October 1861 you were appointed?—Yes.

47,018. I suppose through the interest of the then Liberal members for this borough?—Yes.

47,019. At that time had you left the borough?—I left the borough in the latter end of 1860; either on the last day of 1860 or the first day of 1861.

47,020. Then where were you living after that?—I went from Totnes to London.

47,021. Were you living in London at the time you received your present appointment?—Yes.

47,022. You have had no vote at any of the elections since 1859?—No.

47,023. Have you had anything to do with any election matters since 1859?—Nothing whatever.

47,024. Have you been in Totnes during the time of the election going on?—No; I have not been here during the election.

47,025. As to the election of 1859, you can tell us a good deal about that. You had a vote then?—Yes.

47,026. And you voted for Gifford and Mills?—Yes.

47,027. You took an active part on the liberal side?—I always have done.

47,028. Whom did you influence on that occasion?—No one.

47,029. Did you not canvass any one for their vote?—Yes, many people.

47,030. Can you give us the names of any one of them?—I dare say I may have gone to 40 or 50. I have gone round with the members at times.

47,031. Were you one of the Liberal committee?—Yes.

47,032. And used you to meet at the "Seymour" hotel and discuss the matters?—Not frequently at the "Seymour" hotel. I belonged to the other class; to what was called the independent class.

47,033. Then at what place were your meetings held?—I do not know that we used to hold any meetings in particular.

47,034. Was your house a place at which the meetings were held?—Sometimes we would meet at one place, sometimes at another. We met at Mr. Condy's sometimes.

47,035. And discussed the chances of the Liberal party?—Yes.

47,036. What did you do in 1859 besides canvassing?—Nothing particular in any way. I made myself active about the election.

47,037. Did you have any sum of money entrusted to you?—Never.

47,038. Did you never offer any money at all to any person?—To no one.

47,039. Not at any time?—There was one exception with regard to Mr. Manning, and I will tell you the particulars of that if you are desirous of hearing it.

47,040. Do so, we should like to hear it?—I think it was in the year 1852, or about that time, when Mr. Manning came to me and said that he was dissatisfied with Mr. Baldwin on account of some transactions relative to that property, and that he had made up his mind to turn over to the other side, but that he should like to be paid for his services; he came to me, I suppose, because he knew I was an active partisan of the other party.

47,041. Which Mr. Manning was this?—Nicholas Manning. I told him that I would represent it to the legal advisers, who were Mr. Brooking Cuming and Mr. Windeatt. He said that he could make himself useful by going amongst the farmers on a market day, and trying to induce the farmers to vote for Mr. Mills in preference to Mr. Baldwin. He said that with regard to his brother, and Browse, and a man of the name of Goddard, who was living here, that he had no doubt he could influence them to vote for Mr. Mills, or that at all events he would do his best to try and influence them, but that he wanted to be paid for his services, and he asked 30*l.* I then consulted with the gentlemen who I have told you were the legal advisers, and they said that they did not see any harm in it. I then gave him a cheque myself for 30*l.* for his services.

47,042. (*Mr. Coleridge.*) I suppose you mean his services in perspective?—Yes.

47,043. (*Mr. Bere.*) Can you tell us which way Mr. Manning had voted at that election?—He had no vote.

47,044. Then he was angry with the Conservatives in consequence of something which you have referred to, and he tried to use his influence against them on the other side?—Yes, and the Liberals at that time thought he was a very good sort of person to go about amongst the farmers on a market day.

47,045. Who repaid you this 30*l.* which you say that you gave to Mr. Manning?—I think it was Mr. Brooking Cuming who repaid me.

47,046. When was that sum repaid to you?—I think it must have been within a few days, I cannot give you the exact time, but I know that whenever I asked for it I got it.

47,047. Is that all you had to do with the election of 1852?—Yes.

47,048. Or with any other election?—Yes; or with any other election.

47,049. Where was your house situated?—My house was situated at the bottom of the New Walk, or what is called the Plains, where the "Dartmouth" inn now is.

47,050. Was that in a convenient situation for meetings to be held there?—The fact was this, that one of the houses was unoccupied; they were what you may call twin houses; one of them was unoccupied, the other I was in possession of; the one that was unoccupied was well calculated for meetings of the committee at the time of the election, and they had their meetings at that particular house. I never asked them for any payment, nor did I ever expect anything.

47,051. But you were paid?—No, never. I should have felt myself insulted if I had been offered any money.

47,052. Did you ever hear of any money having been left at your house?—Never.

47,053. Or of any people having been sent there to get money?—No.

47,054. If such a thing has been done, was it done without your knowledge?—I know nothing of it.

47,055. Then if any people have told us that such a thing has been done at your house, that is incorrect?—I am satisfied that it has never been left at my house.

47,056. Did you in canvassing in 1859 receive instructions as to whom you were to go to from Mr. Brooking Cuming?—If I went at all, I went with the candidates.

47,057. Did not you go to particular districts in the town, not generally?—No. Particular districts?

47,058. Yes.—No, certainly not. If I met with any persons I might talk with them.

47,059. There were particular persons who were greater friends of yours than others, were not there, whom you went to?—I was not of so much importance as that.

47,060. But you were on the Liberal committee?—

THIRTY-FOURTH DAY.

J. R. Fogwill.

27 Oct. 1866.

But not going to canvass people unless the members were with me.

47,061. Do you mean to say that no voters came to your house in 1859 to be paid money?—Never.

47,062. As far as you know?—I will answer for it they never did.

47,063. Did not John Sandford Screach, the old gentleman, come to your house in 1859?—Never.

47,064. Was Mr. Charles Webber an active member of the Liberal committee?—I believe he was an active member of the committee. He used not to attend our meetings.

47,065. He was an active Liberal?—Yes.

47,066. Was he down at the meetings held at your house?—The meetings held at my house were not meetings for political purposes; they were meetings held merely about the time the elections were taking place.

47,067. They were for the purposes of the election?—Well, I am not aware.

47,068. You did not allow any of the Conservatives to come there, did you?—I think not.

47,069. The persons composing the meeting consisted entirely of Liberals?—This room, which was a private room, was to make up the poll or anything like that at the time of the election.

47,070. Was there a back door at your house?—Yes.

47,071. Did you ever see any voters come through that door into the house?—I do not remember ever seeing; if they did I must have been out of the way; I never saw it.

47,072. Was it ever intimated to you that you had better be out of the way?—No.

47,073. Never?—No.

47,074. At no time?—No, certainly not.

47,075. Are you quite sure about that?—Yes. I do not know why I should keep out of the way. I am not ashamed of any one.

47,076. That something was to be done that you would not like yourself?—No, certainly not; nothing at all that I have been ashamed of.

47,077. Then, really, I am to understand that in 1857 and 1859 you had nothing to do directly or indirectly with bribing or influencing any voter?—Certainly not.

47,078 Had you anything to do with anybody besides Manning in 1852?—No.

47,079. Not your own, but in Mr. Gill's house?—Certainly not.

47,080. Had you anything to do with paying voters at that election besides Manning?—No.

47,081. Did you ever pay money to anybody without seeing the person to whom you paid it?—Never.

47,082. Then the rumour that you paid money through a hole in the door is untrue?—False.

47,083. Did anybody else do it in your presence?—Never.

47,084. Did anybody ever pay money to a voter at any time in your presence?—Never.

47,085. Did a voter come into a room in which you were, and did you leave the room leaving another person with the voter?—Never.

47,086. With regard to 1852 then have you had anything directly or indirectly to do with bribery or influencing the voters with the exception of Manning?—No.

47,087. Does your sister, Miss Helen Fogwill, live in your house now?—No, she has not lived with me for a long while, for the last 20 years. I should tell you that Manning a few days before the scrutiny was about to take place came to me and said he should be better satisfied if I would take his I O U for the money.

47,088. And Manning gave you an I O U?—He gave me an I O U for the money, and then he said he could go with a clear conscience and say he never had it.

47,089. You never sued him upon that I O U?—No.

47,090. Have you got it now?—No.

J. E. Jordain.

JEFFERY EDWIN JORDAIN sworn and examined.

47,091. (*Mr. Bere.*) You keep the "King William the Fourth"?—Yes.

47,092. Whom did you succeed?—Mr. Gillham.

47,093. When did you succeed Gillham?—1854.

47,094. It has always been a political house?—No, not while I have been there.

47,095. Before you came there?—I have heard so.

47,096. You have heard of certain agreements being made out?—Yes.

47,097. Did you know anything about that agreement when you took the house?—No.

47,098. Have you voted for the Liberals always?—I have not voted at all.

47,099. Not once?—On no occasion whatsoever.

47,100. Not at the municipal elections?—Yes, at the municipal.

47,101. But never for the parliamentary elections?—Never voted for the parliamentary.

47,102. Though you did not vote you had some good friends among the Liberals in 1862?—Not that I am aware of.

47,103. Did you ever supply luncheon there to the voters?—Yes.

47,104. In what year?—In 1862.

47,105. And a fair bill was paid?—A fair bill paid.

47,106. About 45*l.*?—45*l.* or 46*l.*, I think that is about it.

47,107. How long have you been on the register?—About 10 or 11 years, I suppose.

47,108. Have you been tempted by either party?—Well, I might have had money if I wished.

47,109. From both sides?—Well, I do not know about both sides; yes, I have had an intimation.

47,110. Who has given you the intimation on the Liberal side?—John Parnell Searle came to me.

47,111. When did he come to you?—In 1862.

47,112. What did he offer you?—He offered a large sum, 300*l.*

47,113. Was that on the day of the election?—Yes.

47,114. In the middle of the election?—A quarter before 4.

47,115. You would not take that?—No, I did not think it worth my while.

47,116. What was your reason for not voting?—Well, I do not value money got in that way.

47,117. Your reason for not voting?—My reason for not voting is this, I was doing tolerably well, and did not wish to be interfered with. I did not wish to displease those who came to my house.

47,118. Had you friends on both sides whom you did not wish to displease?—Yes, that is it.

47,119. Were you offered anything in 1865, at Pender and Seymour's last election?—No, they did not offer. When they came I used to tell them that I intended to be neutral.

47,120. Had the Conservatives offered you anything at any time or given you an intimation that you might get anything?—I had an intimation at one time; a Mrs. Pick called upon me, she is dead since, and she said I might have 50*l.* from Evens.

47,121. From Evan Evens?—Yes, from what I understood from her.

47,122. Have you ever had any money offered you for not voting?—No, not a farthing.

47,123. Do you know John Hamlyn?—Yes.

47,124. Has he ever offered you any money?—Never.

47,125. Is that all you know about it?—Yes.

THIRTY-FOURTH DAY.

JOHN WEBBER CHASTER recalled and further examined.

J. W. Chaster.

27 Oct. 1866.

47,126. (*Mr. Coleridge.*) Was Mr. Jenkins looked upon as a sort of agent of Mr. Pender's here?—I should say not.

47,127. Did Mr. Pender use to send money down through him?—I am not aware that he did.

47,128. What does this refer to? It is a letter of yours dated "Sunday, December 11, 1864,—My dear sir, through Mr. Jenkins I have received your note containing 15*l.*, amount of expenses incurred in journey to London in April last to confer with yourself and Mr. Seymour, and cash paid the Totnes ringers during the past week, for which I beg to thank you." How came money to come through Jenkins?—I recollect that. It is that they came down here and addressed the electors in the Guildhall.

47,129. How came the money to come through Mr. Jenkins?—I think Mr. Jenkins brought me the money into my tan yard, and I think he said Mr. Pender gave it to him before he left Totnes, and he had forgotten to give it me.

47,130. Is that the only time you knew money to come through Mr. Jenkins?—That is the only time.

47,131. In that same letter to Mr. Pender, which will you read through?—After what you have read it goes on, "I send the January account of the registration expenses, as you have wished for the past year and part of the preceding one. I exceedingly regret it should fall so heavy, but on carefully reviewing it, I see much that cannot again occur; for instance, the first two items, 68*l.* 12*s.* 4*d.* and 64*l.* 6*s.* 8*d.*, are balances of the previous year, advances made by the Michelmores to advocates, witnesses, rent, losses, and posting. The hotel bills must be cut down in future. It is an old custom here to feed the advocates, but one I think more honoured in the breach than in the observance. Helmore, Bourne, and Cuming are land and house valuers, and may or may not be again required." I should say they were ascertaining the value of the property on the Broomborough estate. That is the reason they were employed:—"The gravest question with me is the lawyers. I must confess that after the immense labour we had undergone in obtaining evidence, and in preparing the most elaborate briefs that were perhaps ever taken into a registration court, I did not feel satisfied to intrust them entirely to Windeatt and Michelmore. We therefore retained Floud and Edmonds, who certainly did their work well, though at a cost much in excess of what I had contemplated. Their employment again, however, will be a subject for consideration, as the time draws near to require their services. Was Mr. Jenkins paid his expenses to Plymouth the other day about the printing?" I recollect that was a report of the speeches. Then it goes on, "I had hoped for the pleasure of much more conversation with you than I had the good fortune to obtain, and to have gone into many topics that were not even touched upon, from the presence of the amusements and other matters that so occupied your valuable time. I must, however, congratulate you at least on a most successful meeting at the Guildhall."

47,132. Will you explain that about Mr. Jenkins?—I recollect Mr. Jenkins was asked to go down and see the property.

47,133. What was he paid for that?—I do not know. I know he was out of pocket going there, and merely asked whether he was to be repaid or not.

47,134. And you simply inclosed in that this account:—

	£	s.	d.
Balance due to T. Michelmore	68	12	4
Do. Hamlyn and Co.	64	6	8
"Seymour" hotel bill	72	6	8
Helmore, land valuation	14	14	0
Bourne, do. do.	10	10	0
Cuming, house do.	12	12	0
Latimer, short-hand notes	25	4	0
T. Hannaford, printing	18	1	1
Floud, "advocate."	66	7	10
Edmonds, do.	42	0	0
Windeatt, do.	58	15	2
Michelmore, do.	31	5	0
Sawyer	22	7	2
Fitze, salary to July 31st, 1864	48	0	0
Elliott, do. do.	15	0	0
Parnell, attendances	6	6	0
Tozer, do.	2	13	6
Dinner, "Horse Shoe"	1	17	0
Worthy, "serving notices"	3	4	6
Bishop, and constables at the Guildhall	2	11	0
	586	13	11
Cash received by Jeff. Michelmore and J. W. Chaster	500	0	0
	£ 86	13	11

Dec. 11th, 1864. J. W. CHASTER.

What does "Fitze, salary, 48*l.*" mean, because Fitze told us that his salary was a guinea a week?—I do not think that is so, because it was a pound or a guinea a week.

47,135. "Elliott, do. do." What has he a salary for?—To assist the registration generally. I think he was only paid one year.

(*Mr. Bere.*) He was asked what he got for his services, and he said he was a volunteer.

47,136. (*Mr. Coleridge.*) "Parnell, attendances, "6*l.* 6*s.*; Tozer, do., 2*l.* 13*s.* 6*d.*" What are those?—Those are persons to give evidence with regard to votes.

47,137. Is that the letter (*handing one*) you received from Mr. Pender?—What is the date?

47,138. The date of this is the 11th, and that is the 16th. Who is that written to?—It is not written to me, that would be on the advice of cheque. I received the 43*l.* about Christmas.

47,139. "Consider the above private," then it is not signed?—That would be sent from Brighton to the house in London very probably.

47,140. Then the arrangement was for half to be paid by Mr. Seymour and half by Mr. Pender, and that was only to let Mr. Pender know what the whole cost would be?—Yes; to satisfy him as to the amount of the whole expense.

JOHN VENN sworn and examined.

J. Venn.

47,141. (*Mr. Longe.*) How long have you had a vote for Totnes?—The first time I voted was in 1862.

47,142. You voted in 1862?—In 1862 and 1863.

47,143. Where do you live?—I live along with the notorious Mrs. Thomas.

47,144. How long have you lived there?—Five years come Christmas.

47,145. You lodge in her house?—I have apartments. I have my wife living there.

47,146. You are retired from business?—Yes.

47,147. What are you now?—I was in the excise 30 years, and I am superannuated.

47,148. Do you hold under the Duke?—No; nothing at all under the Duke.

47,149. What did you get your vote for?—At that time I did.

47,150. You have no vote now?—I have no vote now. I was struck off. I was one of the British farmers.

47,151. When you did vote what did you vote for? What gave you qualification?—A field at Gerston. There were three of them, George Fitze, myself, and Samuel Cuming, we had it 17 years.

47,152. Only three of you?—That was the first time.

47,153. That was 1862?—Yes.

47,154. How large was the field?—Nine acres, and we paid 36*l.* a year rent, and all rates and taxes.

47,155. What had you to do with the land? Do you know where it was?—Know where it was! I have been there twice a day many and many a time; and we used to take in different people's cattle, and we would sell what they termed the grass, and had it made and carried off the ground, and we used to pay the money regularly.

47,156. You voted on the same qualification in 1863?—Yes.

47,157. In 1862, when were you first asked to take this share?—There was Mr. Callard with me in the street, and he said to me, "Mr. Venn, you have "scarcely anything to occupy your time; we want "to put on three votes," and he asked me if I would be one of them. Mr. Jeffery Michelmore or Mr. Michelmore never spoke to me on the subject in my life. Well, I agreed, and was put on and remained until I was struck off with the great company.

47,158. Did he ask you what your politics were?—He knew I was a Liberal.

47,159. Because you lived with Mrs. Thomas?—I dare say that is it. Her husband was a regular Liberal.

47,160. Did Callard go to Mrs. Thomas first, before he came to you?—I was not living with Mrs. Thomas then. I have lived five years come Christmas, but this was before 1862 a good bit, but I voted in 1862.

47,161. Where were you living then?—Right opposite to Mr. Jordain, at the "William IV.," at a person's called Morgan. I lived there four years.

47,162. You are a lodger then?—I had part of a house.

47,163. Renting apartments would not give you a vote. Did you vote in 1863?—I did.

47,164. For Mr. Seymour?—Yes. I was the very first person that ever promised Mr. Seymour a vote.

47,165. I suppose there was no question about your voting that way?—No, not the least.

47,166. Did he ask you for it?—Yes, he canvassed me. I gave him my vote, and he said, "Mr. Venn, I "am much obliged to you, for you are the very first "man who ever promised me a vote in Totnes."

47,167. In 1863 were you ever canvassed at all by the Conservatives?—I was canvassed once.

47,168. When was that?—I really forget when it was.

47,169. Who was it who canvassed you?—Well, the moment he came a person just asked me, and one of the lawyers said, "That is of no use, I see we shall "not be able to get Mr. Venn, he is of the other "side," and they went away directly.

47,170. You held this qualification to vote for the Liberals; it was given to you for that purpose?—Most decidedly it was to be made good.

47,171. When was your qualification received?—I forget how many years we got it; we got into a larger company.

47,172. That was the Gerston company?—That was the Gerston company.

47,173. That was between 1863 and 1865?—Yes.

47,174. Who was the manager then?—Mr. Fitze.

47,175. Was it not Mr. Endle?—Then it changed into a larger company; it was all broken up, and then the small companies were put into a large company, and I think there were 46 members in it, but one died very soon afterwards, and there were 45 left. We all met at the "Seymour" hotel and signed a bond.

47,176. Did you know where your land was then?—Oh yes, I knew all the fields well.

47,177. Did you ever go there to see them?—Very frequently, Fitze and me. I might say scores of times.

47,178. This was between 1863 and 1865 that your company was enlarged?—Yes.

47,179. During the time were you ever canvassed by the Conservatives?—No.

47,180. Not this last election, 1865?—No, not for the Conservatives.

47,181. On the Liberal side; were you ever rewarded in any way by the Liberals?—Not a farthing in my life, neither directly nor indirectly.

47,182. Not for your trouble?—Not a farthing or a farthing's worth.

47,183. Were you ever offered anything?—No, not for the Liberals.

47,184. Not by the Liberals?—Never.

47,185. You have been offered something by the Conservatives?—Yes.

47,186. Who by?—Mr. Niner met me one morning.

47,187. Which Mr. Niner?—The old gentleman; it was very near Mr. Jordain's, at the "William IV.," and at Mr. Gill's, and I think it was Colonel Dawkins; I would not be positive which, whether Colonel Dawkins or Commander Pim, but there were two or three together a-head, with some of the lawyers, canvassing, and he said to me, "I can do a "very good thing for you if you are a mind to turn "to our side, and as you are independent you would "not care for any one, whether you disoblige one or "the other; but if you like to promise me fair, and "will give your vote for Colonel Dawkins and Com-"mander Pim, I will give you 200*l.*"

47,188. How were you then independent, you held the qualification expressly to vote on the other side?—I did not hold it expressly to vote on the other side, because when I had the ground I was at liberty to vote on one side or the other.

47,189. Do you mean to say when you took the qualification from Mr. Callard you felt yourself at liberty to vote on the other side?—I was at liberty to vote on one side or the other; it was never told to me on which side I was to vote.

47,190. Do you mean to say that you could vote for the Conservatives?—If I felt inclined to do so and get a lot of money; I told Mr. Pender at the same time, and Mr. Windeatt what sum of money Mr. Niner offered me, and he said to me, "I wish, Mr. "Venn, you had taken it, I would have seen you all "right;" and if I did take the money it was very well that I voted; but I do not know whether I should have voted on that side or not.

47,191. You would have taken the money and voted on the other side?—I should have pleased myself if I had got the money; but I had been offered that, and I truly believe I should have received the money from the person at the time.

47,192. You believe you would have had the money?—I really think so.

47,193. But do you think you would have been allowed to hold your qualification in the company?—No, not then.

47,194. If you had voted the other way you would not have kept your vote?—No, that is true.

47,195. What do you mean by being independent?—In consequence of my situation.

47,196. That did not give you a vote?—No.

47,197. Your vote was not independent?—Mr. Niner said to me I was independent; I was not like a shopkeeper, that I should be offending one to oblige another, but could please myself.

47,198. Your vote was not independent?—No, not the least.

47,199. Your vote depended on your voting that way?—Yes.

47,200. Did you ever have any feasts—any party meetings at Mrs. Thomas's—meetings of the Liberal party?—Never.

47,201. Was there a Liberal entertainment at the election of 1862, Mr. Pender's?—At Mrs. Thomas's?

47,202. No, Mrs. Smale's?—There was.

47,203. How many were there?—I really do not know.

47,204. Twenty?—I really do not know more than you. I went there, and I believe I took two glasses of wine and came out again. I did not stop there but a very few minutes.

47,205. Where was it?—In the parlour.

47,206. Was it a dinner?—No. There was wine there, and what there was to eat I do not know.

47,207. Was it going on all the afternoon?—Not to my knowledge. I do not know whether it was or not. I told you I was only there a very few minutes.

47,208. Was there anything of the same kind going on at the "Seymour" at that election?—Not to my knowledge. I never saw anything of the sort.

47,209. You never went to the "Seymour"?—No.

47,210. There was a meeting at the "Seymour" at which grog is supplied?—I was there one evening, and went there with Mr. Samuel Cuming, and there was a large meeting there, and what I drank there Mr. Samuel Cuming paid for.

47,211. Which election was that?—I take it it was Mr. Pender's election.

47,212. In 1862?—Yes.

47,213. At Mrs. Smale's you did not pay for your wine there?—It was only two little glasses that I drank. I went in with some friend of mine, I forget whom.

47,214. Has not Mrs. Thomas any parties at election times at her house?—Yes, many.

47,215. At this last election?—Yes, a great many came in.

47,216. How was it arranged? Had Mrs. Thomas a *carte blanche*?—Merely came in to have a little news.

47,217. And they got some refreshments?—Never. I could always go to Mrs. Thomas's room, either the first thing in the morning or the last thing at night, just the same as to my own, and I never saw any refreshments there in my life, no more than what they had there for their own party themselves, their tea or their supper.

47,218. Did you take any part in canvassing on your side?—No.

47,219. Never?—No.

47,220. You never canvassed any voter at all for the Liberals?—Not the least in the world. I never spoke to one in my life.

47,221. You never received anything for your vote except once?—I never was offered except that one time, nothing in the world. And while I am here I wish to make a short statement to the court, that is, that back a few weeks since when the book was read down here in this Guildhall, and my name happened to be called, my friend Loppy Harris spoke very disrespectfully of my character.

47,222. (*Mr. Bere.*) I do not think he said anything about your character?—I heard what he said, and when you come to see my name called you will find it. I will go through both towns, Totnes and Bridgetown, and not one of them can speak a disrespectful word of my character.

47,223. What he said of you is this.—That I was a dangerous man, and that he would not believe me upon my oath.

47,224. He never said anything of the kind?—He spoke it.

47,225. Do not impute to Harris what he has not said. What he has said about you is contained very shortly. "John Venn, he was one of the manufac- "tured votes." That is true according to your own account?—Yes, and he said Mrs. Thomas used to keep me straight and I could not go wrong.

47,225*a*. "She kept him straight?—*A.* He could "not go wrong." That is, that Mrs. Thomas had some influence over him?—There is more than that.

47,225*b*. "Being a manufactured vote you thought "it was hardly worth while?—*A.* No man would do "that; he would swear away a man's life; he is "always a dangerous character"?—That is it.

47,226. (*Mr. Coleridge.*) Did you go and see Capt. Helms?—Mr. Harris's character is known here.

47,227. Did you see Captain Helms?—Why did you not hear me out?

47,228. (*Mr. Bere.*) Mr. Harris does seem to have accused you that you would swear away a man's life. Shall I ask you that? I do not suppose you would. If there is anything you wish to say I shall be glad to hear it?—It does not matter.

47,229. (*Mr. Coleridge.*) Did you have any talk with Captain Helms at Mrs. Thomas's?—Very little.

47,230. Did you have any?—Very little.

47,231. You knew he was Mr. Dent's friend?—Yes.

47,232. You knew he was not likely to vote against Mr. Dent?—I do not suppose he would.

47,233. When Captain Helms used to come to Mrs. Thomas did you imagine he was a Liberal, and would have voted for the same side as yours?—If Mr. Dent had not put up I think he would.

47,234. Notwithstanding his voting on the other side he still continued to go to Mrs. Thomas's?—Yes.

47,235. And you knew that he was going to vote against your side then?—No.

47,236. He never told you that?—Never.

47,737. Did you ever hear Mrs. Thomas try to persuade him to vote on your side?—Never.

47,738. You never heard her canvass him?—No.

(*Mr. Harris.*) What I meant to convey was, that when Venn came up at the registration there was such prevarication by Mr. Venn, that I consider he told such notorious lies that I never would trust him; that is what I mean to convey.

John Drew sworn and examined.

J. Drew.

47,239. (*Mr. Bere.*) How long have you lived in Totnes?—About 20 years.

47,240. How long have you had a vote?—Five or six years.

47,241. When did you first vote?—At Mr. Pender's election.

47,242. In 1862?—Yes.

47,243. Where do you live?—At Bridgetown.

47,244. Are you a tenant of the Duke's?—Yes.

47,245. What is your qualification for voting?—House and field.

47,246. What is the value?—Twelve pounds a year.

47,247. Do you pay the rates and taxes?—Yes.

47,248. Do you ever get anything handed back to you on the rent day?—No.

47,249. Who did you take your house from?—Mr. Michelmore.

47,250. Did Mr. Michelmore say anything to you about what you should do with your vote?—No.

47,251. Did you tell him how you should vote?—No.

47,252. Had you voted at the council elections?—Yes.

47,253. And always voted for the Liberals?—Yes.

47,254. And he might have known you were a Liberal?—Yes.

47,255. Had you lived all your life in Bridgetown?—Yes.

47,256. And always a tenant of the Duke's?—Yes.

47,257. You merely changed your house?—Yes.

47,258. Who occupied it before you?—My father-in-law.

47,259. You had a smaller house before, and did not get a vote?—I was a voter for the council before, but not for the borough.

47,260. What did you get for voting for Pender in 1862?—I did not get anything.

47,261. How much did you get afterwards?—Elliot gave me 10*l.*

47,262. When did he give you that?—Some time between the two elections.

47,263. Where did he give it to you?—I met him one day, and he said he had a present for me, and he gave me two 5*l.* notes between my house and the quay.

47,264. Was that a few days after the election?—Two or three weeks.

THIRTY-FOURTH DAY.

J. Drew.

27 Oct. 1866.

47,265. Had he spoken to you about your vote?—Yes.

47,266. Who canvassed you?—Mr. Pender.

47,267. Did Mr. Pender say anything about what you would get for your vote?—No.

47,268. Who was with him when he canvassed you?—Mr. Michelmore.

47,269. Did he say anything about getting anything for your vote?—No.

47,270. At that election did they apply to you for Mr. Dent?—Yes, several times.

47,271. Who?—Mr. John Heath.

47,272. What did he tell you?—He asked me if 50*l.* would be worth anything to me. I said "No, I "should not take it," and he offered me 100*l.*; I said "No, I should not take it; I promised Mr. Pender, "and I could not go from it."

47,273. Had you promised your vote to Mr. Pender at that time?—Yes.

47,274. Why did not you take 150*l.*—I was well where I was.

47,275. Was it to prevent your being turned out of your house if you took it?—No, I was not aware of such thing.

47,276. Was that all the money you got, 10*l.* in 1862?—Yes.

47,277. Did you tell Elliott that you had refused 150*l.*?—Yes.

47,278. What did he say?—He said he did not know anything at all about that.

47,279. Before you got the 10*l.* or after?—When he paid the 10*l.* I did not expect anything.

47,280. You told him you had refused 150*l.*?—Yes, and he said he did not know anything about it.

47,281. What did you get in 1863 for voting for Seymour?—Nothing, not a halfpenny.

47,282. What afterwards?—Nothing.

47,283. Did your wife get anything?—No.

47,284. No money found in your house?—No.

47,285. No advantage at all for voting for Mr. Seymour?—No.

47,286. Did not you get 5*l.* in 1863?—No.

47,287. Did you get any money at all between 1863 and 1865?—No.

47,288. None at all?—No.

47,289. Did not the Conservatives come to you in 1863?—Yes, when Pender and Seymour came.

47,290. When Mr. Seymour stood by himself perhaps that was the first time you had a vote?—I do not know.

47,291. Do not you remember there was an election in 1862 and an election early in 1863?—Yes.

47,292. Did not you get something to vote for Mr. Seymour?—No.

47,293. When Dent came a second time did not the Conservatives come to you again?—Yes.

47,294. Who came?—John Heath offered 150*l.*

47,295. You did tell the other side that you had 150*l.* offered?—Yes.

47,296. What did they say?—Nothing.

47,297. Did they give you anything?—No.

47,298. Or promise you anything?—No.

47,299. Did you tell Mr. Elliott before you voted or after?—A long time after.

47,300. Did not you get something out of Captain Fowle?—No.

47,301. Nothing from Mr. Fowle in 1863?—No.

47,302. Did you get anything, a new cart or anything, in 1863?—No, not a halfpenny.

47,303. In 1865 what did you get for your vote?—I had nothing for my vote. I had a present afterwards.

47,304. What was it?—40*l.*

47,305. Who gave you that?—Captain Fowle.

47,306. Did you buy a new cart and horse?—No, I had a cart before.

47,307. You bought it at a sale for 16*l.*?—No.

47,308. Did you pay for it yourself or Captain Fowle pay for you?—I got it before Captain Fowle came.

47,309. Did Mr. Screach come to you in 1865?—Yes.

47,310. What did he offer you?—400*l.*

47,311. When did he offer you that; on the day of the election?—Yes, early on the morning they brought it up. About 4 o'clock he knocked at the door and I came out, and he said if I meant to do anything, now was my time, and I said I had promised my vote and I should not go from it.

47,312. After the election you got 40*l.*?—Yes.

47,313. Did Mrs. Thomas come to see you before the election of 1865?—No.

47,314. Who was the person called Maria Crocker?—I do not know.

47,315. Do you not know such a person?—It was Crocker's daughter next door.

47,316. Now tell me about that; was she not there when Mrs. Thomas came down?—I never saw Mrs. Thomas there in my life.

47,317. Was it not some other house that you saw Mrs. Thomas at?—No.

47,318. Did you go to Mrs. Thomas's house on the day of the nomination?—No.

47,319. Where did you get your money?—Captain Fowle gave it to me.

47,320. Where?—Over the cellar.

47,321. At his own place?—Yes.

47,322. What is the story about the cart. You bought a cart?—Yes.

47,323. Did you pay for it out of your own pocket?—Yes.

47,324. Did Captain Fowle give you a cheque for 16*l.*?—Yes, but not for a cart.

47,325. What was that for?—I went to Brixham, and he told me I wanted a bigger horse; I said I had not money enough to buy it, and he said he would let me have money at any time, and he gave me a cheque for 16*l.*

47,326. Did you buy a horse?—No.

47,327. What did you do with it?—Put it in the fire and burnt it.

47,328. When did you do that?—Three or four weeks afterwards.

47,329. Did you burn the cheque before you got the 40*l.*?—I burnt it three or four weeks afterwards.

47,330. (*Mr. Coleridge.*) Who told you to burn it?—Nobody. I said to my missus, "It is no good, and "we may shove it in the fire."

47,331. (*Mr. Longe.*) Why did not you take the money from the Conservatives?—I promised the other side, and I always supported the Liberal side.

47,332. (*Mr. Coleridge.*) What made you first take the Liberal side?—I was employed by the Liberals.

47,333. Do you know the difference between a Liberal and a Tory?—Yes, but not a great deal.

47,334. What is the difference? Is it that one gives you more work than the other, or what?—I generally get more work from the Liberals; one is free trade and the other not.

47,335. I suppose the Liberals pay and the Tories only promise. Is that your definition?—No.

47,336. Do the Liberals give you more work?—I always work for the Liberals.

47,337. (*Mr. Longe.*) What are your wages?—What I can get.

47,338. You have no regular wages?—No.

47,339. I thought you were regularly employed by Mr. Fowle?—No.

47,340. You lived in a house of the Duke?—Yes.

47,341. It does not give a vote?—The house and field does.

47,342. When did you take that?—I think about five or six years.

47,343. Do you pay rent?—Yes.

47,344. It was not let to you?—I took it under Mr. Michelmore.

47,345. Was it not let to Mr. Fowle?—No, Mr. Fowle was not here.

47,346. Are you sure it is not let to Mr. Fowle?—He was not here at that time.

47,347. But at this time?—No, nothing to do with it.

47,348. Is your house in Seymour Place?—Yes.

47,349. What number?—I do not know; there is no number to it.

47,350. (*Mr. Bere.*) What is the name of the land; what is the field called?—I cannot tell you the name of it.

47,351. Where is it?—It is Ship Lane.

47,352. What do you do for Captain Fowle?—Carry coals.

47,353. Look after his stores?—No.

47,354. Who looks after his stores?—They have a foreman there.

47,355. What is his name?—Weymouth.

47,356. Weymouth lives at Seymour Place too?—He lives at the high end, and I live at the low end.

47,357. With the exception of the 10*l.*, is that all the money you had for your vote?—Yes.

47,358. Directly or indirectly through your wife, or in any way?—Yes.

47,359. Did you ever hand money to anyone else? No.

47,360. Did you promise any one?—No.

Richard Tarring sworn and examined.

R. Tarring.

47,361. (*Mr. Bere.*) What are you?—A baker.

47,362. How long had you a vote for Totnes?—Since 1859.

47,363. Who did you vote for in 1859?—Mills and Gifford.

47,364. Who canvassed you?—I do not know.

47,365. Did John Elliott come to you?—No.

47,366. Did Samuel Parnell?—No.

47,367. What did you get for your vote then?—30*l.*

47,368. Who gave you that?—Samuel Parnell.

47,369. Did he tell you where he got it?—No.

47,370. When did he give it to you, before or after the election?—I think two days after.

47,371. Did he promise it to you before?—Yes.

47,372. Did the other side offer you anything?—Yes.

47,373. Who offered it?—Frederick Evens.

47,374. How much?—25*l.*

47,375. You preferred the 30*l.* to 25*l.*, and so voted for the Liberals?—No.

47,376. What was the reason that you voted for the Liberals?—I promised them first.

47,377. I suppose you thought free trade a good thing?—Yes.

47,378. In 1862, when Dent and Pender stood, whom did you vote for?—I did not vote at all.

47,379. Whom would you have voted for if there had been a contest?—Mr. Pender.

47,380. Did Dent's people try you?—No.

47,381. What did you get after the election?—Nothing whatever.

47,382. In 1863 whom did you vote for?—Mr. Dent.

47,383. You turned round then?—Yes.

47,384. You changed your free trade notions?—Yes.

47,385. What did you get?—50*l.*

47,386. Who gave you that?—Mr. Frederick Evens.

47,387. Did not Mr. Seymour ever try you?—No.

47,388. You got 50*l.* from Dent?—Yes.

47,389. You thought Pender a better man than Dent, and Dent better than Seymour?—I promised.

47,390. You got 50*l.* and then turned round in 1863?—Yes.

47,391. How did you vote in 1865?—One each way.

47,392. What did you get?—20*l.* from Mr. Pender.

47,393. What from the other side?—Nothing.

47,394. Did not you get 30*l.*?—No; only 20*l.*

47,395. Who paid you in 1865?—Mr. Harris.

47,396. Richard Harris?—Yes.

47,397. Did Richard Harris tell you where he got it?—I think he got it from Pengilley.

47,398. Did not he get it from Parnell?—No; I do not think he did.

47,399. Did you hear anything about Mr. Chaster?—No.

47,400. You only got 20*l.* on the last occasion?—Only 20*l.*

47,401. Altogether you have changed sides three times, and you have got for your vote 30*l.*, 50*l.*, and 20*l.*?—Yes; that is about it.

47,402. What are you now, Tory or Liberal?—In council I always go one on each side.

47,403. Did they pay on both sides?—No.

47,404. You never got anything for voting for the council?—No; nothing whatever.

47,405. Are you sure it was only 20*l.* you got last time?—Yes.

47,406. Then if there was 30*l.* put on one side for you last time, some one must have stuck to 10*l.* of it?—I suppose so.

47,407. Did your wife get anything for you?—No.

47,408. Besides this 100*l.* you got at those three elections, has your wife ever got anything?—No.

47,409. Nothing at all?—No.

47,410. What do you vote for?—A house in Fore Street.

47,411. Have you got any land?—No.

47,412. That is all you ever got at the elections?—Yes.

47,413. (*Mr. Bere.*) For any election at any time?—Yes.

47,414. Did you get anything for the council?—No; nothing whatever.

47,415. (*Mr. Coleridge.*) Did you sign the requisition?—Yes, I did.

47,416. Is that in your handwriting (*producing a paper to the witness*)?—Yes.

47,417. Who asked you to sign it?—Mr. Harris.

47,418. Did not you expect, when you signed that, that you were to vote for the person for whom you signed it?—I told Mr. Harris I never would vote against Mr. Pender.

47,419. Because Mr. Pender had given you something?—I never had anything from Mr. Pender when I signed that letter.

47,420. When did you have any money from him last?—The last election.

47,421. What made you so fond of Mr. Pender?—I do not know.

47,422. Had he promised you anything?—Nothing whatever.

47,423. Nothing for yourself or children?—Nothing whatever.

47,424. (*Mr. Bere.*) Which Pengilley was it that paid Harris the money, do you know?—I think it was George Pengilley.

Richard Harris sworn and examined.

R. Harris.

47,425. (*Mr. Bere.*) What are you?—A blacksmith.

47,426. Where do you live?—In Totnes, at a place called Collins's Corner.

47,427. Who is your landlord?—Mr. Michelmore.

47,428. Which Mr. Michelmore?—The carpenter and builder.

47,429. William Michelmore?—William, I think he is called.

47,430. Is he any relation to Mr. Jeffery Michelmore?—Yes.

47,431. Whom do you pay the rent to?—I pay Mr. Michelmore.

47,432. You pay your landlord?—My landlord.

47,433. Are you any relation of Mr. Robert Harris?—No.

47,434. How long have you had a vote for Totnes?—I voted in 1865 for the first time.

THIRTY-FOURTH DAY.

R. Harris.

27 Oct. 1866.

47,435. You never voted before ?—No.

47,436. For whom did you vote ?—Mr. Pender and Colonel Dawkins.

47,437. How much did you get then ?—20*l.*

47,438. From whom ?—George Pengilley.

47,439. Did you get anything from the other side too ?—No.

47,440. How did you come to split your vote ?—It is generally considered advisable in Totnes to please both parties. It is generally considered so here. I work for both sides.

47,441. Had you promised Colonel Dawkins ?—I had.

47,442. And Mr. Pender too ?—Yes.

47,443. Had you been offered some money by the Conservatives ?—Yes, I was.

47,444. Who offered it to you ?—Robert Harris.

47,445. How much did he offer you ?—150*l.* if I would vote for both of their men. I said I would not promise. I would not go from my word. I should always vote that way, one and one.

47,446. Did you tell George Pengilley if your vote was worth so much to the Conservatives, it was worth a trifle to Mr. Pender ?—Yes.

47,447. And did you ask him if he would get you some money ?—I met him on the nomination day, and we got talking on the election matters. Mr. Tarring and I had been talking the matter over, and we thought the others ought to make us a small present —that is, Mr. Pender. Pengilley said, "So he would "if you were to ask for it." I said, "I do not like to "trouble about it myself." He said he would get it for me. That is all that passed between us.

47,448. Did you mention your friend's name ?—Tarring ?

47,449. Yes ?—I did.

47,450. And did you say, if he could get 20*l.* between you, you would vote for Mr. Pender ?—Yes.

47,451. Did you get the 20*l.* ?—Yes.

47,452. For yourself, or between you ?—For myself.

47,453. And how much did he pay to Tarring ?—20*l.*

47,454. 40*l.* between you ?—Yes.

47,455. (*Mr. Longe.*) Why did you select Mr. Pender rather than Mr. Seymour ?—I thought he was the best gentleman for the town.

47,456. You thought you ought to have some money for refusing the Conservative offer ?—No. I should have voted the same if I had not received a penny, because I had promised not to go away from my word; I was offered money besides.

47,457. Who offered it to you ?—Mr. Andrew Sparke Distin.

47,458. The ironmonger ?—Yes.

47,459. Do you work for him, shoe his horses, or anything of that sort ?—No. He said, if I would vote for both of their men I should have any sum I liked to name. I said I would not go from my word for all they could give me.

47,460. You voted as you told us ?—I did.

47,461. Have you ever voted for the council ?—I did.

47,462. How did you vote then ?—I always voted two and two.

47,463. Always voted two and two ?—Yes, always, every time I voted.

47,464. Was that all the money you ever received ?—Yes.

47,465. Directly or indirectly ?—Yes.

47,466. What are your landlord's politics ?—Tory.

47,467. Did he ever say anything to you about your vote ?—He did when he altered my premises. I wanted the premises enlarged; I have a wife and six children, and I wanted some more bed-rooms, and I wanted them enlarged, and the shop as well, and I asked him to do so, and after some time he promised to do so, and I wanted a door put so as to save going all round the house to go upstairs. He said, "I do not like to "make this door for you, as it will give you a vote, "and you might go against me," and I said, "As "regards politics, I shall always vote one and one, "and that is my intention." He made this door, and I had to pay 2*l.* more a year for it; 11*l.* instead of 9*l.*

47,468. What did he say to you when you said you should vote one and one ?—He seemed satisfied.

47,469. What should you do if there was a single election here ?—I should remain neutral.

47,470. Not vote at all ?—Not vote at all. After the alterations were all made, I claimed a vote.

47,471. Was your vote objected to ?—Yes.

47,472. Who objected to it ?—The Liberals objected to me, because they thought I was under a Tory landlord. I supposed it was for that. When it was all done, Mr. Pender was unseated in London. Mr. Harris came to my shop door one night, and I said to him, "I should be ashamed if I were you to "go up to London, and your hands dyed so deep in "bribery as yours are." He said, "I shall have you "turned out of your house in twelve months." I said, "What authority have you to say that ? You have "not the power." He said, "You will see it will be "done," and I went to Mr. Michelmore to inquire whether he had authorized him to say so. I saw him, and he said, "I did not authorize him, but I shall see "you again upon that."

47,473. What quarter does your tenancy begin ?—Christmas.

47,474. Then you will not hear about it just at present. You did not hear anything about it last Midsummer ?—No.

47,475. Was it before Midsummer your landlord spoke to you about it ?—No; since then. I would not swear whether it was before Midsummer or after. I thought that was as good as a notice at the time, so I considered it.

47,476. When you said you would vote one and one, your landlord did not make any objection ?—No. When I was speaking to him about his authorizing Harris to say what he did, he said, "I did not autho-"rize him." I told him I should vote one and one, and he had forgotten that.

47,477. You have not received your notice yet ?—No.

W. Godfrey, jun.

WILLIAM GODFREY, jun., sworn and examined.

47,478. (*Mr. Coleridge*). What are you ?—A tailor.

47,479. When did you first have a vote for Totnes ?—About 1847.

47,480. Nearly 20 years ago ?—Yes.

47,481. Whom did you vote for then ?—Baldwin and Seymour.

47,482. You went one and one then ?—Yes.

47,483. Did you get anything for your vote ?—No.

47,484. Did you do anything in that election ?—No.

47,485. Did you take any part at all ?—None whatever.

47,486. Did you offer any money to anybody, or receive any yourself ?—No.

47,487. Were you promised any ?—No.

47,488. In 1852 how did you vote ?—That was Mills and Gifford ?

47,489. No. Mills, Baldwin, and Seymour ?—Mills and Seymour.

47,490. You voted for the two Liberals ?—Yes.

47,491. What made you do that ?—At the time I voted for Baldwin there was a sort of condition between Baldwin and Seymour. That was my first vote.

47,492. What did you get for voting in 1852 ?—Nothing.

47,493. Did you do anything in the election ?—No.

47,494. Did you canvass ?—No.

47,495. Did you get any money for your father's?—No.

47,496. What did your father get at that election?—Nothing.

47,497. What was the first election in which he voted?—Never at all.

47,498. How did you vote?—I always voted on the Liberal side.

47,499. You got nothing in 1857?—Yes.

47,500. Did you get anything in 1859?—No.

47,501. What did you do in 1862?—I always voted on the Liberal side.

47,502. Did you vote for Mr. Pender?—Yes.

47,503. I believe you were sent to one John Godfrey?—No.

47,504. Were not you?—Mr. Condy called at my shop to see my brother. My brother said the Liberal party owed him 4*l.* or 5*l.* for services rendered, and he called and asked me to see him. I did not go and see him.

47,505. You did not go to see him?—No.

47,506. What were you to go and do, talk to him about his vote?—My brother always used to be on the Liberal side, but he turned on the Tory side that time.

47,507. What did Mr. Condy want you to do?—He wanted me to go over to my brother at the "Seymour" to see if he could get the 4*l.* or 5*l.*

47,508. You did not go?—My father saw him.

47,509. Was your father a vote?—No. He never was a vote.

47,510. In 1863 how did you vote?—For Seymour.

47,511. What did you get at that election?—Nothing at all.

47,512. What did you get the last election?—Nothing.

47,513. Do you mean you never received a farthing in your life?—No.

47,514. Have you ever paid any one else?—No.

47,515. Have you ever been offered money?—No.

47,516. Do you know a man called John Tucker?—A butcher?

47,517. Yes. Do you remember saying one election, "Now is your time; do not be a fool; you can "have whatever you like if you vote our side"?—I do not recollect.

47,518. Did you say that?—I do not recollect it. If I did, it was only in a joke.

42,519. Will you swear you did not say it?—I cannot swear whether I did or did not. If I did, I had no authority to say it.

47,520. You knew money was about?—No; I did not know anything about it.

47,521. Did you go over to the "Seymour Arms"?—After the election.

47,522. And at the time of the election and before?—No.

47,523. Did your wife ever get anything at the election?—No.

47,524. I believe people come a good deal to your shop and gossip?—Yes.

47,525. Do you recollect many people coming into your shop and talking about the offer Mr. Pender is said to have made to Mr. Harris?—I dare say I have heard it.

47,526. Do you recollect its being said that the Liberal party would have nothing more to do with Mr. Pender if he carried it out?—I dare say I have heard that. I have no doubt I have heard that.

47,527. Can you recollect any one in particular who has said that?—No one in particular.

47,528. I believe when Mr. Pender was here one time he suddenly found he wanted a coat?—Yes.

47,529. And you made him one?—Yes; a dust coat.

47,530. Did you make him anything else?—No.

47,531. What did you charge him for it?—30*s.*

47,532. That is all you ever got out of him?—That is all. I wish to say my father is 80 years old, and he is not fit to be examined, and that is all he knows about the election.

47,533. Do you mean your father is one of the people in Totnes who never got anything for their votes?—He never voted.

ROBERT RYDER, senior, sworn and examined.

47,534. (*Mr. Bere.*) What are you?—A painter.

47,535. Is your son a painter also?—Yes.

47,536. Does he work with you?—No; he is for himself.

47,537. And how long have you been a painter?—About 50 years.

47,538. Have you always had a vote for Totnes during that time?—Not all that time.

47,539. How long have you had a vote?—The first time I voted was for Mr. Mayne and Lord Seymour.

47,540. That was in 1834?—Yes.

47,541. Did you lose your vote then?—No.

47,542. Have you kept it ever since?—Yes.

47,543. Whom did you vote for at the last election in 1865?—I always voted for the Liberals.

47,544. How much money have you had for voting for the Liberals?—Never anything.

47,545. Never anything?—No; I am free of that habit.

47,546. Nor any one for you?—No.

47,547. And no advantage or favour?—No, nothing whatever.

47,548. Of any shape or kind?—No.

47,549. Have you ever tried to get other people to vote for the Liberals?—No, nothing of the kind. I am free of all that sort of thing.

47,550. Have you never had anything to do with trying to get a voter to vote for the Liberals?—No.

47,551. Now your son, is he Liberal always?—Yes.

47,552. Do you know of his having had anything to do with Samuel Hill?—I do not know of it.

47,553. Have you ever had anything to do with Samuel Hill?—No.

47,554. Are you quite sure about that?—Yes, quite sure.

47,555. Have you never had anything to do at any time with any voter at any election?—No.

47,556. You went and voted, and that was all you did?—That was all I did.

47,557. Did you always vote for both of the Liberals?—Always for the Liberals.

47,558. For both of them when there were two?—Yes, I have always been firm.

47,559. What do you mean by being firm?—I always voted according to my conscience.

47,560. Always voted for the Liberals?—Yes.

47,561. Did you go down to the "Seymour" at the elections at any time?—I have been.

47,562. Pretty often have not you?—At times.

47,563. When there was any eating and drinking going on, you went there and had your share of it?—Eating.

47,564. Well drinking?—Sometimes I paid for it.

47,565. It was not often that you paid for it?—Not often; sometimes I did.

47,566. As you have been a voter so long, do you remember the punch meetings the Conservatives used to get up?—There were so many punch meetings of the Conservatives; different meetings.

47,567. Were there not also some among the Liberals afterwards?—There were some among ourselves.

47,568. Did you ever go to some of them?—I do not know about punch meetings. I went to the beer and 'bacca club, and I am one of the Seventy-Third.

47,569. How many of that regiment are left?—Not a great many; they voted for their conscience.

47,570. (*Mr. Bere.*) What were their politics?—Liberal.

47,571. Can you tell us anything more?—No; if there is anything more, I am ready to come forward again.

THIRTY-FOURTH DAY.

R. Ryder, jun.

27 Oct. 1866.

ROBERT RYDER, junior, sworn and examined.

46,572. (*Mr. Longe.*) What is your trade?—A painter.

47,573. With your father?—No; by myself.

47,574. Now you are separate?—Yes.

47,575. Where do you live?—In Totnes.

47,576. Who is your landlord?—I believe Mrs. Lamb. Mr. Hannaford takes the rent.

47,577. Do you know what your landlady's politics are?—I do not know.

47,578. Do you know at all which way your landlady wishes you to vote?—No.

47,579. You were never told by your landlady?—No; Mr. Hannaford is a Tory.

47,580. Mr. Hannaford is a Tory?—Yes.

47,581. (*Mr. Bere.*) Is it not Mr. Theodore Hannaford?—No; he never interfered with my voting. I always did as I liked.

47,582. (*Mr. Longe.*) When did you first have a a vote?—In 1862, when Mr. Pender first came.

47,583. You gave it to Mr. Pender?—Mr. Pender came and asked me, and I gave him my vote.

47,584. Is Thomas Searle your father-in-law?—Yes.

47,585. Thomas Searle?—Yes, Thomas Searle.

47,586. Is it the old gentleman?—He is dead now.

47,587. (*Mr. Bere.*) It is not the gentleman we have had to-day?—No.

47,588. (*Mr. Longe.*) In 1859 Thomas Searle had a vote?—Yes, he had a vote.

47,589. Did he vote?—No, he did not.

47,590. Which way was he going to vote?—Why, if he had voted, he would have voted for the Tory party, because he was a firm man; he was a man who always voted for the Tories. It was no good for anybody to say this or the other; he would always vote according to his conscience.

47,591. You went to him on that occasion?—To my father-in-law?

47,592. Yes.—He lived in the same house.

47,593. Were you not asked by the Liberals to keep him from voting?—No, never.

47,594. You did prevail upon him not to go to the poll?—I never asked him. I never asked him how he was going to vote or when he was going to vote.

47,595. You took no part in endeavouring to get him to abstain?—No.

47,596. And you were not asked about it?—No; and I never asked him, because I knew it was useless for me to speak to him about it, as I knew he was a staunch voter.

47,597. In 1862 he voted for Mr. Pender?—No.

47,598. He did not vote?—No.

47,599. How did you manage that?—Because I was the renter of the house for several years.

47,600. You paid the rent?—Yes.

47,601. And you allowed him to stay on the rates?—Yes; and I had got friends on both sides among the Liberal party and the Tory party, and they all knew my politics. They never interfered with me one side or the other.

47,602. (*Mr. Bere.*) I want to know about your father. His name was on the rate book?—Yes.

47,603. What rent did you pay?—20*l.*

47,604. Was it because you were the occupier of the house he would not vote against you?—Yes. He knew I was Liberal.

47,605. Did you never ask him not to do so?—I never asked him the question.

47,606. Did you ever get the rent paid for that house?—Never at any time.

47,607. Did your father-in-law tell you that he would not vote?—He never said a word to me about it, and I never asked him.

47,608. Then how do you know what was the reason why he did not vote?—He told my wife, when a gentleman called for his vote, that he was not going to vote, and my wife told me afterwards that he was not going to vote; he did not say what was the reason, and I never asked my father-in-law how he was going to vote.

47,609. Did you hear it rumoured that you had been paid money for keeping him back?—I never heard any such thing.

47,610. And you were never asked by the Conservatives to keep him back?—No.

47,611. In 1862 you voted for Mr. Pender?—I did.

47,612. Were you canvassed by him?—He met me in the street, and asked me for my vote, and I said he should have it with great pleasure.

47,613. Were you canvassed by any one on the other side?—Yes. Mr. Dent called on me when I was at dinner, he and Mr. Edmonds and Mr. Kellock were together; I said I have promised my vote to Mr. Pender, and I cannot support you.

47,614. Did any one else come to you from the Conservative party?—No.

47,615. Was any offer of money ever made to you by any one of that party?—Not in 1862.

47,616. Did you get anything from the Liberal party after voting?—No.

47,617. Was any money offered to you?—Never.

47,618. In 1863 were you canvassed by Mr. Seymour?—I saw Mr. Seymour as I was working in the street; he canvassed me, and I said I shall support you because those are my principles.

47,619. Who was with Mr. Seymour?—I think Mr. Jeffery Michelmore and Mr. Cuming.

47,620. Were you again canvassed by Mr. Dent, do you remember?—I think Mr. Dent called at my shop, and my wife said I was out, or I was at work, and Mr. Edmonds said it was of no use calling me up, it was quite useless, they knew how I would vote.

47,621. Did any one on the Conservative side make you any offer in 1863?—That was Mr. Seymour's election. There was an offer made me, but not by any of the Tory party of Totnes, except that dirty fellow there, Harris; he is the fellow who did it; no one would have dared to insult me, either of the Tories or the Liberals, but Harris sent a man to me to offer me 50*l.*

47,622. Who was that?—He was a first cousin of my wife's, Thomas Searle, a builder at Torquay; he used to come over here every fortnight to Mr. Bryett's office for money, and Harris sent him to me.

47,623. That was before the election?—Yes.

47,624. And he offered you 50*l.*?—Yes.

47,625. What did you tell him?—I laughed at him, and said that 500*l.* would not buy me. I sent him away.

47,626. After the election of 1863 was anything sent you by the Liberals?—Not a farthing.

47,627. Were you ever asked to canvass by the Liberal party for them?—Never.

47,628. Were you ever sent by the Liberal party to any voters?—Never.

47,629. Or to convey any money to any one?—Never.

47,630. In 1865, whom did you vote for?—For Pender and Seymour.

47,631. Were you canvassed by them?—I do not think they asked me anything; they saw me in the street at work; I do not think they asked me for my vote.

47,632. Were you canvassed on the other side?—No one came to me at all; I often met them in the street, and they used to pass me without taking any notice of me.

47,633. Do you know Samuel Hill?—I do.

47,634. Does he live near to you?—Opposite me, across the street.

47,635. Was he a friend of yours?—No.

47,636. Was he an acquaintance?—That is all.

47,637. Did you call on him during the election of 1865?—I never saw him or knew anything about

him except on the occasion when Mr. Kellock said I followed him.

47,638. At what election was this?—At the last election. I was standing at my door, and I saw Colonel Dawkins and Mr. Kellock coming down the street. They came nearly as far as my house when they met John Godfrey, and stopped him, and had some conversation with him. They went a little further on, and I said to a neighbour of mine, Samuel Sharpham, "I wonder where they are going "to." We went across the street and down the passage, and there we saw Colonel Dawkins and Mr. Thomas Kellock, and they asked me where Samuel Hill lived. I said, "It is up there, I will "call him down," and I never saw Hill afterwards.

47,639. Had you anything whatever to do with the way in which Hill voted?—Not in the least.

FREDERICK BOWDEN sworn and examined.

F. Bowden.

47,640. (*Mr. Bere.*) How long have you had a vote for Totnes?—Since the election of 1863.

47,641. Whom did you vote for then?—For Mr. Seymour.

47,642. That was the first time when you had voted?—Yes.

47,643. Did any one canvass you?—Yes.

47,644. Who canvassed you then on behalf of Mr. Dent?—I really do not recollect now.

47,645. Try and see if you cannot remember who it was?—I have no recollection of it.

47,646. When they did come had you promised your vote to Mr. Seymour at that time?—I do not think I had.

47,647. What answer did you give to Mr. Dent's people?—I said that I could not vote for or support him.

47,648. Did you give any reason for not doing so?—I did.

47,649. What was your reason?—The reason was because the Conservative leader, Mr. Edmonds, some little time previously had caused my name to be struck off the register in consequence of an error in the copying of the rate.

47,650. Had your name been on the rate-book before that?—Yes, ever since the year 1842.

47,651. But you had not been a voter before?—I could have exercised my vote if I had liked.

47,652. Then what made you feel an anxiety to exercise your franchise all at once?—It was because the Conservatives had wished to deprive me of my vote by having my name struck off the register in the manner I have mentioned.

47,653. Then you wished to be able to get a vote, so that you might exercise your franchise in voting against them?—Yes.

47,654. Was that the only reason which you had?—That was the only reason I had at that time.

47,655. Is George Fitze your father-in-law?—Yes; the elder Mr. Fitze.

47,656. And is Mr. Fitze, who is sitting near to you, your brother-in-law?—Yes.

47,657. Have they ever exercised any influence over you in regard to your vote?—Not in the least. I think I can safely say to their credit that I have never been offered anything, directly or indirectly, by either party.

47,658. Have you ever got anything for voting?—No; not a penny.

47,659. Can you say whether your father-in-law ever got anything from the Liberal party on his own account?—Not that I am aware of.

47,660. Did he not get 10*l.* from some one of the charities?—Not in any way on account of the election; he was nominated as one of the recipients of the charity.

47,661. When was he nominated to that, can you tell us?—That would be some four or five years ago.

47,662. Had that nothing whatever to do with your voting for the Liberals?—Not the slightest. I have heard that Mr. Harris has insinuated that it had, but it certainly never had the slightest influence whatever over me. I did not see a single trustee upon the subject.

47,663. You have never had any money at any time for your vote?—No.

47,664. And have never offered any money to any one?—No, never.

47,665. What are you by trade?—A baker and confectioner.

Adjourned to Monday next at 10 o'clock.

THIRTY-FIFTH DAY.

THIRTY-FIFTH DAY.

W. Farley.

29 Oct. 1866.

Monday, 29th October 1866.

WILLIAM FARLEY sworn and examined.

47,666. (*Mr. Bere.*) Do you live at Bridgetown?—Yes.

47,667. Do you keep the "Exeter" inn?—No, the "Bridge" inn.

47,668. How long have you kept the "Bridge" inn?—28 years.

47,669. Whom does it belong to?—I am a leaseholder. I bought it 20 years ago on two lives; John Tork and Harry Tork. John Tork is dead and Harry is alive.

47,670. How long have you voted?—I always voted Liberal. I voted for the Duke of Somerset first.

47,671. When was the first time?—I think in the year 1837.

47,672. You have had a vote ever since?—Yes; it was the time that Mr. Parrott put up, and I voted for Mr. Seymour alone.

47,673. Whom did you vote for in 1859, when Mr. Dunn stood?—I voted for Mr. Mills, I believe, and Lord Gifford.

47,674. Did you get anything for that?—No, I did not; I had an offer.

47,675. Who offered you anything for that?—One of Mr. John Heath's sons, and a gentleman with him.

47,476. Which Mr. Heath was it?—One of his sons. I cannot tell. He came to my house, and asked if I would vote for Mr. Dunn, and I told him no, but I would vote on the other side, and they went away. Having an offer and taking it are two different things.

47,677. You did not take anything?—No.

47,678. Did you tell your own party you had had an offer?—No; I never had an offer on that side.

47,679. Did you tell your own party that you had an offer on the other side?—I cannot say whether I did or not. I may have said such a thing certainly, but I cannot say anything about that particularly. I do not look into it. I promised my vote, and I stuck to my tactics. I never changed, and I do not look after that, although I have had little presents I allow.

47,680. When did you have little presents?—John Elliott gave me a present.

47,681. When did he bring you that?—I believe just about Mr. Seymour's election.

47,682. Was that all that you ever had?—I had a present of 5*l.* for putting the name of Mr. Pender on the chair. He was carried up and down in my chair.

47,683. You had 5*l.* for that chair?—Yes.

47,684. Did you give him the chair the last time, or in 1862?—I have had the chair for the last 30 years, ever since the Duke of Somerset was carried.

47,685. Do you always have 5*l.* for it?—No.

47,686. (*Mr. Coleridge.*) How many 5*l.* have you had altogether?—I have had 10*l.* and 5*l.*

47,687. Was that all you had all your life for your vote?—I cannot say that. I had a gentleman who lodged with me, called Birch, and he used to write letters to different people; he was a wine merchant once. He lodged with me, and he owed me 5*l.*, and he said, "I have written to a member of Parliament "for a situation;" and I said, "If you can get a "present for me from Mr. Mills for voting three "times," and he says, "I will give you 5*l.*"; and he wrote to Mr. Mills for 20*l.*, which Mr. Mills sent a letter to go to Mr. Cuming for 20*l.*

47,688. Did you get the 20*l.* from Mr. Cuming?—Yes.

47,689. That is 10*l.*, and 20*l.*, and 5*l.*; what else have you had?—10*l.* from Earl Gifford.

47,690. That is two 10*l.*?—Yes.

47,691. No more fives nor tens?—No.

47,692. 45*l.* is all you had?—Yes.

47,693. No more?—No.

47,694. Was George Robins Stone your next door neighbour?—He lived next door to me before he was told to be off.

47,695. Did he come to you in 1863 and ask you to give a vote?—He never asked me the question in his life.

47,696. Did he not offer you 200*l.* to vote for Mr. Dent?—No.

47,697. Who did?—If I would go to Mr. Heath's house, they said if I voted for Dent I should have 200*l.* If I had worked for the Whigs and the Tories, and took money I could have had 300*l.* or 400*l.*, but I would not. When a gentleman comes and asks me for my vote I stick to him, and I would sooner lose my life than break my word.

47,698. Should you stick to him at the next election if he did not give you a present afterwards?—I had no present.

47,699. But would you stick to him at the next election if he had given you no present in the meantime?—If a gentleman comes to me and asks me, and I promise, I stick to him.

47,700. Would you stick to him if he gave you no present between the two elections?—Yes, I would vote for any man if I had given him my word. If they send me a present, well and good. I do not ask for it.

47,701. The present you received had no effect upon your vote?—After I have voted for a party I put the name on my chair, what the Duke of Somerset was carried in.

47,702. What do you think the chair is worth at an election? 5*l.* at every election?—No; that is too much for it.

47,703. What was the next sum of money you have got for the use of your chair at an election?—All the money I have told you.

47,704. That is the smallest sum?—20*l.*, 10*l.*, and 5*l.*

47,705. Twenty, two tens, and a five for the use of the chair?—That is right.

47,706. (*Mr. Bere.*) Did you see Samuel Heard during the last election?—I had nothing during the last election. The last election was badly managed. I say that this money was thrown away to a great many people, and I say it is wrong; they ought to give me 50*l.* from the Tory party and the Liberal party to keep the town safe, and not for people to come out at 2 or 3 o'clock in the morning, and break in my house, and break panes of glass.

47,707. Who did it?—The party going round the town, because there was only one party paid, the Tory party was paid, and the Whig party was not; but they ought to give 1*l.* a-piece for keeping the town safe, and not to have poor fellows' windows broken in the middle of the night. Ask the police. That is what I got at the last election.

47,708. I did not ask you what you got at the last election, I ask you whether you saw Samuel Heard at the last election?—Yes.

47,709. Did he come to your inn?—Yes.

47,710. Did he talk to you about Fox Green?—Not there.

47,711. Where did he talk to you about Fox Green?—He never said a word about Fox Green. He came in the morning. He was sent to me, and he said, "You and Screach cannot be turned out, and you

"may as well come to the 'Seven Stars,' there is "money going away by hundreds;" and I said, "I "do not go to the 'Seven Stars' for a hundred. I "voted for Pender and Seymour before, and I have "promised my vote to them again." "Well," he says, "if you can come there you can have some-"thing." Then he jumps up, after sitting in my room, and he says, "I do not care which way I voted, "I am looking out for money." "Money!" says I, "I have no money to give you, my good fellow. I "know nothing about it. I have seen you before, "but you are never a customer coming to my house." And he says to me, "Damn!" He says I should go out of the house, and see Mr. Prout, the duke's clerk, and ask him for 150*l.*, and I should sit in my window to see him go into his house. That is what he swore in the House of Commons, and when he came to swear before you, he understood that Mr. Prout lodged at the higher end of Bridgetown, as he said here to you; and I was telegraphed to go up on the lies he told there; and he came here and told lies; and he said that I should go out of the house and go to John Elliott's house, and when we came there there was a man called Fox Green, and they were eating and drinking, and I should say they were eating and drinking, and that Mr. Prout was coming with a bag of gold.

47,712. He has not said so before us. What did he say?

47,713. Much what you have told us here to-day?—Prout is the man that he said about in the House of Commons. He said nothing about Fox Green nor Elliott.

47,714. He told us about Fox Green and Elliott much what you say; you say you did not get anything at the last election?—No.

47,715. You never went and asked for it the last time?—No.

47,716. Except what you have told us you had nothing for your vote?—No.

ROBERT TUCKER recalled and examined.

R. Tucker.

47,717. (*Mr. Bere.*) How long have you been interested in the elections at Totnes?—I have had very little to do with the elections at Totnes.

47,718. You have had something to do with them?—The registration courts at Totnes I attended for the Liberal interest from the time of the passing of the Reform Bill to 1860. In that year I was ill and was obliged to give up business. I have not attended an election at Totnes, except that I was over for about an hour at Mr. Pender's first election, for the last 20 years.

47,719. Before you ceased to be the advocate in the registration courts you were over here a good deal at the time of the elections?—I was not for 20 years with the exception of about an hour at Mr. Pender's first election.

47,720. Can you tell us at all how many Ashburton voters there were on the register for Totnes?—I cannot. I can give you a guess, that is all.

47,721. How many were there in 1865?—From 10 to 20.

47,722. Can you tell us how many of the Totnes voters are on the register for Ashburton?—I think four or five.

47,723. Mr. Jeffery Michelmore is a voter for Ashburton?—Yes, and his father was.

47,724. Do you know on what qualification he votes for Ashburton?—On an estate called Summerhill.

47,725. Is he a member of a company?—He is.

47,726. I believe you were the first person who suggested the formation of companies?—Quite the contrary.

47,727. Then the honour is not with you?—That honour does not rest with me. The Tories of Ashburton began it, and then the Liberals began, and went on for years until they carried the borough.

47,728. How long ago did they begin it for Ashburton?—In 1858, and we began in 1862.

47,729. Have you any notion what number of votes there are in Ashburton created in that manner?—By companies?

47,730. By companies?—On the register of 1865?

47,731. Yes?—Only one company; 29.

47,732. Were these Liberals or Conservatives?—All Liberals. There were a great many Conservatives. The Liberals had 29, and the Conservatives had I should think, though I am speaking at random, from 60 to 80.

47,733. What is the constituency of Ashburton?—Between 400 and 500; 430 last year.

47,734. (*Mr. Coleridge.*) Who had the honour of advising and assisting these companies on behalf of the Tories?—I believe John Tozer. The first company was formed on an estate called Preston, near Ashburton. I think those voters came on in 1859. A great number of estates were afterwards taken up on the Tory side until we found we must carry out the old Devonshire motto, that "A crooked knife must have "a crooked sheath," and at last we beat them.

47,735. (*Mr. Bere.*) Are there any voters at Ashburton who vote for "building and land"?—Yes.

47,736. Are those buildings giving the qualification erected on the land for the purpose of conferring the votes?—No doubt of it.

47,737. The constituency of Ashburton is similar in a good many ways to the constituency here?—It is so. The first building erected for the purpose of making a vote for Totnes belonged to a person whom no doubt you have heard of very much, the notorious Captain Cooke of Exeter. On his property the first building was erected. I afterwards purchased it, and it came into my hands.

47,738. How long ago was that, do you remember?—I think 20 years ago.

47,739. We have had it earlier than that here; the first building on which a vote was claimed?—I am speaking of buildings erected on purpose.

47,740. Do you remember when the first vote for "building and land" was claimed at Ashburton on an already erected building?—I think immediately after the Reform Act. A number of buildings were erected previously to the Reform Act. I am speaking of the first building erected purposely for the vote was on two fields belonging to Captain Cooke, which I afterwards bought.

47,741. There is one matter which we could not arrive at on Saturday: is there a Mr. Edward Sawdye a client of yours?—William Sawdye?

47,742. Did you have a bill against him for some professional services?—Yes, I had.

47,743. Can you remember the amount of the bill?—There was an action brought. I am speaking of three years ago.

47,744. It was about 35*l.*?—It is more than that. There was some action at law that he had, and he recovered costs against the party. Mr. Sawdye succeeded, and there was a balance of about 40*l.*

47,745. Was that paid to you by Mr. Henry Michelmore?—It was, certainly.

47,746. Can you remember whether it was paid in one sum or in more than one sum at two different times?—It was all paid together by Mr. Henry Michelmore. I think the three Mr. Michelmores were present.

47,747. Was it paid by a cheque?—I cannot remember.

47,748. Had you been asking Mr. Sawdye for the amount of his account?—Yes.

47,749. Had you been asking him for the amount between the times of Mr. Pender's election in 1862 and Mr. Seymour's election in 1863?—I do not remember the times.

47,750. December 1862 and January 1863?—I dare say about that time. In 1863 I think.

THIRTY-FIFTH DAY.

29 Oct. 1866.

R. Tucker.

47,751. Do you know when it was paid?—I do not.

47,752. Do you know that Sawdye knew it was paid?—I do not know; he was not present when it was paid.

47,753. He was not present?—No.

47,754. Mr. Jardine is the member for Ashburton now?—Yes.

47,755. He was elected without opposition, was he not?—Yes.

47,756. Did you and he come over here on the day of the election?—Not the day of the election, the day of nomination. I will tell you what he came there for if you please. Shall I tell you?

47,757. Certainly.—I am his agent, you are probably aware of that, and of course I am the party who day by day fixed out for him where he was to go to canvass the voters, who live at a considerable distance from each other. The constituency, although small, lies at a considerable distance round Ashburton, and it takes a long time to canvass the whole of them, and I think the Totnes nomination was on a Tuesday, and generally at night I used to tell him where to go; and I told him on the night before, on the Monday, that he should go on the road to Totnes and see the voters whom he had not then seen. Before that he had not the slightest idea of Totnes.

47,758. (*Mr. Coleridge.*) Was the Ashburton election after the Totnes election?—No. The Totnes election, I think I am right, was on a Tuesday, and the Ashburton nomination was on a Wednesday. The Ashburton nomination and the Ashburton election unopposed was on the same day as the Totnes election.

47,759. (*Mr. Bere*). There being no poll?—There being no poll.

47,760. Was that the only time Mr. Jardine ever came over to Totnes?—That is the only time in his life that he came over.

47,761. We have heard some money was brought over by you to Totnes?—I know that you have heard so.

47,762. Did you bring any?—Not one farthing.

47,763. As far as you know did Mr. Jardine bring any?—Most certainly not.

47,764. Have you any reason for suspecting that any money was passed over from Ashburton to Totnes?—Not the slightest in the world; in fact, I may say positively there never was one shilling brought to Totnes. It could not be brought without my knowledge. Perhaps you will allow me to say that Mr. Jardine did not know either candidate here, either Mr. Seymour or Mr. Pender, and he was introduced to Mr. Seymour and Mr. Pender at the "Seymour" hotel after the nomination. That was the first time.

47,765. (*Mr. Coleridge.*) Does Mr. Jardine belong to Brooks's or the Reform Club?—I do not think so. He is a very retiring man, and I do not think he would mix himself up with anything of the kind.

47,766. Do you know Mr. Abel Smith, the member for Falmouth?—Mr. John Abel Smith. He is the member for Chichester.

47,767. (*Mr. Bere.*) Has he any property in the county?—Who? Mr. John Abel Smith?

47,768. Yes.—None whatever.

47,769. Did you canvass yourself any voters for Totnes who were resident at Ashburton?—Do you mean canvass them for Totnes?

47,770. Yes.—No, never. I should tell you there was no necessity to canvass voters on the Liberal side for Totnes; they were all safe. Voters resident at Ashburton who were voters for Totnes were perfectly safe, and there was no need to canvass them. Of course men are fools if they do not take care of their interest.

47,771. (*Mr. Coleridge.*) They were all manufactured votes?—They were all manufactured votes.

47,772. I suppose Ashburton is within seven miles of Totnes?—Quite so, as the crow flies.

47,773. You got up the evidence on the petition when Mr. Brooking Cuming was ill?—Yes, I got up all the evidence for the petition; it was a matter of great pain to me, because, as I have told you, in 1860 I overworked my brain, and from that to the present time I cannot read or write, but I wrote all these notes myself and did myself a great deal of injury.

47,774. (*Mr. Bere.*) There is one examination which I think in fairness to yourself ought to be put into your hand that you may be asked about, because it is a matter that I think gave rise to a remark of mine?—I can explain that.

47,775. It is Mr. Parnell's evidence with regard to the receipt of money?—I think it is right that that should be explained. Will you allow me to ask you whether or not the evidence of Mr. Parnell, as it is in the statement I took in my handwriting, agrees with the evidence in the brief which Smith and De Gex made.

47,776. Take Parnell's evidence, which is in your writing, and the brief which Smith and De Gex made of it, and compare them?—I think this evidence has been altered.

47,777. You will see first of all the name of Mr. Chaster is given as the person he received that money from?—I may, perhaps, give you shortly what is the fact. I took Parnell's evidence twice. The first time I took it he told me that he had the money from Mr. Chaster. He says here, "I borrowed all "the money I had from Mr. Chaster on an I.O.U., "and I am liable to repay it."

47,778. That was his first statement to you?—That was his first statement to me, and that has been altered; it has been struck out by me, and the word "altered" has been written in the margin. I will tell you why that was done. Day by day I took this evidence at Totnes, and day by day as I took it I sent it on to Smith and De Gex, who were the London agents. Well, Parnell's evidence was sent on as having received money from Mr. Chaster, and either the next day or the next time I came to Totnes I either sent for or saw Mr. Chaster, and said, "I "must take your evidence, because I find you have "given some money to Parnell." He says, "It is "utterly untrue, I have not given any money to a voter "at all." I said, "It is nonsense; Parnell says he "had money from you, and gave you an I.O.U." He said, "There is not a single word of truth in it; "I never gave Parnell a single shilling." I said, "It is very extraordinary, I must send for Parnell "again;" and I sent for him and told him that Mr. Chaster denied his having had any money from him at all; and he said, "Well, I did not have the "money from Mr. Chaster." I said, "Where did you "get the money?" He said, "The money was my own." This is what he said:—"I was actuated by a wish to "benefit the Liberal cause, as the Tories were bribing "so highly. That is true; I told you wrong before. "I did not have the money from Mr. Chaster; the "money I advanced to the parties was my own "money." Then I have altered that, and the reason of my altering that was this, that I had the evidence re-copied; first, as he gave it to me, saying that he had the money from Mr. Chaster; secondly, as he gave it to me, saying that he had advanced it out of his own pocket. I put that down in red ink with the word "altered" written in the margin, so that I might draw Smith and De Gex's attention to it; then I wrote them a letter drawing their attention to the altered evidence, and begging them to take care before the brief was given to counsel to have that altered.

47,779. Did Parnell ever tell you that he had had the money from Mr. Windeatt?—No; as the agent down here I was anxious to ascertain if any act of bribery could be brought home to the sitting members or their agents, and I was desirous of making out the best case that I could for counsel. Then I asked this man Parnell this question:—"Did you get any money from "either of the members or from Mr. Windeatt, or "from Mr. Michelmore?" His answer was, "I had "no money at all from either of the members, or

" from Mr. Windeatt, or from Mr. Michelmore; I " had no authority from either of the members, or " from Mr. Windeatt, or from Mr. Michelmore, to " give money to any one." When I found out that he had stated that which was untrue in his story as to having had the money from Mr. Chaster, I asked him whether he had received any money from either of the members, or from Mr. Windeatt, or Mr. Michelmore. His answer was, that he had never had a shilling from either of them.

47,780. That letter has your signature to it (*handing a letter to the witness*)?—Yes.

47,781. Was that a letter written by your direction to Messrs. Travers Smith and De Gex?—It is; I do not write my own letters; it is my signature.

47,782. You will see in the third page there are these words: "I also send you under the same cover " additional evidence as to Parnell's statement of " having had money from Mr. Chaster. See that his " evidence is re-copied. Please substitute that for his " former evidence." Now if you look at Messrs. Travers Smith and De Gex's brief you will see that no alteration has been made in that?—Not the slightest.

47,783. It remains in Mr. Travers Smith's brief as if Parnell had stated that Mr. Chaster had given him the money?—It is stated here exactly as I sent it up to them in the first instance, so that it is perfectly clear that they paid no attention to my letter; but that I am not in the least surprised at; I found that they had such a mass of business going on at that time that it was quite useless my saying anything about it. I did not get an answer to one letter that I wrote out of 10. I think Mr. Chaster mentioned to me on the last occasion when I was here something about this. He said he had been told that Parnell had said he had lent money to him, and had got his I. O. U.; that that was untrue. I told him that could not be so. He replied that it had been read here from the counsel's brief; then I told him if that were so Messrs. Smith and De Gex had not altered it as I requested them.

47,784. (*Mr. Coleridge.*) Which of the firm attended personally to the Totnes petition?—I did not know Mr. De Gex; I only saw Mr. Travers Smith; he always attended to the matter. I think they had the Nottingham petition on about the same time and were much occupied.

47,785. (*Mr. Bere.*) Are any of the memoranda in the margin of this paper Mr. Smith's memoranda?—No, Mr. Smith never had that paper; it was always kept in my own possession. I came over here in the morning and went back in the evening, and what I did one day was copied out during the next day.

47,786. (*Mr. Coleridge.*) Were your memoranda sent away at the same time as your notes were sent away?—No, I think not.

47,787. How many of these memoranda do you think were embodied in the proof that you prepared?—Will you say what memoranda you mean?

47,788. Mr. Travers Smith had all your memoranda as well as the evidence?—He had every information I could give him.

47,789. (*Mr. Bere.*) Will you look at that letter? It is only the last paragraph of it. That is a letter written by John Abel Smith?—Yes, I will explain that to you.

47,790. Read the paragraph?—" I saw the Duke " of Somerset last night and he will write to-day to " Michelmore." I will explain that. I wrote to Mr. John Abel Smith to ask him to call upon the duke, as Mr. Jardine was a candidate for Ashburton.

47,791. What had John Abel Smith to do with it?—He was a great friend of Mr. Jardine's.

47,792. Nothing else?—Oh, yes, he had to do with Ashburton. Mr. Jardine's uncle was a member for Ashburton in 1847, and John Abel Smith introduced his uncle; otherwise he was not lately connected with Ashburton.

47,793. Are many of Lord Cranstoun's tenants voters for Ashburton?—Yes, several.

47,794. The same people who are voters for Ashburton, are they voters for Totnes?—Some of them are. Because Lord Cranstoun has tenants in Widdicombe and Buckland, near the moors.

47,795. Can you tell us whether Lord Cranstoun's influence was used with regard to the Totnes election?—No, the contrary.

47,796. Did he turn round much before the election?—Yes, we suspected him to turn round six months before. I could tell the reason, but I would rather not. He did turn round, and he did everything to get his tenants to vote against their own party; but I am proud to say they stood against the influence.

47,797. They were more afraid of Mr. Michelmore than Lord Cranstoun?—No, neither.

47,798. (*Mr. Coleridge.*) You say Lord Cranstoun's influence depended on the votes of the companies?—No, Lord Cranstoun's were all *bonâ fide* tenants.

47,799. Mr. Smith says, "I presume I may conclude " by what I read of the judgment in the Totnes case, " to which you drew my attention, that the system of " farm or company votes is finally and completely ex- " tinguished. A great portion of Lord Cranstoun's " power and influence dies with it"?—It is written after the judgment, and if the objection had been to Ashburton as to Totnes, we must have lost the election.

47,800. I ask you how Lord Cranstoun's influence was affected by the striking off of the votes, assuming them to have been struck off?—Lord Cranstoun's influence was not in companies at all; it was wholly in building and land. The Court of Common Pleas had two cases before them; one a case of companies, in which the revising barrister decided in favour of the company, and the Court of Common Pleas reversed the decision, and decided against the company; another was a case of building and land, in which the revising barrister decided against the building and land, and the Court of Common Pleas decided that building and land was a good vote; and Lord Cranstoun's was building and land.

47,801. If the revising barrister thought it of sufficient value?—Yes; Lord Cranstoun's were *bonâ fide* voters not made for the purpose. They rent the land and occupy it.

47,802. (*Mr. Bere.*) Take those vouchers and look through them, and tell me whether there is any person who has given any of those papers who is a voter for Totnes?—No.

47,803. There is one name there, the first name, that is the name of a voter for Totnes?—Yes, but that is not the same man; decidedly not.

47,804. Have you been interested in the election at Dartmouth at all?—Yes.

47,805. Is the constituency of Dartmouth much the same as Ashburton and Totnes?—Yes, a number of persons vote upon building and land, and at Dartmouth it is a bad system and ought to be done away with.

47,806. Were you the original communication that acted between the Liberals in this district and the party in London?—About what?

47,807. As to any matters to be discussed.—No.

47,808. Not as the head of the party?—No, I have been round the country managing the county registration. I did not communicate with the London men. I do not like them at all.

47,809. (*Mr. Longe.*) With regard to building and land, do you find, generally speaking, that the landlord is able to get the number of tenants to take them and to get other people to put their cattle in them?—If I had 50 other fields to let at Ashburton to-morrow, I could get them at once, and they would feel themselves under an obligation, and our men like to have a change for the cattle.

47,810. Independent of the vote?—Yes.

47,811. (*Mr. Coleridge.*) It is considered a favour to get one here?—The cattle cannot live three or four years on the moors, the granite soil will not allow it.

47,812. (*Mr. Bere.*) Mr. Jardine has requested us to defer his examination till we get to London, and it

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may be necessary to require your presence there?—I shall be most happy, and I must thank you for the courtesy with which you have treated me.

47,813. (*Mr. Bere.*) There is one question I ought to ask you. There is a letter among your letters from Mr. Haydon asking you for payment, because he came over here to visit a man named John Light?—Yes, he came over with Light, and I can explain that. Mr. Haydon is a surgeon at Berry Castle and a voter for Ashburton, and Mr. Light is a voter for Totnes. Light is a schoolmaster and a voter for Totnes, and Mr. Haydon came from Ashburton to Totnes to be present when Light polled.

47,814. Did you pay Mr. Haydon what he demanded?—I do not know that he took anything.

47,815. He asks you in his letter for payment of 1*l.* 13*s.* 6*d.* for going to Totnes?—He never had a penny from me.

J. Mitchell.

JOHN MITCHELL sworn and examined.

47,816. (*Mr. Coleridge.*) Have you a vote for Totnes?—Yes.

47,817. How long have you had it?—I had got it from the first passing of the Reform Bill.

47,818. For the last 20 years we may say?—I do not remember the first time I voted.

47,819. Which way do you generally vote?—I vote for the Liberals.

47,820. Always?—Yes.

47,821. You always have?—Those are my principles.

47,822. Have you ever worked at all for the Liberals in the way of canvassing?—Never. I never went about canvassing, but I went to see a friend.

47,823. When you had a friend over whom you had an influence you went and talked to him?—Yes.

47,824. Do you remember talking to a man named Gillham at Mr. Pender's first election?—I remember that he committed the greatest perjury a man ever committed.

47,825. Will you answer my question? Did you talk to a man of the name of Gillham at that election of 1862?—I did; in fact, he talked to me.

47,826. What was the purport of the conversation?—The purport of the conversation was, I was going over the Totnes bridge the night before the election, that was the evening of the nomination.

47,827. That was Mr. Pender's election?—Yes. And he came and rambled up pretty well drunk about eight or nine o'clock, I suppose, when the game was finished and over, and there was no money to be had, he comes up to me and offered himself to vote for Mr. Pender if I could get him 200*l.*, and he offered two others.

47,828. Who were the other two?—I did not ask him.

47,829. He offered to vote for Mr. Pender, provided you could get him 200*l.*?—Yes.

47,830. Is your name John?—Yes.

47,831. What did you say to him?—I told him I would not have anything to do with it; I never had had anything to do with such a thing in my life.

47,832. Did you tell him whom to go to?—No; I never said a word to him of the sort.

47,833. That is all that took place?—Yes, everything that took place. There was nothing more. I went into the large room of the "Seymour," and told them, "The game is up. Dent is not going to stand." They said, "Where did you hear that?" "Because," I said in the public room, "Tom Gillham has offered "himself, like you yourselves, for so much money."

47,834. About what time was that?—About 9 o'clock. He sent in his resignation about two hours afterwards.

47,835. You thought it was all up because Gillham came to you?—Yes.

47,836. Had Gillham always voted the other side?—Always.

47,837. And always been paid?—Yes.

47,838. Did he say anything when you said you would not have anything to do with giving him the 200*l.*? Did he say he should go the other side?—He did not say anything at all.

47,839. He merely went off?—Yes.

47,840. In 1863, the next election, did Gillham again come to you, and ask you to do anything for him in the "Seymour" election?—No.

47,841. Did you never speak to him about the 1863 election?—Never. I never said a word to him about it.

47,842. In the 1863 election did you say anything to any other voter, or did any other voter say anything to you about money in 1863?—No.

47,843. None at all?—No. It was no use for them to do so.

47,844. Now, at the last election, in 1865, did anybody talk to you?—No.

47,845. Did Gillham come and talk to you?—No.

47,846. Were you on the committee?—No; I gave my independent vote without being biassed; in fact I never was at a public meeting at the last election at all.

47,847. Are you not one of what are called the independent voters, or one of the duke's men?—An independent one, quite independent.

47,848. What do you vote upon?—In fact I have two votes, I vote for the house I live in Bridgetown.

47,849. Is that one of the duke's houses?—It is my own house, or the lease is.

47,850. Who is the landlord of it?—The duke.

47,851. Is your other vote on a house and buildings?—On a cellar.

47,852. Where is that?—That is also in Bridgetown.

47,853. Did Mr. John Symons also rent the stores with you?—Yes, he did.

47,854. How long has he given them up?—He still rents them.

47,855. Have you given them up?—Yes.

47,856. Where does Mr. Symons live?—At Buckfastleigh.

47,857. He voted for the Liberals last election?—Yes.

47,858. Do you know whether he ever said he should not vote for the Liberals?—I do not recollect that.

47,859. Had not you a little to do with getting his vote?—Very likely I had.

47,860. How did you manage that?—I managed it by conversation with him. I pointed out the fallacy of what other people had told him.

47,861. What had other people told him?—That the duke wanted to grasp the whole seat; only let them have one and the duke the other they would be very well satisfied.

47,862. That was all?—Yes.

47,863. Did you not suggest that supposing he did vote for the Conservatives you might get turned out of your stores?—Never. They would not turn me out of the stores.

47,864. Would not they have done so if you had not kept your partner straight?—Certainly not.

47,865. What is the value of your stores?—30*l.* a year.

47,866. In what year did you take them?—That I do not know.

47,867. Have you got a lease, or are you a tenant from year to year?—From year to year. The present holder was always opposed to it.

47,868. Who is that, Mr. Winter?—His name is Bearnes.

47,869. Has he got a lease?—No.

47,870. (*Mr. Harris.*) He is not a voter. That is a brother.

(*The Witness.*) Thomas is the voter upon that.

47,871. (*Mr. Harris.*) He votes upon the field.

(*The Witness.*) I do not think the court ought to allow such a vagabond as that to interfere.

47,872. (*Mr. Bere.*) We must beg of you not to use such language here.

47,873. (*Mr. Coleridge.*) Have Thomas and John Bearnes both got votes?—No.

47,874. Who has a vote?—I think the present holder.

47,875. Do you know whether he is upon the register at the present moment?—No.

47,876. Then you are speaking about what you do not know?—It is very unlikely. His brother Thomas has got a vote.

George Field sworn and examined. *G. Field.*

47,877. (*Mr. Bere.*) You are a tenant of the duke's, are you?—Yes.

47,878. How long have you been a tenant?—Twenty-one years, I think.

47,879. Twenty-one years?—Near about that.

47,880. What do you vote on?—House and fields.

47,881. What is the value of the house?—*6l.*

47,882. What is the value of the field?—*5l.* 10*s.*

47,883. Did you ever get any of your rent handed back to you?—No.

47,884. Do you pay rates and taxes?—I do.

47,885. Have you been a voter ever since you have been a tenant of the duke's?—Yes, and before.

47,886. Where were you living before?—The "Crown and Anchor" for four years, and the "Bell" inn for five.

47,887. Have you always voted for the Liberals?—Yes.

47,888. Have you ever had any money for voting for the Liberals?—No.

47,889. Not a little present?—I know all about it. I never had any present.

47,890. Did you have any money at all after the election or during the election from Mr. Michelmore?—Never in my life.

47,891. From anybody?—None of the party.

47,892. What are you?—A gardener.

47,893. You work on the duke's property?—Yes.

47,894. Where do you work?—In the shrubbery ground at the castle.

47,895. You are in the actual service of the duke himself?—Yes.

47,896. Have you ever had your wages a little increased after an election?—Not a farthing. I never had any remuneration at all.

47,897. Do you imagine that if you vote for the Conservatives you would still look after the shrubs at the castle?—No doubt of it.

47,898. You believe that?—I do believe it.

47,899. I understand you to say that neither directly nor indirectly have you ever received any money for your vote?—No.

47,900. At any time, at any election?—At no time, at no election.

James Mitchell sworn and examined. *J. Mitchell.*

47,901. (*Mr. Longe.*) Where do you live?—Bridgetown.

47,902. Is the house your own?—For the present it is; a lease on lives.

47,903. It is leased to you?—Yes.

47,904. How long have you lived in it?—I have lived in it ever since 1830.

47,905. Did you have a vote for that house?—Yes.

47,906. You voted at all the elections?—Yes, at all the elections.

47,907. Have you always voted on the same side?—I generally vote one on each side. The first time I voted was for Lord Borington.

47,908. He was a Conservative?—Yes.

47,909. You generally voted one on each side?—Yes.

47,910. What is your trade?—Tin-plate worker.

47,911. As a tradesman do you find that it suits your business better to vote on both sides? What is the reason for your voting on both sides?—Well, I do not wish to displease either party.

47,912. To benefit the country?—I did it because it should not injure me.

47,913. You find it necessary in Totnes?—Quite so.

47,914. Are you employed by the duke's agents?—Not at all.

47,915. But you have customers who are Liberals and customers who are Conservatives?—Quite so.

47,916. You are canvassed for your vote I suppose at each election?—Yes, I was canvassed on both sides.

47,917. Take the last election. Whom were you canvassed by for the Conservatives?—Mr. Pender called on me several times, canvassed me himself.

47,918. You did not promise your vote when he called?—No, not at all.

47,919. What did you tell him?—I told him I could not promise him, and he appeared quite satisfied from what I stated to him.

47,920. And he called on you several times?—Yes.

47,921. Did he ever hold out any inducement to you?—None whatever.

47,922. I do not mean to say directly in the money way?—Never in my life.

47,923. Did any one?—No one.

47,924. On behalf of Mr. Pender?—No one.

47,925. Did you promise ultimately your vote to Mr. Pender?—No.

47,926. You voted for Mr. Pender at the last election?—No.

47,927. You voted for Mr. Seymour?—Seymour and Dawkins.

47,928. Did you promise your vote to Mr. Seymour?—Yes.

47,929. When he first called?—Yes, I had voted for him before.

47,930. And you promised when he first called?—Yes.

47,931. Who called upon you for Colonel Dawkins?—Col. Dawkins called on me himself and so did Commander Pim. They all called on me.

47,932. Was any offer made to you by the Conservatives?—None whatever.

47,933. No one called on you on behalf of the Conservatives, and offered you money in any way?—If they had done such things I should vote against them directly on that account.

47,934. You never have had any present of any kind in respect of your vote?—None whatever.

47,935. Have you ever taken part?—Never a farthing.

47,936. Have you ever taken part in giving money to any one else?—No one. I wish everybody voted as I do, and then they would be returned free.

47,937. Is George Randle Mitchell a son of yours?—Yes.

47,938. Did he persuade you to vote for Seymour the last time?—I do not know that he did.

47,939. Did not he?—He just called over on me on the morning of the election, and says, "Father, how "are you going to vote?" "I shall plump for Seymour," I told him, and I did so.

47,940. (*Mr. Coleridge.*) What made you plump for Mr. Seymour?—I thought they were going to run pretty tight, and I went against the Tories on that account. If I had voted for Mr. Pender I should say I voted against the Tory party.

47,941. You would rather vote one for Seymour and one for Dawkins, but you would rather Seymour came in?—Yes. I think the Seymour interest have a greater claim to the borough than any stranger.

47,942. You did not know that the duke had given

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up his interest in the borough at that time ?—He has not. I do not think he has given up the interest in the borough.

47,943. We have heard since that he gave that up in 1864 ?—I do not see it myself.

47,944. (*Mr. Bere.*) Did not Mr. Brooking Cuming canvass you ?—I think he did.

47,945. When was that ?—1862.

47,946. Was that with Mr. Pender ?—Yes, I think he did.

47,947. Or was it Mr. Dunn's election ? Do you remember anything about that ?—I voted for Dunn.

47,948. And Lord Gifford, did not you ?—Yes, Lord Gifford.

47,949. Did not Mr. Brooking Cuming come to you then, and ask you to vote for Mr. Mills ?—Yes.

47,950. Did not he say he could do you a good turn if you did vote for Mills ?—I voted against Mills.

47,951. Did not Mr. Brooking Cuming try to get you to vote for Mills ?—No doubt about it.

47,952. Did not he offer you money ?—He never offered a shilling to me in my life.

47,953. Did not George Evens offer you at that election 30*l.* ?—Evens never called on me. I never saw George Evens on such a matter in my life. It must be another person.

G. Parrott.

GEORGE PARROTT called and sworn.

47,954. (*Mr. Bere.*) Where do you live ?—At Weston.

47,955. That is not very far ?—No.

47,956. Whose house do you live in ?—The duke's.

47,957. How much do you rent of him ?—I hold a large estate of him.

47,958. What did you vote on ?—Building and land.

47,959. Where ?—Spark Hays.

47,960. What is the value of the land ?—20*l.* a year.

47,961. How long have you voted ?—Since 1859.

47,962. Have you voted for the Liberals every time ?—Yes.

47,963. How much have you had for voting for them ?—I am against all that.

47,964. But you have had a good deal to do with handing money to other people ?—Well, I did once, and that is all.

47,965. Only once ?—Only once.

47,966. When was that ?—The last election, to Thomas Pack, my own workman.

47,967. How much ?—I did not count it. I was told it was 40*l.*

47,968. Where did you get it from ?—From Samuel Parnell at the "Seymour" hotel.

47,969. Did you find it in a room ?—He gave it to me.

47,970. Was it notes or gold ?—Notes.

47,971. Is that the only time you ever had anything to do with an election in the way of paying money ?—Yes. I would not have done it then except to oblige old Mr. Michelmore.

47,972. Did old Mr. Michelmore ask you ?—Yes.

47,973. I suppose Pack's vote was not quite safe ?—Yes.

47,974. What did Mr. Michelmore give you 40*l.* for Pack ?—Because he had been very badly treated, so Pack told him.

47,975. Did you go up to London about the petition ?—No.

47,976. Is William Perrott a relation of yours ?—No relation.

47,977. Is that the only occasion you had anything to do with it ?—That is the only occasion I had anything to do with it, and I said I would never have anything more to do with such a matter.

47,978. Who votes besides you on that field ?—My uncle.

47,979. What is his name ?—John Searle.

47,980. Does he ever occupy the land ?—Yes, joint occupier.

47,981. Does he ever put any cattle on it ?—It is all ours.

47,982. How many head of cattle has he put on in the last year ?—It is the estate and the field altogether.

47,983. Does he live with you ?—Yes.

47,984. You took the estate and field jointly ?—Yes; joint occupation.

47,985. You are the persons to whom Mr. Michelmore alluded, the uncle and nephew farming jointly ?—Yes.

47,986. What is the value of your estate altogether ?—Between 500*l.* and 600*l.* altogether.

47,987. (*Mr. Longe.*) Is Westaway in your employ ?—No.

47,988. Do not you know the name ?—No.

47,989. Do not you know any one of the name of Westaway ?—No.

47,990. Do you remember a municipal election when one of your labourers voted for the other side and you afterwards turned him off ?—I did not turn him off.

47,991. You remember the case I allude to ?—I do. It was a man of the name of Westaway; he came to me the next morning; he has not worked for us for a great number of years.

47,992. You had a man of that name working for you once ?—Yes.

47,993. When was that ?—10 or 12 years ago.

47,994. Did he vote against the Liberal party at one of the municipal elections ?—He did; he voted as he liked.

47,995. After that was he turned off ?—No; he took himself off.

47,996. Was there a dispute between you and him as to his vote ?—No; I never said a word to him about it or to my uncle.

47,997. What reason did he give you for leaving your service ?—He said, "I shall take myself off, I "have been offered a better house of work." He said he could get more wages than he got with me.

47,998. Did he leave his house ?—I do not know; he said he could get better work and more wages as a gardener. I believe the Conservative party promised him that the day he voted.

J. B. Prout.

J. B. PROUT recalled.

47,999. (*Mr. Bere.*) Are the entries in the book before me in your handwriting ?—No.

48,000. Whose are they ?—Mr. Callard's.

48,001. Are you sure of that ?—Yes.

48,002. Do you know anything about this erasure ?—No.

48,003. Show me where it is your handwriting ?—That is it (*pointing to the book*).

48,004. Had you anything to do in the election of 1865 with a man of the name of Paddon ?—Yes, I went to Dartmouth to see him.

48,005. And did you give him 50*l.* ?—No, I never spoke to him about money.

48,006. Who was he ?—He was the station master there.

48,007. You did not offer him any money ?—No.

48,008. But do you know that he got money ?—I do not know that he got any money; he might have done so. I do not know that he did.

48,009. Then what was it made you go and see him ?—I went to ask him if he would vote for Pender and Seymour.

J. B. Prout.

48,010. Had he not been canvassed before by some one?—That I do not know. Mr. Windeatt asked me to go and see him, and I did.

48,011. Had not Mr. Jenkins canvassed him before?—That I do not know. He told me that he did not think he should vote for Mr. Seymour; but that he had made up his mind to vote for Mr. Pender.

48,012. Do you know which way he did vote eventually?—I really cannot tell you that. He showed me a letter which he had had from Mr. Harris.

48,013. A letter about what?—Threatening him with imprisonment if he voted for us.

48,014. The usual letter you mean?—Yes.

48,015. We see that he voted for Mr. Pender and not for Mr. Seymour. What was his qualification?—He lived in a house at Bridgetown.

48,016. Do you mean that he lived at Bridgetown and was the station master at Dartmouth?—He had but just left his house; he had a vote.

48,017. The letter which you have referred to was a letter which Mr. Harris wrote to all the voters, saying they would commit a misdemeanor if they voted in such and such a way?—I think the letter stated that they might vote for the Conservatives, but threatened them with imprisonment if they voted for us.

48,018. We have seen the letter. It is the usual letter?—I think it was something to that effect.

48,019. In 1863 did you go to see Robert Lake a good many times?—I did, several times.

48,020. Did you canvass him?—Yes.

48,021. Did you ever inquire how much he would take for his vote?—I never mentioned a farthing to him.

48,022. Did you intimate to him that a little money might be had?—No.

48,023. What made you go to him more than once?—He did not come until the day of the nomination, and I was getting rather timid as to his vote.

48,024. And you went to see him?—Yes.

48,025. In what temper did you find him?—I found that he was rather shaky.

48,026. What did he say?—That he was going to vote for Mr. Seymour and would not go from his word. I went again in the morning and I saw his wife; she said, he is gone; he is going to vote for Mr. Dent; he had gone away before I got there. I never mentioned to him anything about money I assure you.

48,027. You have ceased to be Mr. Henry Michelmore's clerk these six months?—About that.

James Paddon sworn and examined.

J. Paddon.

48,028. (*Mr. Bere.*) You are the station master at Dartmouth?—Yes, and at Kingsweir as well.

48,029. How far is Dartmouth from Totnes?—A little more than seven miles.

48,030. Is it not more than that?—It is by the river.

48,031. Have you ever had the distance measured, on the ordnance map?—No.

48,032. You voted for Mr. Pender at the last election?—Yes.

48,033. And for Mr. Pender only?—For Mr. Pender only.

48,034. Was that the first time you had voted?—Yes.

48,035. You remember Mr. Prout coming to canvass you for Mr. Seymour?—Yes.

48,036. Did he mention to you any money that you might have if you did vote for Mr. Seymour?—None whatever.

48,037. You received a letter from Mr. Harris?—I did.

48,038. Did any one come to you from the Conservative party?—Yes.

48,039. Who was it?—Mr. Percy Hockins, the solicitor, of Dartmouth.

48,040. Did he hold out any inducement to you to vote for the Conservatives?—None whatever.

48,041. But merely asked you for your vote?—He merely asked me, as any gentleman would do, if I would give Colonel Dawkins a vote. He knew that I belonged to the other side, but said that he would take it as a favour if I would give Colonel Dawkins a vote.

48,042. Did Mr. Jenkins canvass you?—No.

48,043. Not at the station at Newton Abbott?—No.

48,044. Do you know Mr. Jenkins?—Yes, I do.

48,045. Did you not see him at the station at Newton?—No, I did not; I saw him at the station at Kingsweir.

48,046. Did he say anything to you?—He said, I suppose you will come up all right.

48,047. You did not get any money or receive any advantage for voting for Mr. Pender?—None whatever.

48,048. Did you ever offer money to any one?—No.

48,049. Neither directly or indirectly have you received any advantage for voting for Mr. Pender?—None whatever.

48,050. Is Mr. Haines the chairman of your railway company?—No, Mr. Woolcombe.

48,051. Is your line leased to the South Devon Railway Company?—Yes.

William Hodge sworn and examined.

W. Hodge.

48,052. (*Mr. Coleridge.*) Where do you live?—At Berry Lodge.

48,053. How long have you had a vote for Totnes?—Since 1862.

48,054. Who did you vote for in 1862?—For Mr. Pender.

48,055. And in 1863 for Mr. Seymour?—Yes.

48,056. And in 1865 for Pender and Seymour?—Yes.

48,057. Did you get anything for your vote?—Nothing.

48,058. Or did you yourself give any one any money?—No, none whatever.

48,059. You are one of what have been called the made votes?—Not at all; I have a field where I keep my own cattle.

48,060. Do you live in Totnes?—No, I live at Berry Lodge. I am the woodman to the Duke of Somerset.

48,061. What is the value of the land and buildings which you hold?—10*l.* a year.

48,062. And do you keep your own cattle upon it?—Yes.

48,063. You do not let it out to any one?—No, ever since I have had it I have put my own cattle and horse upon it.

48,064. (*Mr. Bere.*) Who is it who pays you your wages?—Mr. Michelmore.

48,065. You are a regular servant in the duke's employment?—Yes, and have been under him for 32 years.

48,066. (*Mr. Coleridge.*) Do you pay the rent?—Yes.

48,067. Without any deductions?—There are no deductions whatever.

48,068. You receive your wages in full and pay your rent?—I receive my wages once a month, and I pay my rent every half year.

48,069. (*Mr. Bere.*) Have you ever voted at the elections for the council?—No; I have not got a vote for the council.

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W. Hodge.

48,070. (*Mr. Longe.*) But you have sometimes taken a part in the council elections ?—No.

48,071. You have shown some of the voters the way to the town hall ?—I do not know that I have ; I might have shown them the way up.

48,072. You have been employed to take them to the poll ?—I have not been employed; I have taken it on myself.

48,073. When did you last act in that way ?—I never did so but once; that is five or six years ago.

48,074. Had you any authority from Mr. Michelmore or any one to do so ?—Not at all.

48,075. Then how were you engaged ?—If I came into the town and met any one I might do so. If I were to see any one here I might lend a hand in that way.

48,076. Did you happen to be down at Dent and Seymour's election in 1863 ?—Then I voted.

48,077. Did you happen to be upon the Plains when a voter named William Hannaford was brought to the poll ?—Certainly.

48,078. Who was William Hannaford with ? — I cannot tell.

48,079. Was Mr. Gill ?—Yes.

48,080. Did you try to get Hannaford away ?—I did.

48,081. You did not succeed ?—I could not ; the roughs were too much for me.

48,082. Mr. Gill knocked you down ?—No, there was no blow struck, or I should have returned the compliment.

48,083. Could you see whether Hannaford was drunk ?—Yes.

48,084. Did they carry him ?—I expect so. I do not think he could stand on his legs.

48,085. Did you see him poll afterwards ?—Yes.

48,086. Could he speak ?—Really the mob was so strong I could hardly see.

48,087. (*Mr. Coleridge.*) Did you ever give Mr. Screach 10*l.* to do anything with at the council election ?—No, but I saw him pay 10*l.* to the two Simses and a man called Warren.

48,088. At whose election ?—That was the council election.

48,089. How came you to see him ?—It was his own house.

48,090. Did he tell you what it was for ?—For their votes.

48,091. Where did he get the 10*l.* ?—He paid it me.

48,092. You did not give it him ?—No.

48,093. Did you give anybody anything for the council election ?—Yes, the men for their day's work.

48,094. Not out of your own pocket ? — At that time.

48,095. You got it back again ?—Some time afterwards.

48,096. Did you charge it to Mr. Michelmore ?—No.

48,097. Who paid it ?—John Elliott.

WILLIAM HENRY SAWDYE recalled and further examined.

W. H. Sawdye.

48,098. (*Mr. Bere.*) When you were here on Friday you told us you never received any money directly or indirectly on account of your vote ?—Yes; I do not remember the words "directly or indirectly," but I did not receive anything.

48,099. I put the question "directly or indirectly." I understand you to say you received no money from Mr. Henry Michelmore in 1863, or about that time ? —I did not.

48,100. The next question put to you is, "In no "way ?" and your answer is "In no way. I never "received any money from Mr. Henry Michelmore "at all."—I did not.

48,101. Now at that time, in December 1862, were you indebted to Mr. Tucker in a bill for professional services rendered to you ?—Yes.

48,102. What was the amount of the bill ?—I do not remember how much ; I do not recollect the exact sum. I think Mr. Tucker might have charged me 30*l.* or more, all that had been incurred by me two or three years before.

48,103. Are you quite sure of that ?—Yes.

48,104. Was it incurred in consequence of a trial at Exeter ?—Yes, partially.

48,105. The bulk of it was in consequence of a trial at Exeter ?—Yes.

48,106. Was Mr. Tucker pressing you for that money in December 1862 ?—About that time.

48,107. Did you go to any person and tell him that Mr. Tucker was pressing ?—I saw young Mr. Michelmore, and I told him that Mr. Tucker was pressing me about the money.

48,108. Did you ever know that Mr. Michelmore paid that bill for you ?—I did not know it when I was here on Friday, but I have heard so since.

48,109. After that conversation with Mr. Henry Michelmore did Mr. Tucker ask you for that money again ?—He did not press for it.

48,110. Did you not know that some person had paid the bill for you ?—No, because I did not see the bill settled.

48,111. I shall have to ask you an unpleasant question. Do you mean to say that you never knew that that bill had been paid for you ?—I believed Mr. Michelmore had satisfied Mr. Tucker, but I did not know from what he said.

48,112. (*Mr. Longe.*) It was not intended you should know ?—Perhaps not.

48,113. (*Mr. Bere.*) What sort of pressure was it that Mr. Tucker put upon you. Had he threatened to bring an action in the county court ?—I do not know whether he had not ; but he had written several letters.

48,114. Had he threatened to bring proceedings against you to make you a bankrupt ?—No, he had not; he had written and requested payment.

48,115. You wrote saying you could not pay ?—Yes; I do not know that I wrote immediately in reply. I saw Mr. Michelmore, and said that he was pressing me, and he said, "That will be all right, you "need not trouble yourself any more about it."

48,116. Who said that ?—Mr. Michelmore.

48,117. After that you voted for Mr. Seymour ?—Yes, but I had promised him before I had the pressure.

48,118. Between the time of the promising and your voting Mr. Tucker put on the pressure ?—Yes.

48,119. And you mentioned that fact to Mr. Henry Michelmore ?—Mr. Michelmore, not Mr. Henry.

48,120. Afterwards you found that the pressure was removed ?—Yes, it was.

48,121. (*Mr. Coleridge.*) How had you voted at the election before ? — For Earl Gifford and Mr. Mills.

48,122. Had you ever voted for the Conservatives at all ?—No ; never intended, and never do intend.

48,123. Had you got a county vote ?—Yes.

48,124. When you told Mr. Michelmore that Tucker was pressing, did not you tell him that you must find money ?—I said he was pressing, and it was not convenient for me just then.

48,125. You went to Mr. Michelmore and told him ?—I think I met him by accident.

48,126. You told him of this ?—Yes.

48,127. You said you must find the money ?—Mr. Tucker seemed to be pressing me for it.

48,128. You told Mr. Michelmore that you must find the money ?—I do not know that it was in those words.

48,129. You gave him to understand that you wanted the money ?—I told Mr. Michelmore, and he said, "You need not trouble yourself about that."

48,130. You told him with the object of getting money from him ?—I cannot say that I did ; I did not expect he would pay it, and I did not know that

he would. Perhaps it was as a friendly act that he did it, I do not know.

48,130*a*. When Mr. Michelmore left you, you went away with the belief that the money would be paid?—Yes, because he said, "You need not trouble yourself about it." What I said on Friday was that I never received any money.

(*Mr. Bere.*) You knew perfectly well what was meant, but that is the case with every witness; unless they are asked the specific question they will not answer.

48,131. (*Mr. Longe.*) You know now why Mr. Michelmore did not tell you he had paid the money?—No, I do not.

48,132. Has Mr. Michelmore ever asked you to repay that money?—No.

48,133. Do you expect to repay?—I do not know.

48,134. You will not tender it unless you are asked for it?—No.

HENRY SARJANT RUBY sworn and examined.

H. S. Ruby.

48,135. (*Mr. Bere.*) Where do you live?—Castle Mills.

48,136. Where?—Berry.

48,137. Who do you rent it of?—The Duke.

48,138. What rent do you pay for it?—50*l.* a year.

48,139. What do you vote on?—Two fields in Bridgetown.

48,140. Are you one of a company?—No, not a company, there is another in my party.

48,141. Who is the other?—James Searle.

48,142. How many head of cattle do you put on?—I have put a horse occasionally, and a cow occasionally.

48,143. How many has he there?—I cannot tell.

48,144. How long have you voted in that way?—I have voted once. I have had my vote three years.

48,145. You voted in 1865?—Yes.

48,146. Did you get anything?—No.

48,147. Neither directly nor indirectly?—Not a farthing.

48,148. You were offered money on the other side?—Yes.

48,149. Who by?—Mr. John Heath.

48,150. Which?—Mr. John Heath, jun.

48,151. Did Arthur Niner come with him?—I did not see him.

48,152. When did he come?—On the morning of the day of the election. I believe he was there once before. I was not at home then; he saw my wife.

48,153. What did he offer you?—He merely asked me if I could "do anything for him to-day." I said, "No." He asked if any money at any time would do me good? I said, "No, not at all;" he said "100*l.*;" I said, "No;" "200*l.*;" "No;" "300*l.*;" I said, "No, no amount at all." I came in early, at 8 o'clock, and went to the poll and voted for Pender and Seymour.

48,154. And then went home?—I went home very soon after.

48,155. Had you been down at Summerhill, at all, before that day?—I do not think once.

48,156. Where is Castle Mills?—Just under the old ruin.

48,157. The mill down in the ruin?—Yes, at the bottom.

48,158. How long have you had the mill?—Four years last election.

48,159. From whom did you take it?—Mr. Thomas Michelmore.

48,160. Was he the first person you saw about it, or did you see Mr. Callard?—Mr. Thomas Michelmore.

48,161. When you took it did he say anything to you about the way you were to vote?—Not a sentence.

48,162. Had you had a vote before?—No.

48,163. Where did you live before?—I was in partnership with my father before I came here.

48,164. Where were you living?—At Iplepen.

48,165. Did he have a vote for the county?—I do not know that he had.

48,166. You have not had a vote for the county?—No.

48,167. Did he not ask you anything about your politics before he let it to you?—No, not a sentence.

48,168. When he let the field did he ask you?—No, not a word respecting politics.

48,169. Did you ask for the field or did he offer it to you?—I think he offered it to me, saying he wished me to become a voter.

48,170. Had he not found out by that time that you were on that side?—It was my father's principle and mine. I do not know that he ever took out a claim for the county.

48,171. Who was the actual occupier of the field?—Mr. Roberts.

48,172. Is he still there?—He gave it up, and I have the field to myself, and stock it.

48,173. They found out that you were a good Liberal before they gave you this qualification?—I suppose so.

JAMES CHAMINGS sworn and examined.

J. Chamings.

48,174. (*Mr. Coleridge.*) Where do you live?—At Berry, Wildwoods.

48,175. What do you vote for?—Paradise fields.

48,176. House and building?—Yes.

48,177. One of the made votes?—No.

48,178. Do you occupy it yourself?—Yes.

48,179. With your own cattle?—Not always. I let out some of it.

48,180. How much do you pay for it?—12*l.* a year.

48,181. And you let some of it out?—I sell my hay, and stock it myself.

48,182. Where do you live?—In Berry parish.

48,183. You have no vote upon the house?—No.

48,184. At Mr. Dent's election in 1863, were you offered some money to vote for the Conservatives?—I think so.

48,185. Who offered it to you?—Mr. John Heath, junior.

48,186. How much did he offer you?—He brought me two bags of gold; indeed he asked me if that would do. I said no.

48,187. Did he tell you how much of it there was, and count it out?—He opened the bags and showed me it was gold, and he says, "Open your mouth and "name the sum, and whatever it is I will give it "you."

48,188. What did you name?—Nothing.

48,189. You told him you would have nothing to do with him?—As good as that.

48,190. Was that the first time you voted?—No; I voted for Earl Gifford when he came here first.

48,191. Were you offered anything then?—Never.

48,192. Was this the first offer you had in 1863—Mr. Dent's election?—I think it was.

48,193. Were you offered nothing in 1862, the first time when Mr. Pender came in?—I do not remember.

48,194. Did you get any present from Mr. Pender's side after that election?—No.

THIRTY-FIFTH DAY.

J. Chamings.

29 Oct. 1866.

48,195. In 1863 did you get anything?—No.

48,196. Did you not tell them that you had refused 100*l.*?—Yes.

48,197. Would they not give you anything after telling them that?—They never gave me anything.

48,198. Whom did you tell that to?—I told Mr. Michelmore after I voted.

48,199. You expected they would give you something?—I did not.

48,200. In 1865 did they again do that?—They did.

48,201. Who tried you that time?—Mr. John Heath, junior.

48,202. At about 6 o'clock in the morning?—Yes.

48,203. What did he offer you?—He asked if 500*l.* would be of any use, and I said that 1,000*l.* would be of no use.

48,204. Did you not tell him you might bring him one or two others, though you would not take it yourself?—He asked me if there was any person likely; I said I am sure I cannot tell.

48,205. Did you not tell him that there were two or three whom you thought you might get for that, and give him the names?—Not that I am aware of.

48,206. Did you not recollect some who would be likely; you could not take it yourself, but you thought so-and-so might?—I do not remember any.

48,207. Did you get anything from the other side after that election?—Never.

48,208. Have you ever got anything for your vote?—Never; nothing.

48,209. Did you ever offer anybody anything?—No, nothing; I had nothing to give.

48,210. (*Mr. Bere.*) What is the value of the farm?—My rent is 177*l.* a year.

48,211. You do not think you would be a tenant of the Duke's long if you voted against him?—Yes, if I had liked to stay.

48,212. Did not George Randle Mitchell actually occupy the field?—Certainly not.

48,213. Does he not manure it?—He may occasionally, but I pay him for it; he does it when I order him to do it.

48,214. What power have you over him to order him to do it?—He looks after it for me.

48,215. He is a butcher, is he not?—He is.

48,216. I suppose he turns stock into it occasionally, does he not?—He does.

48,217. Does he cut the grass?—I sold him the grass.

48,218. How long have you had this field?—14 years.

48,219. Have you voted for 14 years?—It must be that time I have been a voter.

48,220. Would it be before then?—I really do not know.

48,221. How many head of cattle have you put on that field in the last year?—The last year?

48,222. Yes.—I had 30 sheep lambed in the spring; three pens.

48,223. How long did they stay on?—I do not know that.

48,224. When was it let out for hire?—I think it was some time at the end of April, or the beginning of May.

48,225. When did the sheep go on the field?—Mine, sir?

48,226. Yes.—In April; some of mine in April.

48,227. Were they there more than a week?—Oh, yes, I have had sheep there two or three weeks; I often when I sell sheep turn them into that field to finish them off.

48,228. Are these the only cattle?—A horse had been there.

48,229. How long had he been there?—I cannot tell you.

48,230. How many head of cattle came in in 1865?—I cannot remember; I had young lambs last year.

48,231. A ewe and a lamb?—Oh, no; I had 30 there.

48,232. How long did they stay on?—I really do not know, because I did not keep an account of it.

48,233. (*Mr. Coleridge.*) Does anybody else vote on the field?—No.

48,234. (*Mr. Bere.*) Did he ask you what way you were going to vote before he let you the field?—He never mentioned a word.

W. H. Tucker.

WILLIAM HENRY TUCKER sworn and examined.

48,235. (*Mr Longe.*) Are you a farmer?—Yes.

48,236. How long have you had a vote for the borough?—Ever since 1864.

48,237. You have only exercised it once?—Only once.

48,238. Is that for a field?—Yes.

48,239. When was the field let you?—After 1863.

48,240. At the same time that you took the farm?—I had had my farm two years.

48,241. When you took the farm who did you take it of?—I took the business from my mother. My mother worked it for 14 years, and then I took the business from her.

48,242. Were you asked what your politics were when you succeeded to your mother?—No; I did not rent the farm under the Duke.

48,243. When did you take this piece of land; did you ask for it?—Asked for the field?

48,244. Asked for the field?—Yes.

48,245. You asked Mr. Michelmore?—Yes.

48,246. Was it vacant then?—I suppose it was.

48,247. Did you ask him for a field, or this particular field?—I was complaining that we were short of keep, and he said he would let me the field to take the young stock in in the spring.

48,248. Who is the landlord of the farm?—Mr. Secrett, of Devonport.

48,249. You knew what you would have to do?—I guessed I should.

48,250. You supposed you would have to vote for the Liberals?—Yes.

48,251. You did at the last election?—I voted for the Liberals.

48,252. Who canvassed you?—Mr. Pender and Mr. Michelmore, and Colonel Dawkins and Mr. Kellock.

48,253. Who canvassed you for Mr. Seymour?—Mr. Jeffery Michelmore solicited my vote here in the town. They never called on me for Mr. Seymour.

48,254. Did he not ask you for your vote for Mr. Seymour?—During the time I was in the town.

48,255. When he asked you, what did you say?—I told him I should vote for him.

48,256. Mr. Jeffery also asked you for Mr. Pender?—Mr. Charles Michelmore asked me for Mr. Pender.

48,257. What did you say to him?—I promised him my vote.

48,258. At once?—At once.

48,259. You were canvassed by Colonel Dawkins?—Yes.

48,260. What did you say to him?—I told him I should not promise my vote, as I had promised it previously to Mr. Pender.

48,261. Did you ever get any present after the election?—No, never.

48,262. Not from anybody?—At that election Mr. Fowle gave me 5*l.*

48,263. Captain Fowle?—Yes; I asked him where it came from, and he would not tell me. He did not tell me till the middle part of last month. He told me he had it from Mr. Wright, his father-in-law; that he kept back 10*l.* and gave me 5*l.*

48,264. He told you that a month ago?—Yes, the 13th of last month.

48,265. That was on the election day?—Yes.

48,266. Before you voted or after?—After.

48,267. What is the size of the farm?—150 acres.

48,268. (*Mr. Bere.*) Who is your landlord?—Mrs. Secrett of Devonport.

48,269. (*Mr. Longe.*) You are a friend of Capt. Fowle's?—Yes.

48,270. Is that all?—Yes, that is all I ever received. No one ever tempted me on either side.

48,271. Were you one of the guests at the "Seymour Arms"?—No, I was not one.

48,272. You were never present at any meeting at the "Seymour Arms"?—No; I was not in Totnes from the cattle-market day till the polling day.

48,273. Who really occupies this field that you vote upon. Is not it Thomas Jacob Searle?—No, I pay the rent.

48,274. How many head of cattle have you had there?—I stock it principally in March, April, and May, chiefly with young bullocks.

48,275. Is it let out for hay?—No, never.

48,276. How many young bullocks had you there this year?—Seven in the month of April last.

48,277. And they stopped how long?—Perhaps a week, and then I took them away, and put in three or four horses.

48,278. Are those the only cattle you have had there at all?—I had other cattle there.

48,279. When?—Last year, during the summer.

48,280. How many head of cattle does Mr. Searle put there?—Really I do not know.

48,281. A great many more than you do?—There is a little grass more than I want.

48,282. Does he pay you for it?—Yes.

48,283. How much do you charge a head for sheep?—We do not stock with sheep.

48,284. Not at all?—No. I do not remember stocking with sheep more than once or twice. I drove some sheep here; did not sell them, and put them there.

48,285. Does not Searle put sheep in without your knowing it?—He never told me.

48,286. How do you know what head of cattle to charge Mr. Searle for?—He tells me.

48,287. (*Mr. Coleridge.*) Do you never go and look?—I go frequently, when I come to town.

48,288. You do not often come to town?—I come once a week or once a fortnight.

48,289. Have you had a complaint about there being a nuisance in this field of yours?—No.

48,290. Are you sure?—Yes.

48,291. Has the inspector of nuisances never called upon you?—No.

48,292. How many times since the 1st of January have you been in the field?—I generally go there every market day.

48,293. Are you quite sure about that?—Yes.

48,294. Every great market or ordinary market?—Every great market.

48,295. That is once a month?—Yes.

48,296. You have never seen any sheep of Mr. Searle's there?—Never.

Mr. John Hamlyn sworn and examined.

Mr. J. Hamlyn.

48,297. (*Mr. Bere.*) You are a voter for the borough of Totnes?—Yes.

48,298. You are one of the Buckfastleigh company?—No.

48,299. Do you also vote for Ashburton?—Yes.

48,300. Had you a real qualification?—Yes, a real qualification, but I afterwards went into the company.

48,301. You are a manufacturer of Buckfastleigh?—Yes.

48,302. A manufacturer of paper?—No, woollen.

48,303. Did you get some money in the election of 1865 to pay to a voter?—Yes, 1865.

48,304. How much did you get?—50*l.*

48,305. What voter was it?—Browse.

48,306. Who is Brouse?—The relieving officer.

48,307. Did you pay it to him?—Yes.

48,308. Where?—In the street, I think.

48,309. You asked Mr. Holman for it for him?—It was in this way. I met Mr. Windeatt coming into Totnes Street; he called me on one side and asked me to do him a favour, that was to see Mr. Browse. He has always been a Liberal and voted the right side, but they were afraid that he had been tampered with.

48,310. What did Browse tell you?—He said he had been offered a little money, but he should not vote against them, and he should vote for Mr. Seymour; he should have voted for Mr. Pender, but he did not think the party had served him well enough. If they had only given him 10*l.* they would not have had any trouble with him; he had been to a great deal of expense and had had nothing. I found that 30*l.* would put him all right. I was going to tell them, and Mr. Holman said, "Go back and tell him it "is all right."

48,311. You got the money from Mr. Windeatt and paid it over?—Yes, it was a month afterwards.

48,312. Had you nothing to do with any of the voters except Browse?—No.

48,313. (*Mr. Bere.*) Did you ever receive any money for your own vote?—No.

48,314. Did you canvass John Symons the cider merchant?—No, I never did.

48,315. Did you canvass Edwin Jordain?—No.

48,316. Did you canvass anybody at Totnes?—No.

48,317. Were any of the voters living at Ashburton?—There is a man named Jackson that I ought to mention.

48,318. You got 10*l.* for him?—No, I did not get it. Mr. Michelmore was going——

48,319. Did you hand this over to Jackson?—Yes.

48,320. Mr. Michelmore gave you 10*l.*?—Yes.

48,321. Which Mr. Michelmore?—Mr. Jeffery. I went to Jackson's in the morning, and he came there and I gave him 10*l.* I do not know what it was for, but I judged what it might be.

48,322. Was 1865 the first time that you voted for Totnes?—I think it was.

48,323. Had you voted at Dent's election?—No.

48,324. Mills and Gifford in 1859?—No.

48,325. Had you anything to do with the election of 1859?—No.

48,326. 1862 and 1863?—No, not till 1865.

The Rev. Gilbert Butland, sworn and examined.

Rev. G. Butland.

48,327. Are you a clergyman of the Church of England?—I am.

48,328. How long have you lived in Totnes?—I came here in 1861.

48,329. Did you have a vote in the election of 1862 and 1863?—I had. I voted in 1862, 1863, and 1865.

48,330. Did you vote for Pender in 1862?—No, I voted for Mr. Dent in 1862; Dent in 1863; and Pender and Seymour in 1865.

48,331. What caused you to change?—I voted in the first instance for Dent, to please my son.

48,332. What is your son?—He was mate in the Indian navy, but the Indian navy was broken up, and he came home.

48,333. I suppose you thought Mr. Dent would get him employment in a ship?—He was impressed with that idea. Some of the Conservatives laid hold of him, and he thought that Mr. Dent was going to do mighty things for him, and consequently he influenced me to go to Mr. Dent. I knew before I went that would not be the case, that he would not get anything, certainly.

48,334. Did you see Mr. Dent at all?—He called on me, and asked me for my vote, and I then asked him if he intended to do anything for my son, and he said

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it was not in his power; and then I said, "I will vote "for you."

48,335. Has Mr. Dent got anything for your son?—Nothing whatever. I should like to make a statement regarding Mr. Harris. Mr. Harris said there was an understanding that I should have a situation for my son. It was quite the reverse.

48,336. (*Mr. Longe.*) Did you see Mr. Mitchell as well as Mr. Dent?—Yes.

48,337. Did you have a conversation with Mr. Mitchell about this?—No, no conversation with Mr. Dent. I merely asked him if he intended to give my son a situation in one of his ships, or something to that effect.

48,338. And he said——?—"What is your son doing now?" I told him what he was doing. He went out as a purser in the "King of the Seas," which was going to Australia, and from Australia to India.

48,339. (*Mr. Coleridge.*) Who gave him that situation?—He got it himself. There was a ship going to sea, and he went and applied and got the situation.

48,340. (*Mr. Bere.*) Then it is not correct what Mr. Harris has told us here, that you were displeased with Mr. Dent because he had not got the situation which he promised?—Far from being displeased, when they came for the subscription I gave him a guinea.

48,341. Do you recollect Mr. Edmonds coming to canvass you?—Yes.

48,342. Do you recollect telling Mr. Edmonds you were 100*l.* out of pocket?—Yes.

48,343. How was that?—Because he had not got the situation which they promised.

48,344. Who had promised it?—They led him to infer Mr. Edmonds.

48,345. How did that cost you 100*l.*?—It cost me 100*l.* to fit him out for sea; besides he was a long time at home, and he was spending money.

48,346. The question was a situation in a ship?—Yes.

48,347. You would have had to fit him out as much for the one as for the other?—I cannot say that; that is what I meant; whether there was anything in it I do not know. It was my impression that there would be something in it.

48,348. (*Mr. Bere.*) Was it not your disappointment in not getting the situation that you voted for Pender and Seymour?—No, certainly not. I was a Liberal. I was beneficed 36 years at Ringmore, a place where we hear so much about the High Church.

48,349. Had you a vote for the county there?—No.

48,350. Had you voted for the Liberal side before you voted for Pender and Seymour?—No, I had not.

48,351. (*Mr. Coleridge.*) The first opportunities were the elections of 1862 and 1863, and you did not take them?—I did not vote for the Liberals. I was under the influence of my son.

48,352. Do you recollect Captain Pim calling upon you at the last election?—Yes.

48,353. What took place between you and him?—I think I have a newspaper here.

48,354. I will read it. "You say that some of "them hesitated; can you give us the names of any "of those?—The Rev. Mr. Butland was one I particularly remember. What made him hesitate, or "what impression had you?—It is a very unpleasant "thing to say what I suppose; you know what made "him hesitate as well as I do. Did he say anything "to you which made you understand that he had a "reason for hesitating?—It was a very similar conversation to that which passed with the Rev. Mr. "James. Was that about money difficulties or a "situation for his son?—Well, it was about a situation "for his son. I think you must tell us, if you please, "what did he say, or what the impression left on your "mind is. I put it to you, was it to this effect, that "he would not vote for you unless you got a situation "for his son?—Well, my impression was that if he "had a situation offered his son he would have voted "for me decidedly."—It is false, and I can prove it.

48,355. Just hear it out. "(*Mr Coleridge.*)—How "did he vote?—He voted against us. Against both "of you?—Yes. (*Mr. Longe.*) How long was the "interview?—Some time; because I went with Mr. "Veitch, who is a neighbour of his, and his son was "going out to New Zealand. I have a great interest "in Central America, New Zealand, and Australia, "and of course there was a good deal of conversation "with respect to my own movements out there; so "we remained, I should think, for an hour at his "house. Did he tell you what his opinions were "politically apart from the situation or anything else? "—No. You did not find any political opinion?—I "did not find any strong bias on either side. (*Mr. "Coleridge.*) You did not find any about Totnes "generally?—No. (*Mr. Bere.*) Had you any power "of offering or procuring a situation for Mr. Butland's son?—I had not, strictly speaking, at the "time, but I could now for example. At that time "there was no appointment to which you could present him at once?—No, certainly not. Was there "anything else said by him about any other present? "—So far as my remarks may go, I think he made some "observation about a handsome bracelet having been "presented to some one. To whom was it given? "—To some one or other, I do not know whom; it is "a matter that was brought out in conversation, and "has been retained in my memory as something "curious. Cannot you remember the name of the "fortunate lady who had received the bracelet?—I "cannot tax my memory with it, but he said that a "bracelet had been given to the wife of one of the "electors, worth 60 guineas." Did you, when Captain Pim called upon you, mention the fact that your son wanted a situation?—Never; besides I will tell you my son was not at home at that time. He could not possibly leave New Zealand. He has saw-mills there worth 2,000*l.*

48,356. How many sons have you?—Four sons and three daughters.

48,357. Had all your sons situations at that time when Captain Pim called upon you?—Certainly; such situations that they could not leave without the sacrifice of hundreds and thousands. My son who was at home at that time, that Captain Pim saw, could not have left his situation in New Zealand, without the sacrifice of thousands.

48,358. The son for whom Mr. Dent was supposed to be able to get a situation, had he got a situation at that time; the son who had been in the East Indian navy, had he got a situation when Captain Pim called upon him?—Yes, he had. He was in Australia.

48,359. Was it a situation he liked or did he want to change it?—No; he had no idea of changing that I know of. He never wrote to me.

48,360. Did you wish him to come nearer home?—No, certainly not. And another thing I will tell you, sir, after my son Gilbert did want a situation, and Mr. Dent had said it was not in his power to give him a situation, he furnished himself with a situation in a ship to go from Plymouth to America, and I fitted him out at a considerable expense for him to go.

48,361. Did any conversation pass with Captain Pim about any situation for your son Gilbert?—None whatever, not the slightest in the world.

48,362. Did any conversation pass between you and Captain Pim about a bracelet?—Not that I know of. I think that was with Dawkins about the bracelet.

48,363. Was Colonel Dawkins there at the same time?—No; I think Colonel Dawkins was the bracelet affair.

48,364. Who was with Captain Pim?—Captain Veitch. As regards Captain Veitch, he had sent Captain Pim's picture and pamphlet, and I returned it to him; I sent it back to him. Captain Veitch met me a few days after in the terrace, and asked me

o give him my vote, to give Captain Pim my vote. said "Captain Veitch, I am dead against you."

48,365. Did you tell Captain Pim or Colonel Dawkins, or either of them, that you were going to vote against them?—I gave them to infer that I would vote against them. I think I did. I did vote against them.

48,366. Did not you leave sufficient doubt upon their minds to make them uncertain as to whether you would vote against them or vote for them?—I do not think I did. I do not believe I did.

48,367. Did you say you were going to vote for the Liberals, or anything to that effect?—I imagine I did. I told them I should not vote for them.

48,368. Are you quite sure about that?—I think I did. However, I did not vote for them, and I told Captain Veitch I should not vote for them.

48,369. (*Mr. Coleridge.*) Did Mr. Pender and Mr. Seymour canvass you themselves?—No. Mr. Pender called, and I did not give him an answer; Mr. Seymour called, and I was not at home. I did not see him.

48,370. Then they did not canvass you personally, both of them, only Mr. Pender?—I saw Mr. Pender, but I did not see Mr. Seymour.

48,371. Did Mr. Pender say anything to you about having voted against him on a previous occasion?—No.

48,372. Did you tell him that you had voted against him on a previous occasion?—He was aware of that. I do not think anything was said about it.

48,373. Did you give him to understand that you did?—If I had ever been aware that I should have been examined about the various conversations that took place, I should have taken care to remember them.

48,374. I want to know whether you gave Mr. Pender to understand that you would vote for him, or left him in doubt?—I did not give him an answer.

48,375. You left it open?—I left it open. I did not give him an answer.

48,376. Did you tell anybody who canvassed you, that you would vote for Mr. Seymour or not?—No, I did not. I called at the "Seymour Hotel" for the purpose of saying I intended to give Mr. Seymour my vote.

48,377. Did you see them both?—I saw both of them.

48,378. How long before the election was that?—A day or two.

48,379. And you told both of them you should vote for them both?—Yes, I told Mr. Pender first, and when Mr. Seymour came up into the room I told him so.

48,380. Was nothing said about your having voted against Mr. Pender on a previous occasion?—Yes.

48,381. Did not they say anything about their being glad to hear that you had changed your mind?—No, I do not think they did.

48,382. Perhaps you will change your mind again?—I shall certainly if I please; I shall change my mind as often as I please, without asking any person whether I shall do so or not.

48,383. (*Mr. Bere.*) Had you a son at home at the time of the election?—Yes, I had a son a farmer at Paignton.

48,384. He did not want a situation?—No.

48,385. What was the name of the son that was here, Gilbert?—John. Gilbert was Mr. Dent's gentleman.

48,386. Did John go down and see Captain Pim at the election?—Not that I am aware. I do not think he saw Captain Pim at all, except on the occasion of seeing him at my house.

48,387. I will put this general question to you—that neither directly nor indirectly, to your own advantage or the advantage of your son, had you any consideration for your vote?—Decidedly not; certainly not, in any shape or way.

JOHN PUNCHARD sworn and examined.

J. Punchard.

48,388. (*Mr. Longe.*) What are you?—I am a tenant of the Duke of Somerset.

48,389. What is your occupation; a farmer?—Yes, you may call me so; a small farmer, quarry, and house.

48,390. How many acres do you farm?—A few acres.

48,391. How many acres?—It is but a few acres.

48,392. You have a vote?—I have a vote.

48,393. For building and land?—For building and land; house and land.

48,394. You have a vote for house and land?—House and land.

48,395. You live in Bridgetown?—I live in Totnes.

48,396. How long have you had a vote?—Since Christmas, 1844.

48,397. Have you resided in the same house?—In the same house.

48,398. Have you always voted for the same side?—Always voted for the Liberals.

48,399. Have you voted at every election?—Every election.

48,400. You have never split your vote; you have never voted for a Conservative at all?—No.

48,401. When was the first time you voted; did you ever vote for Lord Seymour?—Yes; I voted for him first.

48,402. You did?—Yes.

48,403. Did you ever have anything for your vote?—Never.

48,404. Did you ever have any present made you after an election?—Never.

48,405. Or before an election?—Never.

48,406. (*Mr. Bere.*) Did any person on your behalf ever get any money?—Never.

48,407. Have you got a wife?—No.

48,408. A daughter?—No.

48,409. Did you ever find any money in the house?—Oh, no. The Duke's people do not do anything in that way. I was not asked a question about my vote when I took my property.

48,410. (*Mr. Longe.*) You were never asked a question about it?—No.

48,411. You know what your duties would be?—I was always a Liberal.

48,412. You were never asked if you intended to vote as a Liberal?—No.

48,413. You have taken a part, have you not, in some of the elections, in canvassing for the Liberals?—No.

48,414. You have got a vote or two?—No.

48,415. (*Mr. Bere.*) You have paid for a vote or two?—No.

48,416. You have been the medium for getting money, have not you?—No.

48,417. (*Mr. Longe.*) Has not money passed through your hands for voters?—No.

48,418. Neither at elections for members of parliament or municipal elections?—No.

48,419. In any way?—No.

48,420. Have you ever told a voter you would get something for him?—No.

48,421. (*Mr. Coleridge.*) Never had anything to do with carrying voters away?—No. I never took an interest in the election myself.

48,422. (*Mr. Longe.*) Do not you remember a man of the name of Nickells?—Yes.

48,423. John Nickells?—I do. He is a smith of mine. He has done my smith's work.

48,424. Now, in 1865, did he talk to you about his vote?—If there were any tools to be done for the men in the quarry, I should go to him, and I might have asked him how he was going to vote.

48,425. He told you he was going to vote the other side?—He always said to me he was sorry he ever

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had a vote, as he would displease both parties whichever way he voted. I told him, rather than displease both parties, he had better not vote at all.

48,426. Did he not tell you that he was offered some money on one side, and you said you could get him some money from the Liberals ?—No, I had not the slightest idea of such a thing.

48,427. (*Mr. Bere.*) Have you got a son ?—Two, and a daughter.

48,428. What are they doing ?—My eldest son is in South Wales. He is the manager of a large quarry, and a small farm attached to it.

48,429. Who got him that situation ?—His brother.

48,430. What is his brother ?—He has been doing a great deal in mining.

48,431. In mining ?—Yes; in North and South Wales.

48,432. Did the Duke of Somerset or Mr. Michelmore have anything to do at all with that appointment ?—No. I suppose you allude to the Customs he was in first ?

48,433. Yes.—That was got by Mr. John Fogwill.

48,434. The postmaster ?—Yes.

48,435. How long ago was that got for him ?—It must be 12 or 14 years ago for what I know of.

48,436. He did not stop in the Customs very long, did he ?—A few years.

48,437. And then went into mining ?—Yes. He was promised the mining affair directly he left it.

48,438. (*Mr. Longe.*) Did not you tell Nickells you would not employ him if he did vote for the Conservatives ?—I never thought of such a thing. He has worked for me since that time.

48,439. (*Mr. Bere.*) Do you know a man called Baker ?—Oh, very well.

48,440. What does he do for you ?—He has been doing things for me as a tailor.

48,441. Have you employed him since the election of 1865 ?—No.

48,442. What is the reason for that ?—I know no particular reason. I had no reason for it.

48,443. (*Mr. Coleridge.*) How did he vote ?—He told me he was going to vote for the Tory party.

48,444. (*Mr. Bere.*) You have not employed him since ? — No, I have not employed him much for years.

48,445. (*Mr. Coleridge.*) Did you offer him any money to vote for the Tory party ?—No.

48,446. Did you tell him he might have some money if he would not vote at all ?—No. You are quite misled about that.

48,447. If Baker says that, it is not true ?—If he says so, it is not true.

48,448. (*Mr. Bere.*) You have never employed John Nickells since the election ?—You will see his bills there (*handing some papers to the Chief Commissioner*).

48,449. (*Mr. Coleridge.*) Did you hear Baker say that Screach offered him money ?—No.

48,450. You have never heard of it before ?—It is the first time I have heard of it.

48,451. It is not true ?—No.

48,452. Did you ever offer his wife any money ?—He has no wife.

48,453. (*Mr. Bere.*) Have you ever directly or indirectly received any money or promise of money for your vote ?—No, not at all.

48,454. Have you ever directly or indirectly received any advantage for your vote ?—No, not at all.

48,455. I will just read this to you. This is what Mr. Baker says, "Did not Parnell come to you ?—No. "There was only one person. And who was that ? "—Punchard. What did he come to you about ?— "We had been on friendly terms with each other for "some years ; he came to ask me if I would support "his party. I told him 'No.' That was all that "passed" ?—I could not say for certain. I may have talked of elections, but as to asking him, I do not know that I ever asked him to support the Liberals.

48,456. (*Mr. Longe.*) Who asked you to get Nickells's vote ?—No one ever asked me to do that.

48,457. No one ever asked you to get Nickells's vote ?—No one asked me.

48,458. Surely you were asked directly to get his vote, and were told he was shaky ?—I do not recollect that I was asked to get his vote.

48,459. You went there four or five times ?—I often went there to get tools and things done. He did not do the work as he ought to have done it. We could not get the tools out of him.

48,460. Who asked you to get his vote ?—I do not recollect anybody particularly ; I cannot remember anybody at all.

48,461. You did not ask him for his vote for Mr. Seymour, it was only for Mr. Pender ?—I do not remember asking him at all. The only thing I remember that I said was, "Do not vote at all, if you "think you will displease both parties."

48,462. You must remember asking him. Who asked you to get his vote for Mr. Pender ?—I do not recollect any one at all.

48,463. (*Mr. Bere.*) You have not paid him his bill ?—It is paid.

48,464. It is ?—Yes.

48,465. It is not receipted ?—I am sure it is paid.

F. G. Putt.

FREDERICK GEORGE PUTT sworn and examined.

48,466. (*Mr. Bere.*) Where do you live ?—Forestreet.

48,467. Who is your landlord ?—Myself.

48,468. How long have you had a vote for Totnes ?—In 1862 I voted first.

48,469. Did you vote for Mr. Pender then ?—Yes.

48,470. And Seymour in 1863 ?—Yes, and Pender.

48,471. Have you ever had money for your vote ?—Never.

48,472. Never, directly nor indirectly ?—No.

48,473. Have you ever got any money from anybody ?—No.

48,474. Has any money ever passed through your hands ?—No.

48,475. At no time whatsoever ?—None whatever.

48,476. Have you voted for the council at all ?—Yes.

48,477. You say you have never had any money. Have you been offered any ?—Well, I have been offered money.

48,478. On both sides, have not you ?—No.

48,479. Who came to you about your vote in 1863 ?—No one.

48,480. You know Mr. Thomas Jacob Searle ?—Yes, I know him very well.

48,481. Were you one of the seven men who went down to the "Seven Stars" to negotiate about money ?—The first time that I heard of such a subject was when that man Harris introduced it.

48,482. That is the first time you ever heard about it ?—The first time I ever heard of such a thing was when that man introduced and you heard it.

48,483. Was not it the truth ?—Certainly not, or I should not have contradicted it then. If you remember I rose up and contradicted it then.

48,484. You knew Mr. Thomas Jacob Searle ?—He and I were partners as overseers last year.

48,485. Were you partners as overseers at that time ?—No.

48,486. Were you pretty intimate then ?—We were not before we were overseers.

48,487. Did not you and Searle talk about the way you were going to vote at the last election ?—Never. I never spoke to the man on electioneering in my life that I am aware of.

48,488. To whom have you spoken about electioneering ?—No one.

48,489. No one at all ?—Not that I know of.

48,490. How did they first find out that you were a Liberal ?—By voting in 1862.

48,491. How long have you been in Totnes?—I was born in Totnes.

48,492. You had no vote before 1862?—No.

48,493. Was the house your own, then?—Yes.

48,494. Is it a freehold house?—Yes.

48,495. Does your sister live with you?—Yes.

48,496. Did you consult her about the way you should vote?—No.

48,497. Do I understand you to say you never had, directly or indirectly, anything for your vote?—Never.

48,498. At any time?—No.

48,499. Nor any advantage on account of being a voter?—No, not the slightest; it was all money out of pocket.

48,500. What are you by trade?—A china dealer.

48,501. What do you mean by being "money out of pocket"?—I spent money in just going out to see what the news is.

48,502. Where used you to go?—To the public-house or the hotel.

48,503. Were you often down at the "Seymour Hotel"?—Very rarely.

48,504. Did you always pay for what you had yourself?—Generally.

48,505. At the last election did you pay for what you had?—Yes.

48,506. You paid for all you had at the last election?—Yes.

48,507. Are you quite sure of that?—Yes, quite.

48,508. Are you any relation to Richard Cross, the clerk, over in Bridgetown?—No, there is another by the name of Putt.

48,509. Have you ever given any money to anybody?—No; I merely went down and voted for the party I considered the best man.

48,510. Has any money passed through your hands to be distributed?—I have never had anything to do with money matters in electioneering in any shape or form whatever.

48,511. Have you a sister called Mrs. Bennett?—Yes.

48,512. Did not she bring you anything in 1863?—Never.

48,513. (*Mr. Coleridge.*) Did Mrs. Bennett come to you in election time or about election time in 1863?—No.

48,514. No communication from anybody through her?—She asked me whether I would take up money.

48,515. What was it?—I told her I would at first.

48,516. What to do?—To vote for the Tories.

48,517. Did she tell you who sent her there to ask you?—No.

48,518. What did she say?—She asked me to take money; I intended to take it up and vote against them for offering it to me.

48,519. Did she bring the money with her?—No.

48,520. How much money was it?—Whether it was 50*l.* or not, I would not be certain.

48,521. (*Mr. Bere.*) Do you mean to say that you call that not having to do with money matters, directly or indirectly?—No.

48,522. (*Mr. Coleridge.*) Did she say where that would come from?—She said she could get it.

48,523. Did she say where she could get it from?—No.

48,524. Did she say when you would get it; how long afterwards?—No.

48,525. Did you tell her to go and see how much more she could get?—No.

48,526. What did you tell her?—She asked me whether I would take it up.

48,527. What happened after she came and offered you money?—No, she did not; she sent for me, and I went.

48,528. What happened after that?—I wrote her a letter, and told her I should go to the poll an honest man.

48,529. When was the next time you saw her after the time she asked you whether you would take up money?—I never saw her again about it.

48,530. Have not you seen her since?—I cannot answer that question.

48,531. What election was it?—The first time I voted.

48,532. That was the time when the money was not paid. How long after she came and asked you whether you would take up money was it that you saw her the next time? How long before the election was it that she came to ask you this question?—A week before, I think. She did not come, she sent a letter to ask me to come and see her.

48,533. And then you went and saw her at her house?—Yes.

48,534. Who was present?—Nobody but herself and I.

48,535. And then she asked you this, and you said you would. Did you see her again between that time and the election?—Yes, on the nomination day.

48,536. What took place?—I sent a note down that I intended to go to the poll an honest man, and on going down the street she called me in, and I told her then.

48,537. Did she say she had the money?—No.

48,538. Did she say she had not?—No.

48,539. What did occur?—I cannot tell you now, to give you the exact words.

48,540. What was the purport of what took place? You had said you would take it, and she was under the impression that you would take it?—I was going over to Bridgetown.

48,541. Did you ask her whether she had any money for you?—No.

48,542. Do you mean, after what had occurred, she did not tell you whether she had got it?—No.

48,543. Did she say she had not got it?—She did not say.

48,544. What did she tell you, that it was too late?—It was not too late, because Mr. Dent did not give up till 12 o'clock, and I was over at the "Seymour" at the time the news came over.

48,545. What time did you see Mrs. Bennett on the nomination day?—Between 10 and 11.

48,546. Do you mean, after such a bargain as that between brother and sister, nothing occurred as to breaking it off?—I broke it off by sending the letter.

48,547. You wrote that you intended to vote as an honest man. Did you tell her which way?—She always knew I was a Liberal.

48,548. What did she say to you, after you went in, having written that letter?—She called me in and asked me what I meant, and I told her I meant to go to the poll an honest man.

48,549. What then?—I left.

48,550. Did not she say anything to you about the money?—Not that I am aware of.

48,551. You must know whether she did or not?—I cannot tell you.

48,552. Did not she press you to take the money?—No.

48,553. Did not she say you had better take it again?—No.

48,554. That is all that took place?—That is all that took place.

48,555. (*Mr. Bere.*) Did you tell anybody when you were at the "Seymour" that you had been offered 50*l.* for your vote?—No.

48,556. On your oath?—On my oath.

48,557. Did not your sister receive any money for you?—Not a farthing.

48,558. Did she receive any money?—No.

48,559. That you swear?—That I swear.

48,560. (*Mr. Coleridge.*) Did you get any money afterwards?—No, never in my life.

48,561. Did you ever find any by accident?—No.

48,562. Do you know whether your sister got it and did not hand it over to you?—I know she did not have any.

48,563. (*Mr. Bere.*) How was it that Mrs. Bennett knew you were a Liberal?—I am sure I cannot

THIRTY-FIFTH DAY.

F. G. Putt.

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answer that. If you are going to send for her she will be able to answer that question.

48,564. Where were you living in 1862?—In the same house as I am now.

48,565. With your father?—My father was dead in 1862.

48,566. How long had he died before that?—In 1859.

48,567. He was Conservative, was not he?—Yes.

48,568. Do you know a man of the name of Edward Angel?—Yes.

48,569. Has he ever come to you to talk about election matters?—We are relations.

48,570. What relations are you?—Second or third cousins; one or the other; a long way off.

48,571. Which way has he voted?—For the Liberals.

48,572. Did he ever tell you that he had got any for his vote?—Never.

48,573. Did he not offer you some money on the Liberal side?—No.

48,574. Or say that you could get it?—No.

48,575. At no time?—Not at any time.

48,576. Do you know whether he saw your sister about it?—No.

48,577. He saw some one about your vote; who was it?—He never saw any one about my vote.

E. Angel.

EDWARD ANGEL sworn and examined.

48,578. (*Mr. Bere.*) What are you?—A tailor.

48,579. How long have you had a vote for Totnes?—Since 1839.

48,580. Since 1855 have you always voted for the Liberals?—Yes.

48,581. What have you had for voting for them?—I have had 50*l.* on two occasions.

48,582. When were those two occasions?—In 1863 and 1865.

48,583. Who gave you the 50*l.*?—Thomas Jacob Searle.

48,584. Was he any relation of yours?—No.

48,585. Had you made any arrangement with him as to what money you were to receive?—No.

48,586. He brought the money and paid it to you?—Yes.

48,587. Do you know Putt?—Yes.

48,588. Have you ever had any talk with Putt about his vote?—Never.

48,589. At any time?—Not at any time.

48,590. Did you ever hear of this company of Searle's?—I never knew of it until I saw it in the newspaper.

48,591. Did you know that Searle had influenced a good many voters?—I believe he had had to do with some.

48,592. Did you ever hear that in the election of 1862 he wanted 1,000*l.* for seven votes?—I did.

48,593. And that Putt was one of them?—I never knew of it or heard of it until I saw it in the newspaper.

48,594. Were you one of them?—No.

48,595. He did not negotiate for you?—He did not.

48,596. Did you ever see the sister of Putt about his vote?—I never spoke to her in my life about his vote.

48,597. Were you offered any money on the other side?—Yes, in 1862.

48,598. Who offered you money on the other side?—Mr. Philip Niner.

48,599. How much did he offer you?—He offered me 50*l.* to vote for Mr. Dent, then 100*l.*, and then 150*l.* I told him it was of no use, that I could not support them, but that I would remain neutral.

48,600. Whose house do you live in?—In my own house.

48,601. Is it mortgaged to anyone?—No.

48,602. Is it leasehold or freehold?—It is a long lease.

48,603. A lease from whom? To whom does it go when the lease is at an end?—It is a long lease; 999 years.

48,604. Did they offer you any money in 1865?—No.

48,605. Did they canvass you?—Yes.

48,606. They did not offer you any money?—They did not.

48,607. With the exception of those two sums, you never received any money whatever?—None whatever.

48,608. With regard to any other persons, did you influence any other persons to vote?—No.

48,609. Nor offer them any advantage?—Never in my life.

48,610. You have had nothing to do with Putt, either directly or indirectly, about his vote?—Nothing whatever.

J. Southwood.

JOHN SOUTHWOOD sworn and examined.

48,611. (*Mr. Longe.*) What are you?—A farmer.

48,612. Where is your farm?—In Diptford parish.

48,613. Have you a vote for land and buildings?—Yes; a field.

48,614. Who did you take that field from?—Mr. Durant.

48,615. How near is that field to your farm?—I should think about six miles.

48,616. Did you ask for that field?—No; my father had it before me.

48,617. How many acres does that field contain?—Three and a half acres.

48,618. Has anyone else a vote on that field?—My father had it before me.

48,619. Has anyone else got a vote for it now?—I have not got it now.

48,620. When did you last vote?—I voted in 1865 for Seymour and Pender.

48,621. In 1863 whom did you vote for; had you a vote then?—Yes, I had.

48,622. And you voted for Mr. Seymour?—Yes.

48,623. In 1862, about a month before, whom had you voted for then?—For Mr. Pender.

48,624. Had you a vote in 1859?—No, my father was not dead then; the first time I voted was for Mr. Pender.

48,625. Did Mr. Pender canvass you?—Yes; he came out there to me.

48,626. Did you promise him your vote at once?—I do not know that I did. I wished him success. I knew that my father had voted on the Liberal side before, and of course I thought I should do the same.

48,627. After the election did you get anything at all?—Nothing.

48,628. Not in any shape?—No.

48,629. In 1863 were you canvassed by Mr. Seymour?—I cannot remember whether Mr. Seymour was there himself or not.

48,630. But you were canvassed?—I think I was.

48,631. You remember promising your vote to Mr. Seymour?—I do not know that. I promised my vote to the Liberals; I do not know whether I promised it to Mr. Seymour; I cannot recollect whether he was there or not.

48,632. Were you canvassed for Mr. Dent?—Yes.

48,633. Who canvassed you for the Conservatives?—Mr. Dent was there himself.

48,634. Did anyone else come to you?—There was someone else with him.

48,635. But on any other occasion did any one come without Mr. Dent?—No; I do not recollect that they did.

48,636. Was any offer made to you by the Conservatives for your vote?—No.

48,637. And no offer was made to you at either of those elections?—No.

48,638. In 1865 was any offer made to you by the Conservatives?—Not that I can recollect at all.

48,639. Did anyone come from the Conservative party and ask you for your vote?—Yes, I was introduced to Colonel Dawkins.

48,640. Do you remember who was with Colonel Dawkins on that occasion?—There were three or four gentlemen with him.

48,641. Did they call at your house?—Yes.

48,642. Who else came?—No one that I know of.

48,643. Did any one come with Captain Pim?—I do not think Captain Pim was introduced to me at all; I had circulars from both of them.

48,644. After the last election you did receive something from the Liberals?—Not a farthing.

48,645. Is there any other Southwood besides you?—No.

48,646. When did you give up this field?—Not a great while after the election. Mr. Durant asked me to give it up; I did not want the grass, and I gave it up.

48,647. Did he tell you why he wanted you to give it up?—No.

48,648. Did he give you no reason for it?—Not at all; I have been as friendly with Mr. Durant as ever I was, and he with me; he has been to my house since that.

48,649. (*Mr. Bere.*) Did you go and see Mr. Jeffery Michelmore during the election of 1865?—I never was here until the day of the election.

48,650. Did you go to the "Seymour" hotel?—Yes.

48,651. What time in the morning did you go there?—I came away from my house some time in the forenoon.

48,652. And then you went to the "Seymour"?—Yes; that was some time after I got to Totnes.

48,653. Did you vote before you went to the "Seymour"?—I think I did not.

48,654. What time in the day did you vote?—It could not have been very long after I came to Totnes.

48,645*a*. Just try and remember what time it was You did not vote very early, as you are voter No. 243; was it before dinner?—Yes, it certainly must have been before dinner; I should think so.

48,646*a*. How long were you at the "Seymour" altogether?—I do not suppose I was there a quarter of an hour.

48,647*a*. Who did you see there?—There were plenty of people there.

48,648*a*. Did you see Mr. Jeffery Michelmore there?—I do not recollect seeing him there.

48,649*a*. Did you talk to him about the election?—I do not recollect it.

48,650*a*. Whom did you talk to when you were at the "Seymour"?—I think I chiefly spoke to Mr. Pender; he was at my house when I was not at home, and he left his card; then I went over to the "Seymour" and spoke to him.

48,651*a*. What did you say to him; did you tell him you had come here to vote for him?—Yes.

48,652*a*. And did he say he was very much obliged to you?—He said that he was very much obliged to me indeed.

48,653*a*. Did he say that he would do something for you?—Not at all. I never asked him.

48,654*a*. Did you go into the big room at the "Seymour" and have something to drink?—Perhaps I might have a glass of grog.

48,655. Was it not early in the morning?—Not very early; it might have been an hour after I came into the town. I did not leave my house until the forenoon, and had to ride some distance.

48,656. How far was it?—Some six miles.

48,657. Mr. Michelmore has mentioned your name as having had some money?—That is a very great mistake on Mr. Michelmore's part.

48,658. Have you ever been offered money by the Tory party at any election?—The Conservative party have been out to me, but I never would promise them my vote.

48,659. Or tell them that you had been offered any money on the other side?—I never told the Conservatives that I had been offered any money on the Liberal side, not a farthing.

48,660. Had you been offered any?—No, the Liberal party never offered me a farthing. I never saw the sight of a farthing.

JOHN CROOK sworn and examined.

J. Crook.

48,661. (*Mr. Coleridge.*) What are you?—A miller.

48,662. Where do you live?—At Fleet Mill.

48,663. Is that in Bridgetown?—Yes.

48,664. What is your qualification?—A building and land.

48,665. How much do you pay for that?—10*l.* a year.

48,666. Does anyone else vote on it?—No.

48,667. Do you stock it yourself?—It is a tillage field. I grow corn and potatoes, and so on.

48,668. Do you manure it yourself?—Yes.

48,669. And reap your own crops?—Yes.

48,670. When first had you a vote?—I never voted. I claimed a vote in 1865.

48,671. You never have voted yet?—No.

48,672. Have you ever been busy at elections?—Not at all.

48,673. Have you ever canvassed anyone—No.

48,674. Or given anyone any money?—No.

48,675. Or helped to take away any voters?—Nothing of the kind.

48,676. You have not had the opportunity of getting into any trouble yet?—I have not.

Mrs. BENNETT sworn and examined.

Mrs. Bennett.

48,677. (*Mr Bere.*) Whose wife are you?—Mr. Joseph Bennett's.

48,678. Is he a silversmith in this town?—Yes.

48,679. Is Frederick George Putt your brother?—Yes.

48,680. Did you go to see him in 1863 about his vote?—I never went to see him.

48,681. Will you tell us what passed?—I cannot tell you.

48,682. Did you offer him 50*l.*?—No, 40*l.*

48,683. Who authorized you to offer him 40*l.*?—My husband.

48,684. Who did he get his authority from?—From Mr. John Heath.

48,685. What did your brother say?—That he would accept it.

48,686. Was that all that passed?—That was the whole.

48,687. Then he went away?—He went from our shop.

48,688. How long before the election was that?—I cannot say.

48,689. Was it a day or two before?—It might have been 10 or 12 days.

48,690. And it might have been one or two days?—It was some time before.

48,691. When did you next hear from your brother?—On the day of the nomination.

48,692. What did you hear?—That he would not entertain it.

48,693. Was that the whole that he said?—Yes.

THIRTY-FIFTH DAY.

Mrs. Bennett.

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48,694. That he would not entertain the offer ?—That was all.

48,695. Did you ever afterwards speak to him about changing his mind ?—No, not at all.

48,696. You saw him on the nomination day ?—No.

48,697. Not to speak to him ?—No.

48,698. Did he ever tell you why he had changed his mind ?—Never.

48,699. (*Mr. Coleridge.*) He said here to-day that as he was going down the street you called him in ?—I did not.

48,700. You did not have any conversation with him on the nomination day ?—No.

48,701. When did you next see him ?—It might have been a month. It is seldom that I see him.

48,702. You did have some conversation with him about his changing his mind ?—I cannot say I recollect it. I might have done so.

48,703. Did he ever tell you why he had changed his mind ?—Never.

48,704. Did you ask him ?—I do not think I did.

48,705. Did you ever talk to your sister Mary Ann about his changing his mind ?—Never.

48,706. Did she tell you so ?—No.

48,707. Were you authorized to offer any other persons money for their votes besides your brother ?—Not that I recollect.

48,708. Was there no one else ?—I think not.

48,709. Did you see Mr. Heath yourself, or was it all done through your husband ?—Through my husband.

48,710. Did your husband get anything for his vote ?—Not that I know of.

48,711. You did not get anything for him ?—No.

John Tucker.

JOHN TUCKER sworn and examined.

48,712. (*Mr. Bere.*) How long have you had a vote ?—Since 1862.

48,713. You did not vote in 1863 ?—I did not.

48,714. What was the reason for that ?—I had a reason for it.

48,715. What was the reason ?—Mr. Presswell came to me just before the election, and asked me if I would do him a favour. I said, "What is that ?" After some few minutes he said, "Vote for Mr. "Dent." I said, "I will not promise you, but I will "promise you one thing, that I will not vote against "him." And we parted upon that.

48,716. What reason was there for Mr. Presswell asking you to do him a favour ?—Mr. Presswell is one of the trustees of the place that I live in.

48,717. Your landlord in fact ?—Yes; and I rent another place under a Mrs. Anthony, of which he is the trustee, and I pay the rent to him, and he has done me many little favours besides.

48,718. Did he do any little favour for you after the election ?—Not at all.

48,719. You had something in 1862 ?—No.

46,720. Not 25*l.* ?—No.

48,721. Did not Robert Bourne give you the money ?—It was John Knapman who gave it to me.

43,722. You did not vote in 1863 ?—I did not vote at all.

48,723. It was before the election of 1863 that you got the 25*l.* ?—No, the same day; the money was paid the same day as the polllng was, in the morning.

48,724. You got 25*l.* for not voting ?—Yes; I made up my mind not to vote before that; he offered me money the day before, and I thought I might as well take it.

48,725. Is that all the money you ever had ?—Yes.

48,726. Did you get nothing the last time ?—I did not; I do not think my vote was good.

48,727. Which way did you vote ?—For Dawkins and Pim.

48,728. Was your vote objected to when you tendered it on the hustings ?—No; it had been objected to before.

48,729. You did not vote, you only went and tendered your vote ?—Yes.

48,730. What were you promised ?—Nothing.

48,731. Did they not offer you something ?—No.

48,732. Are you quite sure of that ?—Yes.

48,733. Had they been to you before the election to canvass you ?—No; I did not consider my vote was any good, as the barrister would not allow the vote.

48,734. (*Mr. Coleridge.*) At Mr. Dent's election you promised Mr. Presswell that if you did not vote for him you would not vote againt him; are you a Liberal ?—Yes.

48,735. In 1862 did you vote for Pender and Seymour ?—Yes.

48,736. Then how came you to tender your vote for the two Conservatives 1865 ?—I had got ground under them then.

48,737. Under whom had you ?—Under Mr. Dent.

48,738. And you were afraid that you would be turned out ?—I was turned out of the duke's land after receiving 25*l.*; the other party offered me a field and that was the reason I was turned out.

John Gillham, jun.

JOHN GILLHAM, jun., sworn and examined.

48,739. (*Mr. Longe.*) What are you ?—A blacksmith.

48,740. Where do you live ?—At Bridgetown.

48,741. What do you vote for ?—A house and land.

48,742. The house you are living in ?—Yes.

48,743. You have a vote for your own house ?—I never voted for the house I live in now.

48,744. You vote for land and buildings ?—Yes, and the shop.

48,745. Where is the field that gives you a vote ?—We have got four fields.

48,746. Of the duke's ?—Yes.

48,747. Who do you mean when you say we ?—Me and my father.

48,748. You both have votes for those fields ?—Yes.

48,749. Has anyone else a vote for those fields ?—No.

48,750. How long have you held them ?—For six years.

48,751. Does your house carry a vote ?—No; I was in partnership with my father for the last twelve months.

48,752. Is not your house a 10*l.* house ?—It is.

48,753. When did you first vote ?—In 1862.

48,754. Who did you vote for then ?—Mr. Pender.

48,755. Before the election did you get anything ?—Nothing at all.

48,756. Who canvassed you for Mr. Pender ?—Mr. Pender himself.

48,757. Who was with him ?—I think young Mr. Windeatt.

48,758. When he canvassed you what answer did you give him ?—I promised him my vote.

48,759. You got nothing whatever from anyone at that election ?—Nothing at all.

48,760. A month or two afterwards were you canvassed by Mr. Seymour ?—Yes.

48761. Who canvassed you ?—Mr. Seymour and Mr. Jeffery Michelmore.

48,762. What did you tell them ?—I promised Mr. Seymour my vote.

48,763. How long was that before the election?—t may have been a week.

48,764. Were you canvassed by the Conservatives it the election of Mr. Dent?—No.

48,765. At neither of those elections were you canassed by the Conservatives?—No.

48,766. Did anyone come to you on their behalf?—No.

48,767. In 1865 who did you vote for?—For Seynour and Pender.

48,768. Who first canvassed you then?—Mr. Seynour.

48,769. Whom did he come with?—Mr. Jeffery Michelmore.

48,770. What answer did you give to him?—I promised him my vote.

48,771. Did Mr. Pender canvass you personally?—I think young Mr. Windeatt was with him.

48,772. What answer did you give him?—I promised him my vote.

48,773. Were you canvassed by Colonel Dawkins and Captain Pim?—No.

48,774. Or by anyone for them—No.

48,775. Did no one come to you from the Conservatives?—No.

48,776. Or to your father?—I believe they did.

48,777. Did he act for both?—No.

48,778. After the last election was not a present made you by the Liberals?—No.

48,779. You did not receive some money after the election of 1865?—No; not a farthing.

48,780. (*Mr. Bere.*) Did not Thomas Holman pay your mother 40*l.*?—I know nothing about that.

48,781. Did you not know that was for your vote and your father's?—I had nothing to do with the money.

48,782. But you knew that your mother had received it?—No, I did not, before I saw it in the newspaper.

48,783. Have you had any talk with your mother about that 40*l.* since you have found out she had it?—No.

48,784. Have you said nothing to her about it?—No.

48,785. You were surprised to hear that she had got this 40*l.*?—I was.

48,786. (*Mr. Longe.*) Do you remember a man of the name of Johns calling on you?—We were almost always together,

48,787. Did you say anything to him about your vote at the last election, or he to you?—Not that I know of.

48,788. Do you remember his talking to you about voting for the Conservatives?—He asked me many times which way I was going to vote.

48,789. Has he told you that you could get money from the Conservatives?—Yes, he has.

48,790. When was the last time that he talked to you about it?—About a week or two before the last election.

48,791. What sum did he mention?—He never offered me any sum at all.

48,792. From whom was he to get it?—I have heard him say that Harris told him to ask me whether I would vote on that side.

48,793. From whom was he to get the money?—That I do not know.

48,794. What did he tell you?—He asked me if I could get a little money whether I would not vote on that side, and I said, no. I never thought of taking any money.

48,795. Was Johns the only one who came to you from the Conservatives?—In 1862 young John Heath came to me to ask me if I would vote for Mr. Dent.

48,796. Did he offer you any money?—Yes, 100*l.*; he took it out of his bag to give to me.

48,797. And offered it to you?—Yes, he did.

48,798. Where was that?—In Weston Lane, not far from my shop, as I was going up the lane.

48,799. He met you there?—Yes.

48,800. Did you take it?—I did not.

48,801. Did John Heath ever offer you any money again?—No.

48,802. Was no other offer ever made you by the Conservatives?—No.

48,803. At this last election did any one besides Johns offer you any money for the Conservatives?—No.

48,804. Have you ever taken part in giving money to anyone for their vote?—No.

48,805. Not on either side?—No.

48,806. (*Mr. Bere.*) You knew that your father always got money for his vote?—No, I do not believe that he ever had any.

48,807. You knew that many times money has been going to your house on account of votes?—Yes, I have seen it on the table, but I have never had any of it.

48,808. You say that you were in partnership with your father?—Yes.

48,809. Did you keep an account together?—Yes, of the blacksmith's shop.

48,810. When you wanted money to buy materials and so on, did you go to your father for it?—No, I used to keep all the accounts for the smith's work.

48,811. Were you only a partner with him as regards the smith's work?—I used to look after the cows; he lived at the "New Inn" at Bridgetown.

48,812. You did not live there too?—Yes, I did then.

48,813. Are you married?—Yes.

48,814. Did you keep a joint house with your father during the time you have been speaking of?—I did then, but I have left it now for some 18 months.

48,815. At the time of the election were you living with your father?—Yes, I was.

48,816. You have never found money coming unexpectedly to your business?—Never.

48,817. If your father has received any money he has never told you anything about it?—Never.

48,818. (*Mr. Coleridge.*) You never found yourself more prosperous a day or two after the election?—No.

48,819. You never found things easier?—No.

48,820. (*Mr. Bere.*) Do you work for Mr. Michelmore?—No.

48,821. For the duke?—Yes.

48,822. Regularly?—Yes.

48,823. Do you do the blacksmith's work on the estate?—Yes.

48,824. If any money came into the farm would you know it?—No.

48,825. You would not know whether it was in the business or not?—No; I never received any, nor my wife.

48,826. I put the general question; did you ever directly or indirectly receive money for your vote?—No.

48,827. Neither directly or indirectly influenced anybody for their vote?—No.

EDWARD WILLIS sworn and examined.

E. Willis.

48,828. (*Mr. Coleridge.*) What are you Mr. Willis?—Innkeeper.

48,829. You keep the "Bull" inn?—Yes.

48,830. How long have you had a vote?—26 years.

48,831. How have you generally voted?—Liberally.

48,832. Always Liberally?—The first time I voted for Baldwin.

48,833. Did you get anything for that?—No.

48,834. Did you vote in 1859, at Dunn's election?—Yes.

THIRTY-FIFTH DAY.

E. Willis.

29 Oct. 1866.

48,835. For Lord Gifford and Mr. Mills you voted?—Yes.

48,836. What did you get?—50*l.*

48,837. Who gave you that?—Mr. Holman.

48,838. Was that the first time you ever got anything?—No.

48,839. Did you get anything in 1857?—No, I had no vote; I had left the town.

48,840. In 1862, how did you vote?—For Mr. Pender.

48,841. What did you get then?—50*l.*

48,842. Who gave it to you?—Mr. Holman.

48,843. You were one of the slippery company at that time?—No, I never heard of it till I saw it in print.

48,844. In 1865, what did you get then?—50*l.*

48,845. Who gave it to you?—Mr. Holman.

48,846. Is that all you got?—Yes.

48,847. Did any money pass through your hands?—No, nothing.

48,848. Had you anything to do with taking people away and keeping them comfortable?—No.

48,849. Was 50*l.* all you got in 1865?—That is all.

48,850. We hear you took some of the lame ducks away?—No.

48,851. Do you recollect Mr. Condy paying for some bill of yours in 1862?—There was a little account at one time, for breakfast.

48,852. Did not Mr. Condy pay you for that?—I cannot recollect; I think it was Mr. Chaster.

48,853. How much was it?—10*l.*, I think.

48,854. You have been rather discontented about its being allowed to stand over so long?—No.

48,855. You thought the 50*l.* at every election would cover that?—Yes.

48,856. Have you ever voted in municipal elections?—No.

48,857. You have always been paid by Mr. Holman?—Yes.

48,858. At your house?—Yes, put on the table.

48,859. Did you give any receipt for it?—No.

J. Fairweather.

JOSEPH FAIRWEATHER sworn and examined.

48,860. How long have you had a vote?—Since Mr. Mills' last election.

48,861. Whom did you vote for then?—Mr. Mills.

48,862. Have you always voted for the Liberals?—Yes.

48,863. Have you had anything for voting?—No.

48,864. Never at any time?—No.

48,865. Where do you live?—In Totnes.

48,866. Whom do you rent a house of?—It is my own house.

48,867. Freehold house?—Yes.

48,868. Have you ever directly or indirectly received any money to vote?—No.

48,869. Or allowed money to pass through your hands?—No.

48,870. Are you a member of the same chapel as Mr. Windeatt?—Yes.

48,871. Are you on familiar terms with him?—Yes.

48,872. Are most of the members of the chapel the same way of thinking, Liberal?—Generally; there are a few not.

48,873. The majority are generally Liberals?—Yes.

48,874. Are you in any office in the chapel?—I am one of the deacons.

S.P. Sharpham.

SAMUEL PENNY SHARPHAM sworn and examined.

48,875. (*Mr. Longe.*) Do you live in Fore Street?—I do.

48,876. Do you vote for your house?—Yes.

48,877. Is that your own?—No.

48,878. Whose is it?—Mr. Shute's.

48,879. Mr. Shute, junior?—Mr. John Shute.

48,880. How long have you lived in the house?—Nine or ten years.

48,881. Have you had a vote for the borough all that time?—Yes.

48,882. Had you voted before that?—Yes.

48,883. Where did you live before that?—Two doors below in the same street.

48,884. Who was your landlord then?—Mr. Harris.

48,885. Which side did you vote then?—Liberal.

48,886. Have you always voted on the same side?—Yes.

48,887. Always for the Liberals?—Yes.

48,888. Never for the Conservatives?—Never.

48,889. Have you voted at every election?—No.

48,890. You voted in 1859 for Mills and Gifford?—No, I was not a voter then.

48,891. You voted at the three last elections?—The two last elections on the premises I now occupy.

48,892. Did you vote for Mr. Pender?—I did.

48,893. In 1862?—Yes.

48,894. Did you vote for Mr. Seymour in 1863?—Yes.

48,895. And you voted for Pender and Seymour in 1865?—Yes.

48,896. You voted at three elections?—Yes.

48,897. Have you ever received anything for your vote?—No, not from Mr. Pender.

48,898. At those three elections did you receive anything for your vote?—Not a farthing.

48,899. Has your wife received anything?—No one, direct or indirect.

48,900. Was any offer ever made you?—No.

48,901. Not by either side?—No.

48,902. Did you ever take part in the electioneering in getting votes?—No.

48,903. Ever canvass for the Liberals?—No.

48,904. Ever offer anyone any money?—No.

48,905. Or take part in any money being paid to anybody?—No.

48,906. (*Mr. Bere.*) Is your son-in-law in Mr. Pender's employment?—Yes.

48,907. How long?—Twelve months last August.

48,908. How was it he went to Mr. Pender's employment?—He was assistant warder at Dartmoor prison, and about a week before the election day he sent in his resignation to give up that situation.

48,909. Did you know he was going to send in his resignation?—Not till I received a letter from my daughter; and I wrote an answer back desiring him not, but to withdraw the resignation and remain where he was. However, he did not think proper to do so, and he came home; and after the evening of the election day, after I had voted, I spoke to Mr. Pender, and I asked him whether he could employ my son. He asked me what he was, and I said, "He is "a labourer." "What occupation is he fit for?" I told him he had been a soldier for ten years, and had got a discharge, and had been since about three years in Dartmoor prison as assistant warder, but he did not like the situation, and he wanted to do something else. He said, "What was he paid there?" And I said, "About 75*l.* a year." And he said he could do nothing in that way. "The wages in my firm are "from 18*s.* to 1*l.* a week." And he said, "If he "comes to Manchester I will get him instructed to be "a packer, that he may be able to maintain his wife "and family comfortably."

48,910. Then he went to Manchester, and is there now?—Yes, he is there now.

48,911. Do you know what wages he is now getting?—22*s.* a week.

48,912. Though you did not get any money recently, did you get some leather once?—Oh, yes.

48,913. When was that?—That was in 1839.

48,914. As long ago as that?—As long ago as that.

48,915. How much leather did you get then?—I can hardly tell, somewhere about 20*l.*

48,916. Was it from John Shute?—No.

48,917. Who from?—Samuel Parnell.

48,918. Are you a shoemaker?—I am.

48,919. Did you have any leather at the last election?—No.

48,920. Had you anything to do with Screach in 1839?—No, never.

48,921. Screach has said here, before he became an elector you had seen four electors, John Guest, Edward Shinner, William Winsor, and James Roberts?—John Guest and I were very intimate friends; we were always on very intimate terms, like brothers. At Blount's election William Harris called at my house, and solicited my vote for Mr. Baldwin. I told him I could not do any such thing; he knew what my principles were; they were Liberal, and I could not vote for him. I had a slate down by my bench, and he took it up and put down a 2 and a 0, and I understood that to be 20*l.*; he said he thought that would be of some service to me. I said "I am very poor, and "I must say money would be very acceptable, but I "cannot accept it under these conditions;" so he went away. Then I saw a friend of mine, John Guest, and told him the circumstances. He was a Liberal, a decided Liberal he was; I had no idea he was going to be a Conservative. He and John Screach I knew were intimate also, but I had nothing to do with their intimacy. We had a talk together, and by-and-by Mr. Harris came in, that is the son of my landlady. He came and said he was going to give anything and everything I wished. I told him I could do nothing for him; I could not vote for the Tory candidate, as he wanted to get me. I told him I intended to keep on the Liberal side, and vote as before; I would not go down to the Tory bidding. The name of William Winsor I know nothing about.

48,922. Do you know whether John Guest got 50*l.* from Screach?—He told me he was going to have 50*l.*

48,923. Did he give you any of it?—Not a farthing.

48,924. Did you vote for Blount?—I did.

48,925. You have not received any money for your vote?—Never.

48,926. You never received any money for your vote, except in 1839?—Never, sir.

WILLIAM SAWYER sworn and examined.

W. Sawyer.

48,927. (*Mr. Coleridge.*) You keep the "Castle," in the Fore Street?—I do.

48,928. When did you first vote, Mills's?—I was not in possession then.

48,929. Whose election; was it Dunn's election?—Mills' election was the first election after 1853.

48,930. That was an unopposed election of Lord Seymour; the next was 1857?—Then I voted Seymour and Mills.

48,931. What had you to do in that election?—Nothing more than vote.

48,932. Did you give any money away then?—No.

48,933. Did you get any money?—Oh, no.

48,934. After the election?—No.

48,935. You had nothing in 1857, and did nothing but vote?—Nothing but vote.

48,936. In 1859, when Mills and Gifford and Dunn stood?—I had always voted for the Liberals, and I have always refused the Tories.

48,937. Were you then offered anything on Dunn's side?—No.

48,938. Did you get anything at that election?—No.

48,939. Did you give anything?—No.

48,940. Did you not give anybody anything?—No.

48,941. Did you promise money to any voters?—Nothing; I am a strong partizan, but I never attempted to influence anyone.

48,942, You influenced them in a practical manner, a man named Sloggett you got away at the election?—That is false.

48,943. Did you not try the man?—No; I had nothing to do with Sloggett in any way.

48,944. You got mixed up with him somewhere in company?—Not to my knowledge.

48,945. What Mr. Harris says is not true?—No.

48,946. In 1862 you voted for Pender?—I did.

48,947. Did you not send anybody anything then, or receive anything?—Never.

48,948. In 1863 you voted for Seymour, I suppose?—Yes.

48,949. You had nothing to do with Sloggett in 1863?—Never. It was a false report, nothing but suspicion; there was room for suspicion.

48,950. Tell us what it was; what is the history of it?—On the Sunday I went to take a walk, and I called at a public house in Dartington, Whiteaway's. I had never been there before or since. I sat down for two or three hours with Mr. Whiteaway, and there was Sloggett having his tea. When I left the house Sloggett left. We were in the same room, but a very short time together. Coming from that house, I believe I called at the "Railway" hotel.

48,951. With Sloggett?—Yes; and the intention was to go to the "Seymour" or the "Stars." It was close to the council election.

48,952. The Sunday before the election of 1863?—It was on a Sunday evening. We cut the journey short, and called in at the "King's Arms," and I had Sloggett there too.

48,953. Did he tell you he had been offered money?—No.

48,954. What did he tell you? Did he not say they had been trying him on the other side?—Perhaps he thought that I was so mixed up in it, being a strong partizan, he would not. I dare say he wished himself out of my company.

48,955. But one way or the other did he not tell you that the other side had offered something?—Oh, stop, you remind me that I know of something; he told me he was to be the man to capsize the election in favour of Mr. Pender, and that he was to be paid by the Tories.

48,956. Did he tell you by Frederick Evens?—No.

48,957. Had you anything to do with a man called Searle?—No.

48,958. In 1865 you voted for Pender and Seymour?—Yes.

48,959. Had you anything more to do with the voting?—I persuaded Captain Pim to withdraw.

48,960. You did not let him go away?—I take credit to myself that I frightened him away.

48,961. He did not go?—By the advice I gave him I persuaded him, and opened his eyes to show that it was useless spending any money.

48,962. Did he mean to spend money when he first came down?—I do not know what his intention was, but I gave him advice enough to stop him.

48,963. You had known him before?—No.

48,964. He came to you on the opposite side; how is that?—He called on me and canvassed me, Commander Pim, James Heath, Captain Veitch, and Mr. Hare. Mr. James Heath being very zealous, he introduced Captain Pim. He looked only two minutes in Mr. Bickford's shop and came up and introduced Commander Pim to me: he says, "This, Mr. Sawyer, "he is an old tar."

48,965. You had been a sailor?—I had; he thought, being a brother chip, he might got a vote from me. I

THIRTY-FTH DAY.

W. Sawyer.

Oct. 1866.

told him it was of no use; I never voted for the Tories in my life, and I should not on this occasion. Mr. Heath was strong in his persuasion, at which I felt very much insulted, and before the other two gentlemen arrived I said, "Commander Pim, take my advice, sir, pay your hotel bill and cut."

48,966. He did not take your advice?—He said, "What for?" Mr. Heath was still very strong and zealous for Commander Pim. I thought a young man like that had no business to have any retainer, and, as I said before, I felt very much insulted. I said, "Take my advice, go back; pay your hotel bill and get clear of those thimble riggers."

48,967. Have you ever been asked to do any work about elections, to go and canvass voters?—No.

48,968. You never canvassed any voter?—I never did. I never canvassed but 10 men for myself.

48,969. You stood for the council?—Yes.

48,970. That cost you something?—No, not a farthing. It never cost me 10*s*.

48,971. Who paid the bill for you?—I know nothing of any bill. I stood on my own merits.

48,972. You had a goodish bill paid you at the election time?—A very large bill. I can show it to you.

48,973. Tell us how much it was?—I do not know; I never saw the bill. I do not like anything untrue. I like for the Conservatives to be proved fools and liars, when they deserve it. I may be a very strong partizan, but I never did do anything dirty, and I wish the world to know it. Here is the day book (*producing it*), and I never posted it. Mr. Jeffery Michelmore and others called at my house, and they had luncheon during the election. Some gentlemen paid their bills, but here you will find daily what the amount of the expenses was; it was about four days; 15 luncheons and 27 brandies. I have never seen this book till about two hours ago.

48,974. I see one is about 13*l*. 13*s*.; tell us shortly what the amount is of the other. Is it 20*l*.?—No, it is not.

48,975. (*Mr. Bere.*) How long have you been on the register?—Since Christmas 1852.

48,976. Are you your own landlord?—Yes.

48,977. It is your own house?—Yes.

48,978. (*Mr. Coleridge.*) Have you any land of the Duke's?—No.

48,979. Nothing in Bridgetown or Gerston?—No; I wish I had.

48,980. Did you rent under the Duke?—I forget whether I ever rented under the Duke. I want to get the rent of a farm, but I get no chance; I am too strong a partizan to get a sweetener.

G. Mason.

CHARLES GEORGE MASON sworn.

48,981. (*Mr. Bere.*) Whom did you vote for in 1863?—Seymour.

48,982. If you had not been a tenant of Mr. Durant should you have voted for Mr. Dent?—No, I do not know that I should. This is the first time I ever voted.

48,983. What were your politics?—My friends are Conservatives.

48,984. You are not a Conservative?—No, I am not.

48,985. Whom did you vote for in 1865?—Pender and Seymour.

48,986. Did you get any offer from the other side?—No.

48,987. On neither occasion?—No.

48,988. Before Mr. Durant came and canvassed you?—No; he never asked me to vote in any way on any occasion.

48,989. Did you ever receive any money or advantage directly or indirectly?—I have not, of any sort.

48,990. You never tried to influence anybody else?—Certainly not.

48,991. (*Mr. Longe.*) What gives you the vote; is it a field?—A field in the borough of Totnes.

48,992. Your farm is not?—My farm is not.

48,993. Do you know how many fields there are of Mr. Durant's that give votes?—I do not.

48,994. (*Mr. Bere.*) How long have you been a voter, since 1860 or 1861?—1861, I think.

48,995. Had you got the field before you became a voter?—I had this field in the year 1861. I had the field before the farm.

48,996. Is it a field with a linhay on it?—Yes.

48,997. Is it an open linhay?—Yes, with a water tank.

48,998. What is the value of it?—20 guineas a year.

48,999. Are you the only person who occupies it?—The only person.

49,000. You occupy it with your own cattle?—I occupy it entirely with my own.

49,001. (*Mr. Coleridge.*) Nobody votes upon it?—No.

49,002. (*Mr. Bere.*) You have considerable property of your own?—I have some.

49,003. Did you ever say in Mr. Harris's presence you wished Mr. Dent success, but as you qualified upon Mr. Durant's property you feel bound to vote for Mr. Seymour?—I am not aware of it.

N. Gidley.

NICHOLAS GIDLEY sworn and examined.

49,004. (*Mr. Bere.*) How long have you had a vote?—From the passing of the Reform Bill.

49,005. Have you always voted one way?—No.

49,006. You first of all voted for the Tories, did you not?—I did.

49,007. How long did you continue to vote for them?—Until, I believe, the last two elections.

49,008. What money did you get for voting for them?—Never one farthing.

49,009. Did not Screach at one time try?—Oh no, not try, by no means.

49,010. Did you vote in 1850?—I was not one of the party.

49,011. In 1840, did you vote for the Tories?—Yes.

49,012. Did you know that Screach had got 400*l*.; 100*l*. for you, 100*l*. for himself, and 100*l*. each for two others?—I never heard anything of the sort.

49,013. He never gave you any of the 100*l*.?—Not a farthing.

49,014. Is there any other Nicholas Gidley besides yourself?—There was one who was a baker, and I believe he went away to America. I have not heard from him since.

49,015. Was he a relation of yours?—None whatever.

49,016. Did he vote for the Conservatives?—That I do not know.

49,017. What made you change?—Because I liked the Liberals better than the Tories.

49,018. You voted for Pender in 1862?—I did.

49,019. That was the first time you voted for them?—I believe it was. I am not exactly certain.

49,020. Are you Mr. Chaster's father-in-law?—Yes.

49,021. Did the change take place after?—Oh, no.

49,022. You had not had an opportunity of showing the change till after Mr. Chaster was your son-in-law, had you?—That was not the case, sir.

49,023. Have you at any time ever received money for your vote?—Never one penny, or the value of it.

49,024. Did you ever try to get a voter to vote by offering to pay?—I never asked a man in my life.

49,025. (*Mr. Coleridge.*) What was your reason, after 30 years with one love, taking to another; what made you change your mind after voting consistently for the Conservatives?—I can hardly tell; because

the Liberals had the pre-eminence as to the right of voting in towns, and I joined with them.

49,026. You wanted to vote with the majority, was that it ?—I do not know about the majority.

49,027. (*Mr. Longe.*) You wished to be on the winning side ?—Yes.

49,028. (*Mr Coleridge.*) Was it Mr. Chaster's persuasive eloquence that made you think so ?—I do not know that ever Mr. Chaster persuaded me at all.

49,029. The only reason was the Liberals had a majority and you wished to make one more ?—Exactly so.

49,030. You had been on the losing side so many times in your life that you wished to be on the winning side ?—If I could.

George Mark sworn and examined. *G. Mark.*

49,031. (*Mr. Bere.*) Are you a tenant in Dartington ?—Yes.

49,032. Who do you rent under ?—Champernowne and Dent.

49,033. Which way have you voted ?—The Conservatives.

49,034. Always ?—I only voted once.

49,035, How much do you rent of Mr. Dent ?—About 13 acres.

49,036. Are you the only person who votes for that 13 acres ?—I am not voting upon the 13 acres.

49,037. What do you vote for ?—As a British farmer.

49,038, (*Mr. Coleridge.*) Whom do you pay your rent to ?—Mr. Dent or Mr. Bryett.

49,039. Have you got a brother who has a vote ?—Yes.

49,040. Was he away at the last election ?—Yes.

49,041. Did you get some money to bring him back ? Yes.

49,042. How much ?—5*l.*

49,043. Where was he ?—At Windsor, in the 1st Life Guards.

49,044. You had him down and he voted ?—Yes.

49,045. Did you have money for your vote ?—To go there. Mr. Harris communicated to my brother about his coming down to vote, and he said he would come if they would pay his expenses. I found it would cost 5*l.* to go there and back.

49,046. How did he get the vote, he being in the Life Guards ?—He was here at the time. He said he would come if they would pay the expenses; it would cost 5*l* ; at the same time, they were leaving Windsor and going down to Aldershot. He wrote a letter to say he did not think he should come. When Mr. Harris received the letter on the Saturday morning he came to me about it, because he had asked me. I said, "I do not know about it." He said "Will you go up ?" I said, "If you pay my expenses I will go up ;" and he paid my expenses.

49,047. You did go up ?—Yes.

49,048. And brought your brother back, did you ?—Yes.

49,049. And he voted ?—Yes.

49,050. Was that all the money you ever received ?—That is all, to pay my expenses.

49,051. How long have you been a voter ?—Only last election.

49,052. Did you give any money to anybody else ?—No.

49,053. (*Mr. Coleridge.*) Were you offered any money by the Liberal party ?—Yes ; by the Liberal party.

49,054. Who by ?—By Mr. Lizard of Berry.

49,055. What did he offer you ?—I was there one day to see him, and he offered me 150*l.* for a hayrick.

49,056. What was the hayrick worth ?—30*l.*

49,057. What were you to do for that ?—Vote for the Liberal candidates.

49,058. That was the election of 1865 ?—Yes.

49,059. To vote for Pender and Seymour ?—Yes.

49,060. Did you sell him the hayrick ?—No ; I would not vote that way.

49,061. So you lost a good opportunity of sale ?—Just so.

49,062. (*Mr. Longe.*) What day was it that Mr. Lizard offered you this ?—A fortnight before the election. It was just after Colonel Dawkins came here.

49,063. Was there not some offer made to you by the Liberals the night before the election, or shortly before the election ?—No. I went to Aldershot the Monday morning.

49,064. Did you not hear an offer was made to your brother ?—No ; no one saw my brother till he voted.

49,065. (*Mr. Coleridge.*) Was that hayrick upon Mr. Dent's land at Dartington ?—At Dartington.

49,066. Are you obliged to consume the hay upon the land ? Could you sell it ?—Oh, yes.

49,067. The covenants of your lease do not prevent your selling the hay ?—No.

49,068. You could not sell the straw, I suppose ?—I have no straw.

49,069. Is it pasture land ?—Yes.

49,070. (*Mr. Bere.*) Are you allowed to sell the hay ?—Yes.

49,071. Is Mr. Lizard your brother-in-law ?—No.

49,072. (*Mr. Coleridge.*) He lives at Berry ?—Yes.

49,073. (*Mr. Bere.*) Do you mean to say you really did not hear of any offer to your brother ?—No.

49,074. How many more of you are tenants of Dartington ?—My father and brother.

49,075. What is your brother's name ?—Joseph.

49,076. And your father's ?—John.

Jeffery Maye sworn and examined. *J. Maye.*

49,077. (*Mr. Longe.*) I think you are a tenant of the Duke of Somerset ?—I was. I am not now.

49,078. Where do you live ?—At Staverton.

49,079. How much did you hold under the Duke ?—A field.

49,080. When did you first take that field ?—20 years ago.

49,081. I think you are connected with Mr. Michelmore ?—A brother-in-law.

49,082. Is Mr. Jeffery Michelmore the brother-in-law ?—He is a nephew of mine.

49,083. What were your politics ?—I always voted for Baldwin and Lord Seymour as well.

49,084. It was in respect to that field that you had your vote ?—Yes.

49,085. Had you a vote for the council too ?—Yes, a vote for the council. I never had any occasion to vote for the council.

49,086. You never had any occasion to vote for the council ?—No.

49,087. You voted for Mr. Baldwin and Lord Seymour ?—Yes.

49,088. Did you vote for Lord Gifford ?—Yes, I voted for Lord Gifford.

49,089. Have you always voted for the Liberals ?—No. I never voted on a single election at all.

49,090. Only on the general elections ? — The general elections.

49,091. And then for whom did you vote ?—The last election I voted for Mr. Seymour and Colonel Dawkins.

49,092. You split your vote ?—Yes.

49,093. At that time were you canvassed by Mr. Pender ?—No. I never spoke to Mr. Pender in my life.

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J. Maye.

29 Oct. 1866.

49,094. Were you asked for your vote?—I was asked for my vote.

49,095. Who asked you for your vote?—Mr. Jeffery Michelmore asked me for my vote, and Mr. Windeatt as well. They were at my house.

49,096. And what did you tell him?—I did not happen to be in at the time.

49,097. You sent some message? Did you give them to understand at all which way you were going to vote?—Not on the single election. I told them I would always give one vote for the duke, and the other I would do what I liked with.

49,098. That was the understanding?—That was the understanding when I took the field in the first place.

49,099. This last election you were asked for your second vote?—Yes.

49,100. You were asked not only to vote for Mr. Seymour, but Mr. Pender also?—No; I was not canvassed at the last election.

49,101. You were not asked?—I was not canvassed.

49,102. But were you not asked to give your vote for Mr. Pender as well as Mr. Seymour?—No; not the last election.

49,103. Not by Mr. Michelmore?—No.

49,104. Was there not a letter written to you?—Yes, there was.

49,105. Have you got that?—No. I can tell you the purport of it.

49,106. When did you receive it?—I received a letter from Mr. Michelmore. That was the single election, when Mr. Dent and Mr. Seymour stood.

49,107. Mr. Seymour's first election?—Yes.

49,108. You received a letter then from Mr. Michelmore?—Yes.

49,109. Which Mr. Michelmore?—The old Mr. Michelmore.

49,110. Thomas Michelmore?—Yes.

49,111. What did he say?—He said if I could not make up my mind conscientiously to vote I was not to vote at all. That is the purport of it.

49,112. If you could not conscientiously vote not to vote at all?—Yes.

49,113. I think you say it was always the understanding that you should vote for the duke's candidate?—Yes; but I told both parties that I would not vote at that election.

49,114. Not at that election?—No.

49,115. Why not?—I cannot tell you why.

49,116. I think we must have the reason?—I was always allowed to give the Conservatives one vote.

49,117. Do you mean you had not voted for Mr. Pender?—I never voted for Mr. Pender. I never voted for Mr. Pender, nor yet Mr. Mills.

49,118. (*Mr. Bere.*) In truth you were a Conservative at heart and a Liberal by connexion?—Yes.

49,119. (*Mr. Longe.*) After this last election did you give up that land?—Yes; I was disgusted.

49,120. Why were you disgusted?—Because I was disgusted with the borough.

49,121. Now you have no vote for the borough?—No vote at all.

49,122. Did you ever understand from Mr. Thomas Michelmore that you must vote for the ducal candidate before you took that field?—Yes; I must give the duke one vote.

49,123. Did you understand it was the duke who authorized Mr. Michelmore to impose those terms upon you?—No, I did not. I am not aware of anything of the kind.

49,124. Have you reason to believe Mr. Michelmore did that entirely of his own notion?—I should think so.

49,125. Without any authority?—I should fancy so.

49,126. That is really your belief?—That is my belief.

49,127. (*Mr. Bere.*) Did not Mr. Michelmore have some conversation with you on the morning of Seymour and Dent's election?—No, I never saw him. I was not in Totnes at all.

49,128 Did not he say something about the danger of losing his place if the election was lost at any time?—No, I was not in Totnes.

49,129. Did not he say anything to you about losing his place if the election was lost at any time?—No.

49,130. Never?—Never.

49,131. Then it is not true that he did at any time say so to you?—No; it it is not true. I asked who the duke's member was, and he told me, and he said Seymour.

49,132. Have you ever received any offer for your vote?—No.

49,133. On neither side?—No; I should take it as an insult if I had.

49,134. (*Mr. Longe.*) In the first instance what did you want this piece of land for?—For accommodation land. I wanted a pasture field.

49,135. How many acres is it?—Two or three.

49,136. How much did you pay for it?—10*l.*

Mrs. R. Thomas.

Mrs. Rhoda Thomas sworn and examined.

49,137. (*Mr. Bere.*) I believe you keep a confectioner's shop in this town?—I do.

49,138. And are a very strong political partisan?—I am.

49,139. On the Liberal side?—Yes.

49,140. Because we have heard a very dangerous character of you from the Conservative gentlemen. You are strictly a Liberal, and always have been?—I am.

49,141. When did you first have anything to do with elections?—I never had anything to do with them.

49,142. Have you never been canvassing?—No, never.

49,143. Did you at all try to persuade Captain Helms to vote against his friend, Mr. Dent?—I have not; I think if I had, he would have voted my side.

49,144. After he had come down to support Mr. Dent?—Yes. I never asked him.

49,145 Therefore all we have heard about Mr. Helms getting into dangerous hands is not true?—No.

49,146. Did you never take any part in politics?—No.

49,147. Did you never pay a voter?—No, I have never been asked.

49,148. No money has passed through your hands in any shape or way?—No.

49,149. Have you ever let any of your rooms as committee rooms?—No.

49,150. Have you ever known money to be given away in your house?—No.

49,151. During election times have voters come to your house?—Never.

49,152. Have people who have operated in elections ever used your rooms for meeting purposes?—No. Both parties have given me credit for knowing more than I do.

49,153. We thought you were the depository of many secrets. What is it about the piano?—Well, my daughter has got one.

49,154. Who gave her the piano?—Captain Helms gave it her.

49,155. (*Mr. Longe.*) Not Mr. Pender?—No. It was a bet. He bet if Mr. Dent did not come in he would give her a piano. Mr. Dent did not come in, and he was as good as his word, and he gave it to her.

49,136. What was she to give him?—Nothing.

49,157. (*Mr. Bere.*) If you have anything more to tell us, we shall be glad to hear it?—No, I have nothing further to add.

49,158. (*Mr. Coleridge.*) You had really nothing to do with the election?—Nothing whatever.

JOSEPH BENNETT sworn and examined.

49,159. (*Mr. Bere.*) Are you the brother-in-law of Mr. Putt?—I am.

49,160. And did you in 1863 authorize your wife to offer him some money?—I did.

49,161. Who gave you the authority?—Mr. John Heath.

49,162. Where, at the "Seven Stars"?—At the "Seven Stars."

49,163. Mr. Putt did not take it?—He did not.

49,164. Do you remember how long before the election that was?—I should say about a fortnight or three weeks.

49,165. Did you ever know whether Mr. Putt got anything on the other side?—I never knew anything of the kind.

49,166. Did you ever have anything to do with anybody else at the election?—I did not.

49,167. I believe you have not always been quite consistent in your voting?—No; I voted twice for the Liberals.

49,168. When was that?—In 1857 and 1859.

49,169. And in 1863 and 1865 you voted for the Tories?—Yes.

49,170. What was the reason for the change?—I had a fall out with my family about a will case, and that was the reason.

49,171. Did you get any advantage for changing your opinions?—I had an advantage.

49,172. What was that?—Mr. John Heath called upon me. I said I should not like to take anything for my vote, but would be obliged to him if he would give me a turn in the way of my trade.

49,173. What did he say?—He bought two gold watches and chains of me, and he gave me a cheque for forty guineas for them. His son wears one of them now, a watch worth 16*l.* I have had it to repair once or twice.

49,174. That was in 1863?—1863.

49,175. Is that the only advantage you derived?—The only advantage, I swear.

49,176. And you never tried to influence anybody else at all?—No.

49,177. Did Mr. Heath ever ask you whether you could influence anybody?—Yes, he did; I remember now you mention it. He asked me if I could not influence Mr. Angel, but I did not see Mr. Angel.

49,178. And you did not send anybody to him?—No.

49,179. Did you ever have any offer on the Liberal side?—Yes, in Dunn's election, there was a Mr. Mum, I suppose you may call him, came into my shop, quite a stranger to me; Mr. John Heath's eldest son stayed outside the door, and he came in, and said, "Good morning Mr. Bennett, I represent "Mr. Dunn." I said, "Do you." He said, "Have "you anything to sell, a brooch, or anything of that "sort in this establishment?" And I said, "No, "I promised Mr. Mills."

49,180. That is all you have had offered to you by either side?—That is all.

49,181. And excepting the watches, that is all the advantage you ever received?—That is the only little favour I ever received.

WILLIAM PULLING sworn and examined.

W. Pulling.

49,182. (*Mr. Bere.*) How long have you had a vote?—Well, I voted on two occasions.

49,183. In 1863 and 1865?—Yes.

49,184. You did not vote in Mr. Pender's first election?—I do not think I was a voter on that occasion.

49,185. You must have been?—I cannot recollect the dates. I voted on one occasion for Mills and Gifford.

49,186. That was in 1859?—Yes.

49,187. Was Mr. Dunn the candidate on the other side?—I think he was.

49,188. Then what was the other time you voted?—I voted for Pender and Seymour the last time.

49,189. What is your occupation?—In Fore Street, Totnes.

49,190. What are you?—An upholsterer.

49,191. Have you had any money for your vote?—No.

49,192. Or given money to anybody else?—No.

49,193. Or received any advantage for it?—No.

49,194. Though you have not had any money you have exercised a little influence over others?—No, not at all.

49,195. Did you not have something to do with young Mr. Sharpham?—No.

49,196. You are quite sure about that?—I never spoke to him in my life about the election.

49,197. Do you know him?—Yes.

49,198. Did you speak to him about the election of 1865?—No.

49,199. Never?—No.

49,200. Are you quite certain you never received anything? Did you ever receive any orders in your trade?—No, not at all, in any shape or way; not a penny piece.

49,201. What were your customers?—More Conservative than Liberal. My trade extends over a large arena; a large extent of country. I do not do much business here. I send a large quantity of goods to London. But, as far as my customers go, the Conservatives are the best.

49,202. And you never received a farthing for your vote?—No, not a penny piece.

49,203. How many workmen do you keep?—12 men and a boy.

49,204. (*Mr Coleridge.*) How many of them have votes?—There is only one who has a parliamentary vote, which he has not exercised yet. His name is Underhill. He is a vote under a company.

49,205. (*Mr. Bere.*) He had not got it in 1865?—No.

49,206. Did you not go to Kingsbridge one election?—Yes.

49,207. What made you go there?—Because I am in the habit of having a little fun at election times. It is principally for my own amusement, and there was a carriage going to Kingsbridge; and a friend of mine asked me to go in it.

49,208. Where was the carriage going from?—From Totnes.

49,209. At the "Seymour"?—No; I did not see it at the "Seymour."

49,210. Whose carriage was it?—I cannot tell you.

49,211. Who drove it?—That I can hardly swear to.

49,212. And who was the friend?—My friend asked me to jump up; a Mr. George Mitchell, of Bridgetown.

49,213. Mr. George Randle Mitchell?—George Mitchell. I do not know whether he is called Randle.

49,214. Were you alone in the fly?—There were four of us.

49,215. Who were the four?—Myself, Mr. Mitchell, Mr. Veasey, and I think the other name was West, a gardener. Those were the four.

49,216. Where did you go to?—We went to Kingsbridge. We got up to the top of the town, and walked through that gate to the bottom of the hill, and I think we got into a place called the "Anchor Head."

49,217. How long did you stop there?—A quarter of an hour, I think.

49,218. What did you do then?—Walked up to the town.

49,219. All together?—No, all alone. I went up

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W. Pulling.

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and bought a cigar. Veasey met them by appointment at another inn.

49,220. What is its name?—I think it is called the "Prince of Wales." It is below the market on the right.

49,221. How long did you stay there?—About half an hour.

49,222. What did you do then?—The proposal was by them to get back again.

49,223. What did you say then?—I said, "I am "all ready," and I jumped up, and we went towards home. That is all.

49,224. What happened then?—I believe they put their heads together, and they thought it would be the best thing to go to a place called Morley, to see a voter called Smaridge, and a little fun from that happened.

49,225. Let us hear about it?—Mr. George Mitchell thought he had discovered the voter, and he had got the brother, and he said "Damn me if I have not "got him;" but he had got hold of the wrong man, and we came home.

49,226. (*Mr. Coleridge.*) Did he give the wrong man anything?—No, I do not believe he did.

49,227. (*Mr. Bere.*) What did he do with the wrong man?—I believe I stood a pot of beer for him.

49,228. That is all?—That is all.

49,229. And you found out the mistake?—He did, not I.

49,230. Did Veasey and West come back with you?—Yes.

49,231. Did you hear what they were to get for their votes?—Not at all.

49,232. What time did you get back to Totnes?—About half-past 10 or 11.

49,233. Where did you go then?—I went to Newton.

49,234. What made you go there at that late hour at night?—For a bit of a ride.

49,235. Whom did you go with there?—I think it was with one of my men.

49,236. What did you do there?——There was a ball at the hotel, and we had a bit of a spree.

49,237. Did you go back the next day?—No, I was tired of it, and I said, "Now I am out I will take a "ride down to Plymouth."

49,238. And you went down to Plymouth?—Yes.

49,239. When did you come back to Totnes?—Eight the next morning.

49,240. Did you vote at that election?—No, it was all over when I came back.

49,241. That was Dent's election?—Yes.

49,242. They got you out of the way?—No.

49,243. What did they give you to go out of the way?—Nothing at all.

49,244. Who paid your expenses?—I paid my own, and always do when I go out.

49,245. In 1865 did not you have something to do with Mr. Charles Michelmore?—No.

49,246. You were served with a subpœna to go to London?—Yes.

49,247. And you went; were you examined?—No.

49,248. Do you know why they had you up in London?—I was surprised at the termination of the affair, and I was annoyed at it, and I said to Mr. Edmonds, "What did you bring me to London for;" and he said, "Oh, there is nothing particular against "you, only the question of treating;" and I said, "If "that is all, will you take a glass with me and we "will go to the stall."

49,249. Whom are you supposed to treat?—I do that every day.

49,250. What Liberal voters had you treated?—Nothing of the kind. If I meet a man, I give him one, and he gives me one the next morning.

49,251. (*Mr. Coleridge.*) It is merely an excuse for drinking?—Perhaps that is it.

49,252. (*Mr. Bere.*) You have had no money for your vote?—No.

49,253. Were you never canvassed by the opposite party?—They never came and asked me.

49,254. Is that all you know of the election of 1865?—Yes, that is all.

J. Cole.

JAMES COLE sworn and examined.

49,255. (*Mr. Bere.*) How long have you had a vote?—Since 1862.

49,256. Is that the first time you voted?—Yes.

49,257. Whom did you vote for then?—Mr. Pender.

49,258. What did you get for that?—Nothing.

49,259. What were you offered?—Nothing.

49,260. Who canvassed you?—Mr. Pender himself.

49,261. Nobody else?—Nobody else.

49,262. Did anybody offer you anything?—No.

49,263. Was you wife offered anything?—No, nor any of my family.

49,264. Were you canvassed by Mr. Dent?—Yes, they came to my house.

49,265. Who?—I think Harris came.

49,266. What did he offer you?—I do not lend myself that way.

49,267. You have been employed by the Liberals? Yes.

49,268. Whom did you rent under?—I vote on a house and shop.

49,269. Who is your landlord?—No one; I am my own.

49,270. Is it freehold property?—Yes.

49,271. What are you?—A carpenter and joiner.

49,272. In 1863 whom did you vote for?—Alfred Seymour.

49,273. And did Mr. Harris come about Dent?—Yes.

49,274. He said that you were an awkward customer?—Yes, perhaps he found it so.

49,275. In 1865 did you vote?—Yes, I voted for Pender and Seymour.

49,276. Did you get anything?—No, my hands are clean.

49,277. Any promise?—No.

49,278. Have you not had an orchard since the last election under the Duke?—Yes.

49,279. Was not that promised at the last election?—It is a small place.

49,280. Who promised it?—My uncle gave it up; Mr. Goodridge and I went in. Mr. Goodridge said he was going to give up the orchard and I went to old Mr. Michelmore and asked for it, and he said he could not do anything, I was to go to Jeffery, and Mr. Jeffery said if Mr. Goodridge was going to give it up, I should have it.

49,281. That was before the election?—Yes.

49,282. Did they say anything about your vote?—No.

49,283. With the exception of the orchard, did you receive anything for your vote?—No.

49,284. Did your wife?—No. I am on my oath, and I believe none of my family did.

49,285. Was not Goodridge turned out?—No.

49,286. I believe your house is mortgaged?—Yes, it is.

49,287. To whom?—Mr. John Mitchell, of Bridgetown.

49,288. Is he the one that is called the Chartist?—No.

49,289. Which Mr. Mitchell do you mean?—The cider merchant.

49,290. Is it copyhold of the manor or is it freehold?—It is freehold.

49,291. (*Mr. Bere.*) Have you paid any interest since the last election?—No; I have never paid a farthing principal since I took the house.

49,292. Have you paid any interest?—Yes.

49,293. When did you pay the last interest?—I am not prepared to answer that question at the moment.

49,294. Have you paid any since the last election?—Yes.

49,295. (*Mr. Coleridge.*) Have you voted at the municipal election?—Yes.

49,296. Have you had anything for it?—I do not know whether I did have one half-crown.

49,297. Have you had anything to do with giving money to other voters?—No, nothing.

49,298. (*Mr. Bere.*) Did Mr. Michelmore come for your vote?—No, nobody, but Harris came to me one day.

49,299. When was the last interest payable?—Last March, I think.

49,300. Did you pay it last March?—I do not know whether I did.

49,301. How many times have you paid interest since the house has been mortgaged?—Six or seven times.

49,302. How long has the house been mortgaged?—When first I took it, about seven years ago.

49,303. Did you pay the interest yearly?—Yearly.

49,304. You paid six years' interest?—I am not prepared to say. I should not like to tell a falsehood if I knew it.

49,305. What is it, 5 per cent.?—Yes.

SAMUEL SHARPHAN sworn and examined.

S. Sharphan.

49,306. Are you the son of Samuel Penny Sharphan?—Yes.

49,307. How long have you had a vote?—Since 1859.

49,308. How did you vote then?—For Mills and Gifford.

49,309. Have you always voted for the Liberals?—Yes.

49,310. Have you had any money?—No.

49,311. Any advantage?—No.

49,312. Any offer from anybody?—No.

49,313. Not even from the Conservatives?—No.

49,314. Never bribed anybody else?—No; never had a second person call upon me when I was canvassed.

49,315. Did the candidates call upon you the last time?—Yes.

49,316. Who called first?—I believe Mr. Seymour was the first.

49,317. Did you get anything after the election?—No.

49,318. Your brother-in-law is in Mr. Pender's employment?—Yes.

49,319. After the election?—Yes.

49,320. Did you say anything to Mr. Pender about giving your brother a place?—No.

49,321. What are you?—A hairdresser.

49,322. You never had anything directly or indirectly on account of your vote?—No.

49,323. What do you vote on?—A house in Fore Street.

49,324. Worth 10*l.*?—Worth 20*l.*

49,325. Are you your own landlord?—No.

49,326. Captain Sumpter is your landlord?—Yes.

49,327. He is a Liberal?—He is.

49,328. Had he anything to do with your vote?—No.

49,329. Never came and asked you for it?—No.

49,330. Is he an old gentleman?—Yes.

49,331. Who collects his rents?—Mr. Chaster.

49,332. Did Mr. Chaster ever say anything to you about your vote?—No.

49,333. Did you have anything to do with supplying newspapers to the institution here?—Yes, the reading room.

49,334. Did you supply the newspapers and advertisements during the elections?—I supplied the advertisements.

49,335. Are you a printer?—No.

49,336. Is it part of your business to do the papers?—I am agent for the "Mercury."

NICHOLAS BROWSE sworn and examined.

N. Browse.

49,337. (*Mr. Bere.*) Are you the relieving officer?—Yes.

49,338. How long have you been relieving officer?—Fourteen years.

49,339. How long have you voted for Totnes?—Since 1857.

49,340. Was that the first time?—Yes.

49,341. You voted always liberally?—Yes.

49,342. How much have you had?—I had 50*l.* two months after the last election.

49,343. Was that the money Mr. Hamlyn paid you?—Yes.

49,344. You knew it was for your vote at the election?—I do not think it could be; I told him I had promised my vote.

49,345. Did not Mr. Hamlyn say Mr. Windeatt had sent him to say so?—Mr. Hamlyn did not say so to me.

49,346. However, you got the 50*l.*; is that all the money you had?—Yes; I had been a voter 40 years.

49,347. Never paid any money to anybody?—No.

49,348. Never offered anybody?—No.

49,349. Are you the relieving officer for the parish?—No. 1, Totnes Union.

49,350. Where do you live?—At Bridgetown now.

49,351. Under the Duke?—I am tenant of the Duke, but I was not in 1857 and 1859.

49,352. When did you first become a tenant of the Duke?—In 1861, I think.

49,353. What is your qualification?—House and garden, and 10*l.* rental.

49,354. Did you pay the rents and taxes?—Yes.

49,355. Did you ever get anything back?—No.

49,356. Whom did you succeed?—I took this house of a person who had a life interest in it; the life died and it became the Duke's.

49,357. Did you see Captain Pim at the last election?—Yes.

42,358. Did he canvass you?—Yes.

49,359. What passed between you and him?—He said he was a navy man, and he understood my wife's father was in the navy, and he should of course expect my vote. I said I did not know that that should correspond, and he said, "I shall call upon "Mrs. Browse."

49,360. Did he call?—Yes.

49,361. Did he persuade her?—No; because she was a Liberal, and her father too.

49,362. Did you get any offer from Captain Pim?—No.

49,363. Did your wife get any offer from Captain Pim?—No.

49,364. She never had any money?—No.

49,365. Neither directly nor indirectly you never got any money?—No.

49,366. Have you ever tried to get any money for anybody else?—No.

49,367. You never gave any money?—No.

49,368. Have you ever been offered any money by either side?—Never by the Whigs.

49,369. By the Tories?—Yes.

49,370. When were you first offered money by the Tories?—Mr. John Heath offered me 150*l.* to vote for Dunn in 1859.

49,371. Anything for Dent in 1862?—Yes, 50*l.* by relative of mine in the country, a Mr. Browse.

49,372. What is his Christian name?—George Browse.

49,373. Did he tell you where you should get it?—No.

49,374. In 1863 did they try you?—No.

49,375. They thought it was no use?—Yes, Mr. John Heath asked me if I would give him a vote, and I said it would depend on consideration, and he used those words in 1859.

THIRTY-FIFTH DAY.

N. Browse.

29 Oct. 1866.

49,376. What was the consideration he offered you the last time ?—Nothing.

49,377. Is George Browse an uncle of Mr. Kellock ?—Yes.

49,378. Which Mr. Kellock ?—Mr. T. C. Kellock, the mayor.

49,379. Did Mr. Browse say he came from there ?—No.

THOMAS A. ROBERTS sworn and examined.

T. A. Roberts.

49,380. (*Mr. Coleridge.*) What are you ?—An innkeeper, "The Commercial Inn," Fore Street.

49,381. How long have you had a vote ?—Since 1862.

49,382. For whom did you vote in 1862 ?—Mr. Pender.

49,383. What did you get ?—Nothing.

49,384. Were you offered anything ?—No.

49,385. On neither side ?—No, never offered anything by anybody, directly or indirectly.

49,386. You got nothing in 1862 ?—No.

49,387. Anything in 1863 ?—No.

49,388. Anything offered ?—No.

49,389. Had you anything after the election, as a present ?—I never had anything.

49,390. Your wife ?—No. I have no wife.

49,391. In 1865 ?—I had not.

49,392. Have you ever been the means of money being offered to any one ?—I have never had anything to do with it in any way at all.

49,393. (*Mr. Bere.*) Are you a relative of Mr. Condy's ?—I am his nephew.

49,394. The "Commercial Inn," belongs to him ?—Yes.

49,395. You are rated for it ?—Yes.

49,396. Do you pay any rent for it ?—Yes, I pay him 40*l.* a year.

49,397. Who is the owner of the furniture ?—It is his furniture; it is valued at 50*l.*, and I pay him 5 per cent.

49,398. Have you got receipts from Mr. Condy ?—Yes; but I have not got them here.

49,399. When did you first get a vote ?—I was put on in 1861.

49,400. Was your vote objected to ?—It was not.

49,401. Has it ever been objected to ?—It was on the municipal list.

49,402. Not on the parliamentary ?—No.

49,403. When it was objected to on the other list what was the decision, in your favour ?—Yes.

49,404. What was the objection to ?—I appeared when I was objected to. I had then not been in the house a sufficient time, although I have lived in the house since 1854; I did not become the *bonâ fide* tenant till 1861.

49,405. Has Mr. Condy got any interest in the profits of the house ?—The only interest is, I pay him the rent and I am supplied from his brewery with beer.

S. Barrett.

SAMUEL BARRETT sworn and examined.

49,406. (*Mr. Longe.*) Where do you live ?—Fore Street, Totnes.

49,407. You have a vote for your house ?—Yes.

49,408. Who is your landlord ?—Mr. Huxham.

49,409. How long have you lived in the house ?—I have been a voter about 10 or 11 years ; 18 years I have lived in the house.

49,410. How is it you had not a vote before ?—There was a friend of Mr. Huxham's had it, and I paid the rent to him. I had not the whole of the house before.

49,411. Mr. Huxham's friend was the tenant ?—Yes.

49,412. You have taken the whole house ?—Yes.

49,413. Have you always voted the same way ?—Always the same.

49,414. Have you ever given a vote to any Conservative ?—Never ; and I never had a penny directly or indirectly.

49,415. Have you been canvassed by both sides ?—Yes, but I gave my word the first time.

49,416. Had you never any offer made by the Conservatives ?—Never in my life.

46,417. They knew it was no use ?—Yes.

49,418. You never took any part in canvassing ?—Never.

49,419. Never influenced a voter ?—Not one.

49,420. (*Mr. Bere.*) Is Samuel Parnell a friend of yours ?—No.

49,421. Did he come and see you before the election ?—No, he never called upon me.

49,422. You never had an offer for your vote ?—No, never, from any one.

46,423. (*Mr. Longe.*) Did you ever get an appointment for your son, or anything ?—No, nothing of the kind.

49,424. Have you any sons ?—No.

49,425. (*Mr. Bere.*) Do you know a man called Worthy ?—Yes.

49,426. Does he often come to your shop ?—He may come in occasionally.

49,427. Did Mr. Huxham ever call upon you for your vote ?—No.

49,428. You never voted against his interest ?—No.

W. Hoskings.

WILLIAM HOSKINGS sworn and examined.

49,429. (*Mr. Bere.*) Are you a barber and haircutter in Fore Street ?—Yes.

49,430. Whom did you vote for at the last election ?—Pender and Seymour.

49,431. What did you get ?—Nothing.

49,432. Were you promised anything ?—No.

49,433. No advantage. Did not you have more customers than you had before among the Liberals ?—No.

49,434. Did you get no presents ?—No.

49,435. Did you have any offer made you ?—No.

49,436. Did the Conservatives come to you and ask you how you would vote ?—No more than about canvassing me.

49,437. Did nobody on the Conservative side offer you anything for your vote ?—No.

49,438. Or your wife ?—No.

49,439. You had no advantage at all for your vote last time ?—No.

49,440. Either directly or indirectly ?—Never was offered anything by any one.

49,441. Had you voted at all in the council elections ?—Yes.

49,442. Whom had you voted for then ?—Always for the Liberals except once.

49,443. When was that ?—When Mr. Bryett was returned.

49,444. Did you vote for Mr. Bryett ?—Yes.

49,445. Whose house did you live in ?—Mrs. Phillips', living at the bottom of the town.

49,446. Does she collect the rents herself ?—Yes.

49,447. She does not employ Mr. Michelmore ?—No.

49,448. Did you try to get anybody else to vote at the last election ?—No. I never interfered with any person, and no person interfered with me in any shape or form before.

49,449. What rent did you pay ?—13*l.* a year and all outs.

Adjourned to to-morrow morning, at 10 o'clock.

THIRTY-SIXTH DAY.

Tuesday, 30th October 1866.

THIRTY-SIXTH DAY.

J. P. Callard.

30 Oct. 1866.

JOHN PEDRICK CALLARD recalled, and further examined.

49,450. (*Mr. Bere.*) Are the entries in those accounts in your handwriting ?—Yes.

49,451. On the 19th May and the 5th June there are erasures; do you know what they mean ?—They were wrong entries.

49,452. What is the wrong entry ?—The wrong name.

49,453. What is the name ?—This was *there* instead of *that*.

49,454. Had you not put Mr. Sawdye's name there ?—No, I began to copy this wrongly.

49,455. When was the erasure made ?—In 1863.

W. Perrott.

WILLIAM PERROTT sworn and examined.

49,456. (*Mr. Bere.*) Where do you live ?—At Bridgetown.

49,457. In a house of the duke's ?—My own.

49,458. How many lives are there on it ?—It is a term of years.

49,459. How many ?—About 29.

49,460. Have you always voted for the Liberals ?—Always.

49,461. How long have you voted ?—I voted for Gisborne in the first place.

49,462. Have you voted ever since that election ?—Yes.

49,463. Have you ever received any money for your vote ?—Never.

49,464. How did you vote in Baldwin and Ricardo's election ?—For Ricardo and Seymour.

49,465. Have you ever split your vote ?—Never.

49,466. Have you ever received any money for your vote ?—No.

49,467. You have given money to others for voting ?—Yes.

49,468. To whom did you give the money ?—I was requested by Mr. Jeffrey Michelmore to take 40*l.* to James Farleigh ; that is not knowing it was bribery.

49,469. Is that the man who keeps the "Exeter" inn ?—Yes.

49,470. And you took it ?—Yes, and took a receipt.

49,471. Did you give the receipt to Mr. Michelmore ?—I did.

49,472. Had you given any money at all before that ?—No, nor since.

49,473. Did Farleigh tell you that he had had money besides what you gave him ?—No, nor did I know it till this Commission commenced.

49,474. Now you know it ?—Yes.

49,475. Had you something before ?—Yes.

49,476. Were you at the "Seymour" hotel at the election when Mr. Robert Ryder was there ?—Yes.

49,477. How long before the election was that ?—That was on the election day.

49,478. Did you see Mr. Robert Ryder talking to Mr. Michelmore ?—Yes.

49,479. Which one ?—The deceased.

49,480. Did you hear what took place between them ?—Yes.

49,481. What was it ?—He asked him to stand a glass or two of grog, and Mr. Michelmore's reply was that he could not do it.

49,482. Was that all you had to do with the election of 1863 ?—Yes.

49,483. What had you to do with the last election ?—I went to London.

49,484. To look after the voters ?—Yes.

49,485. To take care of them ?—I was to go and cater for their amusements.

49,486. Was it not to keep them away from the other party ?—I was to keep them together and see that they were in their place in the morning.

49,487. Have you been in London ?—Yes, three years and a half.

49,488. Although you have not received any money, have you had any offers ?—The Rev. Robert Harris offered me 100*l.* to vote for Mr. Dunn.

49,489. And you would not take it ?—No, and he intimated to me at Dent's election that I could have 100*l.* or 150*l.*

49,490. Do you know a man called Knapman ?—Yes.

49,491. What was there about him ?—He promised to vote for Mr. Mills, and took 50*l.* and voted the other way.

49,492. Was he discharged for that ?—No.

49,493. He was one of your workmen ?—Yes.

49,494. Did you discharge him ?—No, he was away ill, and when he came back he found the shop too warm for him ; the other shopmen were quarrelling with him, and he left.

49,495. What was Knapman's Christian name ?—William, and he has worked for me since that.

49,496. Contiunously ?—No.

49,497. Do you know anything else about the election ?—I was under the duke 14 years, and I never had any offer.

49,498. (*Mr. Coleridge.*) But you were canvassed ?—I always told him that I was opposed to canvassing. Bribery got to such an extent at last that those who held back were supposed to be a marketable commodity, and I pledged my vote to Mr. Mills.

J. Endle.

JOHN ENDLE sworn and examined.

49,499. (*Mr. Coleridge.*) What are you ?—A cider merchant.

49,500. How long have you had a vote for Totnes ?—A great many years.

49,501. Do you recollect at whose election you first voted ?—I do not remember.

49,502. Did you vote at Dunn's election in 1859 ?—Yes.

49,503. How did you vote ?—I did not vote at all.

49,504. Did you vote at the election before 1857 ?—I think I did.

49,505. How did you vote then ? Did you vote for the Liberals ?—I always voted for the Liberals.

49,506. In 1862, at Dent and Pender's election, did you vote then ?—No.

49,507. How came you not to vote for them ?—Because it was not necessary.

49,508. Did you get anything for your vote ?—No.

49,509. Not offered anything ?—No.

49,510. At the last election you voted for Seymour and Pender. Did you have anything ?—Not a farthing.

49,511. Now, have you ever had anything to do with giving other people money ?—No.

49,512. Never had to carry money to other people?—No.

49,513. Have you been on the Liberal committee?—No.

49,514, What is the story about your being put under a barrow or a cart?—That is nothing.

49,515. Tell us what the story is?—I do not know.

49,516. Were you ever in that unpleasant predicament?—No.

49,517. Have you ever had anything for your vote?—Yes.

49,518. What have you had?—A cheque for 35*l.* in Baldwin and Blount's time.

49,519. Who gave it to you?—Mr. Yabbicom.

49,520. Is that the only time?—Yes.

49,521. You are a tenant of the duke's?—Yes.

49,522. Were you turned out for taking that 35*l.*?—No.

49,523. Did you vote for the Liberals?—I did not vote.

49,524. How was that? Why did you not wish to vote? Did you get the 35*l.* to keep you from voting?—Yes, I suppose so.

49,525. Mr. Yabbicom is in the Liberal interest?—I cannot recollect whether he was or not. I think he was on the other side.

49,526. Did not you wish to vote for Mr. Blount? Was not that it?—No.

49,527. What particular reason had you for not voting at that election?—No particular reason.

49,528. Were you going to vote contrary to Mr. Yabbicom's wishes, and he gave you 35*l.* not to vote. Is that it?—No.

49,529. What did he give you 35*l.* for?—Not to vote.

49,530. Which way were you going to vote?—I should have voted for Mr. Blount.

49,531. Mr. Yabbicom was a Conservative at that time?—Yes.

49,532. It was that made you vote against the Conservatives?—I do not know.

49,533. Were you threatened to be turned out of your house at that time?—No.

49,534. Were you turned out?—No.

49,535. Nothing said?—No.

49,536. I suppose it was not well known that you got 35*l.*?—I do not know.

49,537. (*Mr. Bere.*) Where were you living at the time of the last election?—Seymour-place.

49,538. Where did you come from to vote?—Newcastle.

49,539. How long had you been at Newcastle?—Two months.

49,540. How much did you get for coming from Newcastle?—20*l.*

49,541. What is the fare from Newcastle?—I do not know.

49,542. (*Mr. Coleridge.*) The first-class fare from here to Newcastle is 3*l.* 10*s.*?—Yes, I think it is about that.

49,543. You got, in addition to the 7*l.* for your expenses, 13*l.* for your vote?—But I had to return again.

49,544. 3*l.* 10*s.* coming here and 3*l.* 10*s.* going back?—I had nothing for my vote; it was all for my expenses. I had to employ people when I was away.

49,545. How many people extra had you to employ?—Two.

49,546. There was nothing to prevent you coming on one day and voting the next?—I had to stop.

49,547. (*Mr. Bere.*) You had lived here?—No.

49,548. You take your cider up in the spring of the year and sell it there?—Yes.

49,549. Did you get the 20*l.* before you started from Newcastle?—Oh, no.

49,550. When did you get it?—After the election.

49,551. From whom?—Mr. Jeffrey Michelmore.

49,552. Did you go and ask him for it, or did he offer it to you?—I asked him for it.

49,553. Did he ask you how much you wanted?—Yes.

49,554. And you said 20*l.*?—I told him that.

49,555. Did he give you 20*l.* without asking what your expenses were?—He said it was to pay my expenses.

49,556. (*Mr. Coleridge.*) I suppose a 10*l.* note would have paid all your expenses?—No, it would not.

49,557. Not for one day?—One day! I could not return in one day.

49,558. You could come up on the Tuesday, and go back on the Wednesday?—No, I could not.

49,559. (*Mr. Bere.*) Who had written to you from this place about coming down to vote?—Mr. Jeffery Michelmore.

49,560. Had you been in communication with Mr. Jeffery Michelmore before that time?—No.

49,561. Had you any communication with him before you left to go to Newcastle?—No.

49,562. What did Mr. Jeffery Michelmore say to you? Have you got the letter?—No, I have not.

49,563. Have you destroyed it?—Yes.

49,564. What did he say to you in the letter?—He asked me to come over to vote.

49,565. Did he say he would make it all right for you if you did come?—No.

49,566. Was it merely to ask you to come and vote?—Yes, that is all.

49,567. When did you destroy the letter?—Two or three months ago.

49,568. After you had the summons?—Three months ago.

49,569. Was it after you had the summons to appear here?—No, not after I had the summons.

49,570. (*Mr. Coleridge.*) Who told you to destroy it?—No one told me.

49,571. Did not Mr. Michelmore tell you?—I did not see the good of keeping the letter.

49,572. What made you destroy it just before we came here?—I am sure I do not know.

49,573. (*Mr. Bere.*) What was the letter about, the election?—Nothing, but he desired me to come over to vote.

49,574. Why did you destroy it?—I do not care about keeping those letters.

49,575. Why did you not destroy it before?—I do not know any reason.

49,576. (*Mr. Coleridge.*) Why did you keep it for a year and then destroy it just when it might be of some use?—I did not do it on purpose.

49,577. Did Mr. Michelmore ask you if you had got the letter?—No.

49,578. Did anybody ask you?—No one ever knew it.

49,579. (*Mr. Bere.*) Was that the only time you ever came to vote from that distance?—I came once before.

49,580. What election was that?—Mr. Mills's election.

49,581. Where did you come from then?—Newcastle.

49,582. How much did you get paid then?—The same.

49,583. 20*l.*?—Yes.

49,584. (*Mr. Coleridge.*) What year was that?—I forget now what year it was.

49,585. Was it the first election or the last?—The first election.

49,586. (*Mr. Bere.*) You did vote in 1859?—I voted for Mills.

49,587. When Mr. Dunn stood?—Yes.

49,588. That was the time you got the 20*l.*?—Yes; that was for my expenses over.

49,589. (*Mr. Coleridge.*) Have you ever got your expenses for voting paid at any other time?—No, never; not a farthing.

49,590. Were you at home at Mr. Pender's election?—Yes.

49,591. You got no expenses then?—The last election?

49,592. No; Mr. Pender's first election?—I was ome at the time.

49,593. Did you get anything for voting then ?—

49,594. Next came Mr. Seymour's election; did you get any expenses then ?—No.

49,595. No expenses to get anybody to look after your cider-cellars whilst you walked up to the poll ?—No.

GEORGE ROBERTS sworn and examined.

G. Roberts.

49,596. (*Mr. Longe.*) Where do you live ?—At Bridgetown

49,597. What do you vote for; what is your qualification ?—My qualification is "house and garden."

49,598. Your own house ?—The house I live in.

49,599. Whose house is it ?—The Duke of Somerset's.

49,600. How long have you lived in that house ?—Nearly six years.

49,601. Is that the first vote you had, or how long ave you had a vote for the borough ?—Many years go. I continued on the list down to 1843, and from 843 until 1863 I was not a voter.

49,602. You voted in 1862 ?—In 1862 I did.

49,603. 1863 and 1865 ?—1863 and 1865.

49,604. Who did you vote for in 1862 ?—Mr. Pender.

49,605. In 1863 ?—Seymour.

49,606. 1865 ?—Pender and Seymour.

49,607. Did you receive any money on that occasion for your vote ?—Not a penny.

49,608. Were you offered any money ?—None from either party.

49,609. Did you take part in the electioneering canassing yourself?—No.

49,610. Were you asked to get any votes ?—I was ot asked. You say "take any part;" there was a neeting or two in 1862 at the "Seymour" hotel that I was at, that is all.

49,611. Some of those jovial meetings we have eard of?—Yes.

49,612. Did you pay for your own grog?—Sometimes I did, and sometimes I did not.

49,613. When you did not, do you know who did ; —I do not.

49,614. How many meetings did you attend in 1862 ? —About two or three, not more; not more than those occasions. When I say I do not know who paid, I do not know any names on one or two occasions. I was asked by a friend to take a glass of grog with him and some of my townsmen.

49,615. How many were there in the room ?—Perhaps 50.

49,616. Who sat at the top of the table ?—I cannot recollect. There was a chairman sometimes.

49,617. Some one acting as chairman ?—Some one acting as chairman, but who I cannot tell, I do not recollect.

49,618. Did you not attend the meetings in 1863 ? —No.

49,619. 1865 ?—No, I was never outside my door in 1865; I was unwell, and I had got a severe affliction in my house; my daughter was very ill.

49,620. What is your occupation ?—A tailor and dairyman.

49,621. Had you a field ?—Yes, a field.

49,622. But the house; is it a separate occupation ? —I may say both, in a way of speaking.

49,623. You have a vote for the house ?—I have; in fact I pay 14*l.* a year rent, but it is valued by the assessment committee at 10*l.* a year.

49,624. Whose are the fields ?—The fields are the duke's.

49,625. Is it at Bridgetown ?—Yes.

49,626. There is a vote lost there; has anybody else a vote for those fields besides you ?—There have been two votes on the fields, Henry Ruby and James Searle qualified for these fields.

49,627. They are not occupying the fields ?—They were manufactured votes.

49,628. Who has the field now ?—I have.

49,629. And there is a vote lost now ?—Yes.

49,630. (*Mr. Bere.*) Were you not a voter in 1839 ? —Yes, I was.

49,631. Did you have some money then ?—I did.

49,632. How much money did you get then ?—50*l.*; Screach paid me then.

49,633. Screach paid you 50*l.* ?—Yes.

49,634. Did you get some more a little time afterwards ?—Yes.

49,635. When was that ?—In 1840. In 1839 I was bought, that is the plain fact of the story ; I voted against my conscience for the sake of money.

49,636. Did you do the same in 1840 ?—No. In 1840 I had got an opportunity of returning. Screach has told you that he held 100*l.* for me to vote for Baldwin ; I did not vote for Baldwin, I had got an opportunity of returning to what was more congenial to my mind, and I did so. That is the plain truth of the matter.

49,637. (*Mr. Longe.*) How much was it you had then ?—It has not been kept in my mind, I believe it was 40*l.*; I cannot tell exactly.

49,638. Was it not 80*l.* ?—I cannot say. I will not say it was ; I will not make any assertion at all.

49,639. (*Mr. Bere.*) When you voted for Baldwin in 1839, did you not lose the custom of the duke's people ?—Yes, I did. They, and many others.

49,640. And you got it it back after you voted right in 1840 ?—In a great measure ; not all.

49,641. Has anybody given you as a reason for taking away their custom, that you had voted for Baldwin ? —Yes.

49,642. Who did ?—Time is the worker of the greatest wonders. You can see Mr. Paige, that is now a very hot Conservative, paid off my bill, and said it was because I voted for a Tory, and now he is a Tory himself.

49,643. Is that William Paige who was at Bourton ? —Yes, that is the man.

49,644. Whose house were you then living in ?—The house I was then living in in 1839, in Seymour-place, belonged to Mr. Reeve, but that property has since been sold, and it belongs to the duke now ; it did not at that time.

49,645. (*Mr. Longe.*) It is not the same house you live in now ?—No ; as Mr. Perrott observed just now, such money does not wear well. I did accept these two sums of money, and it induced me to embark into a business I knew nothing of at all, and then business as well as conscience all went ; both miserably went together. That is the view I have taken, and since I have been reinstated as a voter again, I am resolved to act differently, and have done so.

49,646. (*Mr. Bere.*) You have voted Liberal ever since ?—I have voted Liberal ever since.

RICHARD HOPPIN sworn and examined.

R. Hoppin.

49,647. (*Mr. Bere.*) Where do you live ?—Woodcourt, Harberton.

49,648. How long have you had a vote for Totnes ? —If you will tell me how long Mr. Blount and Mr. Baldwin were elected.

49,649. That is 1839 ?—Then that is the year I was put on the register.

49,650. Have you voted at every election since ?—Every election.

49,651. What is your qualification ?—Building and land.

49,652. Where ?—Gerston-cross.

49,653. Whom have you voted for at every election ? —The Liberals.

THIRTY-SIXTH DAY.

R. Hoppin.

30 Oct. 1866.

49,654. Always ?—Always.

49,655. What have you had ?—Nothing.

49,656. Not at any time ?—No.

49,657. Did you ever bring anybody to the poll ?—No.

49,658. Make them come when they did not want to come ?—No.

49,659. Have you ever directly or indirectly received any money or advantage for your vote ?—I have not.

49,660. Have you ever influenced anybody ?—I have not, never.

49,661. Do you know John Parnell Searle ?—I do.

49,662. Did he owe you any money ?—He has sometimes.

49,663. And sometimes when he has owed you money have you been surprised at his paying you ?—No, he was very good pay always.

49,664. (*Mr. Coleridge.*) Particularly after elections ?—I never did. The time they said there was 100*l.* paid and it was denied, I made up an account shortly after the election, and I was 2*l.* in his debt.

49,665. Did "Slippery Jack" always pay his own account with you, or did other people pay it for him ?—He always paid his own.

J. Neck.

JOHN NECK sworn and examined.

49,666. (*Mr. Bere.*) Where are you living ?—Forestreet, Totnes.

49,667. What are you ?—A grocer.

49,668. How long have you had a vote ?—I voted first in 1847 ; I voted twice.

49,669. When again ?—At the last election.

49,670. Had you no vote between ?—No.

49,671. What do you vote on now ?—A shop.

49,672. Before, in 1847, did you vote on a shop ?—No, a house I lived in then.

49,673. Was that Bridgetown or Totnes ?—Totnes.

49,674. Whom did you vote for in 1847 ?—Seymour and Ricardo.

49,675. Who in 1865 ?—Pender and Seymour.

49,676. Did you get anything for voting in 1865 ?—No.

49,677. Did not Mr. Parnell come and see you ?—No.

49,678. Are you quite sure about that ?—Quite sure.

49,679. Did he come and try to find out which way you were going to vote ?—No ; I never saw the man.

49,680. Never, directly or indirectly, did you get any money, or anybody on your behalf ?—No.

49,681. At that election ?—No.

49,682. Have you ever had any money at any time ?—No.

49,683. Not at the council elections ?—No.

49,684. Are you quite sure ?—Quite sure.

49,685. (*Mr. Coleridge.*) Ever any present after an election ?—No.

49,686. Or any expenses allowed you ?—No.

49,687. (*Mr. Bere.*) Have you ever had any people buy things at your shop whom you did not expect to buy ?—No.

49,688. (*Mr. Coleridge.*) Have you ever paid any body any money ?—No.

49,689. Have you ever been asked to ?—No.

49,690. Have you ever been offered any ?—No.

49,691. By either side ?—No. In fact I was not mixed up with it. I gave my vote, and there was an end of it.

49,692. (*Mr. Bere.*) How long where you on the register before the last election ?—Only just before.

49,693. (*Mr. Coleridge.*) Did the Whigs or Tories put you on the register ?—The Whigs. I always voted for the Whigs at the council, as well as for Parliament.

W. Crook.

WILLIAM CROOK sworn and examined.

49,694. (*Mr. Coleridge.*) What are you ?—A gardener.

49,695. Where do you live ?—At Bourton.

49,696. Do you vote for the house were you live ?—A house and land.

49,697. At Bourton ?—Yes.

49,698. When did you first have a vote ?—I first voted for Mr. Pender in 1862.

49,699. At the time when Mr. Dent retired ?—Yes.

49,700. What did you get for that ?—Nothing, directly.

49,701. Let us know what you got indirectly ?—They made me a present of 10*l.*

49,702. When did they give you that ?—Some two months afterwards.

49,703. Who gave you that 10*l.* ?—John Elliott.

49,704. Was that before or after Mr. Seymour's election ?—I think it was after.

49,705. You voted for Mr. Seymour ?—I did.

49,706. What did you get for that ?—I did not get anything.

49,707. Not after the election ?—No.

49,708. Where you not promised anything ?—No.

49,709. Did not Mr. Dent's people try you ?—No.

49,710. Were you not canvassed by them ?—I was never canvassed by them.

49,711. How did you vote at the last election ?—I voted for Pender and Seymour.

49,712. You had a good deal of temptation on that occasion ?—I had from a certain quarter.

49,713. Will you tell us what took place between you and Heard ?—He came to me, and called me out of my bed ; I did not want to see him.

49,714. When was that ?—On the morning of the election, about 4 o'clock.

49,715. What were you to have for voting for Seymour ?—Nothing ; not a farthing.

49,716. What did he offer you ?—First of all, he offered me 50*l.* I told him it would not do for me ; I did not want his fifties. He said, he was not authorized to offer me any more until he had been and seen Mr. John Heath, at the "Seven Stars;" he was offering his money about like a man who is selling stale fish in the street. He then said, he would offer me another 10*l.* out of his own pocket. I told him that would not do for me.

49,717. Did he then see your wife ?—He saw my wife the night before.

49,718. What did he offer her ?—She has told me since that he offered her 5*l.* out of his own pocket if she would try and turn me.

49,719. Did she try and turn you ?—Not at all.

49,720. What did she get for your vote on the last occasion ?—Nothing at all.

49,721. How was it that you did not share in the distribution of the money ?—I was not to be led away by such a man as that.

49,722. How came you not to get anything from the Liberal party ?—They never offered me anything.

49,723. If you had voted for the Conservatives, you might have lost your situation ; what situation had you then ?—Nothing more than I have now.

49,724. Who are you gardener to ?—To Mrs. Beazley at the "Seymour" hotel.

49,725. Then it is likely you would have lost your situation if you had done so ?—You have to do a shilling's worth of work for a shilling there.

49,726. He has represented that you said 60*l.* would do for you, and you said that you could get a great deal more than that ?—I told Mr. Pender that I

would vote for him on the first occasion that I saw him.

49,727. You were employed at the last election ?—Not at all.

49,728. Not as a post-boy ?—No ; I never had a sixpence.

49,729. Did you get nothing out of the money left at the "Seymour" hotel for the servants ?—Not a farthing.

49,730. Mr. Seymour and Mr. Pender left a certain sum for the servants ; did you not get any of it ?—I heard that the rest of the servants were paid, but I never had a farthing.

49,731. Did you ask Mr. Michelmore for anything ?—I would not do that. I voted for Mr. Pender.

49,732. Can you tell us anything about cutting the cabbages in Mrs. Beazley's field ?—I knew nothing about that ; I do not allow anyone to do that without my permission.

49,733. Have they not ever tried to do so, and said that they cut the cabbages there to show their right to the field ?—I think that is a mistake.

49,734. You have never seen that done ?—No.

49,735. What quantity of ground does Mrs. Beazley occupy ?—About 22 acres.

49,736. How much of that is grass ?—It is all grass but about half an acre of garden.

49,737. Have you voted at municipal elections ?—I have.

49,738. What have you got then ?—I had 4*s.* one time—never but once.

49,739. Did you ever get as much as 4*l.* ?—No.

49,740. You live at Bourton ?—Yes.

49,741. How much land have you there ?—About an acre and a half.

49,742. Have you ever had any of your rent given back after elections, as it were for luck ?—Not a farthing ; Mr. Michelmore is the wrong man for that.

EDWIN T. LIZARD sworn and examined.

E. T. Lizard.

49,743. (*Mr. Bere.*) Where do you live, at Berry ?—Yes.

49,744. Are you connected by marriage with George Marks ?—No, my brother is.

49,745. Did you see George Marks at the last election ?—Yes, I did.

49,746. Did you have some talk with him about buying a hay-rick ?—No, not that I recollect.

49,747. (*Mr. Coleridge.*) Are you the only voter named Lizard ?—Yes.

49,748. (*Mr. Bere.*) This is what he told us. *Q.* "Were you offered any money by the Liberal party ? "*A.* Yes, by the Liberal party. *Q.* Who by ?—*A.* "By Mr. Lizard, of Berry. *Q.* What did he offer "you ?—*A.* I was there one day to see him, and he "offered me 150*l.* for a hay-rick. *Q.* What was the "hay-rick worth ?—*A.* 30*l.* *Q.* What were you to do "for that ?—*A.* Vote for the Liberal candidates. "*Q.* That was the election of 1865 ?—*A.* Yes. *Q.* "To vote for Pender and Seymour ?—*A.* Yes. *Q.* "Did you sell him the hayrick ?—*A.* No, I could "not vote that way. *Q.* So you lost a good opportunity of sale ?—*A.* Just so."—I have no recollection whatever of that.

49,749. Marks has sworn to this upon his oath ?—I went about the time of the election to see him on business for my brother relating to family matters, but with regard to his vote or anything of that kind, I did not.

49,750. Did he tell you to buy a hay-rick ?—No ; if there was anything, it must have been a joke, because I had no authority for it.

49,751. He does not seem to think it a joke ?—I had no authority, and I never took an active part in any election, but recorded my own vote.

49,752. If he had said he would sell you a hay-rick for 150*l.*, would you go and try to get him the money ?—No.

49,753. Did you try to get his vote ?—No.

49,754. Had you been asked to canvass him ?—Decidedly not ; never attended anything, nor had any intimation.

49,755. Have you ever received any money for your own vote, or influence people to give theirs ?—No.

49,756. (*Mr. Longe.*) What do you vote upon ?—Building and land.

49,757. What size is the land ?—Five acres.

49,758. (*Mr. Bere.*) No voters on it besides you ?—No one.

49,759. Do you stock it ?—Yes.

49,760. Did you ask for it ?—Yes.

49,761. Whom ?—Mr. Michelmore.

49,762. Did Mr. Michelmore ask what your politics were ?—No, he knew pretty well. I am the representative of the fourth generation here, and I have a farm.

49,763. You did not want the field, but only to get a vote ?—I should like some more of them.

GEORGE BROWSE sworn and examined.

G. Browse.

49,764. (*Mr. Longe.*) What are you ?—A farmer.

49,765. Who is your landlord ?—I farm my own land.

49,766. What did you have a vote for ?—I have taken a vote at Broomborough.

49,767. You are one of those manufactured votes ?—Yes.

49,768. How long have you had a vote ?—Two or three years ago I was asked to join a party, and I did so.

49,769. Who asked you ?—You ask me a question that I cannot answer ; one of the Conservative party, I do not know which. I do not know whether it may have been Harris ; he had the management of the affair.

49,770. You only voted once ?—Yes.

49,771. Whom did you vote for ?—Dawkins and Pim.

49,772. Did you get anything after that election ?—No.

49,773. Any offer made you ?—No.

49,774. Did you get no consideration whatever, directly or indirectly ?—No.

49,775. What did you have a vote for ?—I am a Conservative, and we do not want Radicals.

49,776. You thought the landed interest wanted your support ?—Yes.

49,777. What is the difference between a cotton spinner and a tea merchant ?—I do not know, but I know what is good ; that a cotton spinner would throw all the burden on the land if he had it.

49,778. (*Mr. Bere.*) Did you not go to your brother in 1862 ?—I did not.

49,779. He says you did ?—I will explain it. I happen to be a guardian of the poor, and he is a relieving officer. He is no relation of mine.

49,780. Did you offer him 50*l.* ?—No such thing.

49,781. Perhaps you would like to know what he has sworn ?—Mr. Nicholas Browse is a man who has asked me before to lend him money, and I did not. I knew better than that.

49,782. Did you offer to lend him 50*l.* ?—No, he called on me one day, and I said, respecting the elections, the market is up, is it not, and you are a great fool if you do not get 50*l.* or 100*l.* I would not vote for either party unless I got paid, if I wanted money as badly as you do.

49,783. Where is your farm ?—At Marldon.

49,784. Do you know a man called John Putt ?—No.

THIRTY-SIXTH DAY.

G. Browse.

30 Oct. 1866.

49,785. Are you sure about that?—I do not think I do.

49,786. Have you ever had any money for your vote?—No.

49,787. Ever offered anybody money?—No.

49,788. Have you got any person who works for you?—No.

49,789. Have you had anything to do with the council election?—Nothing to do with the council.

49,790. Which company did you belong to, the British Farmers?—I think Mr. Rennie was the man whom we took the estate from.

49,791. Did you know where the fields were?—Yes. We went to see where the fields were.

49,792. You never turned any cattle out there?—No; Mr. Harris managed the property and sold the grass, and then the after-grass, and then balanced the accounts. Not that I ever saw the accounts.

49,793. You never paid anything?—I never paid anything or received anything. All I know is, that I got a good dinner out of it once.

H. Eastman.

HENRY EASTMAN sworn and examined.

49,794. (*Mr. Bere.*) Where do you live?—Cornworthy.

49,795. What do you vote on?—A field of the duke's.

49,796. In Gerston?—No.

49,797. Where?—Fourth field in Totnes.

49,798. Who votes on it with you?—No one.

49,799. What is the size of it?—About $3\frac{1}{2}$ acres.

49,800. What did you give for it?—14*l.* a year.

49,801. Is there a building on it?—Yes.

49,802. Who had it before you?—Sawdye had it before me.

49,803. Does not he keep it still?—No.

49,804. Have you cattle there?—Yes.

49,805. How many last year?—I had not got it then.

49,806. Were you turned out?—Yes.

49,807. What for?—I do not know. When the Gerston company was formed I believe they wanted this, and I left.

49,808. How many times have you voted?—Once.

49,809. Who for?—Dawkins and Pender.

49,810. You received notice after that?—I received notice prior to that a long time, when the Gerston company was being formed.

49,811. What made you split your vote for Dawkins and Pender?—The fact was, I should have voted for Seymour if they had not turned me out.

49,812. Because they gave you notice, you would not vote for Mr. Seymour?—Yes.

49,813. Did you get anything for voting for Colonel Dawkins?—No.

49,814. Your wife or anyone?—No.

49,815. Did not you go to the "Seven Stars" and see if anything could be got?—I went on the day of the nomination and had a glass of grog.

49,816. Did you talk to John Heath?—Yes.

49,817. Did you say you wanted money?—No.

49,818. Did you get anything?—The Sunday before the election George Heath came to me and offered me 25*l.* if I would vote for Commander Pim and Colonel Dawkins. I saw Commander Pim and told him I would not vote.

49,819. When you got to the "Seven Stars" did not you have some more offers made to you?—No.

49,820. Did not you go to the "Seven Stars" on the morning of the election?—About 12 o'clock, after I voted.

49,821. Did not you ask whether there was not any money for you then?—No.

49,822. Did you learn there was some?—I heard it was very bad.

49,823. (*Mr. Bere.*) What did you get the other side from Mr. Pender?—Not a farthing.

49,824. Wait a minute. Mr. John Heath has sworn that you wanted to be paid but there was no money for you. The question is "How much did he "want? He said he would be content with 200*l.*"?—I cannot answer for Mr. John Heath's statement, can only tell you it is not true.

49,825. You did not say that?—I did not.

49,826. You refused the 25*l.*; what sum did you mention at that time?—No sum at all.

49,827. What sum would have made you vote for Colonel Dawkins and Captain Pim?—No sum would have made me vote for Captain Pim.

49,828. Would it not?—No.

49,829. Did you get anything from Mr. Pender?—Not a farthing.

49,830. Not a farthing?—No.

49,831. Did you sign the requisition?—I did.

49,832. Who brought it to you?—Mr. Harris, upon the strength that he was going to let me have a field, as the duke had turned me out. He said, "If you "will sign the requisition I will give you the field." The field was useful to me. I do not want to make any compliments about it. It was useful to me to put my stock in.

49,833. Did Mr. Harris get you the field?—He did not.

49,834. (*Mr. Coleridge.*) You would have voted for Commander Pim if he had?—There might be a question as to that. If he had, I do not think I should.

49,835. Perhaps you would have been turned out of that field?—I do not know, I might.

49,836. Have you got a field from Mr. Michelmore since you voted for Mr. Pender?—No.

49,837. (*Mr. Longe.*) How long had you held this field?—Three years, I think.

49,838. When Mr. Michelmore gave you notice to quit, did not he ask you to join the company?—He did not.

49,839. You could have joined the company?—I do not know about that. I did not ask, nor was I asked.

49,840. (*Mr. Coleridge.*) Did you not vote in 1863, in Seymour and Dent's election?—I did not. I was no vote.

49,841. Did you ever vote in the municipal council elections?—No; I was in the country. I was not here.

49,842. (*Mr. Longe.*) Did not Mr. Michelmore know your politics at all?—No, I do not believe he did.

49,843. Perhaps you had none?—Well, there may be something in that.

49,844. (*Mr. Bere.*) How far is Cornworthy from where you live in Totnes?—About five miles.

49,845. How many voters are there that live at Cornworthy?—Three, I think there is, as far as my knowledge will carry me.

49,846. Yourself and Tozer?—Yes, that is two.

49,847. And Mr. Tucker?—And Mr. Tucker.

49,848. What is Mr. Tucker's Christian name?—William.

49,849. Is he a Conservative or a Liberal?—He is very much like myself about politics.

49,850. Did you and he talk together about this election?—No; I do not think it is much use to talk to a farmer like him about politics. I do not know much about it myself.

49,851. You do not?—No.

49,852. Nor does he?—I do not think he does.

49,853. Was Mr. George Heath the only person who came to canvass you on the Conservative side?—Colonel Dawkins; and I promised him the first time I saw him.

49,854. And then you said Commander Pim you would not vote for?—I said I should not vote for him.

49,855. When you went down to the "Seven Stars" did you not go and see Mr. Edmonds there?—No.

49,856. Were you not up at the little room at the head of the stairs with Mr. Edmonds ?—No.

49,857. Are you quite sure about that ?—I am.

49,858. Did you not go upstairs in the "Seven "Stars ?"—No. I had a glass of grog there on the nomination day.

49,859. On the nomination day ?—Yes.

49,860. Where was that ?—In the little room.

49,861. In the little room at the head of the stairs ?—Yes.

49,862. Who was that with ?—With a man named George Evens.

49,863. Did George Evens offer you any money ?—No, he had not the power to offer me any, I think.

49,864. Are you quite sure George Evens did not let you have some money ?—Quite sure.

49,865. Or tell you where to get some ?—Quite sure.

49,866. (*Mr. Longe.*) Did he tell you he could not get any for you ?—He told me as far as that, that he did not know anything about money.

49,867. You asked him to get some for you ?—I did not.

49,868. What did he tell you ?—He asked me to go in to have a glass of grog. That is all I know about it.

49,869. I mean about the money ?—He said he did not know anything about the money.

49,870. What did you go there for ?—To go and drink a glass of wine.

49,871. What did you talk about while you were drinking it ?—I do not think there was any particular conversation.

49,872. Did he tell you Mr. Heath was the man ?—He did not.

49,873. Who was it you were to go to ?—He did not tell me anyone.

49,874. When he told you he did not know anything about money himself, what did he say ?—He merely asked me to have a glass of grog.

49,875. You say he told you he did not know anything about money ?—Yes, I told you before, Mr. George Heath offered me 25*l.* to vote before, and I said I would not vote.

49,876. (*Mr. Bere.*) Were you not up there with George Evens waiting for the money which did not come ?—I was not; there was no money ever promised me except 25*l.*, and I refused it.

49,877. And you refused it because it was not enough ?—I beg your pardon, but that is not correct. I was asked to vote for Mr. Pender, I had promised, and I meant to vote for him.

49,878. Would you have refused it if Mr. Pender had offered it to you ?—I never asked it.

ROBERT MORGAN sworn and examined.

R. Morgan.

49,879. (*Mr. Bere.*) Where do you live ?—I formerly lived at Totnes when I was a vote.

49,880. You were a vote in 1863, I think, were not you ?—I was.

49,881. Whom did you vote for then ?—Pender and Seymour, I think it was in 1863 they were together.

49,882. No, Pender and Seymour were in 1865 ?—No, I voted for Mr. Pender.

49,883. You voted for Mr. Pender only ?—Yes.

49,884. You had a vote in 1865 ?—Yes.

49,885. You voted for Pender and Seymour ?—Yes.

49,886. Did you get anything from them for voting ?—No

49,887. Nothing promised ?—Nothing at all.

49,888. No offer made to you by either side ?—Yes, an offer made by young John Heath. He came to me, and asked me if 200*l.* or 300*l.* would be of any use to me, and I said "No, nor 500*l.*," and I told him to leave my premises immediately, as it was an insult.

49,889. Did you vote in 1863 ?—Yes.

49,890. Whom did you vote for then ?—Mr. Pender.

49,891. That was in 1862 ?—Yes.

49,892. You voted for Mr. Seymour in 1863 ?—I think I voted for Mr. Seymour twice.

49,893. Did you not have an offer of money in 1863?—No.

49,894. None at all by either side ?—No.

49,895. Did you get anything after the election ?—No.

49,896. Neither in 1862 nor 1863 ?—No.

49,897. Neither directly or indirectly ?—No.

49,898. Did any person get any money for you ?—No.

49,899. What is your business ?—A general dealer.

49,900. Whom did you vote for in 1859 ?—Mr. Dunn. In Mills and Baldwin's election I received 40*l.*

49,901. 1852 ?—Yes.

49,902. From whom did you get that ?—I believe from a man of the name of Melhuish.

49,903. What did you get in Dunn's time ?—60*l.*

49,904. From whom ?—Frederick Evens, the son of the man that bribed in 1862.

49,905. Then you voted for Dunn ?—Yes.

49,906. How was it that you voted for Seymour and not for Dent ?—I will tell you. I was occupying a house belonging to Mr. Jacobs, or rather to Mrs. Jacobs, and Mr. Hunt was the agent for the Conservative land, and I voted for those parties, as I told you previously, in 1852 and 1859; and I was asked at that time to purchase the house, and I said I was not exactly in a position to do so; and after I had been there three or four years they asked me again to purchase it, and offered it to me at a price. In the meantime I had the house bought over my head, and I was taken ill at the time, and old Mr. Michelmore said, "Fitze lives opposite." I said, "I know he "does." He said, "If you like, you shall have that "house"; and I said, "I am much obliged to you; I "should like to have it; it will be of service to me." He said then, "I will alter it if you please, or put in "a new shop front." I said, "Perhaps it will suit "me better to have the latter"; and he drew out a plan for a new shop front, and he never asked me how I should vote, but I did it out of gratitude.

49,907. Did not Frederick Evens come to see you about the election of Dent ?—No.

49,908. Had he any claim on you ?—No, nor any of his family; no such luck.

49,909. He had paid you 60*l.* ?—That was 1859. I have not had anything since from him or any of his family; no such luck.

49,910. (*Mr. Coleridge.*) How came you to consider that an insult ?—Well, at that time I was rather awkwardly situated, I was rather wanting money, and I thought just at that time that money would be of a little service, and I would not take it of the party I belonged to, the Liberal party, but the other party, which I did.

49,911. Because you thought there was no chance of their getting in with your vote ?—To tell you the truth, I did not care much about it.

49,912. (*Mr. Bere.*) Do you deal in china watches and that sort of thing ?—Yes.

49,913. Did you have a pretty good sale after the last election ?—Not more than any other time.

49,914. Did Pender buy any ?—No.

49,915. Did Mr. Heald buy anything ?—Mr. Macdougall bought a few little things of me in glass, or something of that sort, a few shillings' worth only; not in consideration of my vote, for when Mr. Pender called at my place I promised him my vote there and then.

49,916. Did Mr. Dent buy anything of you ?—I told Mr. Dent in a moment that I should not vote for him, and he said he wished every individual in the borough spoke out as I did, and they should soon return to London again; and also some other gentleman, Captain King.

THIRTY-SIXTH DAY.

S. Cuming.

30 Oct. 1866.

Mr. Samuel Cuming sworn and examined.

49,917. (*Mr. Coleridge.*) What are you?—An architect and surveyor.

49,918. Of the Duke of Somerset's property, are not you?—I have done a little for him.

49,919. That ball-room at the "Seymour Arms"?—Yes.

49,920. How long have you had a vote?—Since the passing of the Reform Bill.

49,921. What do you vote upon?—A house.

49,922. Your own house that you live in?—Yes.

49,923. Have you always voted for the Liberals?—Yes.

49,924. On every occasion?—Every occasion.

49,925. What did you do in the days when the duke supported the Conservative candidate; for instance, at Ricardo's election?—I voted on the Liberal side.

49,926. Did you vote for Seymour and Ricardo or Seymour and Baldwin?—I did not vote for Ricardo.

49,927. I mean in those days when the duke gave his second vote to the Conservatives, how did you vote? Take Ricardo's election?—Here are all the parties I have voted for ticked off (*handing a list of candidates.*)

49,928. I see you voted for the two Liberals. You did not vote for the duke's second candidate, Baldwin; you voted for Ricardo. You never voted for the Conservatives at any time?—Never.

49,929. What have you had to do with elections? Have you been canvassed much?—No. I go and give my vote. I was never canvassed by Mr. Seymour or Mr. Pender.

49,930. Have you canvassed other people with them?—No.

49,931. What have you had to do with giving money to any voters?—Nothing at all in my life.

49,932. Has no money ever passed through your hands?—Never a farthing.

49,933. How have you shown your zeal at elections principally? Have you had much to do with turning people out?—No, nothing to do with that.

49,934. Never?—Never.

49,935. I suppose you have had a good deal to do with putting up buildings to carry a vote, making linhays watertight?—Nothing to do with that.

49,936. Who does that part of the architect's work?—Some of Mr. Michelmore's people themselves.

49,937. Did not they consult you about the necessary qualifications of the linhays?—No; I have been many times here in this court.

49,938. You always appeared as a witness to value as to the 10*l.* occupation?—Not always; I came down sometimes. I have always been for the Liberal side, and can go further back than that, if you like. I supported Lord Ebrington 50 years ago, in 1816, and in 1818, when he got in for Exeter.

49,939. Do you know a man called Blackler?—Yes, Thomas Blackler, the stonemason.

49,940. What had you to do with him about his vote at the last election?—Nothing at all.

49,941. Not some talk about it?—Not a word.

49,942. Did not he come to you to know how he should vote?—No.

49,943. Did you promise him some work?—No.

49,944. Do you employ people indiscriminately, or those who support your party?—I employ those who do the work best; that is my plan.

49,945. You told us you voted 50 years ago. Used there to be bribery in Totnes in those days before the Reform Bill was passed?—In 1816 I went to Exeter, and in 1818 I went up with a large party, and Lord Ebrington came in then. On one of our traps there was, "Wanted, three men for a rotten borough," and Sir George Adams asked old Mr. Pulling who put it up, and what it meant; and he says, "If you will "look round at a certain place you will see 4,000*l.* "for Totnes." That was the price of Totnes in those days.

49,946. Then you do not agree with those who say that Mr. Baldwin was the first to introduce bribery into the borough?—Oh, he was not the first, no doubt about that.

49,947. (*Mr. Bere.*) Do you know a person of the name of Foote?—Yes.

49,948. Did you go to see him at the last election?—Yes, I went to him and he said he should not vote without money, and I said, "If that is the case I shall "have nothing more to do with you."

49,949. How many times did you go to see him?—Once.

49,950. Did you go to see his wife?—No, my son did.

49,951. Is your son Samuel Cuming, junior?—Yes.

49,952. He went to see her?—Yes.

49,953. (*Mr. Coleridge.*) Foote was a workman of yours?—He worked for me 16 or 17 years; the first time he had a vote, and I went up and asked him whom he was going to vote for, and he said he should not vote without he had money; he had been promised money before.

49,954. Is there anything more you can tell us?—No.

49,955. (*Mr. Bere.*) You have been paid pretty good fees at registration times for your services, have not you?—No.

49,956. Were not you employed as surveyor to value various properties?—I charged a guinea a day at the time I was here, and I think that is little enough.

49,957. That is all you got paid?—That is all.

49,958. What did your bill come to altogether?—I am not sure I can tell you; three or four days last time, but I have not been paid for that. I never gave my bill in.

49,959. In 1864 you were paid?—Yes.

49,960. Were you examined as a witness as regards the value of the property?—They have several surveyors besides.

49,961. (*Mr. Coleridge.*) Had you anything to do with the arrangement as to how the votes should be made on the "Seymour" hotel land?—No, not at all.

49,962. Is there a linhay there?—There are many linhays on the different properties.

49,963. The "Seymour" hotel land held by Mrs. Beazley?—I do not know whether there is a linhay there.

49,964. There must be some building there to make the votes?—I am sure I do not know whether there is.

49,965. There must be some building there to make a vote?—I do not know whether there is or no, I had nothing to do with it whatever; I know nothing about it.

49,966. (*Mr. Longe.*) You generally appear as a witness before the revising barrister?—When I am asked to. I have several times.

49,967. On behalf of the duke?—No, not on behalf of the duke, the Liberal party.

49,968. As to the value of the land to carry these votes?—Oh, no, I have nothing to do with the land at all.

49,969. (*Mr. Coleridge.*) Are you a member of the council?—No.

49,970. Have you ever stood?—No.

S. Cuming, jun.

Samuel Cuming, Jun., sworn and examined.

49,971. (*Mr. Longe.*) How long have you had a vote?—Ever since 1862 when Mr. Pender came down first.

49,972. What was your qualification?—Building and land.

49,973. Where was it?—On the Duke of Somerset's ground.

49,974. Were you one of a company?—No.

49,975. How many more are qualified on the same land?—Two.

49,976. How many acres ?—12 or 13 I think.

49,977. Do you hold it now ?—No.

49,978. Have you a vote now ?—Yes, I have a vote on the house.

49,979. The house you live in ?—The house I live in.

49,980. Where is that ?—At Bridgetown.

49,981. You have given up the field then ?—I gave up the field.

49,982. When you took the house ?—Yes.

49,983. Why was that ?—Because I voted on the house.

49,984. Was some one else put in your place in the field ?—Yes.

49,985. So that there should not be any votes wasted ?—Yes.

49,986. In 1862 whom did you vote for ?—Mr. Pender.

49,987. 1863 ?—I voted for Mr. Seymour.

49,988. 1865 ?—Pender and Seymour.

49,989. Did you ever receive anything for your vote before or after the election ?—Not a penny.

49,990. Were you ever offered anything ?—Never.

49,991. Not by either party ?—No.

49,992. Did you ever take part in canvassing for the Liberal party ?—No.

49,993. Did you ever take part in canvassing at all ?—I have in the council elections ; not a very active part.

49,994. But in 1862 you voted for Mr. Pender. Did you not take part in getting votes ?—Yes, I have always taken a very active part in it.

49,995. In 1862 whom did you go to on behalf of the Liberals ?—I never went to anyone that I know of.

49,996. Did you not go to anyone ?—No.

49,997. Did you not ask anyone which way he was going to vote ?—No.

49,998. You did take an active part in the election ?—Yes, I took an active part.

49,999. What did you do ?—I came up with some of the voters to the Guildhall or to the polling booth.

50,000. That was what your work was, to look after these men who came up to vote ?—Yes.

50,001. On the morning of the election ?—Yes.

50,002. What did you act on ?—On my own authority.

50,003. What did they want looking after for ?—Perhaps in the morning some of the Liberals would fancy it best to get the men to poll in the morning, and I saw some of the men to ask them to be kind enough to go up to vote. We wished them to vote as early in the morning as possible.

50,004. Who ordered it ? It must have been regulated. Who told you they wished it ?—Perhaps Mr. Michelmore might have asked me, or Mr. Holman.

50,005. Was there anyone else acting in the same way as you ?—I dare say there might have been.

50,006. You worked together ?—No, I worked by myself.

50,007. You took up a certain number at a particular time of day ?—No, I did not ; I asked them to be kind enough to poll early in the morning.

50,008. What else did you do besides that ?—That is all.

50,009. Were you always about the polling booth on the election day ?—No.

50,010. What was the active part you took ; is that all you did ?—That is all I did.

50,011. That you were to go to shaky persons and try to get their votes ?—I went to one man named Foote. I did not see him.

50,012. Who sent you to him ?—I was asked to go by Mr. Holman.

50,013. You knew the part Mr. Holman was taking in the election ?—Yes.

50,014. Did he ask you to go to Foote, and what did he ask you to do ?—To go to see if he was going to vote for the Conservatives.

50,015. Did Mr. Holman give you instructions as to how you were to deal with Foote ?—No.

50,016. What did he ask you to do ?—He merely asked me to go up and see if he was going to vote for the Conservatives, which I did.

50,017. Did you get that information ?—Yes, I told them he was going to vote for the Conservatives, and that I had seen 150*l.* brought down by Foote's wife, and I was to say it was too late now to come up there for he was going to vote for Colonel Dawkins.

50,018. (*Mr. Coleridge.*) She showed you the money ?—She showed me the money. I went up twice.

50,019. (*Mr. Longe.*) This is the last election ?—Yes ; I do not know anything more about the former elections than what I have told you.

50,020. You did not go to any man in 1863 ?—No.

50,021. In 1865 you went to Foote ?—Yes, he was the only person.

50,022. Did not Mr. Holman give you leave to make an offer of money ?—No.

50,023. He told you to hold out the prospect to voters of getting money if he voted for the Liberals ?—No.

50,024. You knew that you might do so ?—No.

50,025. You knew what part Mr. Holeman was taking ?—Yes.

50,026. You did not know that Mr. Holman had any money ?—No.

50,027. Nor that he was distributing money ?—No.

50,028. When did you first hear of that ?—I know it now.

50,029. When did you first know it ?—I did not know it during the time of the election.

50,030. (*Mr. Bere.*) Why did Mr. Holman send you to Foote ?—I suppose because he had been working under my father so many years.

50,031. Did you know what sort of a man Foote was as to taking money at elections ?—I did not think he would take it.

50,032. Did not Mr. Holman tell you that you might offer him some money ?—No ; not a farthing.

50,033. Supposing Foote had asked you for money, what should you have said ?—I should have told Mr. Holman whatever he had said.

50,034. Did Mrs. Foote tell you she had got money on the other side ?—Yes, she showed it to me.

50,035. Did she shake it and hold it up ?—Yes.

50,036. Was that the only person you went to see at that election ?—That is all.

50,037. There were no others ?—No.

50,038. Did you ever interfere in any other way at the election for members of Parliament ?—No.

50,039. What did you do at the council elections ?—I never took any part ; sometimes I have been in the committee room.

50,040. Are you in partnership with your father ?—Yes.

50,041. (*Mr. Longe.*) You took some part at the last election in taking voters to the poll ?—Only a few.

50,042. Who were they ?—Perhaps I might call on someone as I was coming up or going down the street and ask them if they would poll early in the morning.

50,043. How many voters did you take to the poll this last election ?—Not one ; I never took a man to the poll in my life.

50,044. Were you ever asked to look after voters ?—No.

50,045. (*Mr. Coleridge.*) Did you ever keep any away from the poll ?—No.

50,046. Have you had nothing to do with keeping any of them away or with locking them up ?—No.

50,047. Did you ever go away with any that were called lame ducks ?—No.

50,048. (*Mr. Bere.*) Do you remember being at the "Seymour" hotel, when Henry Crawford was taken there ?—No.

50,049. Did you see him there ?—No.

50,050. Or any people who were locked up there for the night ?—No.

50,051. You had nothing to do with taking care of them ?—No.

50,052. (*Mr. Longe.*) Were you at any of the

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meetings at the "Seymour" hotel during the last election?—Yes.

50,053. At how many?—I was there almost every day during the election.

50,054. Was there a meeting every day in the big room?—No.

50,055. Were you at any meetings in the big room?—No.

50,056. Did you dine there?—No; I never dined there.

50,057. Did any people dine in the large room during that week?—I think not.

50,058. What number of people were there in the large room at any of these meetings?—Perhaps the evening after the election there might have been 200 or 300.

50,059. And the evening before the election?—Perhaps there might have been 50 or 100.

50,060. On the nomination day?—Yes.

50,061. And on the Sunday?—I was not there on the Sunday.

50,062. On the Monday were you there?—It is very likely I was.

50,063. Were there the same number there then?—I think not so many.

50,064. And on the Saturday?—I cannot recollect.

50,065. There were several days when there were a hundred or so?—Yes.

50,066. Who generally presided?—That I cannot say.

50,067. There was a chairman?—Yes.

50,068. Did you ever preside?—No.

50,069. Did Mr. Moysey preside?—Yes; Mr. Moysey presided once; I think on the nomination night.

50,070. Did you pay for your grog?—Yes; every thing that I had there I paid for.

50,071. Was that generally so with the others?—My father and myself generally paid. I do not know what the rest did.

R. Jackson.

ROBERT JACKSON sworn and examined.

50,072. (*Mr. Bere.*) What is your qualification as a voter for Totnes?—Land and building.

50,073. Are you one of the company?—Yes.

50,074. Which company did you belong to?—Hamlyn and Company.

50,075. The Buckfastleigh company?—Yes.

50,076. Are you a voter for Ashburton as well?—I was; I am not now.

50,077. How long have you had a vote for Totnes?—I had only voted once.

50,078. What did you get for that?—I think 10*l.*

50,079. Who sent you that?—Mr. Hamlyn paid me that.

50,080. How long was that after the election?—About three weeks.

50,081. Who promised you that?—No one.

50,082. Had you seen Mr. Jeffery Michelmore at all at the time of the election?—No.

50,083. Nor had any talk with him about it?—No.

50,084. Then you did not expect the 10*l.*?—No; I did not expect a farthing.

50,085. Is that all the money you ever had?—That is all.

50,086. Did you ever bribe anyone yourself?—Never.

50,087. Where do you live?—At Buckfastleigh.

50,088. Did not Capt. Pim come and canvass you?—Yes, he did.

50,089. On what day was that?—On the day of the election in the morning.

50,090. Was it very early?—He came to my place about half-past 6.

50,091. He came over to Buckfastleigh?—Yes.

50,092. What did he say to you?—He wanted me to come with him to Totnes in the carriage.

50,093. Did you go with him?—I told him I would not go.

50,094. Did you not lead him to believe you would go?—I did not go with him.

50,095. Did he offer you any money?—He said if I would go with him to the "Seven Stars" that Mr. Edmonds would give me any amount that I should require; anything I wished to have.

50,096. That was not temptation enough for you?—It was not.

50,097. You did not go with him?—I did not.

50,098. Is that all that passed between you and him?—That is all that passed.

50,099. Are you the carpenter to Lord Cranstoun?—Yes.

50,100. Had you not, when you were first canvassed, promised the Conservatives?—No.

50,101. Who had canvassed you?—Col. Dawkins came to me first and then I saw Mr. Seymour and Mr. Pender.

50,102. Did you ever see Mr. Jeffery Michelmore?—Many times.

50,103. Had he canvassed you?—No, he had not.

50,104. He was Lord Cranstoun's agent?—Yes.

50,105. How long have you been Lord Cranstoun's carpenter?—15 or 16 years.

50,106. Have you ever voted for Ashburton?—Never.

50,107. Were you put down as one of the company's men there?—Yes.

50,108. You did not have a chance of voting?—No.

50,109. About the time of the election did you receive an order from Lord Cranstoun as to which way you were to vote?—No.

50,110. Did anyone come to you on Lord Cranstoun's behalf to canvass you?—There were some persons came, but I told them I would not vote for them.

50,111. Who were they?—Mr. Coulton of Buckfastleigh; I did not see him; I was not at home; sometimes I am away for three or four days or for a week.

50,112. Did they see your wife?—Most likely they did.

50,113. Did you send any message to Mr. Coulton to say that it was of no use his coming?—No.

50,114. Did Mr. Coulton offer your wife anything?—I should not expect that he would.

50,115. Did you receive any communication whatever from Lord Cranstoun about this election?—Lord Cranstoun called at my house and asked me to vote for Capt. Pim or either of the Conservatives and I said no.

50,116. When was that?—I think a week before the election.

50,117. (*Mr. Coleridge.*) How often has Lord Cranstoun changed his politics?—I do not know.

50,118. Did he ever ask you to vote for the Liberals at any time?—No; he never spoke to me about such a thing.

50,119. Were you not surprised at his asking you to vote for the Conservatives?—I was rather surprised.

50,120. You always thought he was a Liberal?—I always thought so.

50,121. Is he now a Liberal or a Conservative?—I do not know.

50,122. He was a Liberal when you first went to live with him?—Yes.

50,123. And then he turned Conservative?—Yes.

50,124. Is he a Liberal now?—I do not know; I never lived with him. I have worked for his steward. I do not live in the house with him.

50,125. You are still his servant?—Not altogether, I work for other people as well as for him.

50,126. Were you ever his servant?—No.

50,127. You never worked for him only?—No, for other people as well.

JAMES LEWIS GOODRIDGE sworn and examined.

50,128. (*Mr. Coleridge.*) Where do you live?—In Totnes.

50,129. What are you?—A carpenter.

50,130. What do you vote for?—For my house.

50,131. What rent do you pay?—The house is rated at 18*l.* a year.

50,132. When did you first have a vote?—I think when Mills came here in 1852.

50,133. Who did you vote for then?—I voted for Mills.

50,134. For both the Liberals, Seymour and Mills?—I think there was but one then.

50,135. In 1857 did you vote for Lord Gifford and Mills?—I think I voted then for the same party. I was the last who voted.

50,136. Was that in 1857?—That was when Mr. Mackenzie was here; I believe I was the last vote, it was nearly 4 o'clock.

50,137. What made you vote so late?—Mr. Webber wanted me to vote. I said that I would not vote at all.

50,138. What did you get for keeping back so long?—Nothing.

50,139. Why were you kept back, you had voted for the Liberals before?—Yes.

50,140. Mr. Webber was a Liberal?—Yes.

50,141. What was his reason for keeping you back?—I wanted to vote for the other party; in fact, my mind led me that way, although I voted for Mr. Webber. He turned me out of my work because I would not do exactly as he wished, after having worked for him for twenty-one years. I thought I was bound to vote on the other side, in fact I had always voted for the Tory side, or had wished to do so.

50,142. You told me just now you had voted for Mr. Mills?—I was in Mr. Webber's shop, and he called me in and said, "I think it is time to pay you some "money on account."

50,143. How much did he pay you?—He paid me 30*l.* then.

50,144. How much did he owe you?—Perhaps 100*l.*, the work had not been measured up.

50,145. You voted for Mills?—Yes.

50,146. In 1857 you say you voted the last of all?—I think I was the last but one.

50,147. Who did you vote for in 1857?—I voted then for the Whig party.

50,148. For Mills and Gifford?—Yes. I voted for them twice.

50,149. You did not vote for the Tories as you meant to do?—I should have voted for them; I wished them well.

50,150. That is if they had paid you?—I never asked them for any money.

50,151. I thought Mr. Webber had turned you off?—He said he would turn me off, and I would not be humbugged by him.

50,152. You did vote as he liked?—Yes, afterwards.

50,153. What did you get?—Never a farthing in my life.

50,154. In 1859 how did you vote; Mr. Dunn's election?—That must have been the election I meant.

50,155. Did you vote for Mr. Dunn?—No, I do not think I did; I cannot tell.

50,156. What did you get for voting in 1859?—Never a farthing in my life.

50,157. Whom did you vote for in 1862?—I voted for Dent.

50,158. That was the first time you voted for a Tory?—I had voted for the Tories before that.

50,159. Did you vote for Mr. Dunn?—I forget.

50,160. What were you offered to vote for Dent?—Nothing.

50,161. Were you promised anything?—Nothing.

50,162. Did your wife ever get anything?—No; nor anyone belonging to me.

50,163. In 1863 you voted for Dent again?—Yes.

50,164. What did you get for that?—Nothing; not a farthing.

50,165. Were you promised anything?—No, never.

50,166. At the last election whom did you vote for? For Dawkins and Pim.

50,167. Did you go to the "Seven Stars" to see what was going on?—I very often go there.

50,168. Did you see any money going about there?—I did not see any.

50,169. Did they not tell you that money was going about?—No.

50,170. And were you not offered any?—I got no money nor was I offered any.

50,171. Did they send you any money after the election?—No.

50,172. Or did you find that any had been left at your house?—I never got a farthing for any election in my life, neither my wife, nor my children, nor any of my family.

50,173. Neither directly or indirectly have you ever been benefited by your vote?—I never had a sixpence, or a farthing, or a farthing's worth at any election.

50,174. When did Mr. Webber turn you off?—At Mr. Dunn's election, I think it was, that he turned me off. He said he knew which way I was going to vote, because I had left it so long. He called at my house twice. I did not like to be bound by anyone.

50,175. You did vote as he liked, and then he turned you off?—I did vote to please him, and then I was turned off. He had threatened me he would do so before.

50,176. Did any one on the Conservative side give you work as Mr. Webber had done before?—I have done work for Mr. Heath at the "Seven Stars."

50,177. Did you work for him when you worked for Mr. Webber?—Yes, I had worked for him before. I told Mr. Webber that I had worked for other parties besides him, for Mr. Heath and Mr. Kellock; and he said, "If Mr. Heath will do better for you "than I do, you stick to him."

50,178. Did Mr. Heath do pretty well for you?—I have done work for him.

50,179. Did he ever pay you any more money than you asked at election times?—I have never had a farthing more from any man than I have worked for.

50,180. He has not done so well as you after all?—I have never asked for anything.

50,181. (*Mr. Longe.*) Where is your house in Fore Street?—Just below the Ashburton Road.

50,182. Whose house is that?—It is partly my own.

50,183. And whom else does it in part belong to?—I have had money on it.

50,184. You did live in a house belonging to the Duke?—Mr. Page was my landlord.

50,185. Where was that house?—Just opposite the Priory gate.

50,186. Where were you living in 1863 when you voted for Mr. Dent?—I lived where I live now.

50,187. (*Mr. Coleridge.*) When did you mortgage your house?—I mortgaged it when I bought it.

50,188. How long ago is that?—In 1851.

50,189. You mortgaged it all at once?—I could not buy it.

50,190. Did you mortgage it to Mr. Watson?—I have not got any of the money for electioneering.

50,191. Whom did you mortgage it to?—The mortgage is left where it was in the first place.

50,192. Was that Mr. Watson's name?—No.

50,193. Has it ever been in Mr. Watson's name?—No.

50,194. (*Mr. Longe.*) Did you rent an orchard?—Yes.

50,195. How long have you had that?—I got that orchard when the market was built in the first place.

50,196. How many years back?—I do not know. Perhaps Mr. Bishop can tell you.

50,197. Is it 10 years ago?—About 20.

50,198. When you took that, did you ask for the orchard?—Yes.

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J. L. Goodridge.

30 Oct. 1866.

50,199. Whom?—I went directly and asked old Mr. Michelmore.

50,200. How many acres is it?—About half an acre; just place enough to make a saw-pit.

50,201. It is a little place?—Yes.

50,202. What rent did you pay?—I used to give 4*l.* 10*s.*, and they charge me 3*l.* 10*s.* now.

50,203. Did you give it up?—They gave me notice some time back, and I said they could have the orchard whenever they liked. They gave me notice for a piece of land, and took away more than half, and charged the same rent, and more than they did before.

50,204. Then you gave up the rest?—Yes.

50,205. (*Mr. Bere.*) You were turned out after 1863?—I told him they could come in and take it when they liked.

50,206. Is the person who holds your mortgage a Conservative or a Liberal?—I do not know; I never troubled myself about it.

50,207. He never asked you to vote?—No.

50,208. (*Mr. Coleridge.*) Did Mr. Watson ever ask you for your vote?—No.

50,209. Mr. Richard Watson?—No.

50,210. He never said anything to you about it?—No.

50,211. Never had any money transactions with him?—No.

50,212. Did you ever work for him?—No.

50,213. Did he ever lend you money?—No, never. I never had a farthing or a farthing's worth from any man unless I worked for it, not for electioneering.

50,214. Did you vote for the council?—Yes.

50,215. Did you have anything for it?—No. I think I had a breakfast once or twice.

50,216. How did you vote for the council, Liberal or Conservative?—Conservative always.

50,217. Used you to vote Conservative in the council and Liberal in the borough?—I agreed to give the duke one vote out of the orchard.

50,218. (*Mr. Longe.*) When you took the orchard you promised to give the duke one vote?—Yes; and then Mr. Webber came and asked me for Mr. Mills, and I promised him there and then.

50,219. (*Mr. Coleridge.*) Who made the arrangement with you, that if you took the orchard you were to vote one for the duke? Was that Mr. Michelmore?—I used to pay my rent to Mr. Page.

50,220. Who told you at the time, if you took the orchard, that you were to vote one for the duke?—I understood it so.

50,221. Who told you?—I do not know.

50,222. Whom did you take the orchard of?—Mr. Page, and Mr. Page took it of Mr. Michelmore.

50,223. Mr. Page told you that he had given one vote for the duke, and if you took the orchard you ought to do the same?—I do not know; I never had any money at any election.

J. Marks.

JOHN MARKS sworn and examined.

50,224. (*Mr. Bere.*) Are you father of George Marks?—Yes, I am.

50,225. Do you rent property at Dartington under Mr. Champernowne?—Yes.

50,226. What do you vote upon at Totnes?—A piece of land at Broomborough.

50,227. You are a manufactured vote?—Yes.

50,228. How long have you had a vote?—At the last election.

50,229. Did you vote for Dawkins and Pim?—Yes.

50,230. Did you get anything?—No.

50,231. Were you asked or offered?—No.

50,232. Were you tempted on the other side?—No.

50,233. Were you canvassed by the other side?—No.

50,234. Did you receive any money, directly or indirectly?—No.

50,235. Did you use any influence to get the vote of anybody?—No.

50,236. Have you got a son in the Life Guards?—Yes, I have.

50,237. Did you know of his having money to have his expenses paid?—I heard he had 5*l.* to pay his expenses up and down.

G. Stoyle.

GEORGE STOYLE sworn and examined.

50,238. (*Mr. Bere.*) Have you got a vote for Totnes?—Yes.

50,239. How long have you had one?—Since 1840.

50,240. And always voted for the Liberals?—No.

50,241. Whom did you vote for in 1840?—For Baldwin.

50,242. Anything for that?—No.

50,243. In 1847 did you vote for Gifford and Ricardo?—I think Lord Seymour and Ricardo. I was a manufactured vote at that time. I was at Mr. Bentall's. I was a Liberal always before.

50,244. How do you mean?—I was a made vote on the premises on which I worked.

50,245. Were they not worth 10*l.*?—They were worth 30*l.*

50,246. Is it your own house?—No; Mr. Bentall's.

50,247. You were rated for the house?—Yes, I and another.

50,248. Did you pay the rent?—Never had any trouble about it.

50,249. From that time have you voted for the Liberals ever since?—Yes.

50,250. What have you had?—Nothing.

50,251. No present?—No.

50,252. No little advantage?—Nothing at all.

50,253. Where do you live?—At Totnes.

50,254. What are you?—A pork butcher.

50,255. You have a brother called William Stoyle?—Yes.

50,256. You tried to get his vote?—I did, at the last election.

50,257. You did not succeed?—No.

50,258. How is that?—The Conservative party took him, got him drunk, and carried him away.

50,259. (*Mr. Coleridge.*) They took him away before your very eyes?—No; I was in bed at 11 o'clock in the evening.

50,260. Was it not that they made you very drunk and you could not see him?—No, I was not in their company to get drunk.

50,261. He did not vote your way?—He promised me that he would.

50,262. (*Mr. Bere.*) Who told you to go and canvass him?—No one.

50,263. Had you not seen any gentleman on the Liberal side before he went?—No.

50,264. When did you see him?—I offered him 40*l.* if he would go and vote for the Liberals. He was a staunch Liberal, one of the 73, but the Tories made him drunk.

50,265. You offered him 40*l.* to vote for the Liberals. Did you tell the Liberals?—Not then.

50,266. Whom did you tell?—I told Mr. Holman.

50,267. What did he say?—He said, if I could get him it would be all right, and I offered him 40*l.* I did not see him till the Sunday, and he was beastly drunk.

50,268. Did he tell you he would vote?—Yes, and I agreed to give him 4*s.* a week, as he is a great drunkard.

50,269. That would take a long time to make 40*l.*?—He is in the union now.

50,270. Did they poll him in his uniform?—I do not know.

50,271. Did you have something to do with Crawford?—Yes.

50,272. Did you take him to the "Seymour"?—Yes.

50,273. How did you get him down there?—We walked side by side.

50,274. Did not you go to his house and fetch him—I did not go for that purpose.

50,275. Were you not sent to get Crawford?—No. I was in the "Commercial," drinking a glass of ale, and some of them said, "Go and fetch Crawford," and I went up, he being a neighbour close by.

50,276. You saw Mr. Crawford?—Yes.

50,277. Had you asked Crawford for his vote before?—No.

50,278. Mrs. Crawford?—No.

50,279. Did not you offer him 60*l.*?—No, I did not offer him a farthing.

50,280. You offered your brother 40*l.*?—Yes, I wanted to keep him from getting drunk.

50,281. Did not your interest in the Liberal cause induce you to do that?—No.

50,282. Where did you put Crawford?—In a room.

50,283. You stayed with him?—Yes.

50,284. All night?—He did.

50,285. Did you stay all night?—I went in and out, and took him to the poll next morning.

50,286. You were ashamed of your brother being drunk, but did not you make Crawford drunk?—He did become so, I believe.

50,287. What did you offer Crawford 60*l.* for?—I did not offer Crawford anything.

50,288. That is a mistake?—Yes.

50,289. Does Crawford deal with you?—I have got a shop, and he may come and get things at times. My brother lives next door, and he next to him.

50,290. Crawford says that he deals largely in pigs. Did you ever buy pigs of him?—I bought a pig of him several years ago.

50,291. What did you give?—The market price.

50,292. There was a carriage bought after the election?—Yes.

50,293. Did you have anything to do with buying that carriage?—No.

50,294. Have you had anything else to do with any election except what you have told us?—No.

50,295. Never at any time?—No.

50,296. Never had any money yourself?—No.

50,297. Never any advantage for giving your vote?—Not in the least.

50,298. What do you vote on?—My own house.

50,299. Is that worth 10*l.* a year?—Yes.

50,300. Who is your landlord?—There was no one else.

50,301. From whom did you buy it?—I think it did belong formerly to one Mr. Hoppin.

50,302. The one that has been here?—No.

WILLIAM VEASEY sworn and examined.

W. Veasey.

50,303. (*Mr. Bere.*) What are you?—A slater and plasterer

50,304. Where do you live?—At Bridgetown.

50,305. How long have you had a vote?—Only the last election.

50,306. What is that a vote for?—For building and land.

50,307. What is it?—There is a company of nine of us.

50,308. Who asked you to belong to that?—I think a man near Buckfastleigh.

50,309. Which way did you vote at the last election?—For Pender and Seymour.

50,310. Where do you live?—At Bridgetown.

50,311. Who is your landlord?—The Duke of Somerset.

50,312. You were asked to join this company by a farmer near Buckfastleigh?—Yes; I forget his name.

50,313. Had you a vote before that?—No.

50,314. Have you lived in Bridgetown some time?—Yes.

50,315. Have you ever taken part in the elections before?—In 1863.

50,316. Who employed you then?—I was asked to go to Kingsbridge.

50,317. By whom?—Three or four of us went to Kingsbridge.

50,318. What did you go there for?—To look after one or two votes.

50,319. Who were the two votes?—Briggs and Mogridge.

50,320. That was in 1863, at Mr. Seymour's election?—Yes.

50,321. Who was it asked you to go?—Mr. Michelmore, deceased.

50,322. What were you to do?—I was asked to have a ride with other parties to see about the two voters.

50,323. What do you mean to say about that?—The other parties took them away.

50,324. How long did you go before the election?—The day before the polling.

50,325. And you came back the day of the election?—I came back the same evening.

50,326. Did you bring them back?—No. I did not find them at all.

50,327. Had you anything else to do with the election?—We went to Newton the same evening or the morning after.

50,328. Whom did you go after there?—The same parties.

50,329. You did not find them?—No.

50,330. What were you to do if you found them?—I was not authorized in any way, but I do not know what the other parties were.

50,331. I think you do know what the other parties were authorized to do?—No, I do not.

50,332. What was the use of going to look after them?—We were to try and see, and get them away.

50,333. Were you authorized to spend money and make them drunk?—I was not.

50,334. You knew what you were to do?—I was not authorized at all. I do not know what Mr. Mitchell was. I think he was the party authorized.

50,335. What Mr. Mitchell?—Mr. Mitchell the butcher.

50,336. Who else?—Pulling and West.

50,337. Is that all you had to do at the election?—Yes.

50,338. In 1865 did you take any part?—No.

50,339. Were you not sent there by anybody?—No.

50,340. Were you not asked to get anything for your vote?—No.

50,341. Was any offer made to you by either party?—No, neither party offered me a farthing.

50,342. Did not Mr. Michelmore ask you to take a share in his company?—No; it was a farmer near Buckfastleigh. I forget his name.

50,343. Bradridge?—Yes.

50,444. He was a keeper-up of the company?—Yes.

50,345. What part were you to take?—Not more than being a vote.

50,346. Did you offer any money?—No.

50,347. None at all?—No.

50,348. Did you get any money there belonging to the company?—No.

50,349. Did you get a dinner?—Yes, I always go to the Duke's grand dinner twice a year.

50,350. What were you to get for joining this company; no advantage?—No more than the influence of the vote.

50,351. Mr. Pulling did not give us as clear and

THIRTY-XTH DAY.

W. Veasey.

9 Oct. 1866.

accurate account of the trip to Kingsbridge. What happened ?—We went to Newton, and had a glass of grog at the "Commercial" hotel.

50,352. Did you go to Plymouth ?—No; we went to the station, and when the train went off we returned, and in the evening we went to Plymouth.

50,353. He says you and Mr. Mitchell went back ?—Yes.

50,354. What was it for; to keep yourself out of the way ?—No; we were after two voters, Briggs and Mogridge.

W. T. O. Toope.

WILLIAM T. O. TOOPE sworn and examined.

50,355. (*Mr. Bere.*) What are you ?—A plasterer and slater.

50,356. Where do you live ?—Totnes.

50,357. And what do you vote on ?—Building and house.

50,358. Of your own ?—Yes.

50,359. Freehold ?—Yes.

50,360. How long have you had a vote ?—Four or five years.

50,361. When did you first become a voter ?—At the last election.

50,362. Whom did you vote for then ?—Pender and Seymour.

50,363. What did you get for that ?—Nothing.

50,364. Had you ever had a vote for the council before that ?—Yes.

50,365. And where you have had a vote for the council have you voted for the Liberals ?—Yes, always for the Liberals.

50,366. Who canvassed you at the last election ?—I think the only gentlemen I saw were Mr. Pender and Mr. Windeatt.

50,367. Whom did you work for generally ?—The gentlefolks, anybody.

50,368. Did you work for the Conservatives as well as the Liberals ?—I worked for as many parties more.

50,369. Did anybody ask you to vote for the Conservatives ?—No.

50,370. Anybody used any pressure upon you on either side ?—No.

50,371. Did the Conservatives call at your house ?—They called. I told my wife to tell them that I would not vote.

50,372. Was there any money given to you by the Liberals ?—No.

50,373. No present afterwards ?—No.

50,374. Either directly or indirectly have you received any money for your vote ?—No.

50,375. Neither you nor anybody on your behalf ?—No.

50,376. Have you not had the work of the schools ?—Yes.

50,377. When did you get that ?—I had the order last November.

50,378. Plastering ?—Yes; I was not aware until November that I was going to do it.

50,379. Do you know who recommended you ?—Mr. Cuming employed me; I have not been paid for it though.

50,380. Were you to be paid a certain scale of prices ?—It is measurement work.

50,381. Did you hear anything about being employed on a school before you voted ?—No, I never expected to. I thought the work was all let before the election. Mr. Cuming told me to go on with the work.

50,382. Is it a valuable contract ?—I do not know. I hope if I lay out 20*s.* I shall have a sovereign for it.

50,383. Is that all you know about elections ?—That is all.

50,384. Did you vote for the council elections ?—I voted a long time ago for Mr. Sparke Distin.

50,385. Did you get anything for that ?—No, never offered anything.

W. Guppy.

WILLIAM GUPPY sworn and examined.

50,386. (*Mr. Bere.*) What are you ?—I am a retired schoolmaster.

50,387. How long have you had a vote for Totnes ?—At three elections.

50,388. 1862 and 1863 and the last time ?—Yes.

50,389. How did you vote in 1862 ?—I voted for the Liberals every time.

50,390. Were you asked to vote for Mr. Dent in 1862 ?—Yes.

50,391. Who asked you ?—They called at my house, but I cannot tell whom.

50,392. Did people offer any money ?—No.

50,393. Did they offer you money to vote for Mr. Pender ?—No.

50,394. Did they give you anything ?—No.

50,395. The last time you voted for Mr. Pender ?—Yes.

50,396. What is this story about Mr. Harris offering you 100*l.* for the Conservatives ?—In the morning I was walking about the town——

50,397. How long before the election ?—I cannot tell.

50,398. How long before the election ?—If you will have patience with me, I will relate. I was walking down town, and Mr. Harris was in the street, and he saw me and came up to me and said, "We have two "Conservative candidates down; if you will vote for "them you can have 100*l.*; and if you will promise "me to do so, I will send it to your house, either in "gold or bank notes."

50,399. Mr. Harris said this ?—Yes.

50,400. Did not he also say if you would only vote for one you would have 50*l.* ?—Yes, he did; and I said to Mr. Harris, "I shall vote for Mr. Pender, and "my other vote I shall not promise to anyone. I "have thought of voting for Mr. Pender only;" but I did not tell Mr. Pender so at the time until I felt disposed to vote for him.

50,401. How did you vote; for Pender and Seymour ?—No, for Pender a plumper.

50,402. What made you do that ?—Because I respected him so highly; not for any offence on the other part. I voted for Mr. Seymour without money and without price, and for everyone I voted for.

50,403. Mr. Harris did not send you 50*l.* for voting for Mr. Pender ?—No, Mr. Harris did not do any such thing.

50,404. Because your plumping for a Liberal was a vote for the Conservatives ?—No, I did not do it for that purpose. I never received a farthing from Harris or anyone else.

50,405. Did you expect that if you would vote for the Conservatives Harris would really send you the 100*l.* ?—I had no reason to doubt it, but I never intended to receive it. I did not intend to receive any man's money against my conscience. I am a supporter of the Liberal cause, and intend to be so as long as I live.

50,406. You have voted for the council ?—Yes.

50,407. You always voted for the Liberals there ?—Yes, I voted for the Liberals generally. I have voted for a Conservative. My opinion is that it is not right to mix up local affairs with politics. I think they ought to consult good men, men calculated to be useful to the town, and not to do it on party grounds.

50,408. In the municipal elections you voted for whom you thought the best man, irrespective of party ?—Yes, I do.

50,409. Have you ever been asked to give a bribe to anyone else ?—Never in my life. I never had anything to do with the election but to give my vote, and

I will express in a few words how I have acted if you will allow me. The first election I voted for Mr. Pender, and the next was for Seymour, and the next was for Pender.

50,410. You were once a voter for Honiton, were not you ?—I have left Honiton nearly 20 years.

50,411. You used to vote for the Tories at Honiton ?—No, the Liberals; for the Liberals always.

50,412. You never voted for the Tories ?—No, I never voted for the Tories; my opinion is, that it is the bounden duty of every one to vote from principle, without money and without price.

50,413. Did not you once vote for Mr. Hogg at Honiton ?—No, never in my life. I stuck to the Liberal cause, and intend to do so as long as I live.

50,414. (*Mr. Longe.*) You did not keep a school at Totnes ?—No. I have retired from the school business nearly 18 years, and I have lived here nearly seven.

Robert Coull Earle sworn and examined.

R. C. Earle

50,415. (*Mr. Bere.*) Where do you live ?—At Paignton.

50,416. At the election of 1863 were you living at Ashprington ?—Yes.

50,417. How long have you lived at Ashprington ?—Two years last Lady-day.

50,418. Did you vote at the election of 1865 ?—No.

50,419. The election of 1863 ?—No; I have not voted this seven years.

50,420. Are you a tenant of the Duke's ?—I had some land at Gerston, I have had it 25 or 30 years.

50,421. When you took the farm was it understood that you were to give the Duke your vote ?—I had it before Mr. Baldwin bought it, in Mr. Bowden's time, and I continued all through Mr. Baldwin's time, the same land, and for about two years after the Duke came in, and then I gave notice to quit.

50,422. When the Duke became your landlord was it understood that you were to give the Duke one vote ?—Mr. Michelmore said they let the land for voting purposes, and I said to him, I had always voted for Lord Seymour as I had voted for Mr. Baldwin and Lord Seymour, and I dare say I should continue it as I had before.

50,423. But you did not ?—I did not vote at all.

50,424. Why did not you vote for Mr. Seymour ?—I had some business to go about.

50,425. Where did it take you to ?—Wales.

50,426. Did it take you there before the election ?—I went on the Friday before the election.

50,427. Did you pay your own expenses ?—I did. I never received anything, expenses or anything else.

50,428. Did not you tell Mr. Harris that you did not like Mr. Seymour, and that you went away because you did not want to vote for him ?—No.

50,429. Did you have any conversation with Mr. Harris about it ?—No.

50,430. None at all ?—No.

50,431. You did go away because you did not want to vote for Mr. Seymour, was that it ?—That was part.

50432. You gave up the field and now have not a vote at all ?—I have not a vote at all.

50,433. And you never received any or offered any money ?—No.

50,434. (*Mr. Longe.*) Why did you give up the field ?—Because I was living at Ashprington then, and now I am at Paignton, and it is too far for me to have a field.

50,435. (*Mr. Coleridge.*) Paignton is within five miles from here ?—Six miles.

50,436. You could vote on your field ?—But I occupied my field; it was not a manufactured but a *bonâ fide* vote.

50,437. You were not a member of a company ?—No. It was farmed and stocked with my own, and I farmed 200 acres besides that.

50,438. (*Mr. Longe.*) You had that at the time of Mr. Baldwin ?—Yes, I had three fields.

50,439. Whenever you held that field was it understood that you were to vote according to the landlord's opinion before Baldwin's time ?—No; I always did.

50,440. Before Baldwin's time it was a Liberal landlord then ?—No. I think I had it before any votes were made on building and land.

50,441. Before Mr. Baldwin bought it, who was the landlord then ?—Mr. Bowden.

50,442. He was a Liberal ?—No, I think he was a Conservative, but then I had no vote on it. There were no votes I think of that description then.

50,443. (*Mr. Bere.*) When did you first get a vote ?—Upon my honour I do not know when Mr. Baldwin came first.

50,444. (*Mr. Longe.*) You mean you did not qualify ?—No, I do not think so. I think it was before the Reform Bill passed, I do not know when it was. It was before Mr. Baldwin bought it that I took it.

50,445. (*Mr. Bere.*) When did you first become a voter ?—I do not know.

50,446. Was it 30 years ago ?—I should think so.

50,447. Was it before Mr. Baldwin and Mr. Blount stood ?—Yes, before that I think.

50,448. Do you know how long it was before Mr. Baldwin stood for the borough ?—I think I had a vote when Mr. Baldwin was first a candidate.

50,449. That is 1839 ?—Yes.

50,450. Did you vote for that land at Gerston ?—Yes.

50,451. There was a building upon it ?—Yes; it had a building.

50,452. Was that an old or a new building ?—An old one.

50,453. Can you recollect how long before that you had been on the register of voters ?—No.

50,454. When did you first find your name put on as a voter ?—I do not know I am sure.

50,455. When you were holding under Mr. Bowden were you told to vote for the Liberals ?—There was no voting in the concern when I took it first.

50,456. Mr. Bowden did not sell it for some years after the Reform Bill ?—No.

50,457. And you were his tenant ?—Yes.

50,458. When Mr. Bowden was your landlord did you receive any instructions from him as to how you were to vote ?—Not at all.

50,459. When Mr. Baldwin became your landlord did you ?—No.

50,460. But you did vote for him ?—Yes.

50,461. It was not until the Duke of Somerset got the ground that you received any instructions about your vote at all ?—No, it was not.

Mr. Thomas E. Owen recalled and further examined.

Mr. T. E. Owen

50,462. (*Mr. Bere.*) Have you seen Mr. Brooking Cuming to-day ?—I have.

50,463. In what condition is he as far as his fitness for being examined by us is concerned ?—We have examined him again to-day, and we have come to the same conclusion as we did before. He has a clot of blood on the brain, and some little softness of the textures of the brain, and he might possibly have another attack, which might perhaps end fatally.

50,464. Did you examine him to see whether his

THIRTY-SIXTH DAY.

Mr. T. E. Owen.

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memory had been affected or not?—I did not to-day, but I have examined him before for that purpose.

50,465. What is your opinion as to that?—His memory is very defective indeed. He is constantly in the habit of using words he does not intend to use.

50,466. Do you think it would be dangerous to his life if we were to examine him at his own house or here?—Yes.

50,467. You have examined him I believe in consultation with Dr. Hains?—I have.

50,468. Can you form any idea as to the probable time of his recovery?—I cannot. He never can recover the use of his hand and his leg.

50,469. Do you think he can recover the use of his brain?—Very possibly at some late date.

50,470. I suppose you cannot fix any time for that?—I cannot. The brain is so thoroughly a sealed book that we have no data to go upon.

Mr. J. Hains.

Mr. JOHN HAINS sworn and examined.

50,471. (*Mr. Bere.*) What are you?—A surgeon and apothecary.

50,472. Have you had any consultation with Dr. Owen, and have you examined Mr. Brooking Cuming to-day?—I have.

50,473. And what was your opinion with regard to his fitness to be examined by us, either at his own house or here?—I do not think he is in a fit state at all.

50,474. Do you think our examining him either at his house or here, would endanger his life?—My opinion is, if he had any excitement whatever he might have a recurrence of hæmorrhage, and perhaps a fatal termination might take place in a minute.

50,475. Do you think an examination would be likely to cause hæmorrhage?—I have no doubt of it whatever. He is in a very excited state at present.

50,476. (*Mr. Coleridge.*) Is it a state of apoplexy?—It is the result of apoplexy. He has the rupture of a blood vessel, and a clot has remained, which clot is pressing upon the brain, and I have no doubt after a time the clot may be removed, but there may be a certain action going on behind which may terminate in tumour of the brain.

50,477. It may be absorbed?—It may be absorbed. It is very doubtful.

50,478. (*Mr. Bere.*) I had better put this question to you as you are here. Do you think there is any probability of his being recovered before the end of this week sufficiently to allow of his being examined?—That is out of the question altogether.

50,479. (*Mr. Coleridge.*) Can you give us any idea of the time at which possibly he might be examined?—It is very doubtful indeed. I should say the very shortest period would be at least 12 months, and he might be dead before that.

W. Barter.

WILLIAM BARTER sworn and examined.

50,480. (*Mr. Bere.*) Where do you live?—I live at Kingskerswell.

50,481. And are you a voter for Totnes?—I rent a field with my brother-in-law, George Duder.

50,482. And how far is Kingskerswell from here?—About six miles.

50,483. Have you occupied it with your own cattle?—Our own cattle jointly together, two of us.

50,484. Is your brother-in-law in partnership with you in any other matters?—Nothing but this field.

50,485. When did you first become possessed of this field?—I think in 1862. I voted for Mr. Pender the first time he was here.

50,486. Did you ask for the field?—Mr. Duder got the field. I was then in partnership at that time as a cattle dealer, and I got him to ask Mr. Michelmore, and I asked him to take part of it.

50,487. Where does he live?—He lives at Marldon.

50,488. You have had the fields ever since?—Yes.

50,489. Has it been stocked with your cattle?—Always.

50,490. And no other person's?—No person's whatever.

50,491. When had you first voted?—In 1863. When Mr. Pender first contested the borough was with Mr. Dent.

50,492. Did you vote for Mr. Pender?—Yes.

50,493. Did you vote in 1863 for Seymour?—I did.

50,494. And in 1865?—Pender and Seymour.

50,495. Did you ever have any money for your vote?—Never.

50,496. Or any advantage?—Nothing in my life.

50,497. Who canvassed you?—Mr. Cuming, the gentleman you have now referred to, and Mr. Pender and Mr. Seymour; and also the first election Mr. Dent and his party came to me, but I was not at home at the time.

50,498. Whom did he see?—He saw my wife.

50,499. Do you know whether they offered her any money?—No, they never did.

50,500. Have you ever been offered money?—I was offered money at the last election.

50,501. Who offered it to you?—Mr. Harris offered it and told me I could get 100*l.* if I voted on the other side.

50,502. Did he come out to Kingskerswell and see you?—No, I saw him in Totnes market a few days before the election.

50,503. Did you ever influence anybody else?—Never. I had nothing to do with the election whatever, in no way or shape.

W. Coulton.

WILLIAM COULTON sworn and examined.

50,504. (*Mr. Bere.*) What are you?—I have been a farmer all through my life, and my family. I am now on a small scale, and a lime burner and cyder merchant.

50,505. Upon what qualification do you vote?—Some property at Peter's Quay cyder stores.

50,506. How do you occupy it?—Storing coal, stone, lime, and cyder occasionally, and at Buckfastleigh I have very large and extensive lime works.

50,507. How long have you been a voter for Totnes?—Very nearly since the Reform Bill. I forget the exact time. Many years, over 20.

50,508. Have you always voted for the Conservatives?—Yes; that is with the exception of on one or two occasions; I voted for Lord Seymour at the time when there was an agreement between his Lordship and the Conservative party that we should support each other.

50,509. You voted for Lord Seymour and the Conservative candidate?—Quite so.

50,510. Have you always been living at Buckfastleigh?—No, I lived at Dean's Court.

50,511. Have you always voted on the same qualification?—No, the first qualification was some ground in Gerston.

50,512. Under Mr. Baldwin or Mr. Bowden?—Mr. Bowden.

50,513. Was Mr. Bowden a Conservative or a Liberal?—He always supported, I believe, the Conservative interest; at any rate I rented the ground under Mr. Bowden. I vote on "building and land."

50,514. Was there any agreement made as to how you should vote?—Certainly not.

50,515. Did you continue to hold it under Mr. Baldwin?—For a short time.

50,516. Was there any agreement made between you and Mr. Bowden ?—Not the slightest.

50,517. When did you give it up ?—Shortly after I came into possession of the building and stores at Fowler's Quay.

50,518. Those are the only two on which you vote? —The only two.

50,519. Did you ever take an active part for the Conservatives here ?—I think I may have.

50,520. On the 28th of March 1850 were you one of the Conservative committee ?—I have been told since this Commission opened my name has frequently appeared on the Conservative committee. I was not aware of it, and I never attended the committee.

50,521. Do you know John Old?—Yes.

50,522. Was he a very active Conservative?—I think he was; I have seen him before.

50,523. "To the free and independent electors of Totnes and Bridgetown. At a meeting of the Conservative committee adjourned from the public meeting held at the 'Seven Stars' hotel on the 27th instant, it was unanimously resolved that this meeting do pledge themselves to give Lord Seymour their cordial support. That the committee solicit the attendance of the Conservative electors at the 'Seymour' hotel on Saturday next, the 30th instant, at a quarter before 11, to accompany the noble Lord to the hustings." Signed, "John Old, Chairman." Do you know anything of that handbill?—I recollect seeing it.

50,524. Were you on the committee at that time? —I really do not know. I did not attend the committee.

50,525. You had something to do with the recent elections, had you not ?—Yes.

50,526. What had you to do with them ?—I looked round and gave my vote.

50,527. You looked round ?—Yes, and canvassed some of the electors occasionally.

50,528. Did you canvass Robert Jackson ?—No.

50,529. You did not happen to see him ?—No, I called.

50,530. Did you call on Robert Jackson in consequence of any intimation from Lord Cranstoun?—I did.

50,531. What was that ?—I cannot recollect.

50,532. You must try and remember it; when did you receive a communication from Lord Cranstoun ? —It was sent to my house a day or two before the election, addressed to me "immediate." I opened it and read the contents. I then thought the body was not intended for me, but was intended for Mr. Henry Bradridge.

50,533. From whom was the note ?—I took it to be Lord Cranstoun.

50,534. Did Lord Cranstoun sign it ?—His name was to it, and I took it to be his writing.

50,535. Was it addressed to you ?—The envelope was.

50,536. Have you got the letter ?—No; I forwarded it immediately. I put it in another envelope and sent on the same young man who came to my house with it to Mr. Henry Bradridge, and gave him instructions how to find the house.

50,537. What request was contained in the note ? —It was a request for Henry Bradridge's support; he would oblige his Lordship by giving his vote for Colonel Dawkins and Captain Pim. That was the purport of it.

50,538. Did you ever receive any communication to the contrary from Lord Cranstoun ?—No.

50,539. Did you ever know Lord Cranstoun had exercised any influence to restrain his tenantry to vote for the Liberals after that ?—I am not aware that he did.

50,540. Did you go to Jackson ?—I did.

50,541. Did you go also to other tenants of Lord Cranstoun ?—No, only to Henry Bradridge. He had had this vote previously. I went upon the morning of the election.

50,542. What did he say ?—He would not promise to vote for Colonel Dawkins or Captain Pim until he had come into Totnes and seen Mr. Michelmore.

50,543. Did you see him after he voted ?—I forget; I may have done so, but I do not recollect it.

50,544. Mr. Michelmore is Lord Cranstoun's agent ? —Yes.

50,545. Was Jackson the only person you canvassed ?—The only one that I canvassed at all in our immediate neighbourhood.

50,546. He was the only one ?—Yes.

50,547. Mr. Bradridge was one of the manufactured qualifications ?—I believe so.

50,548. The Buckfastleigh company ?—I believe both Jackson's and Bradridge's votes were manufactured.

50,549. It was one of the companies got up by Mr. Michelmore ?—I think they were.

50,550. Did you canvass anybody else at that election ?—Not that I am aware of.

50,551. Nobody at all ?—I do not think I canvassed one in the town at all.

50,552. Did you offer any one any money ?—No.

50,553. At no time ?—Never at any time.

50,554. Or any advantage ?—No.

50,555. What made you go and see Jackson ?—My object was this: knowing he was a carpenter, and did the work on Lord Cranstoun's property, I went with the view that if he had not promised, to caution him about pledging his vote, as Lord Cranstoun had declined to support the Conservative interest.

50,556. Lord Cranstoun had been Liberal ?—Previously. I did not go to see Jackson to canvass him.

50,557. Had you any particular influence over Jackson ?—Not the slightest.

50,558. Used you to employ him as a carpenter ?— In fact I never did employ him; he has worked for my father 20 years ago.

50,559. Was that all you had to do with the election of 1865 ?—That was all.

50,560. Did you receive any money for your own vote ?—No, I did not.

50,561. Did you offer any money to others ?—No one.

50,562. What had you to do with the election of 1862 ?—I am not aware that I canvassed any one on that occasion. I never took a very active part in canvassing.

50,563. To what was your interest confined ?—To keeping a watchful eye on some parties.

50,564. Who were the parties?—Only parties just moving about the town.

50,565. You used to come over from Buckfastleigh ?—Frequently.

50,566. Who were the persons ?—I cannot mention one.

50,567. Were they any persons you thought of yourself, or any one suggested to you ?—I never had any suggested to me.

50,568. Though you did not give any money, did you not suggest to some of the voters where they might get some?—No.

50,569. Not at the "Seven Stars" ?—Never.

50,570. Did you never send anybody to the "Seven Stars"?—No.

50,571. Or mention that it was the place where they might by some possibility get some money ?— Not to my knowledge. I was not aware where the money was distributed.

50,572. You were one of the committee ?—No, I was not.

50,573. Did you go into the "Seven Stars" at that election ?—Several times.

50,574. Did you not see that there was an amount of money flying about ?—No; I had reason to believe that there was. I did not see it.

50,575. Did you find that the hesitating which there was intimated that a man's principles wanted confirmation ?—No, I always avoided mixing myself up in any way with it.

50,576. Do you know a man named Pengilley ?— Yes, Edward Pengilley.

THIRTY-SIXTH DAY.

30 Oct. 1866.

W. Coulton.

50,577. Is any servant of yours a voter at all?—My carpenter.

50,578. Did you ever canvass him?—I never asked him.

50,579. Does anybody else in your employment vote?—Not that I know of. There is a mason here named Stephen Tozer.

50,580. (*Mr. Coleridge.*) Have you got a lot of small tenements?—I have several.

50,581. Is that all you had to do with the election for Totnes in 1865?—That is the whole.

50,582. Have you a vote for Ashhurton?—I have.

50,583. Are you a company voter?—I had the management of a company there for some few years.

50,584. How many members were there?—14.

50,585. (*Mr. Bere.*) Did you canvass any persons at Ashburton at all prior to the last election?—No one.

50,586. In 1863 had you anything to do with the election?—Nothing particular more than coming and recording my vote.

50,587. Did you canvass anybody then?—No.

50,588. You had nothing to do with influencing anyone?—I never attempted to influence anyone that I might have supposed I had influence with.

50,589. In 1859 when Mr. Dunn was here?—I do not recollect canvassing in 1859 at Dunn's election.

50,590. Did you at any time receive directly or indirectly any money for your vote?—Never.

50,591. Did you ever, except canvassing Robert Jackson, try to influence any person?—Not the slightest; I endeavour to keep clear of anything in the shape of bribery.

W. Ough.

WILLIAM OUGH sworn and examined.

50,592. (*Mr. Coleridge.*) What are you?—A scripture reader.

50,593. How long have you had a vote for Totnes?—Since 1862.

50,594. Did you vote in 1862?—I did.

50,595. Whom for?—Dent.

50,596. Were you one of the five?—Yes.

50,597. Were you canvassed by the other party?—I was.

50,598. Did you take any active part in the election at all?—No.

50,599. Did you canvass anybody yourself?—I did not.

50,600. Did you receive any promise for your vote?—No.

50,601. Did you receive anything after the election?—None at all.

50,602. When Mr. Seymour came how did you vote then?—Always Dent.

50,603. Did you get anything for your vote?—No.

50,604. Did any money pass through your hands for anybody else?—No.

50,605. You voted in 1865?—I voted for Dawkins and Pim.

50,606. Did you get anything for your vote then?—No.

50,607. Did you give anybody anything?—No.

50,608. Did you offer anyone?—I spoke to a friend and asked him which way he was going to vote; he said my business is completed and I cannot do so. I found he came and voted the other side.

50,609. Do you know what he got for voting on the other side?—No.

50,610. What was his name?—William Hole.

50,611. After the election did you get anything?—I did not.

50,612. Any promise of anything?—Not at all.

50,613. Your wife or anybody else?—Not at all.

50,614. You voted three times and got nothing?—No.

50,615. Did you have anything to do with money passing through your hands?—Mr. Edmonds gave me *5l.* as expenses for bringing up Hole. He said it was legal expenses. He wrote to Hole, and he said he would not come down.

50,616. Were you asked to use your influence as a scripture reader going about?—No, I did not make any use of that.

50,617. (*Mr. Bere.*) How long have you been employed as a scripture reader?—The last four years.

50,618. By whom?—The Church Pastoral Aid Society under Mr. Burrell.

50,619. (*Mr. Coleridge.*) Did Mr. Dent subscribe to the Church Pastoral Aid Society?—I am not aware.

W. Harris.

WILLIAM HARRIS sworn and examined.

50,620. (*Mr. Longe.*) When did you last have a vote for the borough?—I voted for Colonel Dawkins.

50,621. At the last election?—Yes.

50,622. When did you first have a vote for the borough?—I think the first time I voted was for Baldwin.

50,623. Have you always voted on one side?—Yes.

50,624. Which side is that?—The Conservative side.

50,625. You never gave a vote to the Liberals?—No.

50,626. What did you vote for; what was the qualification?—At Mr. Baldwin's time I rented a cottage with 20 acres of land.

50,627. At Gerston?—No, here, in Totnes.

50,628. Who did you rent it of?—Mr. Christopher Farwell.

50,629. What are you?—A Conservative.

50,630. That gave you your vote?—That gave me my vote once.

50,631. Where were you living that you did not get a vote more than once?—I was living in the house.

50,632. When did you give it up?—I had it under me seven years.

50,633. Why did you give it up?—Because I was pretty much down then at the time, more than I could well pay.

50,634. Where did you go?—I went into a place up here, in Half-moon Street, near Leechwell Street; I lived there 12 months.

50,635. You did not get a vote for that?—No, I did not.

50,636. Where did you go next?—Where I am living now.

50,637. Where is that?—Farwell Cottage.

50,638. You had a vote for the house?—House and land.

50,639. Who is your landlord?—I rent the ground and pay the rent myself to Mr. Rennie; he is my landlord.

50,640. The land is let off by the Conservative landlord?—Yes, part of it; but the house I live in.

50,641. You have got a vote for the land?—Mr. Rennie rents it all, and I rent it of Mr. Rennie.

50,642. Did you ever rent under the duke?—Yes.

50,643. When was that?—I have not rented under the duke for 18 years.

50,644. Not for 18 years?—No, I did for 18 years.

50,645. You held it for 14 years?—17 or 18 years.

50,646. What was it?—A field.

50,647. How many acres?—About 2½.

50,648. What rent do you pay for it?—At first I paid *6l.* a year, and then after that I fancied it was too much, and he threw me back *10s.*, so that made it *5l.* 10*s.*

50,649. Mr. Michelmore gave you notice to quit?—Mr. Callard brought me the notice.

50,650. Did you understand the reason?—He told me for the abuse of my son; I thought it was because my son was contrary then.

50,651. You had always voted contrary?—Yes, I did.

50,652. What reason did Mr. Callard give, did you ask him?—That is what he told me, I did not say anything more.

50,653. How do you mean the "abuse of your son"?—I suppose because my son used to stand up and speak about politics pretty much against him; something in that way.

50,654. You did not say anything?—I did not say anything.

50,655. Were you ever given anything at all for your vote?—No.

50,656. In no way?—No.

50,657. Your son could have got you something if you wished?—There is not a man living who would offer me a penny, nor give me any in any way.

50,658. Did you ever take the same part that Mr. Harris did?—No, I cannot say that; I always was that side, too.

50,659. You used to get votes for the Conservatives sometimes?—I voted for the Conservatives when I had occasion, when they wanted my vote.

50,660. Did you not canvass to get other votes besides your own?—No one.

50,661. You never got any votes for your party?—I never did anything more than to vote, and give them my own vote.

50,662. Never offered anything?—No. When the opposite party came for my vote I said no, and when the Conservatives came I said yes, and there was an end of it.

50,663. What became of the land you used to hold under the duke? Who has it now?—I believe Crawford has it.

William Dart sworn and examined.

W. Dart.

50,664. (*Mr. Bere.*) How long have you had a vote?—Only at the last election.

50,665. What do you vote for?—A house in Fore-street.

50,666. What are you?—A cabinet maker.

50,667. Whom did you vote for?—Dawkins and Pim.

50,668. What did you get for your vote?—Nothing.

50,669. Was anything offered you?—Nothing was offered me.

50,670. Was anything promised you?—Nothing was promised me.

50,671. Any present after the election?—No.

50,672. Have you got a wife?—No

50,673. Did anybody get anything for you?—No.

50,674. How came you to vote for them? Were you paid by your Conservative friends?—No.

50,675. Did Mr. Pender's people canvass you?—I do not think they did.

50,676. Did Mr. Seymour canvass you?—I do not think he did. My mother told me he called.

50,677. Did you promise Dawkins and Pim directly they had asked you?—I did.

50,678. You were never offered any money?—Never.

50,679. Were you asked to convey anything to any other voter?—No.

50,680. Did you offer any money to anybody else?—No.

50,681. Did you exercise any influence in procuring votes?—No.

50,682. Have you promised other persons?—No.

50,683. You did not get anything?—No.

50,684. You never gave anybody anything?—No.

50,685. You only voted once, and got nothing for it?—No.

Mr. William Knapman sworn and examined.

W. Knapman.

50,686. (*Mr. Bere.*) You are a linendraper in Fore-street?—Yes.

50,687. How long have you been there?—Four years.

50,688. Were you living there before?—No.

50,689. The first time was in 1865?—Yes.

50,690. You only voted once?—Yes.

50,691. How did you vote?—For Colonel Dawkins and Captain Pim.

50,692. What did you get?—Nothing.

50,693. Whom did you influence?—No one.

50,694. Either directly or indirectly?—In no way whatever.

50,695. (*Mr. Coleridge.*) Where did you live before?—Newton Abbott.

50,696. Had you no vote before?—No.

50,697. Were you asked to take an active part in the Totnes election?—No.

50,698. Did any money pass through your hands?—No.

50,699. Anything offered you?—Nothing.

50,700. Have you ever had a council vote?—No.

50,701. Have you voted in the municipal elections here?—No, I have not.

50,702. If you tell us, neither directly nor indirectly have you had anything for your vote, nor directly nor indirectly induced anybody to vote, that is enough?—That is all I know about the business.

William Willcocks sworn and examined.

W. Willcocks.

50,703. (*Mr. Coleridge.*) What are you?—A painter and glazier by trade, and keep a public house, the "Bay Horse."

50,704. How long have you had a vote for Totnes?—I should say somewhere about 10 years. I have been in the house about 13 years, and I voted the first election afterwards.

50,705. When did you vote?—Mackenzie, first, I think.

50,706. Whom did you vote for?—Mackenzie and Gifford, I think.

50,707. You voted one and one?—Yes.

50,708. How came you to do that?—I got work on both sides.

50,709. Did you get anything besides work?—No.

50,710. No money?—No.

50,711. You had not the public house then?—Yes.

50,712. Did you get anything?—No.

50,713. Nor give anything?—Not at that election.

50,714. When Dunn came, which way did you vote?—Gifford and Dunn.

50,715. One and one again?—Yes.

50,716. You do not come up to Mr. Harris's description of being a staunch old Tory?—That is how I voted then.

50,717. Was there any bill at your house then?—There was a bill which the Conservatives paid at that time.

50,718. Whom was it incurred by?—Meetings that had been held at my house for the council.

50,719. Did the Conservatives pay it?—I was paid the bill when I voted at Dunn's election.

50,720. You would not vote till you were paid?—I would not vote till I had the money.

50,721. Whom did you tell that to?—Mr. Edmonds, before Mr. Dunn.

50,722. It was paid?—Yes.

50,723. When?—Before the election.

50,724. How did you vote?—One the Liberal and one the Tory side.

THIRTY-SIXTH DAY.

W. Willcocks.

30 Oct. 1866.

50,725. Did you get any bill paid by the Liberal side?—No.

50,726. Did you get anything in 1862?—Only the bills for the work I did.

50,727. In 1862, in Dent's time, how did you vote?—I promised Mr. Dent and I signed the requisition.

50,728. What did he promise you?—Nothing at all.

50,729. What was promised you?—Nothing by any party.

50,730. You got nothing?—No.

50,731. Had you anything to do with anybody else?—No.

50,732. Were any voters bribed at your house?—Not to my knowledge.

50,733. Were there any meetings held there?—Yes.

50,734. Who paid the bills?—I was not paid till 1863.

50,735. How much was the bill in 1862?—18*l.*

50,736. Did you get anything from either side?—No.

50,737. In 1863 about six weeks after the other election, Seymour and Dent's election came off?—Yes.

50,738. Whom did you vote for then?—Dent.

50,739. Did you get a bill paid before you voted?—No.

50,740. How did you get paid?—I had another bill before I voted.

50,741. What was the sum?—One about 20*l.* and the other about 30*l.*

50,742. And they never paid?—Yes.

50,743. Whom did you vote for?—Mr. Dent.

50,744. You trusted them?—Yes, I wanted them together.

50,745. When did you get them?—The day after the election.

50,746. Who paid you?—Mr. John Heath.

50,747. What did he give you?—A cheque for 50*l.*

50,748. Anything for yourself?—No.

50,749. What did you get?—Nothing. There was refreshment. They ordered and ordered, but they did not pay, and I left it till the next time.

50,750. Were those fair public house charges?—Yes.

50,751. Nothing extra for election time?—No, not a penny, not a shilling.

50,752. Is sixpenny beer a shilling at election time?—It is not beer, it is grog.

50,753. How much is grog at ordinary times?—6*d.*

50,754. At election times is it 1*s.*?—No.

50,755. Do you charge anything more?—No.

50,756. You voted for Dent?—Yes.

50,757. And you got the bill paid?—Yes.

50,758. Did you give a receipt?—Yes, and gave him back the change.

50,759. Did not he give you that?—No, but I expected it.

50,760. At the last election whom did you vote for?—Dawkins and Pim.

50,761. Did they run up a bill?—I never trusted them.

50,762. You got ready money?—I got nothing.

50,763. You did not get anything?—No.

50,764. You voted?—Yes.

50,765. You did not get a bill?—I would not trust them.

50,766. Where did they go?—They went to the "Stars" after that.

50,767. Did you get your bills paid?—Yes.

50,768. You never got anything?—No; not a shilling or penny, or anything.

50,769. Have you ever had anything to do with bribing?—No.

50,770. Or looked after the voters?—No. I found meat and drink for the lame ducks.

50,771. When?—At the last election.

50,772. Who paid you?—I made them pay as they went on.

50,773. Who was taking care of the lame ducks?—One man named Willis and Evens.

50,774. Did you make them comfortable?—Yes, very well satisfied.

50,775. I suppose a fly was brought for them, and they were taken away?—No, they were walking down the street, and they were taken to the "Plymouth" inn.

50,776. I suppose they had something more there?—They were put into the wagon.

50,777. Who paid you?—They who came there.

50,778. Who was that?—Willis.

50,779. Did the other party come and offer you anything?—No.

50,780. You were always known to be a Conservative?—Yes.

50,781. The first time you voted for a Liberal and a Conservative?—Yes; I give you my reasons, I worked for the Duke of Somerset.

50,782. He took the work away when you voted for Dent?—Yes; I did vote for Mr. Dent conscientiously, and they took the work away.

50,783. Did Mr. Michelmore take the work away?—He never spoke to me. I heard from his clerk that I was not to do another day's work. Mr. Callard said after the election, I should not do any more work.

50,784. How used you to be paid?—Monthly. I have some work at home not paid for yet. They have been to measure it.

50,785. What sort of work?—Window frames of a particular pattern of his Grace and Mr. Michelmore.

50,786. If you were ordered to make window frames and they were not sent home, do not you charge for them?—It is no use my charging; they do not use them. The Duke of Somerset's carpenter has been to me to measure the work, but I did not vote.

50,787. It is of no use to you?—No, I have part over the wash-house.

50,788. You have lost by that?—I was never paid for it.

50,789. At the council elections had they a bill for that?—Only that one; that is Dunn's election.

50,790. Have you ever voted in the council?—Yes.

50,791. How did you vote there?—Always for the Tories.

J. Willcocks.

JAMES WILLCOCKS sworn and examined.

50,792. (*Mr. Bere.*) You are a voter?—Yes.

50,793. Are you a relation of William Willcocks?—Yes, a brother.

50,794. Do you merit the description given of you that you are a "good Tory"?—I trust I do.

50,795. You always stick to your colours?—Yes.

50,796. You always vote for the Conservatives?—I do.

50,797. Did you ever receive any money for so doing?—Never in my life; not a farthing.

50,798. Is that true of you which Mr. Harris has said of you. What did you send him after that election?—Not anything. His work and labour lies for the Tories.

50,799. Is that correct?—It is.

50,800. Your principal business is among the Tories?—A great deal of it.

50,801. Have you ever been asked to vote by the other side, the Liberal side?—Never in my life; I have been canvassed by them.

50,802. You have never been offered money by them or anything of that sort?—No.

50,803. And you have neither directly nor indirectly received any money or advantage for your vote in your life?—Never.

50,804. Did you ever get any money for your vote in the council?—No.

50,805. You have voted yourself for the Conservatives?—I have.

50,806. Have you ever worked for any Liberals who afterwards discontinued employing you on account of your voting for the Conservatives?—Never in my life to my knowledge.

50,807. You never worked for the Duke of Somerset?—I never did. It might be when I worked for Mr. Croydon that my brother worked for; not on my own account.

50,808. Is that all you know about it?—That is all I know about it.

SAMUEL HEATH sworn and examined.

S. Heath.

50,809. (*Mr. Bere.*) How long have you had a vote for Totnes?—I think it was in 1845.

50,810. What are you?—A smith.

50,811. A blacksmith?—A blacksmith.

50,812. Where do you live?—In Ticklemore-street.

50,813. Are you any relation of Mr. Heath of the "Seven Stars?"—A brother.

50,814. What is the first election in which you voted?—I voted in Gifford's election.

50,815. Whom did you vote for then?—I voted for Earl Gifford. I have always voted for Whig and Tory in general elections.

50,816. You have always split your vote in general elections?—Yes.

50,817. In 1862 and 1863, Pender and Seymour's elections?—In that election, Mr. Jeffery Michelmore came and asked me, and I did not say whether I would vote for him or not; I considered he was the Duke's man, and I did not vote at all at that election.

50,818. Which election, 1862?—That was when Mr. Pender came the first time.

50,819. Mr. Jeffery Michelmore canvassed you?—Yes; and a gentleman called Endle called and asked me to vote for Mr. Pender, and I did not promise him at all.

50,820. You say, Mr. Jeffery Michelmore canvassed for Mr. Pender?—Yes.

50,821. What did you consider him?—I considered Mr. Pender was the Duke's man.

50,822. Did Mr. Jeffery Michelmore tell you he was the Duke's man?—He did not say. He came and canvassed me for him.

50,823. Did he say why he canvassed for him?—No. I have always supported the Duke's man.

59,824. What led you to suppose Mr. Pender was the Duke's man?—Because Mr. Jeffery Michelmore canvassed me.

50,825. Who is your landlord?—It is my own house.

50,826. It is your own house?—Yes.

50,827. You had always given one vote for the Duke's man?—Yes. In general elections I always voted for the Duke's man and the Tories. My father always voted for the Duke's interest, and I did likewise.

50,828. In 1863, whom did you vote for then?—I voted for Mr. Dent.

50,829. Did Mr. Jeffery Michelmore canvass you again?—Yes, he did, and then Mr. Seymour came with him, and I considered the other man was the Duke's man, and then I voted as I thought proper. I voted for Mr. Dent.

50,830. You said you had already voted for one Duke's man?—I did not say I had voted.

50,831. What did you tell him?—I told him I should not support Mr. Seymour.

50,832. Did not he tell you he was the Duke's candidate, and not Mr. Pender?—I considered when Mr. Pender came forward, he was the nominee of the Duke, by Jeffery Michelmore being an agent of the Duke's.

50,833. You voted for Mr. Dent at that time?—Yes.

50,834. Did you get anything for that vote?—No.

50,835. Did you ever get anything for your vote?—No, never.

50,836. Not through your brother?—Not through my brother, or anyone else.

50,837. Were you ever offered any money?—No, never; I was never offered a penny.

50,838. Did you ever take part in canvassing, or helping either side?—No, never.

50,839. Did you ever promise Mr. Michelmore that you would vote for the ducal candidate?—No, I always promised him when there was a general election. I promised on both occasions. I did not tell Mr. Seymour the last election I should vote for him. I did not give him a decided answer; I promised Colonel Dawkins. I did not promise Captain Pim at all.

50,840. Did you vote for Mr. Pender or Mr. Seymour the last time?—I voted for Mr. Seymour.

50,841. Why did you change Mr. Pender for Mr. Seymour?—Because I found out he was the duke's man.

50,842. Did you ever understand there was any alteration as regards the ducal candidate, any change in the town at that time when Mr. Pender came?—No.

50,843. You say you understood that Mr. Pender was the ducal candidate?—I considered so, because he was the agent.

50,844. You had no other reason?—No other reason.

50,845. (*Mr. Coleridge.*) Are you on friendly terms with your brother?—No, not exactly.

50,846. Do you speak?—I speak. I do not go into his house once in six months.

50,847. In 1863, did you not have a sum of money after the election?—No.

50,848. Nothing at all?—Nothing at all; not a halfpenny.

50,849. Did your wife?—No.

50,850. Did anybody on your behalf?—No, not that I am aware of.

50.851. You do not know anything about any money?—Not at all.

50,852. You are a blacksmith?—I am.

50,853. Do you shoe your brother's horses?—Not all.

50,854. Do you shoe the "Seymour Arms" horses?—No.

50,855. In 1863, do you mean you got nothing of any sort or kind?—Nothing at all.

50,856. No promise of any kind?—No promise of any kind.

50,857. Do you mean, when your brother and nephews were looking after everybody else they were not looking after you?—They took no interest in me. They have not been into my house for many years. I do not think my brother has been in for five years.

50,858. Have you not been once in the "Stars"?—I might once or twice when a friend has sent over for me. I am not intimate with my brother's family; in fact, I never dined or took tea with my brother since he has been there.

50,859. You never went to inquire about money?—No.

50,860. Nor ever sent your wife?—No.

50,861. Nor anybody else?—No.

50,862. On your oath, have you never received anything for your vote at any election?—No.

50,863. Have you at a municipal election?—No.

50,864. Or given anything?—No.

50,865. Or directly or indirectly got any recompense for your vote?—Never at all.

PHILIP DART sworn and examined.

THIRTY-SIXTH DAY.

P. Dart.

30 Oct. 1866.

50,866. (*Mr. Bere.*) What are you?—A cabinet-maker.

50,867. Are you a partner with your brother?—Yes.

50,868. Living in the same house?—Yes.

50,869. Both in the same house?—Yes.

50,870. What is it, house and warehouse?—Yes.

50,871. What is it worth?—35*l.* a year.

50,872. Who is your landlord?—The Rev. R. Mitchell, Oxford.

50,873. Mr. Mitchell of Lincoln?—Of Oxford.

50,874. Do you know what college he is of?—No.

50,875. Who collects the rents?—We send it to him.

50,876. How long have you had a vote?—The last election.

50,877. Is that the only time you voted?—Yes.

50,878. For whom did you vote then?—Dawkins and Pim.

50,879. Did you get anything for voting?—No.

50,880. Any cabinet order, tables or chairs, or anything of that sort?—No.

50,881. Did you send any furniture to Colonel Dawkins?—No.

50,882. Did you get any advantage or recompense for your vote?—Not at all.

50,883. Did you try to influence anybody?—No.

50,884. (*Mr. Coleridge.*) Do you know anything about the election?—No.

50,885. You were never asked to give money to any voter?—No.

50,886. Were you offered money on the other side?—No.

50,887. Who canvassed you?—I did not see either of the others.

50,888. Did you see Screach, or Evens, or any of those men?—Yes, many times.

50,889. Did not they tell you anything about money?—No.

50,890. Did not they tell you there was plenty going?—No; they never said a word of the sort.

50,891. Did you ever get a present after the election?—No; not the slightest.

T. S. Perring.

THOMAS SHAPTER PERRING sworn and examined.

50,892. (*Mr. Bere*). Where do you live?—At Warland.

50,893. What are you?—A mason.

50,894. How long have you been a voter for Totnes?—Only last time.

50,895. For whom did you vote then?—Dawkins and Pim.

50,896. What did you get?—40*l.*

50,897. Who gave it you?—Screach brought it to my house.

50,898. Which Screach?—John Sandford Screach.

50,899. When did he bring it to you?—About a week before the election, I believe.

50,900. Had he been and called upon you before?—No. I had been over to his house a day or two before to have half a pint of beer, and he asked me to sign the requisition.

50,901. How long before the election was that?—When they were getting up the requisition.

50,902. A month, perhaps?—I cannot say.

50,903. Did he say if you would come and sign the requisition you should have something?—No. He told me if I signed he would give me a present.

50,904. Did you do so?—Yes.

50,905. Did he bring the present to you?—Yes.

50,906. Where to?—To my house.

50,907. What was it in?—In gold.

50,908. Now be particular as to how you answer this question. How long before the election was it that he brought you that money?—I consider it was nearly a week.

50,909. You can remember such an important matter?—I was not at home when he brought it.

50,910. To whom did he pay it?—To my wife, He put it on the table, and there it was till I came home.

50,911. What did you do with it?—Gave it to my wife.

50,912. Do you know what your wife did with it?—I do not know.

50,913. (*Mr. Coleridge.*) Have you voted at the municipal elections?—Yes; for 20 years.

50,914. What did you get for that?—I never had a glass of beer in my life.

50,915. Are you quite sure that this money was brought to your wife?—Yes; it was on the table when I went in.

50,916. Did she ever give you any part of it?—I never had any of it, and have never seen it since. I am sure I do not know what she did with it.

50,917. (*Mr. Bere.*) Did you speak to anyone afterwards about this 40*l.*?—No.

50,918. You went down and voted for Dawkins and Pim?—Yes. I never saw either of the parties.

50,919. Did you sign any piece of paper?—No, nothing at all.

50,920. When did you first talk to anyone about the money you were to have?—I never heard that I was to have anything.

50,921. How long is it since you got a summons to come here?—About a month ago; it was before you broke up.

50,922. Did you go to Screach and talk to him about it?—No.

50,923. Or did he come to you?—No.

50,924. Has either Screach or Mr. Heath been to you within the last fortnight?—No.

50,925. Or have you been to the "Stars"?—No, I have never been near the place.

50,926. (*Mr. Coleridge.*) Were you not in and out of the "Stars" during the election?—Yes, I went into the tap-room, and paid for what I had.

50,927. Were you never offered any money there?—No.

50,928. Has not Mr. Heath offered you anything?—No.

50,929. Neither of the Mr. Heaths?—No.

50,930. Did Screach tell you where he had got this money from?—No, he did not.

50,931. Were you ever offered any money on the other side?—No; I never saw either of the Conservative candidates. I had always voted in the council for the Conservatives, and as I had signed the requisition perhaps they thought I would support them.

50,932. How much money did your wife give you?—None; I never got a farthing.

50,933. What are you by trade?—I am a mason.

50,934. In constant work?—Yes in general.

50,935. You were not in debt at the time of the election?—I might owe a trifle, but I have nothing to do with housekeeping. I leave that to my wife.

50,936. How much money did your wife get?—I never asked her.

50,937. Has no one spoken to you about the evidence you were to give here to-day?—No, certainly not. I came here to tell the truth.

50,938. (*Mr. Bere.*) Has no one been to you to remind you that you had had 40*l.* at the last election?—No, I never made it any secret.

50,939. Has Mr. Frederick Evens been to you?—No.

50,940. When did you last see Screach to speak to him?—I have seen him scores of times. He makes shoes for all my family.

50,941. Have you seen him to-day?—No.

50,942. Or yesterday?—No.

50,943. Or on Sunday?—No.

50,944. Or on Saturday, the market day?—No.

50,945. Or the day before that?—No.

50,946. When did you last see him?—I think it was a week ago that I was in his house.

50,947. What did he say to you?—Nothing at all bout this concern.

50,948. Did he ask you whether you had been examined yet?—He asked me whether I had been forward yet.

50,949. What else did he say?—Nothing more; he asked me if I had been up yet.

50,950. Have you had any talk with Screach about what he may have said here?—No.

50,951. Can you read?—Yes, and write too, thank God!

50,952. Do you read the newspapers?—Yes, every day.

50,953. Then did you not think it very odd that Screach should have not told about you when he was telling about all the others?—No.

50,954. Did you not ask him why he had not told about you?—No, I did not.

50,955. Did you not have some conversation with him in reference to the evidence which he had given before this Commission?—No, I never had any conversation or talking with Screach at all.

50,956. Did you not tell your wife that you thought it was rather odd that Screach should have left you out in what he had told here?—I do not think I ever mentioned it. I may have thought so myself.

50,957. Whom do you think you told that you thought it was a very odd thing?—I do not think that I told any person so.

50,958. Did you have any talk with your wife about that matter?—No, I did not.

50,959. How did you think he had come to leave you out of his story; out of friendship, or what?—That I cannot say.

50,960. Whom did you tell that you had had this sum of 40*l.*?—I do not think I told any person of it. I never mentioned it from that day to this.

50,961. Did you not remind Mr. Heath about it?—No.

50,962. You knew of other persons whom Screach had not mentioned?—I knew of no others to whom he had given anything.

HENRY ASHFORD sworn and examined.

H. Ashford.

50,963. (*Mr. Bere.*) What are you?—A coal and timber merchant.

50,964. Where do you live?—On the Plains.

50,965. How long have you had a vote?—Since 1860.

50,966. Then you have voted three times?—I did not vote in 1862.

50,967. Whom have you voted for since?—I voted for Dent in 1863 and for Dawkins and Pim in 1865.

50,968. And what did you get for voting?—Nothing.

50,969. Did no person offer you anything?—No.

50,970. Nor give you anything after the election?—No.

50,971. Or buy any extra quantity of coals from you on account of the election?—None.

50,972. You got no advantage at all after the election?—None.

50,973. Have you been to the "Seven Stars" very often?—I have been there several times.

50,974. Do you serve the "Seven Stars"?—Yes.

50,975. Do you do so entirely?—No.

50,976. Are they pretty good customers of yours?—Tolerably so.

50,977. Do you serve the "Seymour" hotel?—No; I have never asked them.

50,978. You had no advantage whatever or profit from voting?—No.

50,979. Neither directly nor indirectly?—No.

50,980. (*Mr. Coleridge.*) Were you promised anything in 1862 if Mr. Dent had gone to the poll?—No.

50,981. You were never told that there would be money coming?—No.

50,982. Or had any present offered you?—Nothing at all.

50,983. Have you ever given anyone else anything?—No.

50,984. Or been asked to influence anyone?—No one at all.

SAMUEL LANE sworn and examined.

S. Lane.

50,985. (*Mr. Longe.*) What are you?—Relieving officer.

50,986. How long have you been the relieving officer?—Four years.

50,987. How long have you had a vote?—Twenty years.

50,988. What are you by trade?—A tailor.

50,989. What do you vote for?—For my house.

50,990. Have you always voted on the same side?—Yes.

50,991. Which side is that?—On the Conservative side.

50,992. Did you vote at the last election?—I did not.

50,993. Why was that?—On the evening before the election, just as I had come home from a long journey, Mr. Pender called on me, he apologized for troubling me, knowing that I had just come home from a long journey, but said that he would not detain me long; he then asked me if I would give him my support; that it was the evening of the battle, and asked me if I would give him my support. He said I know you have never voted on our side of the question, but perhaps you will give me your vote. I said, if so, I should be of no service to Colonel Dawkins, and I presume the contest will be between you and him. He said he did not know that it would; he was under the impression that he should poll more votes than Mr. Seymour. I said, I am very glad to hear it, I should not have thought so, judging from previous elections. We then had some conversation about the probable position of the candidates on the poll; I said I considered Mr. Seymour would be a long way ahead, and that he, Mr. Pender, would come next, and that the contest would lie between Colonel Dawkins and himself. After some further conversation, he said, suppose it comes to this, that the contest should lie between me and Mr. Seymour, will you give me a vote to save my election? I said, yes, with all my heart, and I should rejoice if my vote was the means of sending the duke's nominee about his business. I said I am going out of town to-morrow, and I will not vote before I go away; I shall not be back until 1 or 2 o'clock. We had some more conversation on the general topics of the day, and then we parted.

50,994. What did you do?—The next morning, before I went away, I went into the street and found that the election was virtually at an end, certain parties had voted for the Liberals whom the Tories had calculated on supporting them, and they had not got men to put in their place. I thought it was at an end, and I went on my journey to the place where I was going, and I did not get back until between 1 and 2 o'clock. I then found out how matters were going on, and I thought if I went down and voted for Colonel Dawkins, as I wished to do, that perhaps Mr. Pender might think I was not taking any notice of the promise which I had given him, therefore I left it a little while longer; the afternoon wore on, and I came to a determination not to vote at all.

50,995. (*Mr. Coleridge.*) Had you not promised Captain Pim?—No, I never saw him.

50,996. (*Mr. Longe.*) Was there not some inducement held out to you to keep back your vote for Mr. Pender?—Not the slightest.

THIRTY-SIXTH DAY.

S. Lane.

30 Oct. 1866.

50,997. Was there no offer of any advantage of that sort?—Not at all.

50,998. Did anyone on that side besides Mr. Pender call on you?—No one.

50,999. Did Mr. Seymour canvass you?—He might have called while I was away; I did not see him; I saw him in 1863, he called on me then.

51,000. Did you receive any advantage on this last election from either side?—None whatever.

51,001. Or was any offer made to you?—None whatever.

51,002. In 1863 how did you vote?—I voted for Dent.

51,003. Did you receive something for your vote?—No, I did not.

51,004. Was any offer made to you then?—No.

51,005. In 1862 how did you vote?—In 1862 I did not vote.

51,006. Had you anything to do with a voter of the name of Hill, in 1863?—No.

51,007. Do you know a person of the name of Joseph Ferris?—Yes.

51,008. Did he not send you some money for Hill?—No.

51,009. Did not Joseph Ferris give you some money at the time of the election?—No.

51,010. Did he ever give you any money at all?—No.

51,011. (*Mr. Coleridge.*) Did he ever give any money to your wife?—No.

51,012. Or leave any money at your house?—No.

51,013. Or tell you where you might go and find any money?—No.

51,014. (*Mr. Longe.*) Have you ever received any money for anybody?—No.

51,015. Has any offer of money ever been made to you on the other side?—There was an offer made to me of a sum of money if I would vote for Mr. Mills, but I would not do it.

51,016. What was the offer?—20*l.*

51,017. Who was it made by?—It was made by a man of the name of Endle.

51,018. (*Mr. Coleridge.*) Can you tell us how you voted in 1859?—I voted for Mr. Dunn.

51,019. What did you get for your vote?—I did not get anything.

51,020. Was no present made to you after the election?—No.

51,021. Was no present made by anyone to your wife?—No.

51,022. At no time at all was any money given to you?—No.

51,023. (*Mr. Bere.*) Did Joseph Ferris ever give you any money at any time during the election to take to any voter?—No, he never did anything of the sort.

51,024. You are quite certain about that?—I am quite certain of that.

51,025. What is Ferris?—He is a draper, who used to live in the town.

51,026. Was he a friend of yours?—I knew him well.

51,027. Did you deal with him at all?—I used to deal with him all the time that he was here.

51,028. Then you were on familiar terms with him?—Yes, I was on good terms with him.

51,029. Did you have any talk with him about Hill?—No.

51,030. Did you know any voter of that name?—I knew a man of the name of Hill, but I was never mixed up with anything of the sort.

51,031. Did Ferris ever supply you with any goods which you did not pay him for?—Never. I have always paid him for the whole of what I had.

51,032. Did Ferris ever ask you to go and see Hill about his vote?—No, he did not.

51,033. Did you ever have anything to do with any voters at all?—I was was never mixed up with anything of the sort.

51,034. Did you ever at any time canvass any voters?—No, I did not; I had always enough to do to mind my own business.

51,035. How long have you been the relieving officer?—I have been so four years.

51,036. Before you were the relieving officer you must have had plenty of time on your hands then?—No, I worked hard, and I had enough to do to mind my own business.

51,037. (*Mr. Coleridge.*) In the year 1859 did not a stranger pay you 25*l.*?—No, certainly not.

51,038. Or did not you get that sum of money from Mr. John Heath?—No, I did not.

51,039. Will you say upon your oath that you were not paid that sum by anybody in the year 1859?—No, I was not.

51,040. Can you say that neither you nor your wife were not?—We were not.

51,041. Neither you nor your wife?—No; if anything of that kind has been stated here, all that I can say is that I know nothing about it, and that I never heard anything of it before.

51,042. Did you ever get a sum of 25*l.* given you by anyone?—No, I did not.

51,043. Neither did you ever find 25*l.* accidentally anywhere?—No, never.

51,044. Are you sure that Mr. John Heath never gave you anything like that sum?—No, he never did.

51,045. Did he offer it to you?—No.

51,046. Has your salary been raised lately as relieving officer?—No; I have the same salary now that I had when I first began.

51,047. Will you swear on your oath that at no election have you ever received any money whatever?—No, I have not.

51,048. Nor has any one person on your behalf?—No, they have not.

51,049. Neither have you received any present after the election from anyone?—No.

51,050. Or has there been any dealings with you for your goods in the way of your trade?—No.

51,051. You have not been made a present of any cloth?—No.

51,052. (*Mr. Coleridge.*) How many offers of money have been made to you?—Only one; I never had any other made to me.

51,053. On the last occasion when you kept back your vote so late, did they not offer you anything?—No one offered me anything.

51,054. Were you offered anything by any person on the other side?—No, I was not.

51,055. You have always voted for the Conservatives. How used you to vote when Lord Seymour stood?—I never voted for Lord Seymour.

51,056. Did you ever vote for Lord Gifford?—No; I made up my mind never to vote for the Duke of Somerset's nominee.

51,057. In 1857 you voted for Mackenzie and Gregory?—Yes.

51,058. (*Mr. Bere.*) Did Mrs. Dunn or Captain Veitch buy anything at your shop during the election of 1859?—No.

51,059. Or did they send you anything?—No.

51,060. Do you remember whether Mrs. Dunn canvassed you?—No, she did not.

51,061. What was your objection to the Duke's candidate?—My reason of it was this. In 1857 we had a very good trade; it was my father's trade, and I had managed it for him for 15 years; we worked for persons on both sides; my father was solicited to vote for Mr. Parrott by a gentleman who was on the Liberal side; the greater part of our customers were Conservatives, and I believe in the end my father came to a determination not to vote at all. At that time we worked for Mr. Michelmore, who was a very good customer, and he said he knew my father would vote for Lord Seymour as he had always done before; and after that election, because my father did not vote, we lost many customers, amongst others Mr. Michelmore. I then said, if I had a vote I would vote for the Tories; that I would never vote for Lord Seymour again as

long as Mr. Michelmore had anything to do with it, and I have kept my word.

51,062. (*Mr. Longe.*) The same tactics were carried on by the other side as well as by Mr. Michelmore?—Yes, it was a system of undue influence.

51,063. It was practised on the other side in the same way?—No doubt about that, because directly after the election parties used to send to the tradesmen for their bills and pay them off.

51,064. On both sides?—On both sides, and have nothing more to do with them; a system of exclusive dealing.

51,065. Did you ever have a conversation with Mr. Michelmore about it?—No.

51,066. (*Mr. Bere.*) Did Mr. Dunn deal with you at all?—No.

51,067. Never?—No.

51,068. Did Captain Phipps?—No.

51,069. You are quite certain that you never received 25*l.* from anybody at any time in any way?—I am.

51,070. (*Mr. Coleridge.*) Did you ever get any bad debts paid off for you?—No; I am sorry to say I have had plenty of bad debts.

51,071. (*Mr. Bere.*) Did you owe any money in 1859, and suddenly find it was paid for you?—Never.

GEORGE RANDLE MITCHELL sworn and examined.

G. R. Mitchell

51,072. (*Mr. Bere.*) Do you live at Bridgetown?—Yes.

51,073. What are you?—A butcher.

51,074. How long have you lived in Bridgetown?—I was born there.

51,075. How long have you had a vote for Totnes?—The first time I voted I believe was 1857.

51,076. Did you vote for the Liberals then?—Yes.

51,077. Have you always voted for the Liberals ever since?—Always.

51,078. Have you ever had any money for your vote?—No.

51,079. Whom does your house belong to?—The Duke of Somerset.

51,080. What do you vote on?—My house.

51,081. Do you live in it yourself, or your father too?—I live in it myself.

51,082. Do you occupy land besides?—Yes.

51,083. Do not you occupy some land which another person votes on?—I have the grass on it.

51,084. What is his name?—Chamings.

51,085. You have the grass on it, and you put your cattle there?—Yes.

51,086. How many head of cattle does he have there in a year?—He had a good many sheep there last year. I have seen a score, and more than that.

51,087. A score of sheep last year?—I think quite that if not more.

51,088. How long were they there?—A week or a fortnight.

51,089. Did you buy them?—I bought part of them. Part of them were breeding ewes, and the others wethers.

51,090. Were the others sold after they had been there a week that you did not buy?—I believe he drove them home.

51,091. They were there about a week?—I should think about a week or a fortnight.

51,092. How did you manage with Mr. Chamings. Did you pay so much a week?—So much a head.

51,093. Did you give him an account of how many head of cattle you put on?—We always settle every week.

51,094. He takes your account for the number of cattle?—I serve him with meat.

51,095. (*Mr. Coleridge.*) No money passes?—I serve him with meat every week.

51,096. (*Mr. Bere.*) Your account against him is rather larger than his against you?—Sometimes.

51,097. You have had no money for your vote, but you have had something to do with giving other people money?—Yes.

51,098. When was that?—The election before last. I was sitting in my shop and old Mr. Michelmore asked me if I had 20*l.* in the house, and I said "Yes," and he said, "Will you pay Diggins 20*l.* for me?" I did so, and that was many weeks after the election.

51,099. Did you get the 20*l.* back?—Yes.

51,100. How long afterwards?—Perhaps it may be a week.

51,101. Did Mr. Michelmore tell you why he wanted you to pay Diggins 20*l.*?—No.

51,102. I suppose you pretty well knew?—No, I could not say.

51,103. (*Mr. Coleridge.*) Did you get anything added to the 20*l.* when he paid you back?—Not a farthing.

51,104. (*Mr. Bere.*) No interest?—Not a farthing.

51,105. Was that all you did in 1863?—That was 1865.

51,106. What did you do in 1863?—Merely went and gave my vote.

51,107. There was a little exhibition that you had with Pulling, West, and Vasey?—That was the election before last.

51,108. Where did you go for this amusement?—Kingsbridge.

51,109. What did you go for?—We were given to understand that the Tory party had driven away a good many voters, and we went there for the express purpose of seeing who they were, and that if we saw Mogridge he might come back. He wanted to see me the day before, but I did not know what for, and thought he might be there, but he happened to be on the wrong scent altogether; he was not there.

51,110. You did not find him?—No.

51,111. Had you anything else to do with any other voters at any time?—No one but Diggins.

51,112. Did you pay him money more than once?—Yes; I paid him money at the last election Mr. Baldwin was here.

51,113. What did you pay him then?—30*l.*

51,114. Where did you get that?—The "Seven Stars." I had no vote at that time. My father voted for Mr. Baldwin, and they came to me in the middle of the night and knocked father up and asked him whether he would get up to let me go over, because they wanted me to go to some place with some money; and I got up in the middle of the night and rode out as far as Diggins, and told him the agreement he had made should be attended to to-morrow, and that either myself or somebody else would bring him the money, and I did.

51,115. Was that the only person you had to do with in that way?—The only one.

51,116. You did not influence or give money to anyone else at the last election?—No.

51,117. Have you ever received anything for your own vote?—Not a farthing.

51,118. Or any advantage?—Not a farthing.

51,119. Who sent you after Mogridge?—I do not know who it was. There were many of them assembled together; I rather think it was old Mr. Michelmore.

51,120. (*Mr. Longe.*) You were the head man of the party, were not you?—Yes.

51,121. You had instructions what to do?—Yes.

51,122. What were they?—To try and get Mogridge back if we could.

51,123. What were you to offer him?—I did not say a word about that; fight that out afterwards.

51,124. You had to bring him back by force?—I think he would have come back if I had seen him.

51,125. Why?—His wife told me so the night before. They said the Tory party had taken him off in a carriage; otherwise I should not have gone.

51,126. (*Mr. Coleridge.*) Would his wife have been settled with by the Liberal party if he had been brought

THIRTY-SIXTH DAY.

R. Mitchell.

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back ?—I do not know. I came up before the election, and she said they had taken him off; if I had seen him his wish was to vote for the Liberal party.

51,127. Is there any Christmas distribution made by the candidates among the poor ?—No.

51,128. (*Mr. Bere.*) You have never received either directly or indirectly any money for anybody else ?—No.

51,129. Has any money passed through your hands to any voter ?—None but Diggins.

51,130. (*Mr. Coleridge.*) Have you ever given any money at the municipal elections at all ?—I rather think I did once.

51,131. What was that ?—Some 20*s.* or 30*s.*, I think, to a man called Sims.

51,132. Whom to vote for ?—Mr. Charles Michelmore.

51,133. Did not you ever give Sims anything at any other election ?—No, no voter.

51,134. Is he the only one ?—The only one.

Mrs. Perring.

MRS. PERRING sworn and examined.

51,135. (*Mr. Coleridge.*) Are you the wife of Thomas Perring ?—Yes.

51,136. Do you recollect at the last election anybody giving you any money ?—Yes, Thomas Sandford Screach.

51,137. Was it before or after the election ?—The 10th July.

51,138. That was two days before the election was not it ?—Yes.

51,139. What did he give you ?—39*l.* He left it, he did not give it to me.

51,140. Did you see him leave it there ?—No.

51,141. Did he tell you he had ?—Yes.

51,142. Was it in gold or notes ?—Gold.

53,143. What did he tell you he had left ?—39*l.* and that he would give my husband or send the other pound.

51,144. But he did not give your husband the other pound did he ?—I think he did, I do not know.

(*Perring.*) He gave it to me, and I gave it to my wife.

51,145. (*Mr. Coleridge.*) Do you recollect having another from your husband ?—Yes; I do not know whether the same day.

51,146. What did you do with that money ?—I do not know. I put it with other money.

51,147. Have you spent it all ?—I cannot say.

51,148. Your husband lets you keep all the money ?—I am purse keeper.

51,149. Did you never give him any because he says he never had any of this 40*l.* ?—I do not know whether I did or not. As I said before I put it with other money, and when he wants any he comes to me.

51,150. He is a mason, is not he ?—Yes.

51,151. What does he generally earn a week ?—I do not know.

51,152. Does not he tell you ?—Perhaps sometimes a pound, sometimes more, sometimes less. He has not always got work.

51,153. You are quite sure that Screach brought this money ?—Yes, I am sure. I did not see him but he told me so.

51,154. Did he tell you what it was for ?—I did not ask him.

51,155. Have you been talking to your husband about the evidence which has been given here ?—No.

51,156. Did not your husband tell you that Screach had never mentioned his name ?—No.

51,157. Have you been reading the newspapers ?—No, I cannot read the papers.

51,158. Were not you surprised to hear that Screach did not mention his name. He gave a list of the people he had given money to and your husband's name was not amongst them ?—I do not know.

51,159. Did you observe that he had forgotten to mention your husband ?—I do not think I did.

51,160. Did you give him any receipt for this money ?—No.

51,161. Has any other money been given to you at any election ?—No.

51,162. At any municipal election or anything ?—No, I do not remember.

51,163. Is that the only present of money you got in that way ?—Yes, all the money; I work very hard.

51,164. (*Mr. Bere.*) Do you keep a shop ?—No, I work at the dress making.

W. Paige.

WILLIAM PAIGE sworn and examined.

51,165. (*Mr. Bere.*) Used you to live at Bourton ?—Yes.

51,166. From whom did you rent property in those days ?—The Duke of Somerset at that time.

51,167. The late Duke of Somerset ?—Yes.

51,168. When did you begin to rent under him ?—I think about 1813.

51,169. You continued to rent from him after the Reform Bill, did you ?—I did.

51,170. You were about the first person who ever had a vote on building and land were not you ?—In 1832, after the Reform Bill.

51,171. Was the building built upon the land already ?—It was built already, part of the farm.

51,172. What sort of building was it ?—It was a building where we make apples into cider, commonly called the cider pound house.

51,173. Had it a door which you could lock up ?—Yes.

51,174. Was there any objection to your claiming to vote on that qualification ?—Never.

51,175. Were you on the register of voters in 1833 ?—Yes.

51,176. You are the first person in the borough of Totnes who was on the register for building and land ?—I think about the first. I should say it was part of the farm.

51,177. Do you know whether anybody else got a vote for building and land except yourself at that first registration ?—No one.

51,178. Do you know who the next person was who got a vote for building and land ?—On that property ?

51,179. Any property in Totnes ?—I cannot say, because there were many on buildings and land which I had nothing whatever to do with.

51,180. Do you know who was the first person who had a building erected or altered in order to give him a vote ?—I do not know.

51,181. How long did you remain the duke's tenant ?—I should say about 47 or 48 years.

51,182. Up to 1860 ?—Up to about 1859.

51,183. During all that time how did you vote ?—I can tell you by reference to this book if you wish to go into particulars. First, when the Reform Bill was passed I voted for the members that then put up. Then the present duke, then Lord Seymour, put up as a candidate, and I voted for him.

51,184. Did you always vote for him ?—Always.

51,185. Did you always vote for the other Liberal too, or sometimes for the Conservatives ?—I always voted for him. Allow me to say from the kindness I received both from the late and the present duke I always voted for the duke and his interest up to this time one vote, and having some interest in the borough the second vote I did as I liked with.

51,186. Since 1859 you have always voted for the Conservatives ?—Not always. I voted last time for Dawkins and Seymour.

51,187. Whom did you vote for in 1863, Dent and

Seymour ?—I can tell you if you will let me (*referring*). I voted for Dent in 1863.

51,188. Whom did you vote for in 1859?—Lord Gifford and Dunn.

51,189. Whom did you vote for in 1857 ?—Lord Gifford and Mr. Gregory.

51,190. What made you vote for Mr. Gregory then ?—Well, I do not know ; my memory does not tell me.

51,191. Have you ever had anything for voting ?—Never. No one ever offered me.

51,192. And you never took any ?—If they had I should have taken it as a great insult.

51,193. Do you know George Roberts ?—Yes.

51,194. Was he a tenant of yours ?—George what ?

51,195. George Roberts ?—No.

51,196. Was he a tenant of yours ?—No, not Roberts.

51,197. What was his name then ?—I have tenants here, but none of the name of Roberts.

51,198. Not now, but some time ago?—I do not remember the name.

51,199. Do you remember turning some one of your tenants out for voting for the Tories ?—I have, a tenant called Pengilley.

51,200. What was his christian name ?—William, I think.

51,201. What did he rent of you ?—A house of me and a shop, &c.

51,202. And he voted for the Tories did he ?—I do not know how he voted, I never dictated to him.

51,203. But you turned him out ?—I beg your pardon, I did not.

51,204. Did you give him notice to quit ?—No. He lived in the house for seven years ; he rented the house for seven years, and when his term was ended, he left the house.

51,205. He left after seven years ?—Yes.

51,206. What made you give up the Duke's land in 1859 ?—I gave it up to my son, who now occupies it.

51,207. What is your son's name ?—Nicholas Merrifield Paige.

51,208. (*Mr. Longe.*) Do you mean the farm ?—The farm.

51,209. But you held a field which gave you the vote ?—What I voted upon was a field. I did not only rent land of the Duke of Somerset, but I farmed a good deal of land of my own.

51,210. (*Mr. Bere.*) Do you know George Roberts, a tailor, not a tenant of yours ?—I do.

51,211. After he voted for the Tories, did you pay his bill and never employ him again ?—I employed him many years before the Reform Bill, but not after.

51,212. After the Reform Bill, did not you on one occasion when he voted for the Tories, go to him and ask him for his bill and pay it, and say you would give him no more work because he had voted for the Tories ?—No ; that I deny, because my object is, that I never meddle with any party. I never dictated to a tenant in my life.

51,213. You never dictated to a person to whom you gave your custom ?—Never.

51,214. (*Mr. Longe.*) Did Mr. Robert Paige hold a farm with you ?—He did for a few years.

51,215. When did Robert Paige leave the farm ?—I think it was Lady-day 1858.

51,216. What did he have a vote for ?—Some little addition ; buildings and land. He joined with me, and so on, for these buildings and land which we took adjoining the farm.

51,217. Did you all three have votes for the same occupation ?—Not for the same, but for this building which I spoke of before which I had with the farm all three had a vote on.

51,218. But you let it for 20*l.* a year ; did you say this addition of building and land was 20*l.* a year ?—It was part of the farm we had before.

51,219. How much of it was in the borough ?—The whole of it was in the borough.

51,220. (*Mr. Bere.*) This is what Roberts says :—"Has nobody given you as a reason for taking away "their custom that you had voted for Baldwin ?—"Yes. Who did ?—Time is the worker of the greatest "wonders. You can see Mr. Paige that is now a "very hot Conservative, paid off my bill, and said it "was because I voted for a Tory, and now he is a "Tory himself. Is that William Paige who was at "Bourton ?—Yes, that is the man."—I deny that *in toto*, because since the Reform Bill I have not employed him, I think ; I will not be certain about the dates exactly, but I do not think I have employed him since the Reform Bill, and he was not a voter.

51,221. (*Mr. Longe.*) Who has those fields now that you used to occupy ; that gave you a vote ?—I think a man living at Berry. I forget his name.

51,222. Merrifield Paige succeeded you in the farm ?—He succeeded me in the farm.

51,223. (*Mr. Bere.*) Have you anything at all to tell us about the elections ?—Nothing.

51,224. (*Mr. Longe.*) There is no dispute about your politics between you and Mr. Michelmore ?—Nothing of the sort, we quite agree. I should say the kindness I received from the late duke, and also from the present one, and those who have the management of the estate, I consider entitles them to one vote ; but as to the second, I have an interest in the borough, and that I do as I like by. That was my system throughout the whole period. I never took any active part or took or gave any bribes.

51,225. (*Mr. Coleridge.*) When you came to a single election how did you make the ship trim then ; should you always give a vote to the duke's man, when there was only one to be returned ?—If the duke had one vote I would support him in that, but I would never support the interest with two.

51,226. Did you vote for Seymour against Dent ?—No.

51,227. Then you did not support the duke's man ?—I will tell you whether I did. What date is it ?

51,228. In 1863 you voted for Dent against Seymour, and Seymour was the duke's man, how came you to do that ?—For this reason, because I thought Mr. Pender was a duke's man as well, as Mr. Seymour was a fresh man for Totnes.

51,229. Did you vote for Pender in 1862 ?—There was no voting in 1862.

51,230. How were you going to vote then ?—I should have voted for Dent.

52,231. If Mr. Pender was a Duke's man you would have been voting twice against the Duke's man according to that ; how could he be a Duke's man if Lord Gifford was in ?—It was after Lord Gifford, I think.

51,232. Mr. Pender came in on Mr. Mills's death. If there were two votes given why split them, if you vote for the Tories one ?—I should consider I am of Conservative principles always.

51,233. If you had two votes to give you would give one to the Tories ?—I should look to myself.

51,234. (*Mr. Bere.*) Did you ever stand for the the council ?—I did.

51,235. Did you succeed in being elected ?—I was.

51,236. How much did it cost you ?—I think it cost me about 130*l.* odd.

51,237. Which side did you stand on ?—I stood on the Liberal side.

51,238. And it cost you 130*l.* ?—About that ; and then the other party objected to me.

51,239. And there was a *quo warranto* against you and you were turned out ?—Yes, and I had to pay 130*l.* odd.

51,240. For that ?—Yes.

51,241. What did you spend in being elected, not in being turned out ?—Nothing in being elected.

51,242. You paid 130*l.* for being turned out ?—Yes, no doubt. I spent nothing in being elected. It was against my consent rather.

51,243. How was this 130*l.* spent ?—I do not know. It was spent by my opponents.

51,244. You had to pay a taxed bill of costs ?—I had. There was a tax put on me.

51,245. You had to pay a taxed bill ?—Yes.

51,246. How much did they knock off on taxation ?—I do not know.

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W. Paige.

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51,247. How much was the bill before it was taxed?—I paid 130*l.*

51,248. Has anybody ever paid that back to you?—I may say this, that the late Duke of Somerset gave me something towards it.

51,249. What was that?—He gave me 100*l.* towards it. The late Duke of Somerset, not the present duke.

51,250. Did anybody else give you the 30*l.* towards it?—Not a penny.

51,251. Then it cost you 30*l.*—30*l.* odd.

51,252. Was that ever sent in as one of the items for the candidate to pay when he came down?—Never.

F. T. Waymouth.

FREDERICK THOMAS WAYMOUTH sworn and examined.

51,253. (*Mr. Longe.*) What are you?—A butcher.

51,254. Where do you live?—In Fore-street.

51,255. How long have you had a vote?—Since 1850.

51,256. What gives you your vote?—A 20*l* house.

51,257. Do you vote on a house?—Yes.

51,258. Do you rent a field of the duke?—No, I do not think I ever stood in the books of the duke.

51,259. Did you ever hold any lands under the duke?—I can hardly tell you whether I did or not. Although it is a manufactured vote, my name never stood as a tenant under the Duke of Somerset.

51,260. You occupy a field and you stock the field?—Yes, but I am not a tenant.

51,261. Who have you voted for; which side?—I generally voted on the Conservative side.

51,262. At the last election for whom did you vote?—Dawkins and Pim.

51,263. At that time did you occupy any land then?—I have got 25 acres of ground.

51,264. Do you occupy any land of the Duke of Somerset?—My name never stood as a tenant of the Duke of Somerset.

51,265. Was there any land of the Duke of Somerset that you used for cattle?—Yes, two fields near.

51,266. Who had the votes for those two fields?—My uncle Joshua Weymouth and Thomas Widdicombe.

51,267. How long has your uncle had a vote?—I do not know.

51,268. How long have you used those fields yourself?—I cannot tell you the date.

51,269. Do you pay the rent?—I pay it to my uncle and he pays it. I applied for the third field and Mr. Michelmore refused to let it to me on those terms, that it was a voting field and he expected to get a vote. I then went to my uncle and asked him to take it.

51,270. Your uncle was the right side?—My uncle was the right side; of course the side of the Duke of Somerset, and I gave my uncle the rent and he paid it.

51,271. Your uncle votes for the duke's side?—Yes, and I vote as I please.

51,272. You get the benefit of the field?—Yes.

51,273. How does Thomas Widdicome come into this?—For many years a brother-in-law had the field and I took it from him without saying anything to the Duke of Somerset, and he stood on the rate-book since he left, 1851 or 1852; I cannot tell the date. Then I asked Mr. Widdicombe whether he would take the same place as my brother-in-law did, and he stood on the register instead of my brother-in-law.

51,274. In 1863 for whom did you vote?—For Dent.

51,275. In 1862 for whom did you vote; Dent and Pender?—I do not think I voted at all.

51,276. In 1859 for whom did you vote?—I voted for Dunn.

51,277. Did you ever receive anything for your vote?—No; not a fathing.

51,278. Ever any offer?—No.

51,279. Did you ever take any part in those elections?—Never.

51,280. You never offered anything?—No, never a fathing, nor never offered any person a farthing.

W. Woodley.

WILLIAM WOODLEY sworn and examined.

51,281. (*Mr. Bere.*) Is your father a voter though you are not?—Yes.

51,282. How long has he been a voter?—I should think about seven or eight years.

51,283. How has he voted?—Conservative.

51,284. Always?—Yes.

51,285. Do you know whether he has ever had anything for his vote?—I am sure he has not.

51,286. Did he vote the last time?—He is dead.

51,287. Did he die before the last election?—No.

51,288. He did not vote?—No; he was an invalid.

51,289. As far as you know, he never got anything?—No.

51,290. How is it you had not got a vote?—The house I lived in is not qualified.

51,291. (*Mr. Coleridge.*) Did not they put you into a company or anything?—No.

Mr. H. Foster.

Mr. HENRY FOSTER sworn and examined.

51,292. (*Mr. Coleridge.*) What are you?—A carpenter.

51,293. Where do you live?—At Totnes.

51,294. Have you a vote on your house?—No.

51,295. When had you a vote?—In 1865.

51,296. How did you vote?—For Dawkins and Pim.

51,297. What did you get?—Nothing.

51,298. Anything promised?—No.

51,299. Anything from the other side?—No.

51,300. Have you a wife?—No.

51,301. Any present after the election?—No.

51,302. You had a bill paid for polling booths and things?—My father had.

51,303. Are you a partner?—No.

51,304. What did you get at the last election?—Out of pocket.

51,305. What did you get out of pocket?—I went to Plymouth after I voted.

51,306. What made you go to Plymouth?—I saw the Conservatives were beaten, and I went away.

51,307. You did not like to see them beaten?—No.

51,308. Is that the time you voted?—Yes.

51,309. Did you get any money for any other voters?—No.

51,310. Nothing to do with the lame ducks?—No.

51,311. You did not take the voters away or lock them up in a cellar?—No.

51,312. (*Mr. Bere.*) You had a strong idea that your vote was worth something?—No.

51,313. Do you remember when your vote was objected to?—Yes.

51,314. Did not you work for Mr. Chaster?—Yes.

51,315. Did not the Liberals object to your vote?—Yes.

51,316. Was not your vote struck off?—Yes, four or five years ago.

51,317. When your vote was struck off, did not you say, "Master had done you out of 50*l.*?"—Perhaps.

51,318. (*Mr. Coleridge.*) You did say that?—It was in the way of joke.

51,319. Did not John Heath give you anything the last time?—No.

51,320. Nor Screach?—No.

51,321. Did not you ask for it?—No.

51,322. Nor any offer?—No.

Mr. Frederick Hare sworn and examined.

51,323. (*Mr. Bere.*) Are you the partner of Mr. Bryett?—Yes.

51,324. You were not a partner in 1865?—No.

51,325. You are acting as conveyancing clerk?—Yes.

51,326. You received a retainer?—Yes, from Captain Pim.

51,327. Did you go about with him?—Yes, two days about town.

51,328. Did you go to the outer voters?—Yes, and about ten days before I went and called upon a man called Smaridge.

51,329. Had you known him?—Yes, he lives close to where I live in the country, and the party knew that I knew him, and I went to canvass him.

51,330. What did he give you?—He promised me one vote for Colonel Dawkins, and the other vote he could not promise. He said he would give one vote to the Conservatives and the other to the Liberals.

51,331. How did he vote?—Both to the Conservatives, I think, Colonel Dawkins and Captain Pim.

51,332. Did you tell him it would be the thing if he gave both his votes to the Conservatives?—No.

51,333. Were you authorized to give any money?—No. He said, that he hoped that the Conservative party would behave better than the Liberal, because they had promised money and not given it.

51,334. What did you say?—I gave him no hopes about the Conservative party, but I said, what they said they meant.

51,335. Did you send in anyone to offer him anything?—No; and on another occasion, about three days before the election, Colonel Dawkins wanted to canvass him, and as he lives out of the way I was asked to pilot him to his place.

51,336. Did you canvas him a second time?—Yes.

51,337. Which way?—Both for the Conservatives.

51,338. Did you go to the house?—We went to the house, and he was not in the house, and we rode to the farm and saw him.

51,339. Was any money offered to him?—Not in my hearing.

51,340. Did you offer him any money?—Not a sixpence.

51,341. Did you hear any money offered?—By no one. And there was another occasion; on the night of the day of the nomination a stranger came to me and asked me if I would go to Manning, the butcher, at the head of the town, and tell him if he would vote for the Conservative party he should have a sum of money in the morning. I said I would not do so, and he entreated me to go and see the man, and he said, "He will believe you when he will not believe "me." I said "I will not." He then said "Will "you come into the 'Stars' and hear whether it is "correct from Heath?" I hesitated, but I went in.

51,342. Did the stranger go with you?—Yes; I know who the man is now.

51,343. Who was it?—Mr. George Evens; and he asked me if it was true, whether I would go to Mannings, and ask him to vote, and he would receive 30*l.* or 50*l.*; and I went up to Manning's, and when we were therein I said, if he would come to the "Stars" and vote he would get that. He asked if it was true, and I said "Yes."

51,344. Was that all?—Yes.

51,345. Had you anything to do with any other election?—No.

51,346. Are you a voter?—No.

51,347. Either directly or indirectly did you use your influence upon any other voter except that one?—No.

51,348. Is there anything else you can tell us about the election?—No.

51,349. (*Mr. Coleridge.*) What was Captain Alexander doing down here?—I think if he saw his way clear he intended being the second candidate himself.

51,350. Being here, did he go and canvass with Colonel Dawkins?—Yes.

51,351. Did Captain Lane Fox go and canvass with him?—They were about a good deal.

51,352. Were you much at the "Seven Stars"?—I was not. I lived out of town about 9 miles, and I used to ride home in the evening.

51,353. Did you hear Evens make any offer to Manning?—I did not.

51,354. You did not hear that sum of money mentioned?—I did, but I am not sure whether it was 30*l.* or 50*l.*

51,355. He says it is 50*l.*?—It might be; I do not know.

51,356. Did you ever see that poll-book of Mr. Michelmore in the possession of Narramore?

John Stephens sworn and examined.

51,357. (*Mr. Bere.*) What are you?—A tailor.

51,358. When did you vote first?—In 1852.

51,359. How did you vote?—Always for the Liberals.

51,360. Never a Tory vote?—No.

51,361. What did you get in 1852?—Nothing.

51,362. Nothing promised?—No.

51,363. Nothing offered?—No.

51,364. In 1857 were not you tempted in some way?—No.

51,365. In 1859 was it?—Nothing.

51,366. What were you paid?—Nothing.

51,367. Did you vote for Dunn?—No.

51,368. Whom did you vote for?—The Liberals.

51,369. Were you given anything after the election?—No.

51,370. Were you promised the money and did not get it?—No.

51,371. In 1862 did you vote for Mr. Pender?—Yes.

51,372. Did you get anything?—No.

51,373. What did you get at the last election?—Nothing.

51,374. Since you have had a vote has any money been left at your house?—No.

51,375. Any money been paid for you?—No.

51,376. No bill been paid for you?—No.

51,377. Never had anything at all?—No.

51,378. At any time?—No.

51,379. Mr. Holman has never been to you?—He never came to me in his life.

51,380. Did Thomas Jacob Searle?—No.

51,381. Did Parnell?—He called at my house several times.

51,382. He never called without money?—Yes, he comes about the gas.

51,383. Did he not tell you to send your wife, and she would find something?—No.

51,384. What do you know about any election?—I was made an offer in Dent's election.

51,385. I asked you about that. What were you offered in Dunn's election?—Mr. Knapman, the draper, offered me 50*l.*

51,386. He offered you 50*l.*?—Yes.

51,387. Seriously or in chaff?—He came to my house the morning of the election and offered it.

THIRTY-SIXTH DAY.

J. Stephens.

30 Oct. 1866.

51,388. What did he say about it at the time?—He said he was authorized to give me 50*l.*, and I told him it was no use offering me money, as I had promised.

51,389. And that was to vote for Mr. Dent?—That was to vote for Mr. Dent.

51,390. Did he show you the money?—No; he was not there two minutes.

51,391. Did he tell you where you could get the money?—No.

51,392. You would not have it?—Yes; he was not there very long.

51,393. Did you tell Mr. Pender's people you had refused 50*l.*?—No; I do not know that I mentioned it before Monday morning.

51,394. This last Monday morning?—Yes.

51,395. Did you tell your wife?—She was there.

51,396. She heard it?—Yes.

51,397. Do you think she ever got it afterwards and did not tell you?—No.

51,398. Do you think she ever got any money?—No.

51,399. (*Mr. Bere.*) Which Mr. Knapman was it, the linendraper here?—Yes.

51,400. Were you in the habit of dealing with him?—A little.

51,401. Did you owe him any money?—Not more than a pound or two.

51,402. Is it William or Henry?—William, I think.

51,403. The person who has been examined here to-day?—I do not know. It must be Mr. William Knapman.

51,404. Who keeps the linendraper's shop?—Yes, at the present time.

51,405. Do you owe him some money at the present time?—Yes, a little; I never dealt very largely with him.

51,406. Do you know anything more of the election than you have told us?—No.

51,407. (*Mr. Coleridge.*) How came you to have escaped the temptations that others have had in being offered money?—I do not know. Nobody ever offered me any before. I suppose I have never allowed people. I could always manage my own affairs.

51,408. Is there nothing else that you know that you have not told us?—No.

51,409. (*Mr. Bere.*) Have you, directly or indirectly, or by anybody else, received any benefit for yourself at any election?—No, not that I know of.

51,410. Or have you ever conferred any benefit?—No, I never have.

51,411. Have you ever had anything given to you at any time?—No.

51,412. No debts paid for you?—No.

51,413. Have you ever had any present given you some time after the last election, or after Dent's election, when Mr. Pender came in?—No.

51,414. What is your qualification?—A house.

51,415. Is it your own?—No; my landlord is Mr. Dawe, of Modbury,

51,416. What is the rent?—14*l.* a year.

51,417. What is he in politics?—I do not know.

51,418. Has he ever tried to influence you in your politics?—I do not know.

51,419. Who collects his rent for him?—Himself.

51,420. Is there any mortgage on the house?—I do not think there is. I do not know, I am sure.

51,421. (*Mr. Coleridge.*) Did you ever have anything to do with Mr. Evan Evens at any election?—I think he came in at Mr. Mackenzie's election.

51,422. What did he do?—He was following up the canvass very much, and he persuaded me to vote for him, and I said I could manage my own affairs, and he told me he could not say anything to me; he came in to bring me some good. I do not know what that good was.

51,423. Did he tell you what that good was?—I say I do not know. It never came out what it was.

51,424. Did you ever know afterwards what it was?—No.

51,425. Did Frederick Evens ever come to you?—Oh, no.

51,426. Have you had any conversation with Mr. Jenkins about this examination here?—No.

51,427. Did you ever tell him you had been offered money by Evan Evens to vote the wrong way?—No.

51,428. Did you ever tell him you had been offered money?—I might have said so.

51,429. But did you say you had been offered money?—I do not believe I ever said so.

51,430. If you did, whom did you say it was from?—That was the only time I was ever offered any.

51,431. Have you a son?—Yes.

51,432. Has he been offered money to secure your vote?—No.

51,433. Are you sure?—Yes.

51,434. (*Mr. Bere.*) Where does he live?—He is living with me.

51,435. (*Mr. Coleridge.*) How old is he?—19.

Adjourned till to-morrow morning at 10 o'clock.

THIRTY-SEVENTH DAY.

THIRTY-SEVENTH DAY.

J. Endle.

31 Oct. 1866.

Wednesday, 31st October 1866.

JOHN ENDLE sworn and examined.

51,436. (*Mr. Bere.*) Where do you live?—At Weston.

51,437. Have you got a vote for the borough of Totnes?—I have not.

51,438. You, I believe, in 1864, became the head of the Gerston Company?—I did.

51,439. Have you a list of the company?—I have.

51,440. Have you the book with you?—No.

51,441. How many members were there?—46, I think.

51,442. Were any of those persons who had votes for Totnes at that time?—I cannot tell you exactly.

51,443. Who was the landlord?—Mr. Ford.

51,444. Where was the land situated?—At Gerston.

51,445. What rent did you pay?—I can hardly tell you.

51,446. Could you fetch the book, without much trouble?—I do not think I could.

51,447. Will you give us the names of some of the persons who are members of the company?—I could get a list of all the names.

(*Mr. Bere.*) I wish you could get it.

JOHN BRIMICOMBE, sworn and examined.

J. Brimicombe.

31 Oct. 1866.

51,448. (*Mr. Coleridge.*) What are you?—A plumber.

51,449. How long have you had a vote for Totnes?—About 20 years.

51,450. Do you recollect whose election it was?—Ricardo's.

51,451. How did you vote then?—For Ricardo and Seymour.

51,452. Did you get anything for your vote?—No.

51,453. Anything to do with giving anybody money?—No.

51,454. Was anything given you for your vote?—No.

51,455. In 1852 did you vote again?—I do not know whether I did or no; what were the names?

51,456. Seymour, Mills, and Baldwin?—Yes, I must have voted for Seymour and Mills.

51,757. There was a great deal of money going about at that election?—I do not know.

51,458. You did not get any?—I did not.

51,459. Were you employed to give any?—No.

51,460. Were you offered any?—No.

51,461. The next election was an uncontested election, and then in 1857 when Mackenzie, and Gregory and Gifford and Mills were the candidates, how did you vote then?—I did not vote at all.

51,462. Why?—I was in London.

51,463. Were you not offered anything to come and vote?—No.

51,464. Did anybody write to you;—Yes.

51,465. What were you offered?—Nothing.

51,466. Liberal expenses?—No; they sent me a note to say that if I was wanted they would telegraph, and that I was to hold myself in readiness.

51,467. Who did?—Mr. Thos. Michelmore.

51,468. In Dunn's election how did you vote?—I did not vote.

51,469. Were you at home?—Yes.

51,470. Why not?—I had not promised my vote, and I did not vote; it would suit me better not to vote.

51,471. What was your reason for not voting?—I did not feel inclined.

51,472. For what reason?—I was at work for both parties, and I did not like to offend them.

51,473. Did you get anything?—No, never.

51,474. Was anything offered?—No.

51,475. Did you vote in 1862?—Yes.

51,476. You did not vote before; why?—Because I did not feel inclined.

51,477. Were you paid anything for voting for Mr. Pender?—No, nothing; I had nothing for my vote.

51,478. Did you get a present after the election?—No.

51,479. Any sum of money given you in 1863?—No.

51,480. Did you vote for Seymour in 1863?—Yes.

51,481. At the last election did you vote?—Yes.

51,482. How did you vote?—For Pender and Seymour.

51,483. Did you get anything?—No.

51,484. At any election, directly or indirectly, did you influence anybody for their votes?—No.

51,485. Have you canvassed anyone?—No.

51,486. Have you ever received anything of any sort or kind before, after, or at an election?—No.

51,487. Ever received anything from Mr. Pender?—No.

51,488. Then neither directly nor indirectly have you been benefited by the vote you have given?—Not the slightest.

51,489. Had you a vote at the municipal election?—Yes.

51,490. How did you vote?—Generally for Liberals.

51,491. What is your qualification?—A house in Fore Street.

51,492. What is the value?—25*l.* a year rent.

51,493. Does anybody else vote upon it?—No.

RICHARD STANNING sworn and examined.

R. Stanning.

51,494. (*Mr. Longe.*) What are you?—I am in the cider trade.

51,495. Where do you live?—At Dartington.

51,496. What do you vote upon?—Building and land at Gerston.

51,497. Are you one of the company?—Yes.

51,498. How many of you?—Nine; eight besides myself.

51,499. When did you first get that vote?—In 1865.

51,500. Near the election?—Yes.

51,501. Which way did you vote?—For Pender and Seymour.

51,502. Who canvassed you?—Mr. Pender and Mr. Seymour.

51,503. Did you promise your vote when he asked you?—Yes.

51,504. Were you canvassed on the other side?—Yes, Colonel Dawkins called. I did not see him, but my mother told him that I had promised, and I did not say anything to her about it.

51,505. Did you receive anything before or after that election?—Not a farthing.

51,506. Any offer made to you?—No, none.

51,507. Who asked you to belong to the company?—I cannot recollect.

51,508. Why did you belong to the company?—I wish to have a vote and join with others.

51,509. Who first told you that you would get a vote in that way?—I think I said I wished to take a field.

51,510. To whom?—To my father.

51,511. And he told whom?—I hardly recollect. I went and saw others when they took the field.

51,512. Whom?—Bradridge and Veasey, who belonged to the company.

51,513. Who was the person you went to about a share in the field. You must remember?—I went to the "Seymour" hotel.

51,514. Whom did you see there?—Mr. Seymour and Mr. Fitze, the manager.

51,515. Was Mr. Fitze the person you communicated your wish to?—Yes.

51,516. Did you not have any communication with Mr. Michelmore?—I saw him there, and I was to become one of the company.

51,517. Did you tell him you wanted to belong to the company?—He understood it.

51,518. Did he tell you he would make you a member?—Yes.

51,519. Mr. Michelmore?—I believe he did, and I agreed with Veasey and others.

51,520. Of whom did you take the land?—Of Mr. Michelmore, with Bradridge and others.

51,521. What were you to pay?—Ninety some odd pounds.

51,522. (*Mr. Bere.*) You did not pay rent?—The manager was going to pay it.

51,523. You were not going to pay?—Not out of my own pocket.

51,524. (*Mr. Coleridge.*) You knew you were a manufactured vote?—Yes, that is it.

51,525. You never paid any money for rent?—Never.

51,526. Did anybody pay you anything for voting?—No; I never gave them that opportunity. When I was canvassed I promised immediately.

51,527. You never got anything afterwards?—No.

51,528. No present?—No.

THIRTY-SEVENTH DAY.

W. Knapman.

31 Oct. 1866.

WILLIAM KNAPMAN recalled and examined.

51,529. (*Mr. Bere.*) When you were examined yesterday you were asked this question, "*Q.* If you "tell us, neither directly nor indirectly, have you had "anything for your vote, nor directly or indirectly "induced anybody to vote, that is enough ?—*A.* That "is all I know about the business."

Now since you were examined, a witness, of the name of Stephens, has been called, and these questions were put to him, "*Q.* What do you know about any "election ?—*A.* I was made an offer in Dunn's elec-"tion." I asked you about that, "*Q.* What were you "offered in Dunn's election ?—*A.* Mr. Knapman, the "draper, offered me 50*l.* ? "—What Stephens has said is not correct ; I was not here at Dunn's election.

51,530. Did you offer him 50*l.* at any election ?—No, it was a joke passed when a commercial traveller, of the name of Luscombe called upon me. I have never thought about the matter at all since.

51,531. (*Mr. Coleridge.*) At what election was it you offered 50*l.* ?—This was at Dent's election this little joke passed.

51,532. (*Mr. Bere*). It is a mistake for Dunn's, because afterwards, he says, "it was to vote for "Dent." Dunn ought to have been Dent. What did pass ?—It was simply this : I was at the door talking to Luscombe, who knew Stephens very well, and I said, "Would you like to sell your vote for 50*l.* worth "of trimmings." It was all in a joke that I asked him.

51,533. (*Mr. Coleridge.*) He seems to have taken it in earnest ?—That is all I know about it.

51,534. If he had said, yes, you would have been taken in ?—Yes, I should. That is all I can speak about the matter at all.

51,535. Had anybody told you to make an offer to him ?—It occurred in that way, through Luscombe, the traveller, who knew him.

51,536. If he had said, yes, should you have gone to try to get the money from Mr. Edmonds or any one ?—No ; it was in that way I have told you, at the door ; he was looking one way and I was looking the other.

51,537. Had Luscombe anything to do with the election ?—No ; he is a traveller.

51,538. (*Mr. Bere.*) Was not he used to canvass people over whom he had some influence ?—I could not tell you that ; he was here on the day of the election.

51,539. In what trade was he a traveller ?—In the drapery trade.

51,540. Was Stephens a customer of his ?—No ; he was a customer of mine.

51,541. You bought from Luscombe, and Stephens bought from you ?—Yes.

J. Michelmore.

JOHN MICHELMORE sworn and examined.

51,542. (*Mr. Coleridge.*) What are you ?—A coal merchant.

51,543. How long have you voted for Totnes ?—10 years.

51,544. When was the first time you voted, Mackenzie and Gregory's election ?—Baldwin.

51,545. That was in 1850 ?—I cannot recollect.

51,546. You voted for Baldwin then ?—I think it was Baldwin and Seymour.

51,547. You split your vote ?—Yes.

51,548. What did you get for that ?—Nothing at all.

51,549. In 1857 how did you vote, Gregory, Mackenzie, and Gifford ?—I do not know.

51,550. Did you vote for Lord Gifford ?—Yes, I did vote for Mackenzie and Gifford.

51,551. Have you always voted for the duke's man and a Conservative ?—Yes, and one Conservative.

51,552. Did you get anything for your vote ?—No.

51,553. Were you promised anything ?—No.

51,554. Were you offered anything for your vote ?—No.

51,555. Did you have anything after the election ?—Nothing at all.

51,556. In 1859, how did you vote in Dunn's election ?—I cannot recollect.

51,557. Lord Gifford, Mills, and Dunn were the candidates ?—Dunn and Gifford.

51,558. Did you get anything then ?—No.

51,559. Were you offered anything then ?—No.

51,560. Were you promised anything ?—No.

51,561. Did you have any present after the election ?—No.

51,562. Dent's election. Dent and Pender, how did you vote in 1862 ?—If I voted I voted for each.

51,563. There was only one member ?—I voted for Dent.

51,564. Did you not get something after the election ?—No.

51,565. Seymour and Dent, did you vote for Dent again ?—I do not think I did.

51,566. Not 1863, when there was such a close run ?—I voted for Dent. I am not positive.

51,567. Did you have anything for your vote ?—No.

51,568. Were you offered anything then ?—No.

51,569. Did you have any promise ?—No.

51,570. Did you have any present ?—No.

51,571. Any special order for coals ?—No.

51,572. In 1865, how did you vote at the last election ?—For Pender.

51,573. What made you vote for him ?—Because I thought he was the proper man.

51,574. You deserted the duke's man on that occasion ?—I did.

51,575. What was the inducement held out to you ?—No inducement. Mr. Michelmore came round and solicited me, and I promised to give Mr. Pender a vote.

51,576. You did not give Mr. Pender a vote because you voted for Dent ?—No, not then.

51,577. Mr. Mills had died in 1862 ?—Yes, I know.

51,578. It was directly after he came down here ?—Yes.

51,579. How was it you did not vote for Mr. Pender then ?—I cannot recollect anything to bring it to my mind. I never took any interest in the election.

51,580. You voted for Pender and Dent ?—Yes.

51,581. What did you get for your vote ?—Nothing at all.

51,582. Did you have a promise of anything ?—No promise.

51,583. Did you have any offer of anything ?—No offer.

51,584. When all this money was going about you had nothing offered you ?—I never had a farthing offered me.

51,585. Had you anything to do with offering money to other people ?—No.

51,586. Were you directly or indirectly interested in any way ?—No.

51,587. How many men have you under you ?—None for the borough.

51,588. How many for the municipal election ?—Three.

51,589. Do you influence them at all ?—I never did. I said, "Do as you like." They do as they think proper, and I never interfere with them.

51,590. Do you not find that their liking is to vote as you vote ?—No, I do not.

51,591. You received nothing since the election ?—Nothing.

51,592. Have you directly or indirectly in any way received any benefit at any time for you to vote ?—No.

51,593. Or for any other reason ?—No.

51,594. Does your trade lie equally with both parties ?—Yes, and that is the reason why.

51,595. Do you supply the "Seven Stars" ?—Yes.

51,596. And the "Seymour Arms" ?—I supplied both.

51,597. Do you supply both now?—No, the "Stars."

51,598. Is there anything else about the elections at any time?—No.

51,599. Did you canvass?—No.

WILLIAM HENRY GOODRIDGE sworn and examined.

51,600. (*Mr. Longe.*) What are you?—An innkeeper.

51,601. You keep the "Market-house" inn?—Yes.

51,602. How long have you had that inn?—Since 1863.

51,603. When was your first vote?—1865.

51,604. Is that the only vote you have had?—The only vote. I was not a vote before.

51,605. Whom did you give it to?—The two Conservative candidates.

51,606. Dawkins and Pim?—Dawkins and Pim.

51,607. Did you receive anything at that election?—On the nomination morning I was down in the tap, and Mr. Evens called me out, and told me if I went into the billiard-room I would find something on the shelf.

51,608. Your own tap?—At the "Seven Stars."

51,609. Which Mr. Evens was it?—Mr. Frederick Evens. He called me out. He said, "There is some-"thing on the shelf."

51,610. In the billiard-room?—Yes.

51,611. And you went in and took it?—Yes.

51,612. What was it?—30*l.*

51,613. In notes or gold?—Gold.

51,614. In a bag?—Yes.

51,615. Had you asked for that before?—No.

51,616. Had Mr. Frederick Evens been to you before?—No.

51,617. Had you not communicated with any one?—Me and Mr. Johns were together.

51,618. Mr. who?—Mr. William Johns. He was a vote at the time. I believe he asked me for my vote.

51,619. Had not you authorized him to ask for you?—Yes; we were together.

51,620. What did you say: "Get something for me "if you can"?—Yes, those were the words.

51,621. Did Colonel Dawkins and Captain Pim canvass you?—Yes.

51,622. When did they canvass you?—I think it was four or five days before the election, and I promised them both.

51,623. At once?—Yes, at once.

51,624. Were you canvassed by the other side?—Yes, by Mr. Pender, and I told him I could not vote for him.

51,625. You went down to the "Seven Stars" to get the money?—No. I went down to the nomination, and went into the tap, and I did not expect to get any money at all; and while I was in the tap Mr. Evens called me out and told me.

51,626. That was all you got for your vote?—Yes, that is all.

51,627. Did you take any part in getting money for any one else?—Not the slightest, but what I have told you.

51,628. Had you a vote for the council elections?—No. I am a vote at the present time. I was never a vote before.

51,629. You have never been offered anything this time, have you?—No.

51,630. (*Mr. Coleridge.*) When did you first recollect that you received that money?—The nomination morning.

51,631. When did you first recollect about having received this? because Mr. Evens never told us anything about this?—I do not know.

51,632. Did Mr. Evens come and tell you that you had received this a few weeks since?—No.

51,633. Have you had any conversation with Mr. Evens about it?—No.

51,634. None at all?—No.

51,635. Did you say to him after he was examined here, "How came you not to mention me amongst "your list"?—No; certainly not.

51,636. Have you had any conversation with any of the Heaths about it?—No.

51,637. Not any of them?—None at all.

51,638. Has not Mr. John Heath been to you to ask you what you received?—No.

51,639. Who mentioned it to you before to-day?—No one.

51,640. No one?—No.

51,641. You have no doubt about receiving it?—I am quite sure I received it

51,642. And you spent it?—I used it.

51,643. Have you ever received any money at municipal elections?—I never voted. I was never a voter.

THOMAS GOODRIDGE sworn and examined.

51,644. (*Mr. Bere.*) What are you?—A dairyman.

51,645. Where do you live?—Fore Street.

51,646. Have you a vote?—Yes.

51,647. How long have you had a vote?—I have not claimed.

51,648. You are not on the register yet?—I am on the register. I had to take up my claim at the last registration, but I did not come up.

51,649. Are you on the register this year?—I believe so.

51,650. How old are you?—22.

51,651. Had you anything to do with the election of 1865?—No.

51,652. Did any money pass through your hands for any voter?—Nothing at all.

51,653. Did you go out with any of the people to take care of them?—No.

51,654. Were you employed as a watcher by either side?—No, never in my life.

51,655. On which side are you in politics?—Conservative.

51,656. Did you go down to the "Seven Stars" at all during the election?—No.

51,657. Are you a brother of the last witness?—Yes.

51,658. (*Mr. Coleridge.*) Did he ever tell you about his having 30*l.*?—No.

51,659. Did not he tell you it would be a good thing to get your name on the register; you might have a chance?—Nothing of the sort.

51,660. Who first asked you to have your name put on the register? You are one of the manufactured votes are you not?—No.

51,661. What is your qualification?—I am a dairyman.

51,662. Have you any land?—Yes, on Carrion Pits meadow.

51,663. Whose property is it?—Mr. Tozer of Ashburton the solicitor.

51,664. What rent do you pay?—10*l.* a year.

51,665. Does anybody else vote on that meadow besides?—No.

51,666. Is that all the land you have?—I have some ground in Broomborough; I take it yearly.

51,667. You vote on this meadow?—Yes.

51,668. There is a building on it?—Yes, a linhay I keep cows in.

51,669. Did you stock it yourself; are they your own cows.?—Yes.

51,670. Do you mow it at all?—Yes; I mow it once a year.

51,671. You have the hay?—Yes.

51,672. How many cows do you keep?—Eight.

THIRTY-SEVENTH DAY.

T. Angel.

31 Oct. 1866.

THOMAS ANGEL sworn and examined.

51,673. (*Mr. Coleridge.*) What are you?—An ironmonger.

51,674. How long have you had a vote for Totnes?—Well, I have been here 49 years.

51,675. And been a voter all the time?—I believe so, or nearly.

51,676. What was the first time you ever got anything for voting?—Upon my word you will puzzle me, for I have no recollection of what passed for more than a year or two back.

51,677. Whom did you vote for at the last election?—For the Tory candidates.

51,678. Both of them?—Yes.

51,679. Dawkins and Pim?—Yes.

51,680. Who canvassed you?—Mr. Pender canvassed me; they all canvassed me.

51,681. Did Mr. John Heath canvass you?—No.

51,682. Did you go much to the "Seven Stars?"—I never go there.

51,683. Did you get anything for voting?—Nothing.

51,684. Was anything ever offered you?—I think not.

51,685. Were you made the medium of anyone else getting anything?—No. I never influenced anyone in my life. I would not be the means of influencing the most common porter.

51,686. Did you ever give anyone any money?—Never.

51,687. Were you ever asked to give anyone any money?—I never took any interest in the matter at all.

51,688. You had voted for Mr. Dent the time before?—I believe I had.

51,689. Had you always voted for the Conservatives?—Always.

51,690. When did your conversion take place?—I heard that one of my fellow-tradesmen in Totnes was threatened with persecution, and I felt annoyed, and turned over entirely because the ducal interest I detest.

51,691. Who was the person who was threatened? It was only hearsay.

51,692. Who was the person who was threatened?—Mr. Hannaford.

51,693. Who was he threatened by?—By Mr. Jeffery Michelmore, the duke's second agent.

51,694. In what year was that?—I cannot remember. I daresay Mr. Hannaford, who is here, can tell you.

(*Mr. Hannaford.*) It was a little controversy relating to the municipal election, not to the borough election.

51,695. (*Mr. Coleridge.*) Had you before that voted for the Liberals?—(*The Witness.*) Always, from first to last.

51,696. When was it that you first voted for the Tories, in what year? Whom was the first Tory that you ever voted for?—I really cannot call to mind.

51,697. Did you vote for Mr. Dunn in 1859?—I believe I did. I cannot remember.

51,698. Did you always vote for Lord Seymour as long as he was the member?—I did.

51,699. What was the time you voted for the Tories, when Mr. Mackenzie was down here?—It was the time that Mr. Hannaford has referred to.

51,700. At the period when Lord Gifford, Mills, Mackenzie, and Gregory were here you first voted for the Tories?—I did not vote then for the Tories.

51,701. Whom did you vote for then?—I can hardly tell you.

51,702. Did you vote for Mills?—I did not vote for Mills.

51,703. You voted for Lord Gifford and one of the Tories?—I might have done so.

51,704. Was that the first time when you deserted the Liberal side?—I cannot give you the date.

51,705. Did you ever vote against Lord Seymour when he was a candidate?—I do not remember.

51,706. After that did you always vote for the Tories?—I did from that instant.

51,707. Did you vote for Mr. Dunn in 1859?—I might have done so.

51,708. You never got anything for it; but you made up your mind to vote the other way merely because you thought that your friend Mr. Hannaford had been unduly pressed?—Yes. I am no advocate for tyranny in any shape, and I would never submit to it.

Duke of Somerset.

The Duke of SOMERSET sworn and examined.

51,709. (*Mr. Bere.*) I believe that your Grace was member for the borough of Totnes from the year 1834 to the year 1855?—Rather more than 20 years I was member for the borough.

51,710. Before the passing of the Reform Bill were you member for the borough of Okehampton?—Yes, for some few months.

51,711. Was that just before the passing of the Reform Bill?—Just prior to the Reform Bill.

51,712. Had you sat in the House of Commons between the time of the Reform Bill and your first election for Totnes?—I had no seat between that period; I was asked to sit again for Okehampton, but I declined.

51,713. The borough of Okehampton was disfranchised by the Reform Bill?—It was.

51,714. And you ceased to be a member for that borough when the Reform Bill?—Yes; I was asked to sit again to oppose the Reform Bill, but I declined.

51,715. Do you remember at any election for Totnes what your expenses were?—I did not pay my expenses.

51,716. Who did pay your expenses?—My father paid my expenses. I can only tell you generally what they were.

51,717. Were you consulted about the way the boundaries of the borough should be arranged?—Never.

51,718. As to whether Bridgetown should be added or a line should be drawn round the borough from any particular centre?—I was never consulted about that.

51,719. Did you ever express any opinion to the boundary commissioners as to what would be the proper way of dealing with the enlargement of the borough of Totnes?—I had nothing to do with that in any way; I was not consulted at all.

51,720. Was the then duke at that time owner of the manor of Bridgetown?—Yes, I believe the manor of Bridgetown is a part of Berry Pomeroy, which has been in the family above 300 years.

51,721. Was Bridgetown purchased subsequently to your possession of Berry Pomeroy?—I imagine not; it startles me to hear that. I always thought it was part of Berry Pomeroy.

51,722. At the time of the Reform Bill your father was the owner of Bridgetown and of Berry Pomeroy?—Yes.

51,723. Had you a contest when you were first elected?—Yes.

51,724. With the exception of the general election of 1841, and an election when a vacancy has been created by your accepting office, you have always had a contest?—We always had a contest.

51,725. You were always returned at the head of the poll?—I was always returned by a large majority.

51,726. What were your expenses at the election?—They were very small. I was told that one or two elections did not cost me 100*l.*

51,727. Was that the case before 1839 or afterwards?—I think after as well as before.

51,728. We have heard during this inquiry that bribery commenced in Totnes during the contest between Mr. Blount and Mr. Baldwin in 1839; were your expenses since 1839 more than they were before?—I think not.

51,729. Have you any record of the expenses at all?—I cannot say that I have.

51,730. Did your hear from your agent what the expenses had been?—Generally, they were certainly very light indeed.

51,731. Did you ever pay the expenses of the election, or were they paid by your agent?—I never paid them.

51,732. Mr. Michelmore paid them?—Yes.

51,733. They never came under your knowledge?—I never looked over the accounts.

51,734. Can you tell us about the agreement that was come to about 1840, between the Conservative and the Liberal parties?—There was a contingent offer made to me of an agreement.

51,735. When was that?—It was during a contest. There was an election going on, and the Tory party sent to me and said, we were both going to be defeated, both they and myself; that there was something going on in the town, money coming or something, and they agreed that if I could afford them 12 or 14 votes they would give me 40 votes, or something of that kind, nearly in that proportion. That was a contingent offer.

51,736. Can you remember the year in which that offer was made?—I cannot say; it was during a contest.

51,737. Was it the election of 1846, when Mr. Ricardo stood?—Very likely. I know there were at that time four candidates.

51,738. Then that is 1841, when Mr. Petre and Mr. Teed were down?—Yes.

51,739. And you, Mr. Baldwin, Mr. Petre, and Mr. Teed were the candidates?—Yes.

51,740. Did you know Mr. Tracy, the farmer?—Yes; he lived in Bridgetown, and it was to him they took the contingent agreement.

51,741. Do you know that there was actually an agreement drawn up and signed?—Yes; signed by them and given over to me to be read by me.

51,742. Did you read it?—Yes.

51,743. Do you remember who brought it to you?—I cannot tell you who brought it to me, but I heard of the agreement, and that it was to the effect that if I could find 12, not more than 14, persons on my side who were willing to vote for the Tories they would give me 40 votes.

51,744. Was your seat at all in danger at that election?—I do not know. One never knows about elections; when you are told that all sorts of things are going on in the town, that there were a number of voters silent, and would not give an answer. I thought it a very good arrangement, if I could find 12 or 14 men willing to vote that way, if I could get 40, and I had to go over my list to find out 12 who would not support the Radical party, and who were inclined to support the Tory party.

51,745. Can you remember the names of the 14 who, upon application, you discovered would support them?—No, I cannot; but they were men who were really Tories, but they agreed to make me safe. That is the history of it. They were Tories and would rather have voted the other way.

51,746. If the Tories had not voted, was your seat in such danger that it was worth while to throw over the second Liberal?—I cannot tell you.

51,747. As far as you remember, would the effect of refusing to enter into that agreement probably be that both seats might have been lost to the Liberals?—I thought first of all there would be some money which would get into the town, and I did not know what would be the end of it.

51,748. Was that an agreement that was confined to that election, or was it an agreement for future elections?—It was an agreement confined to that election so far, but they said they would be willing to continue if they could. Mine was a contingent agreement, because I could not undertake to find men who would vote for them.

51,749. Do you know whether that agreement was considered to be in force at the general election of 1847?—I do not know.

51,750. When Mr. Ricardo stood?—I should not have been able probably to find the same men to vote. I am not sure that I could have found them then.

51,751. Did you know that the election of 1847 had been a close contest between Baldwin and Ricardo, and that Mr. Michelmore procured a certain number of your supporters to vote for Mr. Baldwin?—No.

51,752. Did you hear at the time of the election that rather late in the day of the election Mr. Michelmore had an interview with some of the party, and that on the Liberal party saying, "We will bring "so-and-so to the poll; will you go and counteract "that influence?" He said, "Yes, and if you do so "I shall bring four men" (*mentioning their names*), "and we shall carry Baldwin by one"?—I do not remember that.

51,753. Do you know that that agreement was practically adhered to in that election of 1847?—To some extent it may have been, that is to say, those men of my party who liked to vote for the Tories did so.

51,754. Was any other person engaged in managing the election on your behalf, except Mr. Michelmore?—No one managing the election. I had one or two people who knew the voters, and went with me, who could tell me about them.

51,755. Did you give a retainer to any solicitor in Totnes at any time?—Yes, I think I must have at the first, but I am not sure.

51,756. Do you remember who was your solicitor at first?—I could not tell you now, as I did not pay the expenses. I only knew them as friends who supported me. There were at different times Mr. Edwards and Mr. Windeatt.

51,757. Mr. Charles Edwards was on the Conservative side?—He used at one time to support me, and Mr. Windeatt used to support me.

51,758. As far as you yourself were concerned, did you prefer supporting a second Liberal to a Conservative, or were you obliged, by the exigencies of your position to support a Conservative?—It was this way: the party feeling ran different then from what it does now. The Liberal government of that day was as much attacked by Radicals very often as by the Tories, and therefore sometimes a strong Radical would be a worse member for the government than a Conservative.

51,759. (*Mr. Coleridge.*) Mr. Ricardo was a strong Radical?—Yes.

51,760. Were you in communication with him during those elections in consenting to a Liberal candidate who stood with you? Were you asked whether you would approve of him?—No, they never consulted me about a Liberal candidate; on the contrary, the town was very jealous, and I did not dare to speak to a Liberal candidate if I met him, and would say there was some understanding, and I used to bow and pass on in the street.

51,761. You canvassed separately, had a separate committee, and had a separate band of advisers?—Yes; but I had no committee in fact.

51,762. Can you give us some explanation of that placard (*referring*)?—This was in 1850.

51,763. That is three years after Mr. Ricardo?—That was when I came into office.

51,764. There was an election in 1852?—In 1852 I was appointed to the Office of Works, and I had to be re-elected, and when I came into office all the parties were very friendly towards me, and never gave me any trouble, I think.

51,765. That is the explanation of the Conservative

electors accompanying you to the poll?—If you put me on my oath, I cannot remember.

51,766. That is your impression?—I knew that about that time I came into office, and I should think it was something of that kind, I imagine; I know they were very friendly to me on both sides whenever I accepted office.

51,767. Did you know of a person whose name is to that placard, Mr. Old?—I probably knew him, but I do not remember him at this moment, but it is a name I am familiar with.

51,768. Can you inform us when your father purchased the manor of Totnes?—That was before 1834, I think so.

51,769. You cannot give us the exact day?—No, if I had known beforehand I could. I only knew about the question of dates the last day or two; and if I had had it with the first notice, by looking out some papers perhaps I could have found it, but I cannot now.

51,770. You cannot give us any accurate statement with regard to your expenses up to 1855?—No, I cannot indeed.

51,771. Did you pay the subscriptions to the charities in the borough yourself?—Some I did; some slight extra thing that arose occasionally; not any thing regular, only an occasional thing that arose every now and then.

51,772. What sort of occasional thing did arise?—When they wanted to re-build their Independent chapel, and things of that kind.

51,773. For instance, the subscription of the plate at the races?—That was given by the duke.

51,774. Were you ever consulted as to the way the votes might be created on the property?—So far that when I walked round every now and then I used to see a field with a shed on it, and they told me that was another vote.

51,775. Did you see the field without the shed?—Very likely.

51,776. Did you suggest the erection of a shed?—No, I did not suggest the details; all I wanted was to come in.

51,777. You gave a general authority to your agent?—Well, you see in fact I had no management of the property, but when some persons were to come and have a field and vote for me I was very glad. I should have liked 500.

51,778. (*Mr Coleridge.*) Did you afterwards buy Gerston estate?—Yes, in 1850.

51,779. Was the same system pursued on that as on Bridgetown?—I believe it was before that.

51,780. Did you know that votes were made by making buildings on the land by Mr. Baldwin?—Yes, I believe it was.

51,781. Was it in consequence of that that they made them on yours?—Yes, they said they must meet them by others.

51,782. Can you explain the large increase of voters in Bridgetown? There were only 19 voters in Bridgetown when the Reform Bill passed, and in 1859 there were 1,866. Can you explain at all how those votes were created?—No; I know that when I first went round Bridgetown there were a great many houses that had not any votes; there were a great many inhabited by widows and other persons, and they had no votes.

51,783. Do you know whether any instructions were given to Mr. Thomas Michelmore to make a bargain with persons who took the houses as to how they should vote?—No, I did not know that any bargain was made.

51,784. Was it well understood that any person who did take a house belonging to the Duke of Somerset should vote for his candidate?—I should think so; when he took the house, they would say they were anxious to support the Liberal candidate. The only thing I would have been startled at was if the inn had been taken by a strong Tory.

51,785. Since 1855 you went on paying the expenses?—Yes, I went on much as before.

51,786. Have you yourself ever paid anything for registration expenses?—I may have contributed something, but that I cannot be certain of. I paid very little I know.

51,787 Did you ever happen to see that book (*referring.*) It contains an account of the registration expenses?—I do not think I ever saw this book. I see the "news room." I paid something for that room. There was a room over the arch there, and I paid for that, because I was anxious to have a reading room in the town, and I thought it a good thing.

51,788. As far as the actual registration expenses were concerned you never paid any?—Never.

51,789. In fact, they were paid by the duke and not by you?—I believe so. At the same time, if Mr. Michelmore had sent to me an account, and asked me to pay more, I should have done it, but I do not think I did.

51,790. Did you know that Mr. Shute was the agent to look after the registration, and paid a certain sum of money every year?—I know he was paid something, and he used to go about with me and show me where the voters lived.

51,791. You continued to pay those charges as your father did before?—Yes, and I thought if I had stopped that they would think I had taken advantage of them and thrown them over.

51,792. You paid those registration expenses up to 1863?—Yes, and I let the same thing go on.

51,793. What was the reason for the change in 1863, when Mr. Alfred Seymour became a member and began to pay the registration expenses himself?—I thought I had paid long enough, and I wanted rather to be more clear from being mixed up with the affairs of the town.

51,794. When you succeeded to the title in 1855 Lord Gifford succeeded you?—Yes, when I succeeded to the title I was asked by the committee here whether I had anyone to succeed me. I had not anyone, I told them that they must find one, and they said they had no one, and on looking about I was told that Lord Gifford would like to go into Parliament.

51,795. Had you a personal acquaintance with him before?—Yes, I knew him as a friend,—yachting, and so on.

51,796. You had a communication from the committee. Can you tell us from whom you received the communication?—I should think it was Mr. Windeatt, on the part of the Liberal party.

51,797. Have you a practice of keeping those communications?—No, I have not. I sent the other day to Mr. Michelmore to know what letters he had of mine to show anything about it, and the other letter he sent to me in 1863 says very little. I think that letter I wrote afterwards, just after the election.

51,798. In all probability you heard in 1855 from Mr. Windeatt?—I heard certainly from some of the committee, because I would not act without the Liberal party acted together in the town. I knew if we split we should be beaten.

51,799. After Lord Gifford was elected, did he write to you that it was desirable for the Liberals that your influence should be given not only to him but the other Liberal candidate?—I left the matters to Lord Gifford for him to do the best he could, and I was glad if he could conciliate such support as would bring him in, but he must manage it himself.

51,800. Did you happen to hear from him that he had united with the independent Liberal party?—Yes, that he could not get on without uniting.

51,801. And in order to carry out the purpose of that union he promised your support to the second Liberal candidate?—I suppose his uniting meant something of the kind, but I left it to him; I did not meddle.

51,802. Can you remember whether in 1852 you gave your support to Mr. Mills?—I do not think I did, but my supporters may have united whether I liked it or no.

51,803. Had you made up your mind whether to

support Baldwin or Mills on that occasion?—I do not think I knew Mr. Mills at that time at all. Mr. Mills was at first represented as a very strong Radical. When he came into Parliament he seemed to be a very mild Liberal.

51,804. (*Mr. Coleridge.*) The election of 1852 was the first time that two Liberals had been returned since Mr. Baldwin came into the borough?—I think so.

51,805. And was not that in consequence of the votes on your side that were formerly split for the Tories being given separately for the Liberals?—I do not know that. I think Mr. Mills was a man they liked, and they made a great fight for him. That was the chief thing that brought him in.

51,806. As we have heard he spent a very large sum of money at his elections here?—It may be so. He was very popular. I suppose that was the reason.

51,807. (*Mr. Bere.*) You know the understanding between the two, with regard to the Liberal party, was that your influence should be considered entitled to nominate one candidate on the Liberal side, but that the independent party should have a right to nominate another?—They used to tell me always that they would keep one side for me, but I always had a contest all the same.

51,808. In 1857 Lord Gifford and Mr. Mills stood, and in 1859 Lord Gifford and Mr. Mills stood again. Your influence, I suppose, was given on those occasions to both Liberals?—Yes, I suppose so.

51,809. Did you audit your own accounts?—I did not then.

51,810. Who was the auditor of your accounts?—My agent in Wiltshire used to come up and examine them.

51,811. Mr. Festing?—Yes.

51,812. When Mr. Mills died were you consulted at all on the person who was to succeed him?—No.

51,813. But when Lord Gifford died I believe you were?—Yes, I had a proposal. They wanted first that I should let my son stand.

51,814. Whom do you mean by "they"?—Well, they had a meeting. I suppose some of the Liberal party. I suppose Mr. Windeatt was one of them.

51,815. Was the meeting here or in London?—Here I believe, but I am not certain.

51,816. You wrote two letters which have been put on the notes; those letters were written from the Admiralty?—Yes.

51,817. Would not that rather show that the interview took place in London between you and them?—No; I think it was an answer to some memorial or paper of some kind which they sent me up saying whom they wished to have for their member, and there were two or three names, and the first was they wished to have my son. I objected to my son; I thought it would mix me up too much. I thought I should never stop the zeal of my supporters if my son were elected, and I do not wish him to stand. Another person they mentioned was Lord John Hay, the brother of Lord Gifford, but he was in China; therefore he was out of the question.

51,818. And then there was Major Lyon?—Then they mentioned Major Lyon, but he was looking after some other constituency and would not come.

51,819. He stood for Marylebone, I believe?—Yes.

51,820. These two letters that have been put in were written the 21st and 23rd October to Mr. Michelmore?—Yes, I did write two letters which I have seen; they were read here, and I saw them in the newspaper.

51,821. With the exception of writing those two letters had you anything more to do with Mr. Seymour's election in 1863?—I saw Mr. Seymour, and told him that it must depend on himself; that he must come down, and if the Liberal party would take him up earnestly, they could probably carry him; but that must be left to him. I could not do more for him. The voters whom I could influence in the town were very few at any time.

51,822. But those whom your agents could influence were a great many, were not they?—We might have had many more than I know of; but the voters whom I could influence or whom I knew in Totnes were very few; they were only Bridgetown voters, and were comparatively very few. Out of 300 I had only about 50.

51,823. Do you know how many persons there were whose qualification was building and land, whose names were on the register in 1865?—I do not know. I have not watched the register.

51,824. Your agent, Mr. Jeffery Michelmore, has gone through it and finds there are 107?—I did not know I had so many votes on my side. I had not them when I stood here certainly.

51,825. (*Mr. Coleridge.*) Are you not aware that they were very much increased by the purchase of the Gerston property?—I suppose the fields at Gerston that used to vote for Mr. Baldwin were transferred and voted on the other side.

51,826. And, as we have heard, there was one company formed of 11 voters on one field?—That was the question which was tried, and was in the paper, and they were found to be good for nothing, I believe.

51,827. That was the 46 votes, another company, where they were bad?

51,827*a*. (*Mr. Bere.*) Those are the letters, I believe, which you wrote to Mr. Michelmore (*handing the two letters to the witness*)?—Those are the letters I wrote to Mr. Michelmore.

51,828. Did you know that Mr. Seymour came down at the time of Mr. Mills' death?—He may have mentioned it to me afterwards.

51,829. Did you know of it at the time he was coming down?—I should think not, but it is rather difficult, when we see people afterwards, to speak on oath of what we knew exactly at that moment. I should think I did not know it, because if I had known it I should have said it was very undesirable for him to go.

51,830. Why?—Because it would have been interfering with the seat of Mr. Mills.

51,831. Which you considered belonged to the independent Liberals?—They always claimed it, and I did not want to interfere with it.

51,832. Did you hear from him afterwards when he came down that he was informed that the independent Liberals did claim the seat, and that he was not the candidate they wanted?—He told me that afterwards.

51,833. Did you hear after the election of 1863 that a good many of your tenants had voted against Mr. Seymour?—No, I did not.

51,834. Did Mr. Michelmore never give you any information as to how they had voted?—No. He wrote me a letter and said he had been very much abused. I sent for my letters to him and found my answer upon that letter to Mr. Jeffery Michelmore. This letter was written after I received Mr. Michelmore's:—

"Admiralty, 28th January 1863.

Dear Mr. Michelmore,

Now that the election is over, you will, I suppose, be able to arrange for the purchase of Mr. Farwell's fields They will give the means of making a road and open building sites, otherwise the price is extravagant.

I do not doubt that feelings were excited and angry language used about the election. You have always found that, whatever way an election may end, you will always be accused either of using unjustifiable influence or else of not exerting yourself in favour of your own party, [because I had known him to be accused.] I had not time to read the newspapers, &c. forwarded to me, so that I do not know, as I do not care to know, what nonsense may have been said. I was glad to see that Totnes kept true to its previously avowed principles in politics, and was not drawn away by China tribute.

Have you got a tenant for the hotel all this time?

Yours very faithfully,

Somerset."

51,835. Does "China tribute" refer to Mr. Dent?—I suppose so; I forget now.

51,836. What fields of Farwell's were those?—

THIRTY-SEVENTH DAY.

Duke of Somerset.

31 Oct. 1866.

They wanted to make a roadway there on the land for building. There was no road.

51,837. Was that in Gerston?—No, Bridgetown.

51,838. Were the lands bought to make an access to those new villas that have been built?—No, to make an access to the land; there has not been building on it at all, I believe, yet.

51,839. You bought the Gerston property in 1860?—The Gerston property was put up for sale by auction, and my agent, Mr. Preston, wrote to me and said, the land adjoining mine would be a desirable purchase, that it had considerable political influence, and it would be in other respects a desirable purchase. I asked him what it would be worth, and when he told me that I asked Mr. Michelmore to attend the sale and not to bid beyond a certain price. Mr. Thomas Michelmore was at the sale room on the morning, and he was told there was to be no sale, the property was bought.

51,840. It had been sold by private contract to Mr. Phillips?—It was sold to Mr. Phillips.

51,841. After that did Mr. Phillips sell it to you?—Then something happened; Mr. Phillips was not satisfied, and he offered the property to me at what he had given for it.

51,842. Did he offer it to you at the price that you had directed Mr. Michelmore to give for it?—He did, less a hundred, or two hundred less than I had been advised to give for the property.

51,843. You agreed to buy it?—I agreed to purchase it, and then Mr. Phillips drew back.

51,844. I believe there was a little dispute, which was referred to Mr. Durant and Mr. Kekewich?—There was no dispute; I was told I could enforce my contract and oblige him to purchase. I said "I did not "wish to do that; I would refer it to any gentleman "that he liked, any one or more gentlemen in the "neighbourhood, and I should be satisfied with any "way that was right."

51,845. It was referred to Mr. Durant and Mr. Kekewich?—They settled it and he offered to sell it to me.

51,846. On that you completed the purchase?—On that I completed the purchase.

51,847. Were you aware of the establishments in Gerston before they were established?—No, I knew they were making votes in some way or other, but in what way they were doing it I do not know.

51,848. Mr. Michelmore did not communicate to you how they were managed?—Not the least.

51,849. At the end of 1863 did you have an interview with Mr. Michelmore at Stover about the borough of Totnes?—Yes; I think I saw him in 1863.

51,850. Was some intimation thrown out by you then that both seats should be at the disposal of the independent Liberals?—No, I did not want to interfere. I had no particular interest in the members that came in. Mr. Alfred Seymour is a distant connexion and a friend of mine, and I had no particular connexion with his coming in for Totnes, or any other person.

51,851. Did you intimate that your interest in the borough was practically gone, and you would not trouble yourself any more about the election?—I wished to withdraw because I was lord lieutenant of the county. I did not want to be mixed up with local disputes and questions.

51,852. (*Mr. Longe.*) You did not withdraw your authority from your agent who took part in canvassing?—No.

51,853. He had the same authority?—I did not tell him he was not to do anything.

51,854. He had the same authority as he always had to use the property in Bridgetown for political purposes?—I did not make any difference when I came to the title from what it was before. I left it just as it was. I did not attend much to it. I was busy more with the experiments about guns and ships than I was about the business in Totnes.

51,855. You were anxious to return a Liberal member, but not a particular member?—Yes, of course I should be glad to see a Liberal member come in because he would be a supporter of the Government.

51,856. (*Mr. Bere.*) Did you at that time intimate to Mr. Michelmore you would not be charged with any more of the registration expenses?—I think I told him we must get out of all that in some way or other. I do not know that I pressed for it immediately. I said I wanted to be out of it all.

51,857. Can you remember at all the language you used to Mr. Michelmore about the election in 1863, because there is an odd expression of Mr. Chaster's about the effect of your communication to Mr. Michelmore?—No; I do not remember more than the effect of the letter that was written in October, which was really that I did not wish then to nominate a member. I wished to leave the town to itself.

51,858. Was it October 1863 or November 1863 after Mr. Seymour's election?—I do not remember.

51,859. This is a letter written by Mr. Chaster to Mr. Pender on the 25th of November 1863, in which, among other matters, he says, "There are certain "matters of vital importance just turned up which "must be settled, and it can only be done satisfactorily "in the presence of Mr. Thomas Michelmore; he "has engagements the week named for your visit "which renders it impossible he can be at Totnes "till next year, and on your account, most especially, "I consider it a necessity he should be, and therefore "press the postponement. On Monday night he "asked myself and Mr. Cuming to meet him, and "he then made a communication from the duke of "so unexpected a character, and involving so many "considerations for the future, that it at once knocked "up the scheme for a separate committee in my "name, and created the necessity for another similar "one for the entire management of the whole "Liberal forces. I wish you were nearer to consult "upon the situation, which is a most delicate one, "and ought not to be committed to paper." Can you give us any explanation of the communication made by Mr. Michelmore to Mr. Chaster, which would produce such an impression on Mr. Chaster's mind?—No, I do not know what it could have been, except that I was not willing to continue payments to the extent that had been paid for registration. I suppose so.

51,860. Did you hear that many of your tenants had voted against Mr. Seymour on the election of 1863?—No, I did not. You mean tenants who held land, or do you mean the cottages in Bridgetown? I do not believe any of my tenants in Berry Pomeroy did.

51,861. No, not in Berry Pomeroy. Holders either of building or land or of houses in Bridgetown?—No, I did not.

51,862. Who were qualified as voters by houses and buildings or land, your property, had voted against Mr. Seymour, and voted for Mr. Dent?—In 1863?

51,863. In 1863?—No, I do not think I heard it.

51,864. Did Mr. Michelmore ever communicate to you the fact that he had caused notices to quit to be served upon all persons qualified as voters upon your land who had voted for Mr. Dent and not for Mr. Seymour?—No. He told me that he had given notice to quit to several men whom he knew had been taking bribes.

51,865. He did tell you that?—Yes.

51,866. Did he give you any notion at all how many he had given notice to quit to?—No. He said he had given notice to quit to some who had notoriously taken bribes.

51,867. Who told you that? Mr. Thomas Michelmore or Mr. Jeffery Michelmore?—It must have been Mr. Thomas Michelmore.

51,868. Did he also at that time happen to tell you how many people he had bribed himself?—No, he did not.

51,869. Did you inquire further into the matter of those notices?—No, I did not. They were notices

applicable to people in Bridgetown who held the small houses there. I did not inquire further.

51,870. Did you know that in 1859 Mr. Kellock, the surgeon, had been turned out of land belonging to you, and that he had happened to vote for Mr. Dunn?—No, I did not know that.

51,871. Do you have the rent audit books sent up to you now?—Yes. I have the rent audit books sent up to me.

51,872. Books similar to these (*referring*)?—That sort of books. I had them sent up to me at the Admiralty.

51,873. This contains a list of the various fields that are let out, with the names of the tenants?—(*Referring to a book*) Yes.

51,874. Did you ever compare the list; for instance, for Lady-day 1865 with the list for Michaelmas 1864? Did you compare one list with the other?—I cannot say that I ever did. I cannot be certain that I ever opened the book. I was very busy. I had my rentals from different properties. They were sent to me. I have not time to look at them.

51,875. What I want to ask your Grace is, did you ever observe that the tenantry changed in the various fields, and changed rather abruptly?—No, I did not.

51,876. And not having observed it, you could not have asked the reason?—I did not observe it. I do not suppose I looked at the books more than at the sum total.

51,877. Do you know whether the account for registration expenses, which was sent in to you, ever had items similar to these which are entered in the accounts which were sent in to Mr. Alfred Seymour, such as "John Searle, for preventing the Tories getting possession of a house, 10*l*."?—No.

51,878. And "John Tozer, loan," and "J. T. O. Tope, for repairs of Diptford Cottage," and "James Rose, for window blinds," and "Thomas Bindon, gift in sickness." Did you happen to find such items in your registration account?—No.

51,879. As far as I can see from this list, they are all *bonâ fide* accounts connected with registration. I think in the beginning of 1863 you made Mr. Watson a magistrate, did you not?—In 1862 I had several letters from this place, saying there was a great want of magistrates. I had one, which I have brought with me, from Mr. Phillips. Mr. Phillips wrote me this letter on the 10th of June 1862:—"My Lord,—I venture to take the liberty of addressing you on the subject of magistrates for the division, of Stanborough and Coleridge. The river Dart is the boundary of this division and in the neighbourhood of Totnes there are only two magistrates, Mr. Durant and myself. As Mr. Durant is frequently in London there is sometimes a difficulty to form a bench. Mr. Champernowne, of Dartington, occupies a good position in the county, and will have no objection to act if placed in the commission of the peace. Mr. Durant is equally anxious as myself to have the assistance of Mr. Champernowne." To that I wrote, I would take him into consideration the next list I sent up to the Lord Chancellor, and I did accordingly.

51,880. When was the next list that you sent up, do you remember?—I think it must have been the autumn of 1862.

51,881. The autumn of 1862?—Yes.

51,882. Mr. Watson's name did not appear in the list, I think?—No. Mr. Watson I had further letters about, stating that the gentlemen went away, and they had a great difficulty with the magistrates. I tried to get Mr. Stanley Cary to be a magistrate, but he declined,

51,883. He is a magistrate now, I think?—Yes; he subsequently agreed to be, but he declined then, and I was recommended to make Mr. Watson a magistrate, and I did so accordingly.

51,884. I had better put this question to your Grace. Was there any communication made to you that Mr. Watson wished to be a magistrate, and he ought to be made one, because he came back from France to vote for Mr. Seymour in 1863?—No, certainly not; nothing of the kind.

51,885. (*Mr. Coleridge.*) There is just one question I want to ask your Grace about that letter of Mr. Chaster's. We have had that explained, that "the delicate state of things" referred to was that you gave up all interest in the borough as regards claiming one member, and as far as regards the payment of expenses; was there any agreement with Mr. Michelmore as to that, that you had given up your right to interfere?—I told Mr. Michelmore, as I said before, I did not want to interfere in the town, I wanted to keep clear of it.

51,886. Up to that time it was the habit to send Mr. Seymour down. When he was sent down to fill Mr. Mill's vacancy, you say he was wrong to come down, as the ducal candidate ought not to interfere with the independent candidate?—They were careful of their member. I do not know that they were as equally careful of mine.

51,887. Was the letter to which Mr. Chaster has referred to the effect that there should be no nominee of either one party or the other, but that the Liberal party should be all merged into one?—I meant to withdraw from interfering in the town as nearly so as I possibly could.

51,888. So much so, that if on a future occasion the Liberal member should vacate his seat in any way, there should not be a question as to whether the person who came forward was a connexion of yours or not?—There was not a connexion of mine before. Lord John Hay was no connexion of mine. He was the brother-in-law of Lord Gifford, and it was out of consideration for him that they proposed to take him up, and they would have taken him up if Lord John Hay had not been out in China.

51,889. They would not have taken him if he had been a connexion of yours?—No.

51,890. The old contention between the ducal candidate and the independent member ceased to exist?—Yes.

51,891. And that is probably what Mr. Chaster referred to in that letter to Mr. Pender?—Yes.

51,892. (*Mr. Bere.*) Did you at any time give instructions to your agent, Mr. Michelmore, as to the way he was to use his influence with your tenants?—No, I do not think I did. Mr. Michelmore had been more than 20 years with me; he had known how I had carried on my elections. I had always been at the head of the poll, and I had always had large majorities, and those majorities did not consist of my people, or those under my influence. The people in this town voted for me, and I left it for him to go on in the same way.

51,893. Did you know, at the time you were member, that Mr. Michelmore used all his influence for you?—No; except this, that one knows in the zeal of an election that everybody does not only what he ought to do but sometimes a good deal more.

51,894. (*Mr. Longe.*) In letting land to electors in Bridgetown, did your Grace ever authorize your agent to impose these terms, that the party should vote for the ducal candidate or the independent candidate?—No.

51,895. Because we had a case yesterday of a man who had an orchard of 3*l*. a year; that would not give him a vote, and in taking it from Mr. Michelmore he was told he must give one vote for the Liberal candidate?—I did not give any such instructions. I was not surprised to hear that Mr. Michelmore did that, as long as I was member. He was naturally anxious to bring me in.

51,896. (*Mr. Bere.*) And when you ceased to be member, he was very anxious to keep the seat for two Liberals?—Yes. He had not the same anxiety for me then; I understand not.

51,897. Did you know Mr. Pender before he came down here?—No, I never saw Mr. Pender. I saw him at some gun experiment at Shoeburyness.

51,898. Have you had any communication with him since he has been member?—No. He came to

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me once about a school, about the site he promised to give for it. He called to see me upon it, to see if he could arrange about it. I believe that is the only time I ever saw him or anything connected with Totnes.

51,899. Were you ever asked to interfere in any way with the Ashburton election?—No, never.

51,900. There is a letter which was produced here on Monday, written by Mr. John Abel Smith, the member for Chichester, to Mr. Tucker of Ashburton, with whom, I dare say, you are acquainted?—Yes.

51,901. And it ends by saying, "I saw the Duke "of Somerset to-day. He will write at once to "Michelmore." Do you remember seeing Mr. John Abel Smith about the Ashburton election at all?—Yes. I did see Mr. John Abel Smith about the election, and he asked me if I could do anything. I told him I had no interest in Ashburton at all.

51,902. Did not he tell you that some of your tenents were voters for Ashburton?—Yes. He said he thought some of my tenants at Stover had taken land in the borough of Ashburton.

51,903. Did he also tell you that some of your tenants in Bridgetown, had done the same thing?—No. Some of my tenants at Stover did, I believe.

51,904. Stover is within seven miles of Ashburton? Stover, I believe, is within seven miles.

51,905. Did you write to Mr. Michelmore, do you remember?—I think not; I do not think I ever wrote to Mr. Michelmore at all about it; I think not.

51,906. You were aware that at elections, when you were yourself at Stover, there was money spent in bribing on the other side?—I think so. I can only tell you rumours, and the rumours of Totnes, as you see, are so various that I cannot trust them.

51,907. Did you ever know before or after that that money had been spent on your behalf in bribery, either by Mr. Michelmore or by anybody else?—I believe not. I took every pains to avoid bribery and treating as much as possible.

59,908. Did you ever hear that money had been spent in any way on your behalf?—No.

51,909. (*Mr. Coleridge.*) You have never had the immense bills sent you from the "Seymour Arms" that Mr. Seymour and Mr. Pender had sent to them for people staying there, and so on?—No, my hotel bills were a very few pounds, because I used to live at Follaton House, Mr. Stanley Cary's. I avoided living in the town as much as I could, not on account of the bills, but on account of people calling on me so continually.

51,910. (*Mr. Longe.*) Did you ever request Mr. Michelmore or any of your agents not to evict a man unless he was proved to be guilty of taking a bribe?—No; but I understand from what he told me that the only persons he did send out were people who not only had taken bribes, but who had boasted of it entirely.

51,911. That is not exactly what we find to be the case?—That is my impression.

51,912. (*Mr. Bere.*) Did you ever receive any complaint from a voter who had been turned out?—I do not think I ever got a letter from a voter that was turned out.

51,913. (*Mr. Coleridge.*) You have been asked about the instructions you gave to Mr. Michelmore. I understand you found such a state of things existing when you came to the title that you interfered, and gave instructions to alter the position of affairs?—No; I left things to go on as before.

51,914. You gave no fresh instructions?—No. There is one remark I should wish to be permitted to make; I saw it stated in the newspapers that I had used all the patronage I had at the Admiralty to promote my interest in this town. Now, I cannot remember, during the seven years that I was at the Admiralty, that I did more than give one young man an opportunity to compete for a dockyard writership or clerkship.

51,915. (*Mr. Bere.*) Do you remember the young man's name?—I think his name was Evens.

51,916. The son of Mr. Evan Evens?—Of a man who had voted for me.

51,917. (*Mr. Coleridge.*) He had voted against you generally.

(*The Witness.*) I did not know that. That is about the extent of my patronage.

51,918. (*Mr. Bere.*) Did you receive a letter from Mr. Dent after the election of 1863?—I think not.

51,919. Complaining of the large sum which had been spent in bribery at Totnes?—I think not; I do not remember it.

51,920. There has been a statement made that Mr. Dent did write to you?—I do not remember it.

51,921. You do not remember any such letter?—No; I do not remember acknowledging it or anything about it.

51,922. If you can find any other letters of importance, will you be good enough to let us have them?—Yes. If I had heard from you when I was at Stover, I would have looked to see if there were any. With regard to Gerston, those letters were all thrown away. As soon as I heard that Mr. Phillips had bought the property I threw the particulars of the estate and the whole thing into the waste paper basket. It was all at an end.

51,923. (*Mr. Coleridge.*) Do you recollect receiving a letter after the election of 1863, which was subsequently published in the "Standard" and commented on there?—From whom?

51,924. From Mr. Dent?—No, I did not.

51,925. A letter which Mr. Dent wrote to you, which was published in the "Standard," complaining of bribery at Totnes?—I think not.

51,926. To which Mr. Dent seems to have largely contributed himself?—When Mr. Dent and Mr. Pender met it was very fatal to a town like this.

51,927. You do not recollect a letter being published in the "Standard" addressed to you?—I should not have read it; I had not time to do so.

T. Bryett.

THEODORE BRYETT recalled and further examined.

51,928. (*Mr. Bere.*) Can you give the Commissioners any information relative to the object of this inquiry?—You will allow me perhaps to make a short statement as to my first coming to Totnes. I came here in the month of January 1842 and entered into partnership with Mr. Charles Edwards. At that time I was politically concerned for Mr. Barry Baldwin, and continued to do so up to the time of our dissolution in 1848, but I took no part in politics. During the time I was in partnership with Mr. Edwards, I think in the year 1847, was the first contested election, and as to that I did nothing more than merely attend to one of the booths and thank the voters on behalf of Lord Seymour. I dissolved partnership with Mr. Edwards and continued to act for Mr. Baldwin: the first election that I was concerned for him was in 1852, when I conducted the election for Mr. Baldwin; the next election was in 1857.

51,929. (*Mr. Coleridge.*) Before you leave 1852, what did that cost you?—I happen to have found a rough account with reference to the expenditure at the election.

51,930. He was beaten at that election?—Yes. I find by an old rough bill book that Mr. Baldwin in 1852 remitted me on the 27th March 20*l.*; on the 24th May, 50*l.*; and in June 200*l.*; and afterwards 300*l.*; making 570*l.*

51,931. Was any money remitted you by any one else on his behalf?—Not a farthing.

51,932. What did the election before cost him?—I know nothing of former elections.

51,933. Did he ever tell you what the place cost him altogether?—I never had any conversation with him.

51,934. It cost him all that he had got?—It was something enormous from all that I have heard. I

cannot say what occurred before I came here. I was told that he gave 2,000*l.* more for Gerston than it was really worth; he gave 16,000*l.* for it, and his connexion with Totnes had in fact beggared him.

51,935. (*Mr. Bere.*) Was 570*l.* all the money that passed through your hands at that election?—That was the whole of the money I had up to that time. There were different expenses I paid for Mr. Baldwin to the amount of 303*l.* After the election I recovered a sum of 150*l.* in an action I brought against Mr. Hannaford, who refused to give up the author of a libel in his paper. I also had a sum of 70*l.* I was informed it had been the habit of leaving the expenditure of monies for members in the hands of a finance committee, and that committee arose out of jealousy, or an imputation that the monies of Mr. Baldwin had not been fairly dealt with. After that, with the exception of the 300*l.*, I handed over all the money in my hands to the finance committee, and let them have more money for the election. On the very same day that the election was over and Mr. Baldwin was rejected, to my surprise I was told that all the money I had given to the committee had been expended. Not having a farthing in hand, I was out of pocket.

51,936. (*Mr. Coleridge.*) You had nothing to meet the legal expenses?—No; had I not recovered the 150*l.*, damages I should have been out of pocket that sum myself.

51937. Was that a libel on yourself, or on Mr. Baldwin?—On Mr. Baldwin.

51,938. What was the effect of it?—It referred to former transactions in the borough impugning the moral character of Mr. Baldwin particularly. I daresay Mr. Hannaford can tell you more about it than I can. It reflected on his character to such a fearful extent that I sent a copy of it to Mr. Baldwin, and the result was that the action was brought.

51,939. Mr. Hannaford refused to give up the author of the libel?—Yes, he did.

51,940. Did you hear what Mr. Mills spent at that election; I do not mean legal expenses?—I heard generally that he spent a very large sum.

51,941. There was a good deal of bribery then?—An immense deal.

51,942. Did you find that many voters who had promised you during your canvass were going against you?—Yes, up to the time of the election I considered that we should have the support of Lord Seymour's voters, but when the election took place I found that instead of going as I expected they all voted against us.

51,943. That was the first time that the compact by which Lord Seymour gave his second votes to the Tories was broken?—Yes.

51,944. In Mr. Ricardo's year it had been kept up, and Mr. Michelmore had used it strongly then; that was the first time it was broken?—Yes.

51,945. From that day no Tory has ever been elected?—No.

51,946. In 1857 what had you to do with the election?—That was when Mackenzie and Gregory came down. I was then acting for Mr. Mackenzie; and on that occasion I received a retainer of 25*l.* from the election agent. That was the only retainer I ever received.

51,947. You had no retainer from Mr. Baldwin in 1852?—I had a personal regard for Mr. Baldwin. I had occasionally come across him. I did not value my professional services. I acted in a friendly capacity. I was 27*l.* or 28*l.* out of pocket by his election.

51,948. Did you act for Mr. Mackenzie separately from Mr. Gregory?—Yes.

51,949. Had you separate committees then?—Mr. Kellock and I were acting for Mr. Mackenzie; Mr. Edmonds for Mr. Gregory.

51,950. What did it cost Mr. Mills?—I am not aware. Mr. Mills had an election agent to attend to the matter,—Mr. Snell. No question of money ever came before me. I acted strictly in a professional capacity. I am not aware that I spent any money.

51,951. Mr. Mills spent a good deal of money in bribery at that time?—Yes.

51,952. Did Lord Gifford spend any money at that time?—I should think not. The other party would be glad to have the assistance of Lord Seymour's tenantry, and it was not necessary for them to spend any money.

51,953. Until the contest between Lord Seymour and Mr. Dent the ducal candidate could have been returned free of any money?—No doubt of that.

51 954. Since the alteration in the circumstances more money has been required?—Yes, much more.

51,955. You cannot tell us what money was spent in 1857?—If there was any money spent in bribery I was not aware of it.

51,956. In 1859 Mr. Dunn came forward as the Conservative candidate?—Yes.

51,957. Did you act for him?—Merely in a friendly capacity. As the former Conservative candidates had been unsuccessful, both Mr. Edmonds, Mr. Kellock, and myself, agreed to act for him in a friendly capacity, and not to receive any retainer.

51,958. Do you know what it cost Mr. Dunn?—At that election I believe there was a most disgraceful amount of bribery.

51,959. On the part of Mr. Mills, or Mr. Mills and Lord Gifford?—I do not pretend to know much of Mr. Mills. I heard from report that he had spent a large sum; and I believe Mr. Dunn spent an enormous sum. He had his own solicitor here from London. Mr. Cameron and a man who attended to the bribery for him of the name of Higgins.

51,960. Mrs. Dunn was down here then, was she not?—Yes, and took a very active part in it.

51,961. (*Mr. Bere.*) And Snell was here also?—There was a man of that name here who was the son of the Snell who was down here in Mackenzie's time; not the same man.

51,962. (*Mr. Coleridge.*) Do you know where he is now?—I have no idea.

51,963. Is the man who was down here at Mackenzie's election alive?—That I do not know; I know nothing about those people.

51,964. That was the last time you acted?—That was the last time, and I made up my mind never to be concerned in any election again.

51,965. Did you know this man Higgins who was down here in 1859?—I did not. I may have seen him occasionally when he has been pointed out to me. I had nothing to do with retaining his services. I remember he was pointed out to me as a man of the name of Higgins.

51,966. Did he ever tell you who had sent him down here?—No; I never had any conversation with him.

51,967. Did you ever hear from Mr. Dunn what that election cost him?—No, only from what I have heard. I found then that corruption had grown to a fearful extent at Totnes; that in the Conservative party men whose support I had relied on refused to vote.

51,968. You had nothing to do with Mr. Dent's election?—Since that time I have not taken the slightest interest in it.

51,969. From what you had discovered when you ran one member against the two, do you believe that a contest could have been carried on so close as it was between Mr. Dent and Mr. Seymour without an immense amount of money being spent on the Conservative side?—It could not.

51,970. In 1863 had you anything to do with the election?—No. Since Mr. Dunn's time I have never interested myself in it at all; not in the most indirect way.

51,971. In 1847, at Mr. Ricardo's election, I suppose you voted then?—Yes.

51,972. During the time that that arrangement was in force between the duke and the Conservatives, used you to vote one for the duke and one for the Conservatives?—Yes, I think all the Conservatives, with very few exceptions, gave one vote to Lord Seymour.

51,973. And he was returned as the member for the town, not as the representative of any particular party so long as that agreement subsisted?—Just so.

51,974. (*Mr. Bere.*) Mr. Cameron was down here for Mr. Dunn in 1859?—Yes.

51,975. He was down here for some time, was he not?—Yes.

51,976. First of all, he was down here for nine days?—I do not know the time.

51,977. First of all, from the 12th of April to the 20th; then he came again on the 25th, and stayed until the 4th of May?—I do not remember the dates; he was here during the whole time Mr. Dunn was here.

51,978. And during that time were you in constant communication with him?—I used to see him occasionally at the "Stars." I was obliged to take the active part; Mr. Kellock took very little part, and Mr. Edmonds had been in practice only a short time, therefore all the working part devolved upon me.

51,979. Was that the first time that Mr. Edmonds had been employed?—I think it was.

51,980. Did you not know that money was passing at that time amongst the Conservatives?—I believed as much from what I heard of the way in which many Conservatives refused to vote without being paid. I have no doubt that a large sum of money was spent.

51,981. Have you had nothing to do with distributing money?—Certainly not; and for this simple reason, that if I endeavoured to get a client of mine into Parliament I was not going to do any single act that would afterwards oust him.

51,982. Had either of your clerks anything to do with it?—Certainly not. They may have acted in the capacity of poll clerks.

51,983. How many clerks had you at that time?—I had gone out of partnership with Mr. Edwards, and was in business by myself; the chances are that I had only one, or one and a boy.

51,984. Who was your clerk then?—At that time, I think, young Mr. W. H. Oldrey.

51,985. The one who is now in London?—Yes.

51,986. Do you know a man of the name of Corney, the parish clerk?—I merely know him by sight. I have spoken to him. He has collected my subscriptions for the church. Beyond that I have had no conversation with him.

51,987. He voted against you in 1859?—I did not know that. I recollect hearing of a circumstance connected with him and Mr. Evan Evens.

51,988. What was that?—I heard that Corney had agreed to vote for the Conservatives, and that Mr. Evens had left a sum of money at his house, which he afterwards brought back.

51,989. Which he brought back to the committee room and left it there in your presence?—Not in my presence, certainly not, at that election; I never saw even a shilling.

51,990. Then this account is incorrect, "*Q.* What did "you do with the money you got back?—*A.* I took it to "the committee. *Q.* To whom did you pay it?—*A.* I "put it on the table; Mr. Bryett was the professional "man there conducting the business. *Q.* Was Mr. Kel-"lock there?—*A.* I cannot say; I recollect Mr. Bryett "had the principal conduct of the election"?—In Dunn's time I had the management of the election; but so far as money matters were concerned I most distinctly swear I had nothing to do with them.

51,991. Then he goes on, "*Q.* You are quite sure he "was there when you put the money down?—*A.* I am "quite sure, because he called me over to him"?—I most positively swear that during the whole of the election I never saw a farthing of money in any way whatever.

51,992. Did you yourself canvass any voters at that election?—The principal part of the work was thrown on me. No doubt I saw the principal part of the voters with Mr. Dunn.

51,993. You made up the poll-book at that election?—Yes.

51,994. There has been something said about a man of the name of Sampson?—All these voters who were dealt with were dealt with behind my back. All that I did was to make up the poll; so and so will vote for the Conservatives, and I made an entry accordingly. That is all I had to do with it.

51,995. Do you know John Sampson?—I know there is such a person in the town, a grocer.

51,996. His house was mortgaged?—I heard of it afterwards. I think Mr. Huxham had a mortgage on his house, but that has been paid off. I think that was done through Mr. Edmonds.

51,997. That was done in 1863?—I thought it had been in 1859.

51,998. Did you hear that Mr. Helms advanced the money to pay off that mortgage?—The transaction that you refer to about Mr. Helms was a further charge on the house of 150*l.*; that was not the original mortgage.

51,999. The end of it was that the mortgage was transferred to you?—To my great surprise Mr. Mitchell, who I believe acted as the agent of Mr. Dent, wrote down here to ask me if I would receive the rent of that portion of the property here which was under lease to him, and as there appeared to me no reason why I should object to it, I told him that I would do so. Then Mr. Helms brought me this further charge which had been made to him, and said, as you are receiving the rent for Mr. Dent, and as he is in a very delicate state of health, and about to go away, it will be better to transfer this mortgage to you for him.

52,000. And do you hold that mortgage now?—Yes, I do; but I merely hold it as a trustee for Mr. Dent.

52,001. Have you ever heard from Mr. Dent since the election of 1863?—Not from him directly.

52,002. Do you receive the rents now?—I do.

52,003. Have you had any direct communication with Mr. Dent?—I have not heard from him personally. I must say that I never spoke to him more than twice, once when I was introduced to him at the "Seven Stars," and on another occasion when I met him at a dinner party.

52,004. When you have received these rents, what have you been in the habit of doing with them, have you paid them into the bank?—I have paid to the landlord those which I have received, to Mr. Farwell for the cotton property, and the other rents which I have received from Broomborough I have paid over to the executors.

52,005. In fact Mr. Dent was only the lessee of this property, I believe?—That is so, he was merely the lessee.

52,006. Held for a term of 70 years and upwards, was not that so?—I think so.

52,007. During your management did he make any profit on the land?—No; the reverse.

52,008. Was it for him or against him?—When I saw him last there was a balance owing from him, and I sent up to his house, and Mr. Finch, in London, his solicitor, sent me a cheque for the balance.

52,009. Do you not remember Mr. Dunn being very angry at having spent so much money?—From my communication he always seemed in such an excited state, and I do not think he said anything one way or the other.

52,010. At a certain period on the day of the election, was he or was he not very angry?—I do not know.

52,011. Was not that the reason that he lost the election?—I do not know.

52,012. You were looking after the poll?—Yes.

52,013. Do you remember whether the run was very close about 2 o'clock that day?—I recollect

making up the poll, and there was Mr. Harris, the landlord of the "Stars" at that time, and he and I went over the poll at that time, and the majority we could see was seven; that was I think the night before the election, and I thought it my duty to call the attention of Mr. Dunn and Mr. Cameron to it; I really felt that it was still an uncertain result, however they were so excited about it that they were determined to go on.

52,014. Do you think that Mr. Dunn would win by seven?—That was the only majority that we could make for him, and that majority of seven was by looking at it very favourably.

52,015. Was not there a close run about 2 o'clock between him and Mr. Mills?—It has so faded from my mind now, that I must consider that on the day of the election there was a great deal of excitement going on; Mrs. Dunn was in a dreadfully excited state, and she would give any amount of money; and this Mr. Snell that you refer to was only retained a day or two before, and he made himself very busy; but by the middle of the day the election was going, because many who promised voted against us.

52,016. Are you sure it was early in the middle of the day that you found the election was gone?—I do not recollect.

52,017. Did you ever hear that Mr. Mills had been met on the bridge at 2 o'clock on the day of the election, and asked about the state of the poll, and was informed that it would be a close fight; and he then inquired whether it could be won, and he was informed that it might be won by the expenditure of a great deal of money, and on his receiving that explanation, his saying it must be won?—No, I never heard so.

52,018. Considering that you made out a majority of seven, were you not surprised that Mr. Mills had a majority of 17?—No, those who gave us direct promises voted against us.

52,019. Have you any doubt that those persons who voted against you were influenced by money?—None in the world.

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52,020. Did not you have some communication with Mr. Cameron about the election?—No, I think not.

52,021. Used you not to see Mr. Cameron when here, and talk over and discuss with him the prospects of Mr. Dunn?—I used to meet him occasionally in the "Stars" hotel when he was there. I was not there much with him, because I should tell you there were other persons who took a very active part in the election besides myself. I merely attended to the professional part, but there were many persons who took an active part with whom Mr. Cameron used to consult as to the voters generally.

52,022. What room used you to occupy?—I think the large room over the gateway.

52,023. The bow-window room?—Yes.

52,024. Used Mr. Cameron to be in the little room, No. 6?—No, that room was not occupied at that time. I think it was then used as a bedroom.

52,025. Where used Mr. Cameron to be?—Mr. Dunn used to keep the other large room at the end of the stairs. That was his private room, and Mr. Cameron used to be principally with him.

52,026. Did you ever hear from Mr. Cameron what sum of money Mr. Dunn spent?—I do not think I did.

52,027. I do not mean in pounds, shillings, and pence, but did you hear whether it was 1,000*l.* or 4,000*l.*?—I should imagine that he must have spent 4,000*l.*

52,028. Mr. Dunn is dead?—Yes.

52,029. (*Mr. Coleridge.*) Do you know Mrs. Dunn's direction?—No.

52,030. It was somewhere near the Isle of Wight?—She was then near Southampton.

MR. EVAN EVENS recalled and further examined.

Mr. E. Evens.

52,031. (*Mr. Bere.*) Do you remember a transaction in 1859 about Mr. Corney?—Yes.

52,032. Do you remember getting the money back?—Yes.

52,033. And taking the money to the "Seven "Stars"?—Yes.

52,034. What did you do with it?—Put it on the table, not the large room that Mr. Bryett has described, but the other large room on the left.

52,035. Who was there?—The gentlemen who had the general management of the election.

52,036. Who was that?—Mr. Bryett was one.

52,037. He was there?—Yes.

52,038. Are you quite certain he was there?—Yes.

52,039. Can you mention the name of any one else who was there?—All who were engaged in the election were there.

52,040. Do you remember who took up the money?—No, I left the room immediately.

52,041. Did anybody speak to you about the money?—Yes, they said "Well, Mr. Evens, how about Corney?" and I said "What is the matter?" They said "He has been and voted." I said "What do you say?" and I took up my hat and went to his house and demanded the money.

52,042. After you had the money and brought it back, did anybody say anything to you about it?—I came back immediately and went to the room and put down the money, and I said "There gentlemen, there "is your money," and Mr. Dunn and one or two others said "Well done, Evens."

52,043. Was it money loose upon the table?—I think it was in an envelope, and it appeared to be much in the same position as when I delivered it.

52,044. Was it in gold or notes?—I think in notes.

52,045. When Mr. Corney gave you that, did he tell you what he had got from the other side?—No, his daughter gave it to me.

52,046. (*Mr. Longe.*) When you were last examined you said that Mr. Bryett had said something about his rumours and had come into your shop and shaken hands with you?—That was Mr. Corney.

(*Mr. Bryett.*) I am satisfied that I never saw the money. He might have brought it back, but I did not see it. He told me the particulars of the transaction in his own shop.

(*The witness.*) I have not the slightest doubt about it. Mr. Bryett was there, and he asked me "How "about Corney?" I went and brought it back, and I said "There is your money, I never allow any one to "beat me."

52,047. (*Mr. Coleridge.*) He might have seen the envelope and not the money?—Yes, I said "Gentle-"men, there is the money, I never was beaten by "any one yet."

MR. BRYETT recalled and further examined.

Mr. T. Bryett.

52,048. (*Mr. Bere.*) You are aware that a large sum of money was spent by Mr. Dunn?—Yes.

52,049. Were you aware of it at the time?—I have no doubt of it from the statements, that persons who refused their vote were being paid, and I knew that a large sum was spent.

52,050. Had you anything to do with it?—No.

52,051. Had you anything to do with cashing the cheques?—No; but I know that Mr. Cameron asked me for 100*l.*, and he paid it afterwards.

52,052. When was that?—I think before the polling day, and he asked me for 100*l.*, and I gave him a cheque, and he repaid me afterwards.

52,053. How long?—I think about a week afterwards.

52,054. Do you know what it was? Did you

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Mr. T. Bryett.

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know what it was going to be spent in?—I concluded for the purposes of the election, for bribery.

52,055. Did he tell you that money was running short?—He said, "Can you let me have 100*l.*?" and I did.

52,056. Did not you have reports made to you that voters were still hesitating to promise for the Conservatives?—No doubt reports were brought to me by people who were interested in the election, because many persons in the town take an interest. For instance, people like Mr. Evens take an interest in the election, and many come and tell me so-and-so will come and vote for so-and-so, or against us, and I make my poll accordingly.

52,057. Did not you know that certain influences were being used on particular individuals?—I had no doubt.

52,058. For instance, Corney?—I do not recollect the circumstance about Corney at all. I am satisfied that Corney told me the particular circumstance after the election was over, and I recollect being in his shop and talking over the election, and he then told me the circumstance of it.

52,059. You had the principal management of this election, and did not you know that sums were being expended on bribery?—No doubt money was being spent in bribery, but any of the sums I did not know.

52,060. You did not think that you could manage the election successfully without it?—Certainly, and I believe Mr. Dunn at that moment was spending a large sum.

M. Fox.

MARK FOX sworn and examined.

52,061. (*Mr. Longe.*) What are you?—A grocer.

52,062. Where do you live?—Dartmouth.

52,063. How do you have a vote for Totnes?—On some lands at Bridgetown.

52,064. Do you know where those lands are?—Yes.

52,065. Where are they?—At the back of the "Seymour" hotel, on the bank of the river, part of them.

52,066. Who occupies them?—I do not know who at present.

52,067. You do not know, and never did?—I never had any of my own cattle there.

52,068. (*Mr. Bere.*) Have you ever had any of your own cabbages there?—Yes, once.

52,069. (*Mr. Longe.*) When did you first get put on the register?—I think somewhere about 1863 or 1864.

52,070. Who asked you to join this company?—Mr. Rees.

52,071. What for?—For the purpose of making votes for the borough of Totnes.

52,072. Are you a strong partisan?—A very strong Radical.

52,073. And that is why they got you, I suppose?—Yes, no doubt about it.

52,074. You voted once, I think?—Only once.

52,075. Did you take any part in canvassing this last election?—Yes.

52,076. Were you not here before the election?—Only the day of polling.

52,077. You took an active part on that day?—Not at all.

52,078. Did not you see a man named Sloggett?—I may possibly have done, I am not aware that I did.

52,079. Had not you anything to do with him?—No.

52,080. Did you take any part whatever in the giving of money to any voter?—No, I never saw any.

52,081. Did you get any yourself, either before or after the election?—Never, not so much as my expenses.

52,082. Some of the Totnes voters live at Dartmouth?—Yes.

52,083. (*Mr. Bere.*) Did you receive instructions to go and canvass them?—No.

52,084. Do you mean to say that you never saw a man called Sloggett at Dartmouth?—Not to my knowledge. I do not know the man.

52,085. Do you know John Parnell Searle?—Yes, quite well.

52,086. Did you see him before the election?—I did not immediately before the election. I have seen him on occasions.

52,087. Did he tell you he was not quite certain which way he was going to vote?—Never.

52,088. Did you intimate to him that it might still be a good thing for him to keep so?—No.

52,089. Did you have anything to do with offering money?—Never.

52,090. Or with influencing any man either directly or indirectly?—Never.

52,091. Did you never receive any money for your own vote?—No, not my own expenses.

52,092. (*Mr. Coleridge.*) Did you have the paying of any one else's expenses?—No.

52,093. Did you have anything to do with a man called Veasey?—I never saw the man that I know of.

52,094. Though not a voter before 1865 had not you been up at earlier elections?—Yes, I have been there.

52,095. Did not you have something to do with John Parnell Searle in 1863?—Never.

52,096. At any time?—I had nothing at all to do with his voting at all.

52,097. Are you a relation of his?—No.

52,098. A great friend of yours?—No.

52,099. A customer of yours?—Not particularly, he might buy something.

52,100. You had not anything to do with him about his vote; had you anything at all to do with him about January 1863?—Never in the slightest way.

52,101. Did he owe you any money at that time?—No, I was generally in his debt, I should keep the right side of that gentleman.

52,102. Did you ever pay him any money at all?—Never under any circumstances.

M. Angel.

MARCUS ANGEL sworn and examined.

52,103. (*Mr. Coleridge.*) What are you?—An ironmonger.

52,104. How long have you had a vote for Totnes?—I have only voted once, I think, that is the last occasion.

52,105. On what qualification?—My house.

52,106. When did you vote?—The last time was the first time.

52,107. Whom did you vote for?—Colonel Dawkins and Captain Pim.

52,108. What did you get for it?—Nothing.

52,109. Not at all?—No.

52,110. Were you offered anything on either side?—No.

52,111. Did you have any present after the election?—No, not in any shape or form.

52,112. Did you give anybody any money?—No.

52,113. Were you asked to bribe anybody?—No.

52,114. You had nothing to do with it?—Nothing at all.

52,115. Were you at the "Seven Stars" during the election?—Not once.

52,116. Did you see money going about then?—No.

52,117. Were you never asked to go into a mysterious side room?—No.

52,118. You never say any mysterious stranger?—No.

52,119. Have you directly or indirectly influenced

anybody in any way to vote at the last election?—No, I never did in my life.

52,120. Did you ever either directly or indirectly receive any benefit for your vote?—No, not a farthing.

52,121. (*Mr. Bere.*) You did not vote in 1863?—No, I had no vote here then.

52,122. (*Mr. Coleridge.*) Did you vote at the municipal elections?—Yes.

52,123. Did you get anything for that?—No.

52,124. Did you ever give anybody anything?—No; I did not trouble myself at all with anything of the kind.

JOHN ENDLE recalled. *J. Endle.*

52,125. (*Mr. Bere.*) Have you that list of the Gerston Company now?—Yes, I have.

The witness handed in the list, a copy of which follows.

"LIST of GENTLEMEN forming the Gerston Company.

John Endle, jun., Berry Pomeroy, yeoman.
Philip Angel, Berry Pomeroy, yeoman.
Thomas Matthews, Berry Pomeroy, gentleman.
John Brewer, Berry Pomeroy, carpenter.
James Stancombe, Ashburton, yeoman.
John Sparke Amery, Ashburton, gentleman.
P. F. S. Amery, Ashburton, gentleman.
Edward Mortimore, Ashburton, seedsman.
Thomas Bovey, Ipplepen, butcher.
Robert Swerdon, Ipplepen, yeoman.
James Hellier, Ipplepen, gentleman.
John Barns, Buckfastleigh, paper manufacturer.
Charles Barns, Buckfastleigh, paper manufacturer.
John Ball, Buckfastleigh, dairyman.
Andrew Warren, Buckfastleigh, gentleman.
Wm. Berry, Buckfastleigh, yeoman.
John Berry, Buckfastleigh, yeoman.
William Bickford Venning, Broadhampton, gentleman.
William Henry Lee, Littlehampton, yeoman.
Henry Weekes, Diptford, yeoman.
Thomas Barham, Dittisham, grocer.
William Creed, Abbotskerswell, solicitor.
Thomas White Windeatt, Totnes, gentleman.
Frederick T. Tucker, Totnes, grocer.
Charles Webber, Harberton, gentleman.
Andrew Warren, Buckfastleigh, yeoman.
John Callard, West Mills, Buckfastleigh, yeoman.
John Foaden, Ashburton, yeoman.
John Venn, Totnes, gentleman.
George Fitze, jun., Totnes, gentleman.
Robert Weeks, Ashburton, gentleman.
Samuel Weeks, Ashburton, gentleman.
Samuel Weeks, jun., Ashburton, gentleman.
Edward Sawdye, Ashburton, land surveyor.
John Browning, Ashburton.
Robert Jackson, Ashburton.
Richard Stanning, Dartington.
J. W. Hoppin, Harbertonford, yeoman.
John Knapman, junr., Harbertonford, edge tool manufacturer.
Roger Chaffe, Ashburton.
Henry Bradridge, Pridhamsleigh, yeoman.
John Hern, Pridhamsleigh.
John Hamlyn, Buckfastleigh.
William Hamlyn, Buckfastleigh.
John Furneaux, Buckfastleigh, yeoman.
Richard Turner, jun., Tackenhay Ashprington.

Those are the 46 names, and one is dead.

52,126. William Hamlyn?—Yes.

52,127. Is there anything that you can tell us about the elections?—No.

52,128. Nothing at all?—No. I never had anything to do with them.

(*Mr. Chaster.*) Mr. Endle having been examined, I tender those papers to you which I found a day or two since relating to the establishment of those companies, and the guarantees of the members.

"28, Pall Mall,
"MY DEAR SIR, "25th February 1864.

"I HAVE been intending this pleasure for some time, but on account of my rather protracted indisposition and orders from the doctor to do as little work as possible, I fear I have procastinated more than I ought to have done. I am now quite better, and on my return last night from Manchester I found your favour of the 23rd. I am most anxious to see the company you refer to established, and shall give it my most hearty support, as I believe it is the proper step to take for the suppression of that corruption which has so long disgraced the borough. I hope Mr. Cuming will only take it up in the proper spirit and treat it as a matter of business more than a political move, and I have no fear of the result. The company must be formed under the Limited Liability Act. The land must be leased by the directors and managed in the way you indicate. Rents must be strictly looked after and collected, otherwise it will be only a new system of corrupting, and which neither you nor myself would deliberately enter upon. Mr. Seymour is not in town until Saturday, but we have talked over the business, and while he highly approves of the scheme he is averse to come under a large personal responsibility. I see no necessity for this, and as the matter is a local one if you will kindly call the committee together and frame a prospectus I have no doubt but Mr. Seymour will join me in giving it all the support you can wish from us. Kindly send me the advertisement of the Totnes living, and I will look after it: I think it is worth securing. I am told that Mr. Dent is dangerously ill, and now on the Continent, but another man will be found when the time comes equally lavish and foolish. To prevent such men you must make it too expensive for them, and this you may do by the company you are now about to form. About the school: can you do nothing on the spot to get a site that will not be objectionable to the Vicar? Were you to arrange this it might be possible to secure his co-operation were such secured. It would be a great inducement to me to see that a school-room would be built that would be worthy of the town, and a monument to the Liberal views which it would inaugurate. I hope to see the Duke this week on the subject. My great desire is to promote harmony, and not discord, in the borough which I represent.

"Yours sincerely,
"JOHN PENDER.

"I enclose copy of a letter I have addressed to Mr. Cuming."

ENCLOSURE.

"28, Pall Mall, London,
"MY DEAR SIR, "25th February 1864.

"I DULY received your favour of the 8th instant, in which you state that a committee has been formed for the management of the Liberal interest in the borough, consisting of Messrs. Windeatt, Chaster, Holman, Jeffery Michelmore, C. F. Michelmore, and yourself; and that you propose to form a joint-stock company for the purpose of leasing and working certain lands.

"I highly approve of the scheme, but to make it thoroughly practical it must be worked strictly with a view to securing the same return as if conducted by private enterprise.

"The company should be formed and managed by the Liberal gentlemen in the borough, having an understanding with the members for the time being that in case of any loss arising it should form part of the expenses incidental to the holding the seats for the borough.

"I would further suggest that as the votes created by such a company might, in the event of a contest, be questioned, the management should not be so expensive as to preclude the possibility of the land paying a return on the capital invested, otherwise I fear it might be considered a political club, and not secure the object the promoters have in view.

"I shall warmly support the scheme if placed on the footing I indicate, and shall be glad to learn that you have prepared a prospectus and launched the affair. The land must be leased by gentlemen resident in the borough.

"I believe the views I express are those held by Mr. Seymour, but as he is not in town until Saturday I have not had an opportunity of laying this letter before him, but shall send him a copy, and he will address you direct.

"Believe me, &c.
"Fras. B. Cuming, Esq., "JOHN PENDER.
"Totnes."

"7th March 1864.

"Present:—Messrs. Windeatt, Chaster, Holman, and Jeffery Michelmore.

"Resolved,—1st. That a committee to watch the Liberal interest of this borough be formed, to consist of Messrs. Brooking Cuming, J. W. Chaster, W. F. Windeatt, T.

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Holman, C. F. Michelmore, and Jeffery Michelmore, and that such committee meet the first Monday of every month at the "Gate House," at 7 p.m. Special meetings to be called whenever it may be deemed advisable by any two members of the committee.

"2nd. That such committee endeavour from time to time to procure all lands which may be available for the purpose of making Liberal votes.

"3rd. That Elias Ford of Abbotskerswell, Richard Watson of Dorsley, and Samuel Huxham, junr., of Totnes, be asked in the order here named to become the takers of all such lands in order that the said company shall hold the same under one landlord.

"4th. That the Liberal borough members, for the time being, shall give such landlord a guarantee that they will be answerable for and make good any deficiency or loss that may arise in the management of the said company, during the time they are members and one year subsequent.

"5th. That a company of good and substantial men, holding Liberal opinions, shall be formed, to take these lands from such landlord and farm the whole themselves under a lease from him.

"6th. That as soon as sufficient names are obtained to form the company, a meeting of the parties shall be called, and resolutions formed agreeing to take the lands, appointing a manager and treasurer from amongst themselves, and also to engage a hind and fix his salary.

"7th. That in order to stock the lands, a certain sum of money will be required, which such company will borrow upon their bond at the lowest rate of interest it can be obtained for.

"(Signed by) W. F. Windeatt.
"Thomas Holman.
"Jeffery Michelmore.
"J. W. Chaster."

"28, Pall Mall,
"My dear Sir, "12th March, 1864.

"I am in receipt of your note of the 9th instant, inclosing copy of resolutions arrived at by your committee, with a view to the protection of the Liberal interest in Totnes. I will at once consult with Mr. Seymour, and write you again very shortly.

"Yours very truly,
"John Pender."

"Bodlonden,
"My dear Sir, "March 26th, 1864.

"I have your favour of Good Friday, but no note from Mr. Cuming. On receipt I shall at once reply. I quite agree with you, that the Duke having given up his patronage and claim on the Liberal interest, he should be quite free from the expenses incidental to the maintenance of the Liberal interest in the borough. I shall pay my share with great pleasure, only common prudence dictates that I should have some idea of the liability I undertake. Are you aware that for last registration which was so badly managed, Mr. Cuming sent me a bill for something like 40*l.*, if my memory serves me. This I presume was the sum expended by him for the independent member, but on this and other points connected with the representation of the borough, the committee will no doubt in future attend.

"I shall be very glad to see you in London, to talk over all matters connected with my connexion with the borough. I am desirous that I should be a useful one, and if the Liberal gentlemen like yourself will do your part, I shall do mine, and we may yet make Totnes politically as pure and independent as it was in days of yore. I shall be in London on the 4th April, until then Manchester is my address.

"As I presume it is very important that no time should be lost in carrying on the scheme I shall be satisfied with what you and the other members say should be the maximum of expenditure.

"J. P."

"My dear Sir, "April 14, 1864.

"I shall be glad to see you on Monday. I shall be glad that you dine with me on that day as I have arranged with Mr. Seymour to meet you at dinner. We can then talk over the whole business of the company quietly and other business connected with Totnes. I am glad that the school site is settled and that the bills are all right.

"I am sincerely yours,
"John Pender."

"My dear Sir, "15 Park Lane, April 30, 1864.

"I got your note of the 28th instant and have seen Mr. Seymour this morning.

"Herewith you will receive the documents sent to me duly signed and witnessed, and I am—

"Yours very truly,
"J. W. Chaster Esq., Totnes. John Pender."

"To Messrs. J. W. Chaster, T. Holman, and Jeffery Michelmore.

"Dear Sirs,

"As you have consented to attend to our interests as members for Totnes, we shall place at your disposal the sum of 250*l.* annually for the purpose of defraying the expenses of the registration, watching the parish rates, the movements of our opponents, and defraying any other expenses which may be from time to time legitimately incurred to strengthen our interests and that of the Liberal party generally in the borough of Totnes.

"The year to be considered to commence on the 1st November in each year.

"John Pender.
"Percy Salmon. "Alfred Seymour."

"We the undersigned hereby undertake and agree to indemnify Elias Ford of Abbotskerswell in the county of Devon, gentleman, who has at our request agreed to become the renter of certain lands in the parish of Totnes for the purpose of reletting the same to a company about to be formed for farming the said lands from any loss, expense or chargeability which may accrue or rise in consequence of the non-payment of the rent and taxes by the said proposed company or from the management of the said lands, or in anywise relating thereto. Provided that this undertaking shall not render us liable to the payment of a larger sum than 500*l.* in the whole. And further provided that we shall be at liberty to put an end to this agreement and undertaking on giving to the said Elias Ford his executors or administrators twelve months notice thereof in writing, such notice to expire at Lady-day in any year.

"Dated this day of 1864.
"John Pender.
"Percy Salmon. "Alfred Seymour."

"We the undersigned hereby undertake and agree to indemnify Messrs. Webber, Mortimore, and others who have become at our request the occupiers of lands in the parish of Totnes and any others who may hereafter join them in such occupation from any loss which may accrue or arise in consequence of the returns from the farming of the said lands not being sufficient to meet the expenditure.

"Provided that this undertaking shall not render us liable to the payment in any one year of a larger sum than 250*l.* And further provided that we shall be at liberty to put an end to this agreement and undertaking on giving to the said Messrs Webber, Mortimore, or to the person they may appoint to manage and superintend the farming of the said lands 12 months notice thereof in writing, such notice to expire at Lady-day in any year.

"Dated this day of 1864.
"John Pender.
"Percy Salmon. "Alfred Seymour."

P. Tozer.

Philip Tozer sworn and examined.

52,129. Do you live in Bridgetown?—No.

52,130. What is your Christian name?—Philip.

52,131. Are you Philip, the father of John?—Yes.

52,132. How much did you give John for his vote last time?—I gave him 40*l.*

52,133. Where did you get it from?—John Elliott.

52,134. Did you agree with John Elliott about the price?—No, nothing at all. I did no more with it than hand to him what was delivered to me for him to get after he voted.

52,135. Do you vote yourself?—Yes.

52,136. Where do you rent land?—I rent at Windmill Down.

52,137. Are you one of the tenants of the duke?—Yes.

52,138. How long have you been a tenant of the duke?—Seven years.

52,139. Have you always voted?—Yes, since I have been in Totnes.

52,140. How long have you been a voter?—About five years.

52,141. What do you vote on, "building and land"?—Land and building.

52,142. Where is it?—Windmill Down.

52,143. Do you occupy the land with your own cattle?—Yes.

52,144. Is there anybody else with you?—No.

52,145. How many times have you voted?—Three times.

52,146. How much have you had?—Nothing at all.

52,147. Have you never been offered anything?—I was offered 200*l.* in Dent's election.

52,148. Who offered you anything?—Mr. John Heath.

52,149. When was that?—When I was going down the town.

52,150. You met him in the street?—Yes.

52,151. He offered you 200*l.* for your vote?—Yes.

52,152. Did you take it?—No.

52,153. Did you not tell Mr. Michelmore you had been offered it?—Not then.

52,154. When?—I think I spoke to him afterwards. I do not think I ever told him exactly of it.

52,155. Yes, you did?—I might.

52,156. Did you mention it to the Liberal party after you voted?—I remarked it in no respect at all.

52,157. How old is your son?—I think 27.

52,158. Did you ever have any money for your vote?—No.

52,159. Any present?—No.

52,160. You were remembered?—No, nothing at all.

52,161. Had you ever anything to do with handing over money except to John Tozer?—No.

JOHN ANGEL sworn and examined.

J. Angel.

52,162. (*Mr. Longe.*) What are you?—An upholsterer.

52,163. Where do you live?—Fore Street, Totnes.

52,164. How long have you had a vote?—Since the Reform Bill passed.

52,165. What did you vote for?—House.

52,166. The house you live in?—Yes.

52,167. Is it your own house?—No.

52,168. Whose is it?—I rent it.

52,169. Of whom?—Mr. Thomas Mitchell, in London.

52,170. Have you always voted the same way?—Yes.

52,171. Which way is that?—Upon the Liberal side. I voted for Cornish and Parrott, in the first instance, and I have voted at every election since that.

52,172. Did you ever give a vote to the Conservatives?—No.

52,173. Did you ever receive anything for your vote?—No.

52,174. Did you ever receive anything for it after the election?—No.

52,175. Was nothing left at your house?—No.

52,176. Or with any of your relatives?—No.

52,177. Did you ever take an active part yourself in any election?—No.

52,178. Did you ever canvass for votes?—No.

52,179. You never canvassed at all?—Not one.

52,180. Did you ever take a part in any election?—Never. I never even canvassed my own workmen, or asked how they were going to vote.

52,181. How many workmen have you who have votes?—I have one or two. I never asked them how they were going to vote; I did as I pleased, and I thought they had a right to do as they pleased with their votes.

52,182. Have you always voted for both the Liberal candidates at a general election?—Yes.

52,183. Were you ever offered any money by the Conservatives?—No.

52,184. Did any one of them ever come to you and ask for your vote besides the candidates?—Yes, I have been asked.

52,185. No inducement held out?—No.

52,186. What was the value of the house and land?—30*l.* a year.

WILLIAM OSBORNE sworn and examined.

W. Osborne.

52,187. (*Mr. Bere.*) What are you?—I rent a house up at Bowden Lodge.

52,188. Mr. Adams'?—Yes.

52,189. How long have you rented it?—I never voted but once.

52,190. When did you vote?—At the last election, Dawkins and Pim.

52,191. What did you get for that?—Nothing.

52,192. Not any present at all?—No, nothing.

52,193. Not on account of your vote?—No.

52,194. Did you not get a present?—No.

52,195. After the election?—No.

52,196. Did you have your wages raised?—No, nothing at all.

52,197. Mr. Adams is a Conservative, is he not?—I suppose he is.

52,198. Did he ever canvass you?—No.

52,199. When he let you the house did he say you were to vote for the Conservatives?—No, he never said anything about it.

52,200. Have your ever had anything to do with getting anybody else's vote?—No.

52,201. You voted last time and did not have any money?—Not a single halfpenny.

52,202. Did your wife have any?—No.

52,203. Nobody on your behalf?—No.

52,204. Were your ever down at the "Seven Stars," at all?—No, not during the election. I went in one day after the election was over.

52,205. What did you get then?—Nothing.

52,206. But something to drink?—I do not know whether I had a drop of beer, or anything like it.

52,207. Did you pay for it?—Yes.

FREDERICK EVENS recalled and examined.

F. Evens.

52,208. (*Mr. Bere.*) You told us the names of a good many persons to whom you paid money at various elections, and among others at the election of 1865, are there any persons to whom you paid more money than what you have told us?—No, not that I am aware of.

52,209. Are there any persons whom it occurs to you to mention?—I think there are three or four. I told you there might be three or four that I forgot.

52,210. Who are they?—William Henry Johns is one.

52,211. What did you give him?—30*l.*

52,212. Where did you give it him?—I gave it to him in the billiard room of the "Seven Stars."

52,213. (*Mr. Coleridge.*) Are you sure it was the billiard room?—Yes.

52,214. Are you quite sure about it?—Yes.

52,215. Whereabout is that?—Behind the house.

52,216. He says you gave it to him in the back yard?—It was in the billiard room I gave it. Also Henry Goodridge at the same time.

52,217. Were they both present?—No.

52,218. (*Mr. Bere.*) You did not mention Johns?—I did not mention it.

52,219. Why did you not do that?—I forgot it at the time, and it has come to my memory since.

52,220. When did you first remember it?—A fortnight ago, or three weeks.

THIRTY-SEVENTH DAY.

F. Evens.

31 Oct. 1866.

52,221. Had you read Johns evidence?—I have not. I have been away.

52,222. That is one, who is the other?—Do you confine yourself to the last election?

52,223. Yes?—William Henry Johns and Henry Tapper.

52,224. He is dead?—He is.

52,225. Where did you pay him?—I sent it to his house.

52,226. By whom?—A person named Barnes.

52,227. Where does he live?—It is a woman.

52,228. Where does she live?—Under Mr. Bryett's office.

52,229. What made you send it by Mrs. Barnes?—She is a relation of his, and he was one of the matter-of-course men, whom I knew required some money.

52,230. What did you send it in, notes or gold?—In gold.

52,231. In a bag?—No.

52,232. You went to Mrs. Barnes to take the money to her uncle?—Yes.

52,233. Did you tell her it was for Tapper?—Yes.

52,234. How long before the election was it?—I think it was about the nomination day. He had not voted.

52,235. He did not vote?—He was ill at the time, and it was thought advisable not to take him off.

52,236. (*Mr. Coleridge.*) You have put the sums in the list to each person's name?—I have put the sums to each person's name in every election.

52,237. Who else?—No others.

52,238. (*Mr. Bere.*) In 1863 who did you pay then?—There was one, Tarring, the baker, in Dent's election.

52,239. How much did you pay him?—About 50*l.*

52,240. What made you forget to tell us about it?—I cannot tell you. I have got so many to recollect. He was the person that had those books, if you recollect.

52,241. Anybody else?—No one else at all. I think there was a man named Putt.

52,241*a.* John Putt?—John Putt, at the last election.

52,242. Did you pay him?—I paid him.

52,243. How much?—60*l.*

52,244. What has become of John Putt?—He has left the town; I do not know where he has gone to live.

52,245. Where is he?—I think he is living near Ivy-bridge or Madbury or somewhere there.

52,246. Do you know whether Putt has been examined as a witness here?—I do not.

52,247. You had forgotten his name?—I had forgotten his name, I believe.

52,248. That makes four in 1865 that we have got?—Yes.

52,249. (*Mr. Coleridge.*) Have you been attending any of the meetings at the "Seven Stars" with Mr. Heath?—When.

52,250. Since we have been sitting here?—No, I have not.

52,251. When did you come home?—Saturday night three weeks I came home from London.

52,252. In London did you succeed in finding Mr. Mum?—I never saw him there.

52,253. Did you look after him?—I cannot say that; but I looked out to see if I could see him.

52,254. Did you go and inquire anywhere?—No.

52,255. Did Mr. Heath ask you to try and find him out?—He never said any word to me.

52,256. Had you any letter from Mr. Heath when in London?—Not one.

52,257. Had you from Mr. Edmonds?—No.

52,258. From Mr. Kellock?—No.

52,259. Did you see Mr. Smith up in London?—No.

52,260. Or Mr. Guscotte?—No.

52,261. Any one in his office?—I never went near his office. Indeed I do not know where his office is.

52,262. Did you go to Mr. Spofforth's?—No, I do not know where his office is.

52,263. (*Mr. Bere.*) Mr. Heath has not refreshed your memory about any of these matters?—I may say I do not know that I have seen Mr. Heath.

52,264. He did not write to you?—No.

52,265. Did Mr. Edmonds come to you?—Mr. Edmonds, I saw him.

52,266. Did he ask you to give in a list as far as you could remember?—Yes; and he told me to give it good consideration, for there were many I had not mentioned.

52,267. (*Mr. Coleridge.*) Have you seen Screach about it too?—No, I have not.

52,268. Has he gone out of town?—I do not know where he is.

A. Venning.

ARTHUR VENNING recalled and examined.

52,269. (*Mr. Coleridge.*) Have you got anything to tell us more than you recollected last time?—No.

52,270. Do you recollect anything?—No.

52,271. (*Mr. Bere.*) You managed to get 65*l.* for your vote?—60*l.*

52,272. Is that what you told us last time?—Yes.

52,273. You told us 40*l.* last time?—60*l.*

52,274. Do you remember on what day it was you were examined?—The same day that Mr. Evan Evens was examined in September; the second time I was summoned.

E. Baker.

EDWARD BAKER recalled and examined.

52,275. (*Mr. Bere.*) What did you get for your vote in 1865?—50*l.*

52,276. (*Mr. Coleridge.*) Are you sure it was not 60*l.*?—50*l.*

52,277. Who gave it to you?—Mr. Screach.

52,278. Are you certain it was not 60*l.*?—Quite.

52,279. Did he give you 60*l.* and you give him 10*l.* back?—No, not a farthing.

52,280. He says he gave you 60*l.*?—If he did, he told a lie.

T. Bryett.

THEODORE BRYETT recalled and examined.

52,281. You wish to add something?—In my evidence I stated that a large sum of money was spent. I was not at all aware of what was spent.

52,282. (*Mr. Coleridge.*) You know enough about the Conservatives to know it was necessary?—I know enough of Totnes.

52,283. And you have never been able to return a Conservative since 1847?—Yes; that is so.

52,284. You knew there must be some strange change in the feelings of the people, because since 1847 there has never been one returned?—I did not know that in Mackenzie's time there was money spent.

52,285. If Mr. Dent was to come forward successfully you were aware he must spend money?—I had heard of this change in the feelings of the people and that they had become corrupt.

52,286. Had you any idea of the possibility of returning a Conservative if there had been no money spent on the other side?—I can hardly say that, as I was not aware of the corruption of the town at the time.

52,287. Had you any hope of returning a Conservative at that time unless money had been spent?—At the commencement of the election I was not aware that the corruption was so extensive.

52,288. Did you think that Mr. Dent would be returned?—I can hardly tell, I was out at the time, and I did not take any active part in politics.

52,289. Were you sanguine about the election result?—No; I was not the least sanguine, but I thought it was a doubtful affair.

52,290. The only chance you thought there was of getting in a Conservative was getting some of the split votes?—Yes.

JOHN NICKELLS recalled and examined. *J. Nickells.*

52,291. How much did you get for your vote in 1865?—34*l.*

52,292. Are you quite sure about that?—Yes.

52,293. Screach says he paid you 40*l.*?—If he said that he has told a lie.

52,294. (*Mr. Coleridge.*) Did he pay the other 6*l.* to anybody else, your wife or your daughter?—No; he paid nothing to her; it was 34*l.*

52,295. She has not been examined yet?—No; my daughter told me there was not any paid to her.

52,296. Has your daughter been examined?—No.

CHARLES PITTS recalled and examined. *C. Pitts.*

52,297. (*Mr. Bere.*) What did you get for your vote in 1865?—45*l.*

52,298. Are you certain about that?—40*l.* at one time and 5*l.* at another.

52,299. Did you take it yourself?—I did.

52,300. You told us Screach tried to get 50*l.* for you and could not?—45*l.*; 40*l.* at first.

52,301. You got 5*l.* afterwards on the nomination day?—Yes.

52,302. Is that all the money Screach gave you?—Yes.

52,303. Who did you show it to first?—My wife.

52,304. Did you show the whole of it to her?—Yes.

52,305. He gave you 40*l.* and then another 5*l.*—Yes.

52,306. Are you sure there was not another 5*l.* you did not show to her?—Yes.

JAMES RAYMOND recalled and examined. *J. Raymond.*

52,307. (*Mr. Coleridge.*) It is stated you had 80*l.* for your vote?—No.

52,308. Only 70*l.*—No.

52,309. Who did you get it from, Screach?—Yes.

52,310. He says he gave you 80*l.*—It is not so.

52,311. Who did you show the money to after you got it?—My wife was there when I had it.

52,312. Did she see it paid?—Yes, 70*l.*

52,313. Is she at home?—Yes.

52,314. You must send her here?—She is very unwell.

52,315. (*Mr. Bere.*) Were you at home when it was paid?—No, I was not.

SAMUEL HEARD recalled and examined. *S. Heard.*

52,316. (*Mr. Bere.*) What did you get for your vote?—20*l.*

52,317. Are you sure it was not 30*l.*?—No, it was not.

52,318. Who paid you?—Mr. John Heath.

52,319. Are you quite sure it was not 30*l.*?—Yes.

52,320. Who saw you paid?—No one.

52,321. Where were you paid?—I think in the entry.

52,322. Did you not get an extra 10*l.* after you had the 20*l.*?—No, I was promised it, but I never had it.

52,323. Who promised it you?—Mr. Heath.

52,324. (*Mr. Coleridge.*) You never asked him for it?—No, I asked Mr. Edmonds.

52,325. What did he say?—He said he would try and get it for me.

52,326. Mr. Edmonds the attorney?—Yes, he promised me 50*l.*

52,327. Who promised you 50*l.*?—Mr. Heath.

52,328. When did he promise you 50*l.*?—When he gave me the 20*l.*?

52,329. Did you complain to Mr. Edmonds about there being 30*l.* owing to you?—Yes.

52,330. Did you have any communication with him afterwards about his not getting it?—He said there was no money left.

52,331. There was no money left, and you could not have it?—Yes.

52,332. Are you quite sure you only got 20*l.*?—Yes.

52,333. Are you quite sure he said he would try and get the other 30*l.*?—Yes.

Miss ANN BARNES sworn and examined. *Miss A. Barnes.*

52,334. (*Mr. Bere.*) Have you an uncle called Tapper?—Yes.

52,335. Is he dead?—Yes.

52,336. What was his christian name?—Henry.

52,337. Did you get some money for him at the last election from Frederick Evens?—Yes.

52,338. How much?—Thirty pounds.

55,339. In gold or notes?—Gold.

52,340. Where did he give it to you?—In his own house; he sent for me.

52,341. Was it in a bag?—I think it was; I am not quite sure.

52,342. Did he tell you to take the money to Henry Tapper?—Yes.

52,343. And you gave it to him?—Yes.

52,344. When?—I think on the day of the election; I am not quite sure.

52,345. (*Mr. Coleridge.*) Had you ever any money at any other election?—I think I had the election before.

52,346. How much then?—I think the same thing.

52,347. What was that for?—The same thing.

52,348. Who gave it to you?—Mr. Evens.

52,349. (*Mr. Bere.*) Do you live with your uncle?—No, he is dead.

52,350. Is that all you received?—Yes.

RICHARD NORRISH recalled. *R. Norrish.*

52,351. (*Mr. Bere.*) Did you tell us correctly what you got for your vote the last time?—Yes.

52,352. Thirty pounds?—Yes.

52,353. Mr. Screach or Mr. Heath says he gave you 50*l.*?—I do not care what they say; I never got that.

52,354. Who gave you the 20*l.*?—Mr. Heath.

52,355. Was there anybody there besides?—No.

52,356. Are you quite sure?—Yes.

52,357. (*Mr. Coleridge.*) Did your wife get anything?—No.

52,358. Are you sure?—Yes.

52,359. Would she have told you if she had?—Yes.

THIRTY-SEVENTH DAY.

R. Norrish.

31 Oct. 1866.

52,360. Are you quite sure that Mr. Heath gave you that money?—Yes; I did say, at first, it was this here Mr. Mum, but it was Mr. Heath.

52,361. All that story about Mr. Mum is untrue?—It was humbug, all of it.

52,362. You never saw Mr. Mum?—No.

52,363. You never saw any stranger?—No.

52,364. It was Heath?—Yes.

52,365. What made you tell us that?—Because they gave this Mr. Mum, and I thought I might as well say that too.

52,366. You did it to screen Mr. Heath?—Yes.

52,367. Instead of screening him, you got him into a mess?—Yes.

52,368. Now you come to assist him?—Yes.

52,369. Who told you to come here?—No one; you sent for me.

52,370. Have you seen Mr. Heath?—Yes.

52,371. Did you talk to him?—Yes.

52,372. Did anybody tell you it was a mistake when you said Mr. Mum?—No.

52,373. Who was it?—Mr. Heath.

52,374. Where was it?—No. 15.

52,375. A bedroom?—Yes.

52,376. Mr. Heath was by himself?—Yes.

52,377. You think it was 15?—Yes. I would know it if I went. You go out of the back room into the little passage.

52,378. Was it on the top floor?—It was a bedroom out of the big room.

52,379. (*Mr. Bere.*) Had any one ever talked to you before you came to be examined the first time?—Yes; Mr. Heath.

52,380. What did he say to you?—He said I was to go up and tell the truth.

52,381. Did he say you were to go up and say Mr. Mum gave you the money?—He said I was not to mention his name, and there is the sense of it.

52,382. Although Mr. Heath only gave you 20*l.*, did not you get 30*l.*?—He paid me something for expenses.

52,383. Was not it 30*l.*?—I think between 20*l.* and 30*l.*

52,384. What for?—For looking after the watch. I told him I got 10*s.* a day.

(*Mr. Bere.*) You told us 7*s.* 6*d.* a day.

52,385. (*Mr. Coleridge.*) You did get nearly 50*l.* in all?—It was in two different sums. I paid the men who were with me.

52,386. How many men?—Five.

52,387. Who were they?—Horswell.

52,388. How much did you pay him?—Five shillings.

52,389. Who was the next?—Mr. Brooking.

52,390. How much did he have?—The same.

52,391. Give us all the names?—There was Legg and Petit Johns.

52,392. Were they voters?—No.

52,393. That is all you got?—Yes.

52,394. How much stuck to your own fingers?—I do not know that any stuck to my fingers. I spent it all.

52,395. How much stuck to your pocket?—I engaged them to have 10*s.* a day.

52,396. How many days were you at work?—10 or 11 days.

52,397. That is 5*l.*?—Yes.

52,398. Did you pay all the expenses of the men?—Yes.

52,399. And paid for your own drink?—Yes.

52,400. You did not consider that in the 10*s.*?—I do not know that I did.

52,401. And their drink too?—Yes.

J. Chappell.

JOHN CHAPPELL recalled and further examined.

52,402. (*Mr. Bere.*) How much did you get?—50*l.*

52,403. Are you sure you did not get 60*l.*?—Yes.

52,404. Whom did you get it from?—Some gentleman.

52,405. Now was not that gentleman Mr. John Heath?—No, it was not.

52,406. Where did you get it?—No. 1.

52,407. Which one of the Heaths was it?—Neither one.

52,408. (*Mr. Coleridge.*) Did Mr. Heath talk to you before you were examined here before?—No.

52,409. Did not he tell you that you were not to mention his name?—No.

52,410. Since?—No.

52,411. (*Mr. Bere.*) Are you certain you did not get 60*l.*?—Yes.

52,412. Not 10*l.* for expenses?—No.

52,413. 10*l.* at any other time?—No.

J. Godfrey.

JOHN GODFREY recalled and further examined.

52,414. (*Mr. Bere.*) What did you get for your vote?—40*l.*

52,415. Did you get that from John Heath?—Yes.

52,416. Are you certain it was not 50*l.*?—Yes.

52,417. How was it?—In gold.

52,418. Who saw you?—No one.

52,419. Did you show it to your wife?—Yes.

52,420. Did you get 10*l.* for expenses?—No.

52,421. Nothing more for expenses nor anything?—No, nothing at all.

52,422. (*Mr. Coleridge.*) Did you go straight home to your wife with it?—Yes.

52,423. Did you give it to her to take care of?——Yes, and she put it in the drawer, but I kept the key myself.

52,424. You both spent it afterwards?—Yes.

52,425. You did not get 10*l.* afterwards?—No.

52,426. No present?—No.

52,427. No Christmas-box?—No.

S. Hill.

SAMUEL HILL recalled and further examined.

52,428. You are the son of Samuel Hill, senior?—Yes.

52,429. Did you get 9*l.* 10*s.* at the last election?—Yes, for work done.

52,430. Who paid you that?—John Heath.

52,431. What was the work?—Mr. Bentall's farm.

52,432. When did he pay you that?—Not before the election.

52,433. Was it young Mr. Heath or the old one?—Mr. Harris paid me. He referred me to Mr. Edmonds and from Mr. Edmonds to John Heath. Mr. Harris told me that if I went to the "Stars" and asked if we could have the money I should get it. We found Mr. Heath and some time afterwards Mr. Harris. We called at Mr. Heath's office, and he said, "You come in, Hill and Goodridge, to my house, and "I will pay you the money," and we were paid; but he had to call John Heath.

52,434. (*Mr. Coleridge.*) How many days work was that?—Mine was a contract payment of 5*l.*

52,435. Was that the fair payment?—Yes, what I should have charged anyone else.

52,436. 9*l.* 10*s.* you were paid and your bill was 6*l.* 2*s.* 6*d.*?—I think it was 6*l.* 2*s.* 6*d.*, but there was work done for Mr. Harris, and that was carried into it.

52,437. 8*l.* 4*s.* 1*d.*?—Yes.

52,438. Mr. Harris charged the work done for himself into this account?—Yes, I think so.

Mr. Richard Norrish recalled and further examined.

52,439. (*Mr. Bere.*) Was the money paid in a bag to you, or how?—In notes.

52,440. Four notes?—Yes.

52,441. Were the notes wrapped up in anything?—No.

Thomas Edward Rogers recalled and further examined.

52,442. (*Mr. Bere.*) Did you get 40*l.* for your vote at the last election?—Yes.

52,443. Where did you get it?—From John Heath.

52,444. Where did he pay it to you?—In his office.

52,445. When?—On the nomination day.

52,446. Who had been to tell you what you were to be paid?—No one.

52,447. What had you been paid before that?—25*l.* in Dunn's election.

52,448. What in Dent's?—I had no vote.

52,449. Whom did you vote for in 1857, Mackenzie and Gregory?—Yes.

52,450. What did you get?—Nothing.

52,451. Was that the first time?—I voted for Baldwin.

52,452. Who paid you in Dunn's election?—A stranger.

52,453. Did he pay you at your own house?—No.

52,454. Where?—I was working with Mr. James Pack.

52,455. The maltster?—Yes.

52,456. The "stranger" came to Mr. James Pack's malthouse and paid you 25*l.*?—Yes.

52,457. Was that all you had?—Yes.

52,458. John Heath gave you 40*l.* the last time?—Yes.

52,459. Were you offered anything at the last election?—Yes; there was a talk about getting 100*l.*

52,460. Was it anybody offered you that who could give you the 100*l.*?—No.

52,461. You preferred the 40*l.*?—Yes, I did not think I should take 100*l.*

52,462. (*Mr. Coleridge.*) Why not?—I was always a Conservative.

52,463. Do you know the difference between a Conservative and a Liberal?—No; I do it on account of my situation.

52,464. What are you?—A maltsman.

52,465. What do you mean by your situation then?—I rent my ground.

52,466. Whom do you rent your ground of?—Mr. James Gill.

Thomas Gillham recalled and further examined.

52,467. (*Mr. Bere.*) Who was the person who paid you the money in 1865?—I was told to go to a room by John Heath; he did not pay me, but he told me there was a parcel.

52,468. And you took it up?—Yes.

52,469. There was no one in the room?—No.

52,470. It was not true that there was another person, as you stated the last time?—No.

52,471. What made you say that?—Mr. Heath told me not to mention his name.

52,472. Did he tell you to say there was a stranger?—Yes.

52,473. Did you see the stranger?—Yes, in the lobby.

52,474. And Mr. Heath told you to say that the stranger had paid you, although he had paid you himself?—Yes.

52,475. How much was it?—50*l.*

52,476. No more?—No.

52,477. Did you show it to your wife?—Yes.

52,478. Did she see it all?—Yes.

52,479. You told us that you saw the stranger had ginger whiskers?—I saw him.

52,480. You say you did not see him?—I saw him in the morning.

George Please recalled and further examined.

52,481. (*Mr. Bere.*) How much did you get for your vote?—25*l.*

52,482. Is that all?—I did not get any more money, but when I was in difficulties Mr. Heath took an inventory of my goods, and I had to go to Mr. Evens, at the Bankruptcy Court, and he said he would put me all to rights without charging me anything, and there should be no bailiff or anything put into my house, and Mr. Heath took the inventory, and I believe the valuation was 22*l.* 2*s.* 6*d.*; I am not certain, but somewhere about that.

52,482*a*. That was paid before any election?—Yes.

52,483. Paid to you?—It was in the court, I believe.

52,484. Who paid it?—I do not know.

52,485. Did not you get 10*l.* out of it?—No.

52,486. Did you never get 10*l.* from John Heath besides the 20*l.*?—No, not a shilling. If you please, Mr. Edmonds and Mr. Heath said I had always supported the Conservatives, and Mr. Edmonds would do the duty that was required without charging me a shilling, but he sent in his bill, and that was settled by the party, by whom I do not know.

52,487. (*Mr. Coleridge.*) What was his bill?—I think about 3*l.*

52,488. (*Mr. Bere.*) Did you ever see Mr. Edmonds's bill?—It was presented at my house, and I carried it to the "Stars."

52,489. Was there another bill that you had?—I do not know.

52,490. Did you owe any person 30*l.*?—I owed several 30*l.*

52,491. Did anybody oppose a discharge?—No; there is a time appointed to my creditors in the office of Mr. Bryett.

52,492. You still kept your furniture?—Yes. 22*l.* 2*s.* 6*d.*, the value, was paid into court by Mr. Heath.

52,493. Mr. Edmonds's bill was paid by Mr. Heath besides?—Yes.

52,494. That was about 3*l.* or 4*l.*?—Yes. You did not ask me the question, therefore I thought I had no call to say anything about it.

(*Mr. Bere.*) You ought to have told us.

William Stoyle recalled.

52,495. (*Mr. Bere.*) Are you sure you did not get 20*l.* more than you told us about?—No.

52,496. Did they pay you 20*l.* for services rendered?—No.

52,497. Did they promise 20*l.* more than they got?—Yes.

52,498. Who promised you?—Mr. Heath.

52,499. What did he promise you altogether?—50*l.*

52,500. What did he give you?—I got 20*l.*

52,501. Where did he pay it to you?—He did not pay me at all.

52,502. Who paid it?—Mr. Evens.

52,503. You are the gentleman who was dressed up in the uniform?—Yes.

THIRTY-SEVENTH DAY.

W. Stoyle.

31 Oct. 1866.

52,504. Are you sure that Mr. Heath has at no time paid you 20*l.*, not at any election time, but afterwards ?—No, not a farthing.

52,505. You are quite sure about that ?—Yes.

52,506. He says he has paid you ?—Not he.

52,507. Have you had 20*l.* worth of drink there ?—No.

SAMUEL HILLEY recalled.

S. Hilley.

52,508. (*Mr. Bere.*) Did not you get 10*l.* more than you told us about ?—No.

52,509. For services ?—No; I had 20*l.* for services.

52,510. Did you get that from John Heath ?—No, from George Heath.

52,511. Are you sure you did not have more than that ?—No.

52,512. Have you not had 10*l.* from John Heath besides that ?—No.

52,513. You are certain you have not had 10*l.* more ?—No.

52,514. For expenses or services ?—No.

52,515. Were you employed at the time of the election at all ?—Yes.

52,516. What were you employed about ?—Nothing particular.

52,517. What were you employed about not particular ?—Nothing. It was merely put down for that 20*l.*

52,518. Has Mr. Heath been to see you lately ?—No.

52,519. To ask you about this ?—No.

52,520. (*Mr. Coleridge.*) Have you seen Mr. Edmonds ?—No.

52,521. Mr. Evens ?—No.

52,522. Any of the young Heaths ?—No.

Mrs. M. Raymond.

Mrs. MARIA RAYMOND sworn and examined.

52,523. (*Mr. Coleridge.*) Do you remember that your husband got 70*l.* at the last election ?—Yes.

52,524. Who brought it ?—John Screach.

52,525. Did you count it ?—Yes.

52,526. How much was it ?—Seventy pounds.

52,527. If he said it was 80*l.* it is a mistake ?—He admitted that after we had been together, he said it was a mistake; there was part ours and part Mr. Hannaford's.

52,528. What did he give you ?—I think he gave Mr. Hannaford 10*l.* more than he first stated, and ours was 10*l.* less.

52,529. That was a mistake you did not like him to make ?—No.

52,530. Have you ever got money at any other time for your husband ?—Yes.

52,531. When was that ?—The previous election.

52,532. How much did you get then ?—Twenty sovereigns from Mr. Heath, and 5*l.* from Mr. George Heath.

52,533. Mr. George Heath ?—Yes.

52,534. That was at Dent's election ?—Yes.

52,535. The election before that how much did you get ?—Nothing.

52,536. How often have you been paid altogether: three times ?—No.

52,537. Only twice ?—Yes.

52,538. You got 90*l.* the three elections ?—There was a 30*l.* cheque afterwards. I think my husband has stated that. That was the first election of Mr. Dent.

52,539. You got 120*l.* out of the elections, is that it ?—Yes.

52,540. Have you ever got anything out of municipal elections for him ?—I never did.

52,541. You are quite certain about the 70*l.* ?—Yes.

52,542. And Screach has admitted it to you ?—Yes.

S. A. Nickells.

Miss SARAH ANN NICKELLS sworn and examined.

52,543. (*Mr. Bere.*) Did you not get some money for your father at the last election ?—Yes.

52,544. How much ?—Thirty-four pounds.

52,545. Where did you get it ?—Mr. Screach paid father in the bedroom, and it was 34*l.*

52,546. What was it paid in ?—In sovereigns.

52,547. Were you in the bedroom when it was paid ?—No. I went in afterwards, and I saw it, and counted it.

52,548. Was it in a bag, or on the table ?—It was on the table.

52,549. What did you do with it ?—I counted it over, and put it in the drawer.

52,550. Did you make a memorandum of how much it was ?—Yes, 34*l.*

52,551. Have you got that memorandum ?—No; I did not make a memorandum.

52,552. What has become of it ?—I did not have it. I did not understand what you said.

52,553. The 34*l.*, what has become of that ? Is it all spent ?—I do not know.

52,554. Did your father take it ?—Yes, after that.

52,555. You are quite sure it was only 34*l.* ?—Yes.

52,556. And not 40*l.* ?—Yes.

52,557. (*Mr. Coleridge.*) Have you ever got anything at any other election for him ?—Yes.

52,558. When was that ?—At Dent's election.

52,559. What did you get then ?—22*l.*

52,560. Who paid you that ?—Mr. Woodley.

52,561. Where did he pay you ?—He paid father in the back kitchen, and I saw it shortly afterwards. It was 22*l.*

52,562. Did you get anything else ?—No.

52,563. It was only 22*l.* ?—No.

52,564. Nothing at the municipal elections ?—No.

J. Watson.

JOHN WATSON recalled and examined.

52,565. (*Mr. Bere.*) Did you not get 20*l.* more than you told us of ?—No.

52,566. Did you not get 20*l.* from Mr. John Heath ?—No. For expenses, not for voting.

52,567. Expenses of what ?—21*l.* and odd were the expenses.

52,568. What were you employed as ?—Going round the country. I was a watchman too.

52,569. (*Mr. Coleridge.*) How much did you have a day ?—5*s.* a day and 3*s.* 6*d.* a night. Parties would come and drink at my house and take their pleasure, scores of them.

52,570. (*Mr. Bere.*) You were paid that by Mr. John Heath ?—Mr. John Heath. I think it was 20*l.* or 21*l.*, I do not know which.

52,571. (*Mr. Coleridge.*) You had a bill besides ?—That bill did not belong to that election. That was Dent's election, but whether Mr. Heath or Mr. Edmonds paid it I do not know; it was one or the other of them who paid it. They have an account of it. That was after the election.

52,572. You knew you were going to have it ?—No, I did not.

52,573. Did you not know you were going to have it, as for work and expenses ?—No.

52,574. Then it was a God-send to you; you did not expect it?—No.

52,575. (*Mr. Longe.*) Last time you said no bill was paid you in 1865?—That bill that was paid me was in Mr. Dent's election.

52,576. (*Mr. Bere.*) Just now; the last election?—Whether it was a week afterwards that I got the 21*l.* from Mr. Heath or Mr. Edmonds, the 21*l.* for expenses, I do not know.

52,577. (*Mr. Longe.*) The last time you denied it?—I never thought of it. I thought you meant was I bribed with any money.

52,578. Who paid you this money?—I do not know whether it was Mr. Heath or Mr. Edmonds.

52,579. (*Mr. Bere.*) Where did Mr. Heath pay you?—I think the money was paid at the "Seven Stars." I cannot tell, going in and out so many times as I was then.

52,580. Was it paid at the "Seven Stars"?—I believe it was.

52,581. Had you gone down there to get it?—No; I did not go for that purpose.

52,582. Not for that purpose?—No.

52,583. (*Mr. Longe.*) You were asked this question, "Are you sure there was no bill paid in 1865?" Your answer is, "No, after the election of 1865. "Did Mr. Heath pay you any bill for liquor had in "your house?—No; I never asked him for any-"thing?"—I should not have known it now if Mr. Heath had not told me of it.

52,584. (*Mr. Bere.*) Do you always forget when a bill of 20*l.* is paid you?—I was bothered, I forgot it the time I was here last.

52,585. (*Mr. Coleridge.*) Have you entered this in a book, this account that was paid?—No.

52,586. Where did you get the account from?—It was kept on a slate mostly.

52,587. Have you got the account at home?—I do not know. They have the account. Mr. Heath or Mr. Edmonds has got it.

52,588. You gave that account to Mr. Heath?—Yes; or Mr. Edmonds, I am sure I do not know which.

52,589. I think you had better go and get it and let us see it?—I am sure I do not know where it is.

(*Mr. Bere.*) You had better ask them about it.

52,590. (*Mr. Longe.*) Have you had some conversation with Mr. Heath since you were last here about this bill?—Yes; he told me about the bill in this hall, and he said, "You had better go and tell the "truth at once."

(*Mr. Bere.*) In order to assist you in telling the truth, just go and ask him about that account.

George Robins Stone recalled and examined.

G. R. Stone.

52,591. (*Mr. Bere.*) Did you get 5*l.* more than you have told us, at the last election?—Yes.

52,592. Where did you get it?—From Mr. Heath. I told Mr. Heath of it after I was examined I had forgotten it. I did not think of it at the time. I ran after Mr. Heath one day and told him I had forgotten it.

52,593. (*Mr. Coleridge.*) Is there any other sum that you have been paid that you do not know anything of?—No.

52,594. Not that you recollect?—No.

Theodore Hannaford sworn and examined.

T. Hannaford.

52,595. (*Mr. Bere.*) How long have you been a voter for Totnes?—I first voted in 1852.

52,596. You voted for Mills and Seymour?—Yes.

52,597. Have you voted for the Liberals ever since?—I never voted against a Liberal at a borough election in my life.

52,598. Are there elections in which you have abstained from voting?—I plumped for Lord Gifford on one occasion.

52,599. On what occasion was that?—1859.

52,600. In Mr. Dunn's time?—Yes.

52,601. What made you do that?—I have been connected with the printing business for 34 years, and I have always taken a most lively interest in all measures connected with the taxes on knowledge, and on one occasion, when Mr. Mills addressed the electors in this hall, he spoke very much in opposition to my views on that occasion, and also on other matters in the House of Commons, I was not altogether pleased with his politics, and I did not consider he had exactly acted up to his promise to come down every year to give an account of his stewardship. I publicly stated I should not vote for him, and also privately amongst my friends, and when the election came on. I ought to be sorry for it; I ought to have voted for Mr. Mills, but his politics were contrary to mine on some points, and I promised I would not vote for him, and I did not do so.

52,602. Did you find you lost some business on that account?—No; I do not know that I did. The parties were very angry on that occasion.

52,603. But they did not make their anger felt?—Young Mr. Hill told me he was advised to set up as a printer in opposition to me.

52,604. There was something said by Mr. Angel about his changing his politics in consequence of coercion at the municipal election?—Mr. Angel told me he had changed his politics in consequence of Mr. Mills trying to coerce me.

52,605. When was that?—In 1859. Mr. Angel must have made a mistake. I do not wish to say anything to annoy him or trip him up in any way, but previously to that, Mr. Angel had plumped for Mr. Dunn at the borough election.

52,606. Was it not in consequence of the coercion used in the municipal election in 1859?—Certainly not. Mr. Jeffery Michelmore certainly did call upon me, and he was justified in doing so. I think I ought to have stuck better to my party, but Mr. John Heath was an old school-fellow of mine, and previous to that election in 1859, the election of Mr. Dunn, I told Mr. Jeffery Michelmore, he was a candidate on that occasion, and I had promised to vote for him on that occasion, but his name was withdrawn, and subsequently to that, we were talking the subject over at his house, and Mr. John Heath reminded me of my promise, and I said, "On a future "occasion, if you are going to put up, I will fulfil "my promise." There was a considerable excitement at that election. It was a party election, and there was a great fight, and I told Mr. John Heath that nothing on earth would make me break my promise.

52,607. And you voted for Mr. Heath?—I did. In fact, my own opinion is, the townspeople in a town like Totnes, ought not to make a political fight for the council, and, if I had strictly speaking my own views here, and if I could carry them out, I should always select the best man for the parties for the purpose of local government. Mr. Jeffery Michelmore said, "You are going wrong in deserting your "party in this way; you cannot expect your friends "to stick by you if you desert them in this kind of "way."

52,608. Has the municipal council any property by means of which they exercise any influence over the voters?—No; there was a rumour of their having some influence with regard to the votes of persons who were constables so as to get them cut off from the franchise. The Conservatives tried it to such an extent that a few years since Mr. Windeatt was determined to oppose the system, and he succeeded in doing so. And there is now an arrangement not to appoint any man so as that he may lose his franchise.

THIRTY-SEVENTH DAY.

Hannaford.

Oct. 1866.

52,609. Then the political power of the council is now nothing ?—No ; there was some talk in the town about it at the time.

52,610. Did you ever canvass people at any elections ?—No ; I have stuck to my politics. All my family in former days were Conservatives, and I was brought up in the Tory school, and until I arrived at the age of manhood I was a Conservative ; but later in the day I think I have been as consistent a politician as any man in Totnes. I have always given an independent vote free from any consideration.

52,611. And you have never received any advantage whatever ?—I do not know whether you consider the printing an advantage. I do not allow any of the candidates to canvass me. The Duke when he was Lord Seymour was one of the first who canvassed me, and I begged of him not to do so ; I said I should only be too happy to give him my support. I do not think Mr. Alfred Seymour ever canvassed me ; they knew that I voluntarily gave them my support.

52,612. Is there any other information you can give us as to the elections ?—I do not think so. Mr. Harris said that my bill was not large enough when I did not vote for Mr. Mills. Now it so happens that at that election there was more printing done than at almost any other election. I think that must have been said to tantalize me. I stated previous to the election that it was not my intention to support Mr. Mills for various reasons.

52,613. (*Mr. Coleridge.*) You did not do any printing for the Conservatives ?—Mr. Haydon wanted me to print a bill in opposition to the Liberal party, and I refused to do so.

52,614. (*Mr. Bere.*) What has been the average of your bills for printing during the election ?—They have varied a good deal. I have a bill of Lord Seymour's here of five shillings for circulars, and they range from that up to 22*l.* or 23*l.* Everything has been fairly charged.

52,615. (*Mr. Coleridge.*) Do you charge the same price at elections as at other times ?—To anything in the shape of a charitable institution or to poor people I charge a lower scale. At election times we have to pay for extra lights, and to make presents to the men, and so on.

52,616. Do you charge more at the elections than you do at the time of the races ?—The race time is the most profitable time we have. I generally make a great allowance to charities, religious institutions, scholastic matters, and anything whatever connected with the poor. The printing connected with the races is about the best work that we get.

52,617. (*Mr. Bere.*) If you have a great deal of printing to do in a short time, you are obliged to charge more than if you had plenty of time to do it in ?—Yes ; and not only that, but I have heard people who were standing outside my window say, "This is "the Radical shop. I shall not go into that shop." Mr. Toms stated that he was exclusively employed as the printer for Mr. Bourne previous to 1863 ; that is not strictly correct. Mr. Toms had the principal portion of Mr. Bourne's work, but I have some memoranda in my pocket which show that I have averaged several pounds every year since Mr. Bourne was an auctioneer. He gave it to Mr. Toms as the successor to Mr. Heard, in consequence of Mr. Elliott having employed him previously. I never solicited his work. There was a misunderstanding between Mr. Bourne and Mr. Toms, and that was why he withdrew it.

52,618. Are you and Mr. Toms the only printers here ?—No, there is a third, a Mr. Denner.

52,619. Do you get all Mr. Bourne's work now ?—No ; he is a very straightforward man, and pays his bills regularly.

J. Knapman.

JOHN KNAPMAN sworn and examined.

52,620. (*Mr. Longe.*) What are you ?—I am an edge tool maker, and a farmer as well.

52,621. Where do you live ?—At Harberton.

52,622. How long have you had a vote for the borough ?—Never but once.

52,623. Was that the last election ?—Yes.

52,624. What do you vote for ?—I am one of the nine or eleven of the Gerston company.

52,625. Who asked you to belong to that ?—I think it was my own wish.

52,626. You had heard of this company being formed ?—Yes.

52,627. How did you first hear of it ?—I cannot tell. I heard it in the town ; I think Mr. Windeatt was the first who mentioned it to me.

52,628. Did you take any part in the last election ?—Not any.

52,629. Did you get anything before or after ?—Not a farthing.

52,630. Was anything offered you ?—Nothing.

52,631. Did you offer any money to any one else ?—In 1863 I conveyed a sum of money from one man to another ; that is all.

52,632. Who were the persons ?—John Tucker I took the money to.

52,633. Who gave you the money to take to him ?—Mr. Bourne.

52,634. (*Mr. Bere.*) What made Mr. Bourne give it to you ?—I do not know. He came to my house and asked me about it.

52,635. Is John Tucker a relation of yours ?—No ; he is a near neighbour. He did not like to give it to him, being an elector and I was a non-elector.

52,636. How much did you give him ?—25*l.*

52,637. In notes ?—No, in gold.

52,638. In a bag ?—I put it in my pocket.

52,639. And handed it to Tucker in his own house ?—Yes.

52,640. (*Mr. Longe.*) Is he the only one to whom you offered any money ?—Yes.

52,641. Or with whom you negotiated ?—The only one.

52,642. (*Mr. Bere.*) Why did you not come here when you were summoned ?—I have never been summoned ; I received a note at the farm ; I have had no summons.

52,643. Is there any other John Knapman at Harberton ?—Not that I am aware of.

J. Tucker.

JOHN TUCKER sworn and examined.

52,644. (*Mr. Bere.*) Where do you live ?—At Slapton.

52,645. How long have you been a voter for Totnes ?—Since 1862.

52,646. What do you vote for ?—I occupied a house in the town.

52,647. What did you vote for in 1862 ?—My house in the town.

52,648. The same which you occupy now ?—I was a butcher then.

52,649. What are you now ?—A farmer.

52,650 Have you got a vote now ?—No.

52,651. Had you a vote in 1865 ?—Yes.

52,652. Whom did you vote for then ?—For Dawkins and Pim.

52,653. For whom did you vote in 1863 ?—For Mr. Dent.

52,654. How much have you ever had for voting ?—Never anything, not for voting.

52,655. Has your wife had anything ?—No ; I have had money.

52,656. When did you have any money ?—After the election of 1863.

52,657. How much was it ?—70*l.*

52,658. Who gave it to you ?—Mr. Edmonds.

52,659. Where ?—In his own house.

52,660. Why did he give you the 70*l.*, as a present?—No. I will tell you how it was. At Mr. Dent's first election he retired; at his second election I had money given to me to give to two other parties.

52,661. Who were they?—Smaridge and Southwood.

52,662. Is Southwood a man who lives at Diptford?—Yes.

52,663. How much money did you give to each?—I had to divide the 70*l.* between them if I could get them.

52,664. Do you mean 70*l.* out of your own pocket?—No. Mr. Edmonds gave it to me.

52,665. You gave them 35*l.* a piece?—Yes.

52,666. When did you make the bargain with them?—I went to Southwood and Smaridge as many as ten times.

52,667. You did not find them?—I found them.

52,668. You could not get their votes?—Southwood said he could not vote; he was afraid of Mr. Durant. I found out that he was renting under Mr. Packer, a Conservative, and I think Mr. Edmonds wrote to Mr. Packer to ask him to influence Southwood to vote for Mr. Dent. Mr. Packer instead of recommending him to vote for Mr. Dent recommended him to vote the other way.

52,669. Who do you rent under now?—Miss Meyrick of Plymouth.

52,670. Did you rent under the Duke?—No.

52,671. What did you do with the 70*l.*?—I gave it back again. I returned the money at the end of the month, and Mr. Edmonds gave it to me as a present.

52,672. Is that all the money you ever had?—Yes.

52,673. Are those the only two persons you had to deal with?—I did not deal with them.

52,674. You attempted to deal with?—Yes.

52,675. Have you ever attempted to deal with anybody else for their vote or anything else?—No.

52,676. Did you see Mr. Thomas Creaser Kellock and go with him and see him dealing with Smaridge and Southwood?—No.

52,677. Did you go canvassing or anything of that sort with him at the last election?—No.

52,678. Is that all you know about it?—Yes.

52,679. Did you get any money in any shape or form last time?—No.

52,680. Not for your vote but as a present or expenses?—No, nothing.

52,681. You had nothing to do with any voters?—No.

52,682. You did not try Smaridge and Southwood again?—No.

52,683. Did Southwood tell you he had got the money from the other side?—No, I never went to Southwood after that letter.

Mr. T. H. Edmonds recalled.

52,684. (*Mr. Bere.*) Will you give us an explanation of that payment to the last witness John Tucker?—I had forgotten the circumstance till he mentioned it to me the day before yesterday; I did not think it was so much as 70*l.* but I recollect very well asking him to see Smaridge; it was Mr. Dent's election and either on the election day or the day after he brought back to me this money, I thought it was 50*l.* and he said he had been about a fortnight engaged in the election and that he was entitled to this money for his services.

52,685. Did you ask for the money, Mr. Tucker? (*Mr. Tucker.*)—No.

Adjourned to to-morrow at half-past 10 o'clock at the "Seymour" Hotel.

THIRTY-EIGHTH DAY.

Thursday, 1st November 1866.

Philip K. Niner sworn and examined.

52,686. (*Mr. Bere.*) What are you?—A hatter.

52,687. What do you vote on?—My own property, a house, in Fore Street.

52,688. Freehold?—Yes.

52,689. How long have you had a vote?—I have lived in Totnes 29 years; I must have had a vote a great number of years.

52,690. How have you voted generally? Which way? Conservative or Liberal?—I do not know the name of Liberal. I will tell you in a moment. I will give you a little delineation of it. My memory, I am getting old, is not so good; still I have a little book that will tell me. The first time, Mr. Baldwin; that was Baldwin and Blount's election; Gisborne's was after.

52,691. In 1847 whom did you vote for? That was Ricardo's election?—Mr. Baldwin.

52,692. What made you split your vote?—I did not split my vote.

52,693. (*Mr. Coleridge.*) Did you plump for Baldwin?—Yes.

52,694. (*Mr. Bere.*) In 1852 did you still vote for Baldwin?—I must bring my recollection a little bit to rights. I can hardly tell you; I have no memory; I voted for Baldwin, most likely. There was another gentleman put up here, and I voted for him, I recollect.

52,695. Mr. Mills?—No; that is the man who committed the greatest bribery. He brought down a waggon load of money. I think I voted for Baldwin and Lord Seymour; I believe that is it. I will give you a reason why I voted for Lord Seymour. At Mr. Teed's election and Mr. Baldwin's there was an agreement entered into, which there is no doubt about, and that agreement was made in Woodley's house, at the "King William." I was at the door at the same time, and it was, so long as Charles Harry Baldwin chose to represent Totnes, the agents of the Duke of Somerset were here, the noble duke might not be, perhaps, but his agents were here, not the least doubt of it, on the noble duke; Thomas Michelmore was there, and they did sign that agreement, and it was signed in Bridgetown, and Mr. Tracey has got it now.

52,696. (*Mr. Coleridge.*) Mr. Baldwin was beaten in 1852?—Because he had no tin.

52,697. (*Mr. Bere.*) How did you vote in 1857?—Lord Gifford, most likely.

52,698. But in 1859 it was Earl Gifford, Mills, and Dunn?—For Earl Gifford and Dunn.

52,699. Whom did you vote for in 1863, Seymour and Dent?—Dent.

52,700. In 1865 for whom did you vote, Dawkins and Pim?—Of course.

52,701. Have you ever had anything for your vote?—No, thank you.

52,702. Did you ever give anything to anybody else?—Not the least.

52,703. Never gave anybody a present?—No.

52,704. During the election?—No.

52,705. We have heard a great deal about you, and we thought you had?—I have not the least doubt of it.

52,706. Do you remember offering Mr. Venn some money at the last election?—I will answer it in this manner: I have heard it in public company since, but I tell you candidly I have never offered that man a penny in my life; but I have threatened him with an action, and after the Commission I will bring an action against him for scurrilizing my character. I have never offered him a penny.

THIRTY-EIGHTH DAY.

T. K. Niner.

Nov. 1866.

52,707. Did you ever offer anybody else anything?—I have not the least doubt; I am a laughable, jokeable fellow, but I was not authorized.

52,708. Did you offer anyone any money?—Now look here. Up at Farley's, in Bridgetown, one morning, a man came in and said, "You are in for it; you have offered Farley at the 'Exeter Inn' some." I have not the least doubt that in my jokeable, laughing sort of way I did; but I never, thank God, was in a position to offer any money. I am an independent Liberal Conservative freetrader, and I do as I like and care for nobody.

52,709. (*Mr. Coleridge.*) Did you give anybody any money at the last election?—No.

52,710. Whom did you offer it to, Farley?—Yes, and Edward Angel the tailor. I said to him, "They "tell me there is money about, and you may as well "have 100*l.*;" but I never had anything to do with their dirty work; I would not accept of it.

S. Heard.

SAMUEL HEARD recalled and examined.

52,711. (*Mr. Bere.*) Did you not tell us yesterday that you only got 20*l.* from Mr. Heath?—Yes.

52,712. Just look at that paper; can you read?—Yes.

52,713. And write?—Yes.

52,714. Is that your handwriting (*referring to a paper writing*)?—No, sir.

52,715. Is there any other person of the name of Heard here?—No; I believe I am the only one.

52,716. That is not your handwriting?—No.

52,717. (*Mr. Coleridge.*) Just write your name down (*the witness wrote his name*). Do you now say that the signature shown to you is not yours?—Yes; I never gave that to Mr. Heath.

52,718. Is it not your writing?—I will swear to it.

52,719. Look at the "S."—I can give you some corresponding notes of mine to Mr. Edmonds. I never wrote that hand in my life.

52,720. (*Mr. Bere.*) How do you generally sign your name, in full; your Christian name in full, or only the first letter of it?—In full, most times, I believe.

52,721. You have given Mr. Heath notes like that at times?—I never gave Mr. Heath a note in my life of any description.

52,722. You did not?—Never in my life; I never had any occasion to do so or any connexion with the man to give him one; I did give him a bill once of 5*s.*

52,723. Did you ever give young Mr. Heath any?—Never, neither one of them.

52,724. You never sent that paper down to the "Seven Stars?"—Never, not to my knowledge.

52,725. You would know if you had?—I never did in my life; I believe I have given Mr. Heath a bill once of 5*s.* for a carriage.

52,726. Are you married?—Yes.

52,727. Is that your wife's writing?—She cannot write, I am sorry to say.

52,728. You still say you only got 20*l.* from Mr. Heath?—That is all I got. I swear to that. I counted it over in the tap after I left the room.

52,729. (*Mr. Coleridge.*) Did your wife have any?—I am certain she did not.

52,730. (*Mr. Bere.*) Did you go down to see Mr. Heath last night?—I never saw him since this Commission. I never spoke to him on the subject. That is false there, and I will swear that I never wrote that in my life.

J. Bartlett.

JUBAL BARTLETT recalled and examined.

52,731. (*Mr. Bere.*) How much money did you get at the last election?—40*l.*

52,732. Are you quite sure it was not 50*l.*?—Yes, I am quite sure.

52,733. Did you get it at the "Seven Stars?"—Yes.

52,734. In gold was it?—Notes, I think.

52,735. Just think again?—Notes, 40*l.* Eight 5*l.* notes.

52,736. Take care.—I am quite correct.

52,737. You previously told us it was in gold?—No.

52,738. Yes, you did?—That was 1863.

52,739. 1865 I asked you about.—Gold in 1863. Mr. Dent's election, I had it I know, and I had it in 5*l.* notes.

52,740. In 1865 who was it gave you anything; you said you had not got anything at all?—I will tell you the reason for why I thought that. I was told to keep my eyes about me, and to look after a lot of voters. I should say, if Mr. Heath did not name it, I had no occasion to do so.

52,741. Did you get the 40*l.* from Mr. Heath?—Yes. There was a gentleman by the side of him, and he said, "Here comes an old friend who has always "voted on our side." I was asked to go into No. 1, and I had eight 5*l.* notes.

52,742. (*Mr. Coleridge.*) You thought it was for your services and not your vote?—I did so.

52,743. Do you think so now?—I suppose now it was for my vote.

52,744. How many days' work?—10 or 12 days.

52,745. How often do you earn 5*l.* a day?—Not very often.

52,746. (*Mr. Bere.*) What did you do with the money?—I spent it.

52,747. Did you show it to your wife after you got it?—Of course I did; I could not refuse.

52,748. Are you sure you did?—Yes.

52,749. Have you spent it all?—Yes.

52,750. Are you quite sure you got that 40*l.*?—Quite sure I got it; certainly I am. I got it in No. 1.

52,751. (*Mr. Coleridge.*) When did you first recollect having the money?—When I tell you.

52,752. Did you recollect that you had the money when you were here before?—Yes; but I considered it was for my services then.

52,753. (*Mr. Bere.*) You were asked whether you directly or indirectly had received any money?—I am sorry if I have told an untruth.

52,754. What made you come to tell the truth now?—Some of the people knew about it.

52,755. Who troubled you to come and tell us to-day?—I know that I had it.

52,756. What made you alter your opinion about it being for your vote?—I do not know whether it is so.

52,757. Did Mr. John Heath ask you to give this evidence here to-day and speak the truth about the matter?—I saw him, and he told me to speak the truth.

52,758. Did he not ask you to come here and give evidence about the 40*l.* you had at the last election?—I daresay he did.

52,759. What did he tell you?—I am sure I cannot tell.

52,760. Did he come to you or did you go to him?—I saw him at a public-house.

52,761. Which?—The "Plymouth Inn." He said, "If you are summoned again you must speak the "truth."

52,762. Did he remind you that you had received 40*l.* in 1865?—I reminded him; I told him so. He did not know exactly.

52,763. What made him tell you to speak the truth then?—I am sure I cannot tell.

52,764. Did Mr. Heath first of all mention to you that you had received this money from him at the last

election, or did you mention it to him?—I am sure I cannot tell you.

52,765. Did you meet him by appointment?—No, quite accidentally.

52,766. Did he not tell you you had received 40*l.*, and you were to come up and say that?—He said, "When you come up speak the truth."

52,767. Did he never tell you that about having received the 40*l.*?—Of course he did.

52,768. What did he say to you?—I cannot tell more than this.

52,769. Did he say, "Do you not recollect my giving you 40*l.*?"—No, he did not say anything like that. I went into No. 1 and took it up.

52,770. When you met him the other day did he remind you of that or did you remind him?—I cannot tell.

52,771. It is only a week ago?—I cannot tell you.

52,772. You have been called, and you denied having received anything, then Mr. Heath and you meet, and you come again, and you cannot say whether you reminded him or whether he told you?—I cannot say.

52,773. Did he remind you or did you remind him?—I reminded him of it. I think I was the first.

52,774. What did he ask you?—He might have asked me what I had.

52,775. Did he not tell you that you had not mentioned it on the last occasion you were examined?—Yes, that is the truth.

52,776. (*Mr. Longe.*) Did you give Mr. Heath an I O U for this last payment to you?—No.

52,777. You signed no paper at all for any amount?—No.

52,778. (*Mr. Bere.*) Did your wife get any sum of money?—No.

52,779. Did she not get 10*l.* after the election?—No.

52,780. Are you quite sure of that?—Yes.

52,781. She got nothing for her services?—No.

THIRTY-EIGHTH DAY.

J. Bartlett.

1 Nov. 1866.

JOHN GILLHAM sworn and examined.

J. Gillham.

52,782. (*Mr. Longe.*) What are you?—A smith by trade. I do not work at it now. I have given up business.

52,783. How long have you had a vote for Totnes?—I think it must be 30 years.

52,784. Have you always voted one way?—Always for the Liberals.

52,785. You never gave a vote to the Conservative candidate?—Never.

52,786. When do you first remember voting?—I do not remember when I first voted.

52,787. Do you remember the election of 1847, Lord Seymour, Baldwin, and Ricardo?—I do not recollect it.

52,788. Do you remember voting at that election?—I remember voting for Lord Seymour.

52,789. Who did you give your other vote to, Mr. Baldwin or Mr. Ricardo?—I do not think I voted for Mr. Ricardo.

52,790. Probably for Mr. Baldwin?—No, I never voted for a Tory in my life.

52,791. You gave Lord Seymour one vote?—Only one vote I think.

52,792. (*Mr. Coleridge.*) Try and recollect about it. Did you vote for Ricardo and Lord Seymour, or for Lord Seymour by himself?—I cannot recollect. I did not take particular notice about these things. When I was wanted for the Liberals I always voted on that side and no other.

52,793. Did you ever receive anything before or after the election?—No.

52,794. You never had any money?—No. I do not know what Mrs. Gillham had; I never had a penny in my life.

52,795. You believe your wife had some present?—The paper that has come out has said so.

52,796. She kept it so snug you never heard anything of it?—No; I never heard of it.

52,797. (*Mr. Longe.*) Until it came out in evidence before us you never heard of it before?—I never heard of it before the newspaper came out.

52,798. Who was the person who said that, do you remember?—No. I only knew it from the newspaper.

52,799. Did you ever take any part in canvassing at elections?—Never.

52,800. Or ever make an offer to anyone?—No, never.

52,801. Were you ever asked to do so?—Never.

Mrs. GILLHAM sworn and examined.

Mrs. Gillham.

52,802. (*Mr. Coleridge.*) Are you the wife of the last witness?—Yes.

52,803. We have heard that you keep the money?—Yes.

52,804. When was the first time you ever received any money at an election?—The first time was when Mr. Mills and Mr. Baldwin were here.

52,805. So long ago as 1852?—Yes.

52,806. What did you get then?—I think 50*l.*

52,807. Who was your husband to vote for?—He always voted one way.

52,808. Who gave you the 50*l.*?—Mr. Thomas Holman.

52,809. You kept that quite dark from your husband; you never told him?—No; I always had the management of the business; he never interfered.

52,810. You put it in your business?—Yes.

52,811. Were you offered anything on the other side?—Yes.

52,812. Who offered it to you?—Several persons came in and out.

52,813. Did George Evens come?—No.

52,814. Or young Screach?—No, never.

52,815. Who else?—Young Mr. Heath came down once and made me an offer, but we never had any dealings with them; they knew that my husband voted one way, and they did not come a second time.

52,816. The next contested election was in 1857; what did you get then?—40*l.*

52,817. Who gave you that?—Mr. Holman; I never had anything from anyone else.

52,818. What did you get in 1859, Mills and Lord Gifford?—I think I got 30*l.*

52,819. Was that from Mr. Holman too?—Yes.

52,820. In 1862, Dent and Pender; what did you get then?—Nothing.

52,821. Were you promised anything?—No.

52,822. In 1863, Seymour and Dent; what did you get then?—Nothing.

52,823. Did you go to Mr. Holman and ask for anything?—No.

52,824. How came he to forget you?—I cannot tell.

52,825. What did you get in 1865?—I think it was 35*l.*

52,826. Who gave you that?—Mr. Holman.

52,827. Where; in your shop?—No; he put it down on the table.

52,828. In your shop?—No, in the parlour.

52,829. You never got any money from anyone but Mr. Holman?—No.

52,830. (*Mr. Bere.*) What used you to do with this money?—I paid what I owed.

52,831. You manage the business yourself?—Yes; my husband has had nothing to do with it since we were married.

52,832. What does he do?—He keeps some cows, and attends to the smith's work.

52,833. You give him a little pocket money now

THIRTY-EIGHTH DAY.

Mrs. Gillham.

1 Nov. 1866.

and then?—Yes; I have managed the business for 32 years.

52,834. (*Mr. Coleridge.*) How many times have you had money?—Three times; I never had any more.

52,835. How much have you had altogether?—I had 50*l.*, 40*l.*, and 35*l.*, that is all.

52,836. Then the 30*l.* you told us of was a mistake?—I daresay it was.

52,837. You used to take care that your husband voted right?—He never voted but one way.

52,838. You used to let him know it was all right?—He did not want to be told.

52,939. Did he never ask you if you had got any money?—He did not ask any questions.

42,840. (*Mr. Longe.*) Did he ever look over your accounts?—No; he does not do anything of the sort.

52,841. (*Mr. Coleridge.*) Does he tell them to settle with you, or how is it?—Perhaps I might name it to Mr. Holman; he always came to our house; we took the business from him.

52,842. Did you tell him your husband's vote was worth as much as that of anyone else?—Perhaps I did.

52,843. Was your husband ever present?—He always promised the Liberals.

52,844. Did he ever say he would not vote without your consent?—No.

52,845. If they had made you all right before you thought he would be able to do it with an easy conscience?—I suppose so.

52,846. Did you ever have anything for your husband's vote at municipal elections?—No.

J. S. Screach, jun.

JOHN SANDFORD SCREACH, junior, recalled and further examined.

52,847. (*Mr. Bere.*) Can you tell us the sum of money that you had from Mr. Heath at the last election?—I do not recollect receiving anything from Mr. Heath.

52,848. But at the "Stars?"—I got all the money that I received from the stranger, and I have accounted or it, to the best of my belief.

52,849. How much have you received?—I have not given a thought about it since the last time, and to the best of my belief I told you how I spent the money.

52,850. Did you not give Mr. Heath an account of more money that was paid to the voters than you told us?—Not that I am aware of; Mr. Edmonds said there was a list that Mr. Bowen had asked about, that there was more money than I had accounted for.

52,851. Arthur Venning?—I did not pay him at all.

52,852. Edward Baker?—Yes.

52,853. How much did you pay him?—I am not clear, 50*l.* or 60*l.*

52,854. He says 60*l.*?—I am not prepared to say. When I gave my evidence I gave it to the best of my belief.

52,855. John Nickells; what did you pay him; 34*l.*?—I cannot say.

52,856. Did you not take 34*l.* and count it out, and then did not his daughter come and take it up?—I am not aware, but I paid him in his own bedroom.

52,857. Did not she come to the room and take the money up?—I am not aware of it.

52,858. Do you say it was more than 34*l.*?—I do not think I should be safe in swearing it was more.

52,859. How much did you pay Charles Pitts?—I think 50*l.*, but he gave me a sovereign back.

52,860. Heath swore it was only 45*l.*?—I believe I am right in saying it was 50*l.*, but I could not undertake to swear as regards the figures. When I first gave my evidence I made a mistake of 10*l.* with regard to Joseph Hannaford, and then I told you that Mrs. Raymond had 80*l.* She says I paid her 70*l.*, and I cannot say that she made a mistake.

52,861. (*Mr. Coleridge.*) Mrs. Raymond said that you had been there and said that you had made a mistake?—When I saw her she seemed annoyed about it, that her husband should be said to have 80*l.* when he had only 70*l.*; and I said, "Mrs. Raymond, it was not done with any object on my part," and I cannot say that she told you a falsehood; nor can I say the amount. I could not keep any account.

52,862. You did not mention the name of Perring?—I believe I did, and I have been informed by parties in the court that I did tell you that.

52,863. Then it is very odd that the shorthand writer should not have taken it down?—I had no intention of keeping that man's name back. I saw him before you gentlemen came here, and I told him that he would have to admit the truth. I did not pay Mr. Perring that money; I paid it to his wife. There was a mistake of a sovereign. I did not think of detailing all those affairs, but Perring said he only received 39*l.* But what I got from the man at the "Stars" I paid, and I believe it was 40*l.* I did not count it; and in the evening he came to me and I paid him a sovereign I heard Mrs. Raymond say that in the "Exeter Gazette" it was mentioned, and I remember my father saying, when the Plymouth papers came out, it was odd that Perring's name was not there among the rest.

52,864. It was not there; you must have forgotten it?—It was not mentioned. Mrs. Raymond told me she thought she had read it.

52,865. Do you know that handwriting?—(*Referring*) I do not know.

52,866. Is it John Heath?—I do not know.

52,867. How much did you get out of the election of 1865?—50*l.*

52,868. That was all that was made a present to you?—Yes.

52,869. How much did you receive that did not go away from your hands?—I paid every man the extreme money that I agreed to.

52,870. But how much had you left when you paid all that you agreed to pay?—There was a little travelling money for expenses, knocking about, and so on.

52,871. Have you a banking account?—Not that I am aware of.

52,872. Are you sure?—I am quite sure.

52,873. You had how much for expenses? You say a little left for expenses, 50*l.*?—No, nothing like it; not 5*l.*

52,874. How much did you get back for luck?—Not a copper. I had a pound for luck from Pitts.

52,875. Did not you get 5*l.* back from some person?—No.

52,876. Have you not got a sum of money in the savings bank?—Not a copper.

52,877. Does your father keep a banking account?—Not that I am aware of; if so he has not told me. He has got a little property to the west that he holds the writings for.

52,878. Have you never said to anyone whilst this Commission was sitting that you had money in the savings bank?—I might have done so, it is possible, there has been a lot of jesting going on.

52,879. When did you draw it out of the savings bank?—I never had it in.

52,880. Did not you get 200*l.* out of the last election which you never had before the election began?—I have said so at Bowden's at the East Gate for the sake of a little bounce. I have said, "Never mind, old fellow, I have got 200*l.*"

52,881. How much have you?—It has dwindled away.

52,882. How much have you now?—About 80*l.*

52,883. Did it all come out of the first election?—No.

52,884. How much did you get at the last election?—50*l.*

52,885. Where did you keep that? In the bank at all?—I have got it at home.

JOHN WATSON recalled and further examined.

52,886. (*Mr. Bere.*) Did you go to Mr. Heath to try and get a bill?—Yes, I did.

52,887. Have you got it?—No; Mr. Heath said if he could find it I should have it; if not he must have given it to the cashier.

52,888. (*Mr. Coleridge.*) What cashier?—I do not know; that is what Mr. Heath told me.

JOHN HEATH recalled and further examined.

52,889. (*Mr. Coleridge.*) What cashier did you allude to?—The person who distributed the money.

52,890. (*Mr. Bere.*) At the last election of 1865 there was a sum of 4,000*l.* that came somehow or other into the hands of the persons at the "Seven Stars." Of that sum a certain portion was accounted for previous to our adjournment. We understand that you now can account for the expenditure of a considerably further sum. Will you give us the list of the money expended on behalf of Colonel Dawkins at that election, as far as you were acquainted with the expenditure, either from your own knowledge or what has been proved here?—Yes, I furnished your secretary with the particulars, and if the court wish I will mention it.

52,891. You had better read the names out, beginning in the way that the secretary has divided them, into certain persons bribed by Screach?—I know nothing about that. I never supplied Screach with anybody or the particulars.

52,892. Did he not give you the particulars of the persons to whom he gave the money?—No.

52,893. Frederick Evens, did he not give you the particulars?—No, nor did I supply him with any cash at any time.

52,894. Mr. George Heath, did you ever give money to him?—Yes.

52,895. Perhaps you will tell us?—He has given the vouchers for himself.

52,896. Then we may get these afterwards. Now your son James?—He has given evidence that he paid two voters.

52,897. Now yourself?—Narramore also distributed 100*l.*

52,898. We never heard of that.—He paid a man named Dennis.

52,899. We must have Narramore here for that purpose.—I think he has given his evidence to that effect. This is not additional evidence.

52,900. Narramore gave 100*l.*?—Yes. Then there is Jubal Bartlett who has given his evidence.

52,901. Have you made out a list of the persons whom you have paid yourself?—Yes, the extras.

52,902. Of the whole?—Yes; and my account does not agree with that of Jubal Bartlett. I have an account of 50*l.*

52,903. He says he received only 40*l.*?—Yes.

52,904. Where did you pay him?—He was paid at the "Stars," I think on the Monday night before the election.

52,905. Which room?—I really do not remember; I think as likely in the entry as any place, in coming down from the public meeting which was held in the ball room. There was a gentleman on my side who wished me to identify the voters there who had been either arranged with by his messengers or with him, whom he had seen himself; and I spoke of several to him. I took the bags of money and handed them from one hand to the other. In the other cases he paid them himself. I understood that Bartlett had 50*l.*, but he only acknowledges 40*l.*; but you know he is rather a wet subject, and he may have had a week or a fortnight's enjoyment with it. I believe still that was the amount, and a man named Farleigh had 10*l.* additional.

52,906. We have had that before?—Not in my list, I think.

52,907. Which Farleigh is it, do you remember?—I think he is called James Farley.

52,908. Is he a man at the "Bridge Inn?"—He is a labouring man. A person named W. Shinner had 5*l.* extra, and James Clarke, who was a voter who had been distrained upon at various times, for him I paid sums of 4*l.* and 7*l.* 10*s.* just before the election, which was consented to be remitted.

52,909. Had your son George taken possession as the sheriff's officer?—Not as the sheriff's officer, but as bailiff for the landlord, for which a sheriff's officer is not necessary, in that capacity for the landlord, Mr. Manning.

52,910. Had you paid the rent?—I paid the rent to Manning to the extent of 11*l.*

52,911. He admits having had 10*l.* from you?—Yes, there is 4*l.* and 7*l.* 10*s.* He was here last night, but he does not recollect the particulars.

52,912. He gave us to understand that you had promised him 60*l.* for his services in the election?—He said he was offered whatever he liked on the other side to be engaged in this house, but he was engaged at mine, and I said whatever was to be divided he should have.

52,913. Did not he tell you that he was engaged to work at Plymouth for so much a day?—I do not remember. He was living at Plymouth some time prior to that election. He was out of a situation, and we hired him to assist at the busy time.

52,914. Then there is Rogers?—40*l.*, which was not given him, although his name was in the list; it was omitted somehow or other. There is the list, which I have shown to your secretary.

52,915. Then there is this bill paid to Watson?—Yes, he was paid on the election day.

52,916. Do you remember what the amount of it was?—I think a little over 20*l.* for the night watchers, and the refreshment had at the house, and he gave me the particulars of it, but I do not know what has become of it. It was paid the same day as the election.

52,917. Was something paid also to Stone?—There was 5*l.* advanced to Stone. He was requested to go and see the voters at various places out of the town as well as in.

52,918. There is a man whom we had on the last day of our former sitting, who came and said he received 50*l.* Potter?—It is believed that he was paid 50*l.*, but by whom I cannot ascertain. There was a great deal of money spent at our tap considered to be at his expense, although he was treated, and he only carried home as it was stated 44*l.* His pals had been chaffing him that they had been drinking at his expense, and I believe that was the case.

52,919. Samuel Sanders said that he received 60*l.* from Richards?—I think there was a voucher for that, but I do not know whether the witness has been up.

52,920. The sums are

	£	*s.*	*d.*
Screach	580	0	0
Evens	530	0	0
G. Heath	112	3	10
Jas. Heath	100	0	0
"The stranger"	385	0	0
Heath	643	0	0
Narramore	100	0	0
	£2,450	3	10
Then, received from Colonel Dawkins	4,000	0	0
and paid back to Mr. Edmonds	207	10	0
	3,792	10	0
Paid to Mr. Edmonds	80	0	0
	£3,712	10	0
Deduct	2,450	3	10
Balance to be accounted for	£1,262	6	2

52,921. There is some mistake of Hilley. He was called yesterday and he says he did not receive the 10*l.* ?—His wife called upon me, and she said if the former evidence had been that he had received 30*l.* he would have acknowledged it last night, but he did not exactly remember what was paid, but from the information I could glean, in addition to the 20*l.*, there were two fives. The election was virtually at an end on the morning of the day, it was intended that a sum of 1,000*l.* should be further advanced by Colonel Dawkins, but he was advised not to go on as he had spent 5,000*l.* The other would have gone to 10,000*l.* from the information we could glean.

52,922. (*Mr. Coleridge.*) It was virtually at an end before Colonel Dawkins came down, as far as any chance of success went?—I think not, as far as I know.

52,923. If those who signed the requisition could be depended on?—It was not so, it depended on those who spent the most money, and Phillips said that Mr. Pender told him there was no other way of winning. There were several other sums of money had from my daughter in the bar which amounted to 36*l.*

52,924. Do you charge for expenses yourself?—Not a penny.

52,925. There is 50*l.* entered here as charged for expenses?—They were not my personal expenses, but were advanced to various messengers.

52,926. Does not that include 5*l.* advanced for turnpikes?—No.

52,927. Had you any vouchers for that?—I had not any voucher, and I do not think I can produce any voucher for that. 1*l.* 10*s.*, 2*l.*, 5*l.*, and 8*l.* were advanced frequently during the fortnight or 15 days. It was a rough estimate come to between Mr. Edmonds and myself as the probable advances during that time, and I think the amount is between 40*l.* and 50*l.* It was put down at a lump sum in that way.

52,928. (*Mr. Bere.*) Why did not you put that into your bill?—Because it was to advance to other parties not paid in the house bill. I had the particulars of the house bill.

52,929. (*Mr. Coleridge.*) When was the house bill paid; how long after the election?—I do not know, it was paid by the agents appointed here to examine the bill.

52,930. I mean the large bill, the large amount spent in the house that was not all paid by the agents?—That was all I received.

52,931. You received the whole bill that you charged Colonel Dawkins and Captain Pim; there has been nothing struck off?—Nothing struck off.

52,932. The hotel bill was not published amongst the legal expenses?—I think you will find it was.

52,933. It may have been paid by the agents but not published among the legal expenses; about 36*l.* was the published bill, and yours was nearly 400*l.*?—260*l.*

52,934. (*Mr. Bere.*) There is no mention in the election expenses of the hotel bill at all, and your bill was 260*l.*, plus carriage hire, making it 340*l.*?—I do not think you will find that correct at the last election.

52,935. In the expenses there is no hotel bill in. Colonel Dawkins' expenses and Colonel Pim's amount to 279*l.* 7*s.* 6*d.*?—That was not paid to me. Mine was 260*l.*

52,936. We wanted you to furnish us with the account?—I have the particulars.

52,937. (*Mr. Coleridge.*) It is 160*l.* for Colonel Dawkins' hotel bill?—That is including refreshment, champagne, luncheon, grog meetings, postings, and committee-rooms for 15 days.

52,938. It does not include that, because there is 48*l.* for horse hire to Colonel Dawkins, and 27*l.* to Captain Pim, in addition to your bill, so that in reality the whole thing comes to 335*l.* odd.

52,939. (*Mr. Bere.*) Your bill against Captain Pim was 110*l.* 3*s.*?—100*l.* 3*s.*, but he paid 10*l.* to the servants.

52,940. And Colonel Dawkins' was 176*l.*?—Colonel Dawkins' was 11*l.* a day for 15 days, and Captain Pim's, including champagne luncheon, 20*l.*, and including the committee-rooms.

52,941. No, the committee-rooms were paid separately, and there is carriage hire?—I think not.

52,942. (*Mr. Coleridge.*) It is carried out in the account in the newspapers, and that is paid by the agents, and the hotel bill was down to you privately?—I never had more than 100*l.* 3*s.* from Captain Pim.

52,943. This would not tally, because you have got 24*l.* 12*s.* for posting and travelling; and in the election auditor's account it is 27*l.* 18*s.*, taking the posting out of Colonel Dawkins, the same as you have out of Captain Pim's, what do you make it?—I make it 23*l.* 2*s.*

52,944. The sum is 46*l.* 2*s.*?—That is a mistake.

52,945. This is a certificated copy by the election auditor?—We have copied the accounts and subdivided the whole; since then I have not had a penny of Captain Pim.

52,946. Did Captain Pim or Colonel Dawkins have any horse or carriage hire from anyone except yourself?—I think they had.

52,947. Where from?—I think, Heard's carriage at one time, and some other persons about the town.

52,948. Do you know what the amount was?—I do not; I can give you detailed account of every item of what was had for Colonel Dawkins and Captain Pim, even the day-book of 1859.

52,949. The charge which you have produced, as compared with that printed in the newspaper and audited by the election auditor, is as much again, and you say that was the proper charge; and against Captain Pim it is 3*l.* or 4*l.* more?—I will look at this account again.

52,950. It does not necessarily follow you are not right?—It may have been put in that way.

52,951. (*Mr. Coleridge.*) Did you pay to various people 752*l.*?—643*l.*

52,952. 752*l.* How much do you make the sums you have paid yourself away?—643*l.*

52,953. Does that include the 36*l.*?—Yes.

52,954. And the hotel expenses?—Yes.

52,955. Any extras?—Everything.

52,956. How much do you say the stranger paid you?—I have no account of that.

52,957. We have an account, excepting two names, we must ask you about now; did the stranger pay 385*l.*?—Yes.

52,958. That will give these sums; paid by Screach, 580*l.*; paid by Edmonds, 530*l.*; paid by George Heath, 112*l.* 3*s.* 10*d.*; paid by James Heath, 100*l.*; paid by Narramore, 100*l.*; paid by the stranger, 385*l.*; and paid by yourself, 643*l.*; will you add these items up?—There was returned to Mr. Edmonds a sum of 200*l.*

52,959. Just state that amount first of all?—2,450*l.* 3*s.* 10*d.*

52,960. Now it seems that the money advanced by Colonel Dawkins for election purposes amounted altogether to 4,000*l.*?—So I am informed.

52,961. At first 1,500*l.*, then two several cheques of 1,000*l.* each, and then a sum of 500*l.*; out of the 500*l.* you returned a certain sum to Mr. Edmonds?—Yes.

52,962. How much did you return?—I paid for what vouchers were given me, 262*l.* out of the 500*l.*, and returned him the balance.

52,963. 262*l.*?—292*l.* 10*s.*

52,964. You paid him 207*l.* 10*s.*?—207*l.* 10*s.*

52,965. Did Mr. Edmonds give you any of it back at any time?—No, I have had none since.

52,966. That will leave a sum of 3,792*l.* 10*s.* to be accounted for; then there has been accounted for by the evidence adduced before us a sum amounting to 2,450*l.* 3*s.* 10*d.*, leaving 1,342*l.* 6*s.* 2*d.* to be accounted for?—I understood there was above 3,000*l.* accounted for, but I do not see it in those figures.

52,967. Are you sure you did not give back to Mr. Edmonds a larger sum than 207*l.* 10*s.*, did you not give him a sum of 80*l.* at one time?—He requested me to get 80*l.* from the cashier and I did so.

52,968. And that you gave to Mr. Edmonds?—Then that ought to be deducted. I do not know whether he had any more, his accounts will show that.

52,969. (*Mr. Bere.*) That leaves a sum of 1,262*l.* 6*s.* 2*d.* to be accounted for; can you give us any further explanation of the way in which the money was disposed of?—I do not know, I did not distribute any of it myself.

52,970. You know yesterday there were two men who had previously sworn they received money from the stranger, came and said their evidence was untrue, Gillham and Norrish, and they say instead of having received it from a stranger they received it from yourself?—Yes, I know.

52,971. And they said also that they had received instructions from you before they gave their evidence to conceal something on the first occasion?—I most distinctly deny it before this Court. It so happens that without my knowing anything about it two men came to my house this morning from the neighbourhood.

52,972. Who are they?—One is called Norrish; he called on me a night or two ago after he received the summons to attend here, stating that he had had a summons, and I told him that all that he had received for any expenses for the watchers, or whatever expenses had been incurred by him, he must acknowledge and account for; I said tell the whole truth, and he acknowledged in the presence of John Watson, who is, I think, present here now, that he had had 25*l.* for the purpose of me; he said, "You say I may say I received the money from you." I said, certainly, tell the truth. His version is now that he understood he was to tell the Court that he received all the money from me.

52,973. He did not say anything about expenses yesterday?—He acknowledged that he had received 45*l.*, but he previously acknowledged to 50*l.*, and I believe it was 50*l.* I paid him 25*l.* from time to time for expenses. He had a gang of watchers under him at the higher part of the town who were out all night and day 14 or 15 days, and expenses were incurred. I will read you what he says. He is recalled. "Did "you tell us correctly what you got for your vote "the last time?—No. 30*l.*?—No. Mr. Screach or "Mr. Heath says he gave you 50*l.*?—I do not care "what they say; I never got that. Who gave you "the 20*l.*?—Mr. Heath. Was there anybody there "besides?—No. Are you quite sure?—Yes. Are "you sure?—Yes. Would she have told you if she "had?—Yes. Are you quite sure that Mr. Heath "gave you that money?—Yes, I did say at first it "was this here Mr. Mum, but it was Mr. Heath. All "that story about Mr. Mum is untrue?—It was "humbug all of it. You never saw Mr. Mum?—No. "You never saw any stranger?—No. It was Mr. "Heath?—Yes. What made you tell us that?—Be- "cause they gave this Mr. Mum, and I thought I might "as well say that too. You did it to screen Mr. "Heath?—Yes. Instead of screening him you got "him into a mess?—Yes. Now you come to assist "him?—Yes. Who told you to come here?—No "one; you sent for me. Have you seen Mr. "Heath?—Yes. Did you talk to him?—Yes. Did "anybody tell you it was a mistake when you said "Mr. Mum?—No. Who was it?—Mr. Heath. "Where was it?—No. 15. A bedroom?—Yes. Mr. "Heath was by himself?—Yes. You think it was "15?—No; I would know it if I went. You go out "of the back room into the little passage. Was it on "the top floor?—It was a bedroom out of the big "room."

52,974–5. (*Mr. Coleridge.*) What was the number of the bedroom that goes out of the big room?—There are several bedrooms on that flat.

52,976. The one opposite, across the passage?—That was No. 8.

52,977. (*Mr. Bere.*) "Had anyone ever talked to "you before you came to be examined the first time? "—Yes, Mr. Heath. What did he say to you?—He "said I was to go up and tell the truth. Did he say "you were to go up and say Mr. Mum gave you the "money? He said I was not to mention his name, "and there is the sense of it. Although Mr. Heath "only gave you 20*l.* did not you get 30*l.*?—He paid "me something for expenses. Was not it 30*l.*?—I "think between 20*l.* and 30*l.* What for?—In look- "ing after the watch. I told him I got 10*s.* a day." Now there is a direct contradiction of the evidence you first gave, and that which the man himself first gave, a direct contradiction of your statement?—If he did not know when he was called up he was to give a correct account, I am not answerable for that.

52,978. There is a direct charge on oath by that man that you suggested to him to commit perjury?—I distinctly deny it He denied he was paid it. There were a great many men up in the ball room drinking, and they were identified by me and told to go into the little room No. 1 to receive the payment. Another answer I would make to the Court is, that prior to my giving my evidence I never spoke to a witness to ascertain from him anything to refreshing memory as to what amounts they had received.

52,979. (*Mr. Coleridge.*) Though you did not speak to any of them prior to giving your own evidence, did you speak to any of them prior to their giving theirs?—I do not remember to have spoken to a single individual.

52,980. Did you not speak to this very man Norrish?—I do not think I did.

52,981. Then the whole of this is an invented conversation?—I believe it is so, in consequence of being discovered to have had 25*l.* or 30*l.* more than he has told his wife.

52,982. Do you deny that any conversation took place between you and Mr. Narramore as to what he was to say?—I do.

52,983. At any time?—Most distinctly at any time.

52,984. Before his first examination or yesterday?—At any time; but as to that man, I believe, not knowing he was to come up again, he did not want his wife to know what money he had, and he could not account for the expenses. I believe that was the motive that induced him to make this statement.

52,985. (*Mr. Bere.*) Then there was another man who was recalled, Thomas Gillham. "Who was the "person who paid you the money in 1865?—I was "told to go to a room by John Heath?—He did not "pay me, but he told me there was a parcel. And you "took it up?—Yes. There was no one in the room?— "No. It was not true that there was another person, as "you stated the last time?—No. What made you say "that?—Mr. Heath told me not to mention his name. "Did he tell you to say there was a stranger?—Yes. "Did you see the stranger?—Yes, in the lobby. And "Mr. Heath told you to say that the stranger had "paid you, although he had paid you himself?—Yes." —That I deny. Thomas Gillham, as most people in the town are aware, is a man who indulges a good deal in drink, and for a week prior to the election, and perhaps two days after, he is in a drunken state. I question if there are several witnesses who were paid that night. The large meeting took place in the room, and if they were up here they would not be able to tell exactly what took place. I kept myself quite tranquil and sober, and if it comes to a balance of testimony I will leave it to the Court to judge.

52,986. (*Mr. Coleridge.*) Did you take receipts for the expenses of any of them, any I O U receipts?—I think I received one from John Watson.

52,987. I mean any of those men like Norrish?—I do not remember to have taken it.

52,988. Whose handwriting is that (*handing a paper to the witness*)?—That is mine.

52,989. You are sure of that?—I am certain of it.

52,990. Whose handwriting is that (*pointing to a name on the paper, to the witness*)?—The person's who signed it.

52,991. He has sworn it is not?—He does not like to admit the amount he received before; that is as much his handwriting as ever your signature was in the world.

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52,992. That is your own handwriting (*handing another paper*)?—I may safely swear I saw the man sign it when he took the money.

52,993. He says he only got 20*l.*?—That is the reason he wants to deny his own handwriting.

52,994. Are you quite certain he gave that I O U in 1865?—I am.

52,995. Where are the others in 1863?—I do not remember.

52,996. You have told us you were to keep the I O U's of 1863 distinct from those of 1865?—I did did not keep them at all. The accounts were settled with Mr. Mitchell.

52,997. They were handed back?—All papers.

52,998. As far as you know they never came into your possession after that?—Never.

52,999. I want any I O U you have in your possession in connexion with the election of 1865, not 1863?—That voter's signature is as much his as any of my own in my life. There are instances where they do not like to be called up again to admit that they have made false statements at first.

53,000. (*Mr. Coleridge.*) When you made out these things, did you make them out for each man as he came in, or did you make out a lot and then put them by till you had an opportunity of getting them signed?—No, it was done on the instant, on any scrap of paper that turned up.

53,001. Whose is that, that is your handwriting (*handing a paper*)?—That is.

53,002. What does that mean, the "Heard" there?—I do not know, he was appointed.

53,003. If you wrote this out and gave it to the man at once, why did he write his name there?—I cannot account for that, but that is his signature.

53,004. (*Mr. Longe.*) "Heard" is written at the same time and with the same ink as the "I O U?"—That is his signature as much as any I have signed my name in my life.

53,005. Is that your writing "balance" at the top, no signature?—Yes.

53,006. If there were votes waiting to be paid it was necessary that that mode should be adopted to ascertain what the amounts were of the money that was to be applied for?—

53,007. That is the reason you were asked did you write the receipts out sometime before, or whether you made them out at the time?—It was not until they were on the premises, I could not be aware what amount the messengers had arranged with them for.

53,008. It is clear the signature is not in the same ink as the body of the note?—It was put in at the time the voter was paid, that is his signature.

53,009. How many banking accounts do you keep?—Only one.

53,010. With what bank is that?—With the Devon and Cornwall Bank.

53,011. Do you keep any account at Exeter?—No.

53,012. Or at Plymouth?—No, none.

53,013. No deposit account?—No.

53,014. We asked you on a former occasion to produce your hotel bills at Mr. Dent's two elections, have you got them?—Yes, they are here (*handing them in*).

1859.

Mr. Dunn's election.

Posting	32	15	0
Hotel bill, including committee-rooms, refreshments, private acct. with friends	130	9	0
Messrs. Julius & Cameron	39	6	7
	202	10	7

1862.

Drawn at midnight of the nomination day.

Committee-rooms and refreshments	50	13	0
Posting	32	15	0
Paid by Mr. Edmonds for public dinners and private friends	82	8	0
	165	16	0

1863.

John Dent, Esq.

Private hotel a/c	64	17	6
Conveyances	51	10	0
Paid by Mr. Edmonds committee, champagne lunch, and open house	113	16	3
	230	3	9

MRS. HILLEY sworn and examined.

Mrs. Hilley.

53,015. Are you the wife of Samuel Hilley?—I am.

53,016. Who was called yesterday as a witness?—He was.

53,017. He told us, when he was examined on the first occasion, that he only got 20*l.* for his vote last time, did he not get 10*l.* more?—He did not.

53,018. Did you get it?—No, I did not.

53,019. Did you not get anything?—No, I did not. He had 5*l.* on the following day which he did not recollect until he came home last evening; I then said to him, "I think Mr. Heath gave you 5*l.* on the day of the election." Mr. Heath gave him that 5*l.* for going about with messages and so on, there was nothing more.

53,020. Then he had 25*l.* instead of 20*l.*?—Yes, he did not think of it at the time he was called.

J. Yabbicom.

JOHN YABBICOM recalled.

53,021. (*Mr. Bere.*) Your name has been mentioned as having been concerned in a matter of bribery in 1839, have you any explanation to give about that?—I understand that a Mr. Endle stated I had paid him 35*l.* for not voting for Mr. Blount in 1839. The fact is, that at that time Mr. Endle kept his account with the Western District Bank, of which I was the cashier; the late Mr. Charles Michelmore was the manager, and Mr. Michelmore influenced him not to vote. Two or three months after Mr. Michelmore found out that he did not vote, and he desired me to write off from his account 25*l.* or 30*l.*, which I did. I never paid him any money. Mr. Michelmore desired me, and I was at his bidding to write this off from his account, and that was two or three months afterwards.

53,022. (*Mr. Coleridge.*) It comes to the same thing?—It does, but it might go abroad to the world that I had paid him 35*l.* I had no transaction with him; I was merely doing the bidding of the manager in writing this sum off his account. I mention it because for the last 20 years I have distinctly abstained from mixing myself up with any election matters, and I do this in justification of myself, stating broadly that I have neither directly nor indirectly mixed myself up with any election matters whatever.

53,023. (*Mr. Bere.*) We had a very strong opinion with regard to your not giving us the numbers of the notes?—Beyond the fact of my not having taken the numbers of the notes, I have furnished the court with the numbers of every note which came into the bank.

53,024. What Mr. Endle stated about it in his evidence was this, "Have you ever had anything for "your vote?—Yes. What have you had?—A cheque "for 35*l.* in Baldwin and Blount's time. Who gave it "you?—Mr. Yabbicom. Is that the only time?—"Yes. You are a tenant of the duke's?—Yes. Were "you turned out for taking that 35*l.*?—No. Did you "vote for the Liberals?—I did not vote. How was "that, why did you not wish to vote; did you get the "35*l.* to keep you from voting?—Yes, I suppose so. "Mr. Yabbicom is in the Liberal interest?—I cannot "recollect whether he was or not, I think he was on "the other side. Were you going to vote contrary to "Mr. Yabbicom's wishes, and he gave you 35*l.* not

"to vote, is that it?—No," that is his account of it?—I voluntarily gave you an account of what I had done up to a certain period, from which time to the present I have wiped my hands entirely clear of it. Mr. Baldwin read me a very wholesome lesson, he behaved exceedingly ill to me; it was years after before I got my money, and from that time I have taken no part in it, not even voted.

53,025. In 1863 was any sum paid into the bank by Mr. Webber?—I do not recollect any.

53,026. Used he to bank with you?—Always. Mr. Webber at that time had no open account with us; all his banking matters were across the counter.

53,027. Do you remember, during the election of 1863, a 500*l.* cheque of Mr. Webber's being cashed?—I have no recollection of it; every transaction referable to the elections I have told you of.

53,028. Can you remember whether about the time of the election of 1863, 500*l.* passed through your bank brought in by Mr. Webber?—I have no recollection of any such transaction whatever.

53,029. Had you anything to do with 1,200*l.* at Mr. Pender's election, which is proved to have come into Mr. Webber's hands?—No; the only sum of Mr. Pender's which ever passed through my hands was the 1,870*l.* which I have deposed to.

53,030. Both those sums of 1,200*l.* and 500*l.*, were sent from London to Mr. William Webber?—I have no recollection of it.

53,031. Will you look at your books and see whether a large cheque for 1,200*l.* and another for 500*l.* were cashed at the end of 1862 or the beginning of 1863?—I will do so, Mr. William Webber never had any account at our bank, it was Mr. Charles Webber who had an account at our bank.

Mr. JOHN HEATH recalled.

Mr. J. Heath.

53,032. (*Mr. Bere.*) Both of these items on the debit side of the account (*referring to Mr. Heath's banker's book*), are sums paid out in the way of your auctioneer's business?—Yes, and the general business of the hotel as well.

53,033. Are there any means of distinguishing between the items paid out for the auctioneer's business and those for the hotel business?—Perhaps if we were to go into a detailed account we might do so.

53,034. The cash paid in as money received was paid in from time to time?—Yes.

53,035. You seem not to have had a very large balance?—No.

53,036. The balance generally was the other way?—I should like the court to say whether they see anything at election times showing that there is any increase in the account.

53,037. In July 1865 the balance is against you, and so it continues until October 1865, and then the balance having been nearly 1,000*l.* against you becomes 150*l.* in your favour. That is in three or four months?—That is our season here for ordinary business.

53,038. Will you tell me what that item refers to (*pointing to the book*)?—That is the result of a sale which is carried out some two or three items further on. I should like the Court to say whether there appears to have been any money come into my hands about election time.

53,039. On the face of your banker's book there appears to have been no money paid into your account at that time. Have you ever purchased any property in Exeter?—No.

53,040. Or had any dealings with regard to property in Exeter?—My son has purchased a house in Exeter.

53,041. Your son James?—Yes.

53,042. A house and premises in which he carries on the business of a veterinary surgeon?—Yes.

53,043. Do you know what he gave for that?—I do not exactly remember. I should think 1,100*l.* or 1,200*l.*

53,044. From whom did he buy it?—Of the trustees of Mr. Benjamin Franklin when he became bankrupt.

53,045. Who was the auctioneer?—Mr. Ford.

53,046. Did your son employ any solicitor?—My son employed Mr. Rogers, of Exeter.

53,047. Can you inform us where your son got the money to buy those premises?—He has not paid for them.

53,048. He has paid the deposit?—Yes.

53,049. Did you pay that for him?—No.

53,050. He has paid it out of his own earnings?—Yes.

53,051. He has a very good business in Exeter?—He has; I have not paid a penny towards it.

53,052. You are quite sure it is not paid for now?—I am. Mr. Rogers is going to arrange the business for him. He has paid 200*l.* towards it out of his own business.

53,053. Does that include the deposit?—Inclusive of the deposit.

53,054. (*Mr. Bere.*) We are still in the same difficulty with regard to a very large portion of the money advanced, a sum of 1,262*l.* 6*s.* 2*d.*, of which no account has been given.

(*The witness.*) I should like the Court to say whether they think that I or any member of my family have pocketed any of that; because after the investigation which has been made, and the statements which appear in print, that is the general impression which I feel very sensitively has operated to my detriment. If the Court are of opinion, after examining my banker's book, that any of it has gone into my pocket I should like them to state it publicly.

(*Mr. Bere.*) I think in justice to you we ought to say what our full conviction is, that in your banker's book there is no trace of any money having passed to you at or about the time of the election, and that the entries in your banker's seem to relate to your common legitimate business. At the same time we cannot help saying that this money clearly came to the hands of five or six people, yourself, Mr. Edmonds, Mr. Kellock, Screach, Evens, your son George, your son James, and the stranger, and that large sum being unaccounted for, it lies with those persons who were engaged in distributing it, or dealing with it, to account for that sum of money.

53,055. (*Mr. Coleridge.*) We ought to undeceive you with regard to Colonel Dawkins having been satisfied. We have had a communication from him in which he states he is anything but satisfied.

(*The witness.*) He stated when he was here what money he had advanced, and that he was perfectly satisfied.

53,056. (*Mr. Bere.*) What steps have you taken to discover the stranger?—I have written a letter, a copy of which I handed to your secretary, and made every inquiry. This gentleman who was here pretended to be very much mixed up with geology and mining. He visited a place down the river where there is an iron mine in the parish of Stoke Gabriel during the time that he was here, and he went to Plymouth, as he said, upon some mining business. I wrote to a man of the name of Jackson, entreating him to try all the means in his power to assist me. Here is a copy of the letter. I also wrote to Mr. Cameron who was down here at one time at a former election, when there was another cashier or messenger here, but it does not appear that I can obtain one tittle of information about it.

53,057. (*Mr. Coleridge.*) Mr. Murchison came down here on mining business we have been told?—I do not recollect his description at all.

53,058. The gentleman who came in the middle of the night?—There was a gentleman who came here by the mail train at 4.30. I have understood that Mr. Murchison was a dark gentleman; this stranger, as we have called him, was a fair complexioned man.

53,059. We have had a different description of him

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Mr. J. Heath.

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entirely from Screach, Evens, and yourself?—I walked about the street with him during the three days that he was at our house; he went to Plymouth and back, and he was in our office on the nomination day, and took refreshment there.

53,060. It has been stated that he was disguised. Do you agree with others in thinking that he wore a wig?—I do not think he wore a wig when I saw him. He did not appear to me to disguise himself in any way.

53,061. Are you sure that it was not Mr. Smith himself?—I should not think of saying that it was Mr. Smith, but I have no doubt that Mr. Smith, or those to whom he spoke on the business, are pretty well aware of who he is, and they ought to have produced him. It would be a great relief to me to see him here. I did hear that Mr. Smith was going to be examined again, and had he been down here we might probably have learnt something more about him.

53,062. (*Mr. Longe.*) Have you written to Mr. Smith again?—I have not written to Mr. Smith at all. I understood he was coming and I was in hopes that I should see him face to face.

53,063. I told you after what you said that he was the person to communicate with?—I believe he is the person who can produce Mr. Mum, if he likes, I am satisfied of it. There was an observation made, with respect to my servants, by the court that there were opportunities, with those living in the house, of being tampered with, and I beg to state publicly, that prior to my examination, and also subsequently—from that time to this, with the exception of one woman, who waited upon us in the office on the election days, I never spoke to one of the servants. And I should like the court to say whether there is anything on the evidence that shows there has been any impropriety or tampering with the servants?—That may have been so, but I should like that to be cleared up.

53,064. (*Mr. Coleridge.*) The manner of the chambermaid and the waiter did seem to make one think that they would not tell anything?—I am on my oath and I swear I did not speak to one of them, nor do I believe one of my family have. The chambermaid still says that Mr. Smith slept in No. 15 room.

53,065. Mr. Smith says it was 13?—When his clerks came and told him.

53,066. If Mr. Smith did not sleep in No. 13 one of his clerks did?—After he arrived he went to Plymouth on the Monday night and the Tuesday night.

53,067. Who?—The cashier, the stranger.

53,068. You never told us that before?—He went off by train on the Monday night and the Tuesday night, and came back the next morning.

53,069. The election was on the Wednesday?—Yes, he did not sleep in the house on the Monday night or the Tuesday night.

53,070. There was no cashier in Totnes on the nomination day at all?—He came back every morning and was in my office.

53,071. He went to Plymouth those two nights?—Yes, the Monday night and the Tuesday.

53,072. What did he go to Plymouth for?—I do not know.

53,073. Did he bring anything back with him?—Not to my knowledge. He came by the first train on the Tuesday morning, and did some of the business in my office at the corner of the Mill Lane in the presence of certain voters who came from the country.

53,074. (*Mr. Bere.*) The words are, "The most im-" portant, however, is your late books Pack, with whom " you or your sons have not the opportunity of tamper-" ing, as you may have had with other servants in " the house." That does not assert that either you or your sons did so; but judging from the difference of the way in which Pack gave his evidence and the way in which the servants who were living in the house gave their evidence, it raised the suspicion that such might be so; but if you say on your oath you did not tamper with them, your oath is worth much more than our suspicions?—Thank you. I should state to the court that he left me under unpleasant circumstances.

53,075. He was not cross-examined with regard to leaving the "Seven Stars?"—He was distrained upon and dealt with so as to annoy him, and I attribute his evidence to that cause.

53,076. What Col. Dawkins and Capt. Pim gave you to distribute among the servants, was that handed over to them?—Capt. Pim was the only person who left anything.

53,077. You divided Col. Dawkins into so much, and there was 16*l.* for servants, was that handed over to them?—No, I do not think it was. There is 40*l.* due to me from an overdrawn account, and I have an account unsettled which he said, when the thing was done, he should be ready to settle.

53,078. Was the 10*l.* distributed?—Yes, in rateable proportion.

53,079. That is besides your attendance?—No, we do not charge attendance.

53,080. Is 40*l.* the only sum between you in dispute?—There is no dispute. He acknowledges what few things there are.

Mr. T. H. Edmonds.

Mr. Thomas H. Edmonds recalled.

53,081. (*Mr. Coleridge.*) I wanted to ask you about the carriage account. How comes it that there is 46*l.* odd against Col. Dawkins, and in the expenses returned to the election agent only 24*l.* or 25*l.* in Mr. Heath's own bill?—I cannot account for that.

53,082. Was there a sum of 20*l.* more carriage hire had from other places?—Not that I am aware of.

53,083. Were there sums that were not prudent to and were charged to carriage hire which were not truly carriage hire?—Decidedly not.

53,084. How do you get it? There is between Capt. Pim and Col. Dawkins a sum of 28*l.* or 29*l.* more charged in the published expenses than is acknowledged by Mr. Heath, how do you account for it?—I cannot account for it in any way.

53,085. Do you know what is the amount of carriage hire from others besides Mr. Heath?—I do not know. When I got the bills I forwarded them to Messrs. Smith and Guscotte and they dealt with them.

53,086. You have no means of getting at the carriage hire except from Mr. Heath's bill?—No.

53,087. Do you know from whom they would be had besides Mr, Heath?—The only person would be Samuel Heard, but I am not aware.

53,088. Nothing like 25*l.* worth of carriage hire?—No, nothing like it, 4*l.* or 5*l.* I had nothing to do with paying the bills. They were sent to the election agent, and I forwarded them to Smith and Guscotte.

Mr. J. Heath.

Mr. John Heath recalled.

53,089. (*The witness.*) I think I can explain it. The committee-room, the tavern bill, the horse hire, and all those things were added into one lump sum and sub-divided.

(*Mr. Coleridge.*) It is added up to 1*s.* 2*d.*

53,890. (*Mr. Bere.*) You must have sent in an account to the election auditor for carriages and horses?—I was paid whatever I sent in.

53,091. You were paid 46*l.* odd?—Yes.

53,092. By cheque?—I do not know; I think Mr. Hamlyn paid it. The gross amount was sent in.

53,093. Do you recollect the amount of the payment?—No.

GEORGE TURPIN sworn and examined. *G. Turpin.*

53,094. (*Mr. Bere.*) Where do you live?—At Weston.

53,095. What had you to do with elections?—I merely offered Robert Mogridge a little money.

53,096. When did you offer him the money?—The night before the last election.

53,097. How much did you offer him?—100*l.*

53,098. Who told you to?—Mr. Holman.

53,099. Where did you see him?—He came to see Mr. Mogridge.

53,100. Did he come with Mr. Chaster?—I do not know. I saw him there. Whether he came with him I do not know.

53,101. And Master Chaster, the little boy?—I never saw the little boy.

53,102. How came he to go to your house?—I do not know. I always had been a friend to them, and perhaps they thought I could get a vote at that time.

53,103. Did he owe you money at that time?—Yes.

53,104. He was ordered to go to your house because the Liberals thought you could exercise some influence?—He said he would not vote for either party unless he had the money beforehand, and I said "I will have nothing to do with you."

53,105. Did you offer anybody else any money?—No.

53,106. At any other time did you offer anybody else any money?—No.

53,107. Did you get any money yourself?—No.

53,108. Whom did you rent under?—The duke.

53,109. How long have you rented under the duke?—All my life.

53,110. You were under the old duke?—Yes.

53,111. Did you ever see the old duke?—Yes, I saw him once.

53,112. I suppose you paid rent to Mr. Michelmore?—Yes.

53,113. Did he once talk to you about your vote?—No.

53,114. Where is your estate?—Weston, in the parish of Berry Pomeroy.

53,115. (*Mr. Coleridge.*) Did you ever have the voters there when they wanted country air?—No.

53,116. (*Mr. Bere.*) Is your farm within the borough boundaries?—Part of it, the orchards and fields at Bourton.

53,117. Is there a building in the orchard?—Yes, I was put off last year on account of want of repair.

53,118. Have you got on this year?—No, I did not try it.

53,119. Do you mean to try the next time?—Yes.

53,120. Was the building out of repair?—Yes.

53,121. What size is it?—40 feet square.

53,122. Was it wood?—No, walls.

53,123. With doors?—A door and window.

53,124. Do you remember when it was put up?—More than 30 years ago.

53,125. Do you remember when?—No.

53,126. Was it put up to make you a vote?—No, I voted on a dwelling house.

RICHARD NORRISH recalled. *R. Norrish.*

53,127. (*Mr. Bere.*) What story are you going to tell to-day; the same as yesterday?—Yes, it was Mr. John Heath, but he was so flabbergasted that day that he did not know what he was talking about.

53,128. What was he flabbergasted about?—He was doing too much business, I suppose.

53,129. You have heard what Mr. Heath has said to-day?—Yes.

53,130. (*Mr. Longe.*) Is it true?—No; Mr. Heath was the man who paid me, and no other.

53,131. (*Mr. Bere.*) Did anybody else ever pay you anything?—His son has.

53,132. When?—At the municipal elections.

53,133. In the Parliamentary election of 1865 except Mr. John Heath?—No.

THOMAS GILLHAM recalled. *T. Gillham.*

53,134. (*Mr. Bere.*) Do you wish to alter the evidence you gave yesterday?—It is the same.

53,135. Did you receive your money from Mr. Heath?—Yes.

53,136. And not the stranger?—No.

53,137. What you told us yesterday is true, and not what you told us before?—Yes, I was directed before. There is Mr. John Mitchell and Mr. Chaster who said I always received money. I totally deny it till the last election.

53,138. (*Mr. Coleridge.*) You were only bribed once?—Yes.

53,139. Did you ever have anything for the municipal election?—No. In fact I have been out of pocket.

53,140. (*Mr. Bere.*) Do you still say that Mr. John Heath told you before you were examined to conceal his name?—He did.

53,141. (*Mr. Coleridge.*) Have you had any quarrel with Mr. John Heath?—No; more in friendship than quarrel.

53,142. (*Mr. Longe.*) Did you go to Mr. John Heath yesterday?—No. I never saw Mr. John Heath about it.

WILLIAM SATCHWELL recalled. *W. Satchwell.*

53,143. (*Mr. Bere.*) You did not tell us all you knew before?—I had spasms, and my head was in a bad state.

53,144. How much did you get in 1862 from Mr. Pender?—About 30*l.*

53,145. Who gave you that?—Mr. Parnell; my wife said she had 10*l.*, and what I had made 30*l.*

53,146. You got this from Mr. Parnell?—Yes.

53,147. In 1859 did you get 25*l.*?—Yes.

53,148. From whom did you get that?—Worthy came to my house and I found it on the floor after he went out.

53,149. Did you have some money in 1862?—Yes.

53,150. How much did you get then?—22*l.*

53,151. From whom did you get that?—I met Mr. Adams, and he said, "I shall be able to do something for you," and I said, "It is all right." I met him afterwards on the bridge, and he told me some story; and I said, "If you are flush let me have a couple of pounds," and he gave it to me; and sometime after the election, perhaps three weeks after the election, I met him again and he says, "I have got something at my house for you, when you like to call." I said, "the first time I go that way, I will look in." His wife was at the door, and I asked for him. She said, "he is very poorly," and she asked me to walk upstairs; and I went up and she put me into the room, and after that she gave me four 5*l.* notes.

53,152. Is Mr. Adams alive?—Yes; he is the organist.

53,153. Did Mr. Adams ever give you any money at any time?—No, not at all.

53,154. Have you told us the whole truth?—Yes, and nothing but the truth. I voted for Mr. Ricardo in 1857, and never had a penny and never offered anything. Nobody ever offered me anything at any election. What I got was unexpected.

53,155. What did you get in 1863?—Nothing at all.

53,156. In 1865?—I tendered my vote and got nothing for that; it was for Mr. Pender and Mr. Seymour.

THIRTY-EIGHTH DAY.

1 Nov. 1866.

Thomas Gillham recalled and examined.

T. Gillham.

53,157. (*Mr. Bere.*) There is something you want to say, Mr. Gillham?—At the time of Pender and Dent, when Mr. Dent retired, John Mitchell, who was then a cider merchant, and has now retired, came to my house with a message, that there was a proffer for me.

53,158. What was the proffer?—200*l.*

George Mitchell recalled and examined.

G. Mitchell.

53,159. (*Mr. Bere.*) You are a master currier living in the borough?—Yes.

53,160. What loss has been occasioned to you by your attendance before the Commissioners?—I do not complain of any loss; I merely came as I understood it was necessary to get my clearance as to my being uncontaminated.

53,161. (*Mr. Coleridge.*) You apply for a certificate?—I understand expenses are allowed for trouble, but I do not make any charge.

53,162. (*Mr. Bere.*) We having announced that no persons who received or gave bribes would have expenses, you think if you do not get your expenses, it may be conceived that you have been refused them on the ground that you have received or given a bribe?—Just so.

53,163. That is not the ground on which we say that we do not think you are entitled to expenses; the ground on which we think that is, that you are a master currier resident in the town, by whom no loss has been sustained?—I do not claim any loss.

53,164. (*Mr. Coleridge.*) It is as well to tell you now, in order that it may be generally understood that if you require a certificate, you clearly would not be entitled to costs, because you must have done something wrong before you require a certificate.

53,165. (*Mr. Bere.*) I am glad you have made your application in the way you have?—I do not apply for anything in the shape of money.

Thomas Hunt Edmonds recalled and examined.

T. H. Edmonds.

53,166. (*Mr. Bere.*) You wish to explain something Mr. Edmonds, as to the sum of 200*l.*?—After Dent's election. I intended to have stated it on the first occasion, but when I came to that part some other question was put, and I forgot it afterwards. I mentioned it to Mr. Bowen afterwards. I paid Robert Gill 200*l.* after the election for Hannaford.

53,167. From whom did you get it?—Mr. Mitchell.

53,168. In gold?—Notes; after the election. We sent to Mr. Dent that there were certain sums to be paid afterwards and he sent down a roll of notes.

53,169. Whom did he send it to?—To Mr. Mitchell.

53,170. Was any money distributed at that election except by Mr. Mitchell?—Yes; there was a person who was a black man, and he distributed the greater portion of the money. I think he went away the day before the nomination day. I am not quite sure. There were several other sums to be paid; and Mr. Mitchell said, "I should like you to hand it over to the party who had the distribution of the money;" and I handed it over to him.

53,171. (*Mr. Coleridge.*) Do you know Snell?—I saw him I think on the nomination day.

53,172. He was here before the black man?—He was not here the last election, it was Dent's election.

53,173. Did you ever know a black man who goes by the name of Grant?—I never heard of any name. I also paid, after Dent's election, 40*l.* to Mrs. Paige, the wife of James Page. I sent a sort of begging note or letter to Mr. Mitchell, stating that they were in straightened circumstances, and he told me to give them 40*l.*, which I did.

53,174. Had you any money to distribute after that election?—No.

53,175. Applications were made to you to go to Mr. Mitchell, and ask for particular sums of money, and you did so?—Quite so.

53,176. Had you a large sum of money put into your hand for municipal purposes?—No; during the election I handed over to the runners sums of 1*l.*, sometimes 3*l.* or 4*l.*, during the course of the election.

53,177. (*Mr. Bere.*) Can you throw any further light upon this deficiency in the amount received from Colonel Dawkins and the amount expended?—No; I am sorry to say I cannot. After the adjournment I met Screach and Evens; and asked if they had paid any further sums. I found Evens had two or three sums that he fancied he had names to, and it proved it was not the case. I thought Screach had some other persons. I took out the names from the newspapers, and I took the list, and I said, "Are there any ones in "addition to those you have paid, because it is of im- "portance we should clear up the matter, and I hope "you will come forward;" and say he said, "No; he "could not mention more than he had."

53,178. (*Mr. Coleridge.*) You say from the first you never saw the mysterious stranger?—I never saw anybody except Snell; I had nothing to do with him.

53,179. Beyond what you have been told by others, you do not know that there was any mysterious stranger at all?—Certainly not.

53,180. It may all have been distributed by others, and there may not have been a stranger?—There are circumstances that seem to show that to a certain extent there was a stranger. I asked Mr. Heath to go to Mr. Mum for me, and ask for 80*l.* in order to settle up some money owing in respect of the municipal elections; and he went and brought the sum mentioned by me in my first examination.

53,181. (*Mr. Bere.*) Did he tell you from whence Mr. Heath got it?—No, he went and got it; I was determined not to have any communication with the stranger, and I kept entirely aloof from him.

John Jerman Phillips sworn and examined.

J. J. Phillips.

53,182. (*Mr. Coleridge.*) How much did you get in 1865 for your vote?—20*l.*

53,183. Did you give any I O U?—No.

53,184. Or sign any paper?—No.

53,185. Did you sign a paper for anything else?—I signed a paper to get someone down here.

53,186. That was the requisition?—I understood it was to Mr. Dent; that is all I ever signed.

53,187. Whom did you get the 20*l.* from?—Mr. Heath.

53,188. Did you get anything from Mr. Evens besides?—No; that was in 1863.

53,189. What did you get from him then?—30*l.*

53,190. Are you sure it was not 40*l.*?—I had 10*l.* from John Heath some time afterwards.

53,191. Making 40*l.* all together?—Yes; that made it 40*l.*

53,192. Did you sign a paper for that?—I did not.

53,193. (*Mr. Bere.*) Are you quite sure that you did not get the 40*l.* at the last election and not in 1863?—I am certain of that; I got 20*l.*; that was what I got.

53,194. (*Mr. Coleridge.*) Are you quite sure you did not get more than 20*l.* at the last election?—I am quite sure of that.

53,195. You are sure your wife did not get it?—Yes.

FREDERICK EVENS recalled.

53,196. (*Mr. Bere.*) Did you give John Jerman Phillips any money at the last election ?—I gave him 30*l.* or 40*l.*, I cannot say which.

53,197. Was that at the last election ?—It was in 1865, I think.

53,198. Are you quite sure of that ?—I would not swear to it.

53,199. Will you swear that you gave his wife anything at the last election ?—I gave his wife something, whether it was 30*l.* or 40*l.*, I cannot say.

53,200. Can you swear you gave her 30*l.* at the last election ?—Yes.

53,201. When ?—On the night before the nomination.

53,202. Where ?—In her kitchen.

53,203. You are not sure it was not in 1863 ?—I paid him at every election I think.

53,204. Did you ever pay his wife anything before? —Yes. I always paid the wife. I never had anything to do with the man.

53,205. How much did you pay him in Dunn's election ?—I paid the wife. I never had anything to do with the man. She is the master.

53,206. (*Mr. Coleridge.*) Can you help us as to any more of this money which is deficient ?—No more than I have told you.

53,207. (*Mr. Bere.*) How much did you keep yourself ?—I had 50*l.* for myself.

53,208. Is that all ?—Yes. I spent all that in electioneering ; I never was a pound the better of it myself.

53,209. (*Mr. Coleridge.*) Do you still maintain that there was a stranger here ?—I do. I am positive of it.

53,210. A person whom you had never seen before? —Yes ; whom I have never seen before, or ever seen since.

53,211. Are you aware that your description of him differs very materially from that of Screach ?—I am quite aware of it.

53,212. And from that of Mr. Heath ?—That I cannot say.

53,213. Were there three strangers down here ?—I cannot say. I only saw one.

53,214. Was yours the fair stranger ?—No ; the dark one.

53,215. Did you ever have any conversation with the stranger ?—Yes.

53,216. What did you talk about. I do not mean when he was giving you money ; what general conversation had you with him ?—I had some general conversation with him.

53,217. Did you gather from him where he came from ?—No.

53,218. Did he tell you he had been at that business before ?—He said he had been at it before. He did not tell me what places he had been at.

53,219. Are you sure he did not tell you where he had been at work before ?—I am sure of that.

53,220. Did he tell you he knew Mr. Pender ?—No ; he never told me so.

53,221. You do not know whether he knew Mr. Pender or not ?—I do not.

53,222. Did you ever see Mr. Pender when you were out with the stranger ?—I have seen Mr. Pender come to several voters where I have been.

53,223. Where you have been with the stranger ?—No. I have been talking to the voters, and Mr. Pender has come in in two or three instances.

53,224. Mr. Pender never offered you any situation? —No.

53,225. You said the stranger was here some days before the election ?—Yes.

53,226. Did you know of his going to Plymouth ? —He went away, but where to I cannot tell. I went into his room and I could not find him.

53,227. Did you see him going away ?—No.

53,228. Did you go to the station with him ?—No; I had plenty of other work to do.

53,229. Have you been to London to try and find the stranger ?—No. If I had seen him, I should have asked him to come down and clear us up a little if he would.

SAMUEL HILLEY recalled.

53,230. (*Mr. Bere.*) Have you heard what your wife said to-day, about the 5*l.* which you got from Mr. Heath ?—Yes.

53,231. You forgot to tell us yesterday of the 5*l.* which you had got from Mr. John Heath ?—Yes, I did.

53,232. But you did get it ?—I did.

53,233. Are you quite sure it was not 10*l.* ?—I am certain it was not 10*l.*

53,234. Is there anything else which you forgot to tell us yesterday ?—No ; nothing.

SAMUEL HEARD recalled.

53,235. (*Mr. Coleridge.*) How much carriage hire were you paid by the Conservatives at the last election ?—Some 2*l.* or 3*l.*

53,236. Not more than that ?—I think not.

53,237. (*Mr. Bere.*) You say there was some person present when you were paid this 20*l.* ?—Yes. I wish to clear my character.

53,238. Who do you say was present ?—Mr. Edmonds.

53,239. Where was he present ?—In the little room upstairs, on the left.

53,240. Mr. Heath paid you ?—Yes. I beg to state that at Mr. Dent's election I had been working for them, and had had a carriage knocked to pieces of the value of 50*l.*, and I was promised payment for that ; as Mr. Dent retired, I did not get the money.

53,241. When you were examined on a former occasion you said this, "From whom did you get the "20*l.* ?—From Mr. John Heath. Where did you "get it ?—In the lobby of the 'Seven Stars.' Were "there other people there getting money besides "you ?—There were no persons there but me and "Mr. Heath." Now you tell us you got paid in a little room on the top of the stairs in Mr. Edmond's presence ?—I call that the lobby, the head of the stairs.

53,242. Which is true, that there was no one there or that Mr. Edmonds was there ?—Mr. Edmonds will state that he was present.

(*Mr. Edmonds.*) I am quite sure that I was not present.

(*The witness.*) When Mr. Heath gave me 20*l.* I said that was a long way short of 50*l.* for the carriage that had been knocked to pieces at Mr. Dent's election, and Mr. Edmonds said, "That will be all right," I said, "You are a gentleman, and I will take your word for it." I have applied to Mr. Edmonds at different times for a further sum.

(*Mr. Edmonds.*) I am quite aware of that ; I admit that ; there I agree with you.

53,243. (*Mr. Bere.*) Did he mention to you, Mr. Edmonds, that a carriage of his had been destroyed at Mr. Dent's election ?

(*Mr. Edmonds.*) Yes ; I think there was some mention of that ; he said there had been a carriage of his destroyed at Mr. Dent's election, for which he thought he ought to be paid.

(*The witness.*) Mr. Edmonds can testify I never gave any such paper as that.

53,244. (*Mr. Bere.*) Mr. Edmonds says he never gave you anything of the kind ?

(*The witness.*) He was there and can swear to it.

THIRTY-EIGHTH DAY.

S. Heard.

1 Nov. 1866.

Sometimes I sign my name shortly, sometimes in full. Mr. Bryett, I daresay, has 40 bills of mine which I can refer to. That is not my handwriting; it is too large. I did not consider that the 20*l.* I had was in consideration of my vote, but for the loss I had sustained the election before. You should ask Mr. Heath whether I ever gave him that paper.

53,245. (*Mr. Coleridge.*) He says that he saw you sign it.

53,246. (*Mr. Bere.*) He says that you signed it in the room when you were paid the money,

(*Mr. Edmonds.*) My idea is that when he applied to me afterwards for a further sum he said that he had had 30*l.*; that is my own impression.

(*The witness.*) I went into the "Seven Stars" tap and counted it. I applied to you for 30*l.*; the remark that you made to me was that you would see I should be paid the remainder.

W. Hannaford.

WILLIAM HANNAFORD sworn and examined.

53,247. (*Mr. Bere.*) You were the agent for election expenses for Colonel Dawkins at the last election?—I was.

53,248. Have you got the bills?—They were handed back to the town clerk.

53,249. Did you, yourself, pay all the sums of money that are mentioned in that account?—The list was given to me by Mr. Edmonds or by his clerk; the papers came from Mr. Edmonds' office, and they were sent back to London after they had been examined to get a cheque for the amount.

53,250. Who paid the individual items?—I did.

53,251. Amongst other items did you pay 46*l.* 2*s.* for horse and carriage hire?—No doubt I did.

53,252. Cannot you remember what you paid for horse and carriage hire to Mr. Heath at the "Seven Stars?"—I cannot remember exactly the amount.

53,253. Did you pay the amounts by separate cheques?—No; they were paid by one cheque through Mr. Edmonds. I cashed it and paid the amounts in money not in cheques.

53,254. Did you go round to the different people and pay them in cash?—I did.

53,255. Do you remember how much you paid Mr. Heath at the "Seven Stars" for horse and carriage hire?—That I cannot remember.

53,256. How much was it altogether?—I think 170*l.* or 180 for Colonel Dawkins; I had nothing to do with Captain Pim.

53,257. (*Mr. Longe.*) Out of that amount how much was published in the election expenses account?—I cannot tell. I believe that the whole was published.

53,258. Did you see the items to which you put your name?—I saw the account that was delivered in.

53,259. Are you aware of the items to which you put your name?—All that were down in the list sent in I paid.

53,260. You paid Mr. Heath over 100*l.*?—I should say I did.

53,261. (*Mr. Bere.*) What business had you to pay Mr. Heath over 100*l.*?—I was desired to do so.

53,262. Who gave you the money?—Mr. Edmonds.

53,263. How much did the bills amount to altogether?—Over 300*l.*

53,264. (*Mr. Coleridge.*) You have only returned 279*l.*?—I cannot tell how that is. I did not make up the account; the town clerk made up the account.

(*Mr. Edmonds.*) I think I can explain that. The accounts are to be published by the mayor, who is the returning officer. Mr. Hannaford, the election agent, had nothing to do with it. Mr. Phillips, the mayor, considered that under the act he was not allowed to publish these expenses.

53,265. (*Mr. Longe.*) Are you aware that under the Act of Parliament you are liable to a penalty of 5*l.* for not returning those expenses?—I was not aware of that.

53,266. You paid Colonel Dawkins' hotel expenses at the "Stars"?—I did.

53,267. You did not return those to the returning officer?—I thought I had returned every item.

53,268. You signed your name to the published expenses not including the hotel bill?—I suppose I did so; I did what I was desired to do by the town clerk.

53,269. Did you get anything for your vote at the last election?—No.

53,270. Did you ever give any one anything?—No.

53,271. Did your wife ever get anything?—No.

53,272. You got 20*l.* as the agent for the election expenses?—I did.

53,273. All you have to do is to get the bills, pay them, and hand them over to the returning officer?—Yes.

53,274. Have you always voted for the Conservatives?—Yes.

Mrs. Griffis.

Mrs. GRIFFIS sworn and examined.

53,275. (*Mr. Bere.*) Are you the wife of George Griffis?—Yes.

53,276. You got money from both parties last time?—I did.

53,277. How much did you get, and who gave it you on the Conservative side?—No one gave it to me.

53,278. Where did you get it?—I got it on the table in a room in John Heath's house.

53,279. At the "Seven Stars?"—Yes.

53,280. What room was it?—A room on the left-hand side going in to the front door.

53,281. Was anybody in the room when you got it?—No one in the room but me.

53,282. Whom did you see?—I saw two men. I was coming out again. I went in and saw Mr. Heath and another.

53,283. Do you know who the other was?—No, a stranger.

53,284. Who told you to go into the room?—He pointed to me, and I would not go at first; some one came out and told my husband he was wanted, two or three times. He would not go in, and I went in.

53,285. You were told you would find something for him?—Yes.

53,286. What did you find there?—100*l.*

53,287. Was it in gold or notes?—Part in each.

53,288. Did you take it up and put it in your pocket?—I never looked at it; I never was told what it was.

53,289. You took it up and took it home and counted it?—I did not till I got home, I never said a word.

53,290. How much did you get on the other side?—30*l.*

53,291. Where did you get it?—It was some time after the election; I think a week after.

53,292. Who gave it to you?—Mr. Searle gave it me.

53,293. (*Mr. Coleridge.*) Which way did your husband vote?—One for each.

53,294. Did Mr. Heath ever ask you to give back any of the 100*l.*?—No; I would not do it if he was to.

53,295. Did you keep the money from your husband?—Yes. I always keep the money.

53,296. (*Mr. Longe.*) Had your husband promised two votes when you got the 100*l.*?—He promised Pender and Dawkins, no one else.

53,297. Had he not promised two votes for the Conservatives when you got the money?—No.

53,298. (*Mr. Coleridge.*) When did you first tell your husband you had got it?—I did not tell him.

53,299. He did not know it till to-day?—I told him I had some money, but I did not say what.

53,300. (*Mr. Bere.*) Did not Finch, Mr. Durant's steward, pay you some?—No, not a farthing, or a farthing's worth, in any shape or form, and he never promised anything; no doubt about that.

53,301. (*Mr. Coleridge.*) You did not mention it before the mistake about this 100*l.*?—No, not at all. I had it myself and kept it.

53,302. Are you sure it was not 50*l.*?—I am certain of it.

53,303. What was it in?—Paper; a parcel in a little bag.

53,304. Was it in notes or gold?—Part in each. I could not tell you how much in each.

53,305. How many sovereigns were there?—I could not tell you.

53,306. More than 20 sovereigns?—I do not know.

53,307. Were there 10?—Oh, yes; a little more than 10; it was not a very big parcel.

53,308. What sort of notes were they?—I would not be certain about that.

53,309. Was it a fifty pound note, or fives, or what?—I am not certain about that; I had then 100*l.* of my own when I came home from Cornwall.

53,310. What did you do with the 100*l.*?—I cannot tell you; my husband never asked me that.

53,311. You had 100*l.* of your own at that time?—Nearly 100*l.*

53,312. Was it in notes or gold?—I think part in each; I brought it home with me.

53,313. What did you do with the 100*l.* which you got from Mr. Heath, did you pay it into a bank?—No.

53,314. What did you do with it?—Paid it where I owed it.

53,315. Did you pay away the whole 230*l.*, or have you got any of it now?—I have not got it now. I had borrowed money, and I paid Mr. Bourne over 40*l.* I paid many things, I could not tell you all. I was ill a long time, and I do not remember everything.

53,316. You must try and tell us how you did pay it; we have been told it was only 50*l.*?—It was 100*l.*

53,317. We want to know how you got rid of the 230*l.* Mr. Bourne 40*l.*?—Over 40*l.*

53,318. What is the next?—10*l.* to Mr. Eale; 8*l.* to Mr. Pack, of which I have the receipt at home.

53,319. Have you not got receipts for all these things?—Yes.

53,320. Who else?—I cannot tell you.

53,321. That is only 58*l.* out of the 230*l.*?—I got 100*l.* I do not know which way it all goes.

53,322. Tell us some more?—I had 100*l.* from Mr. Heath, and I had 30*l.* from Mr. Searle. I daresay if I looked at the receipts I could find out.

53,323. We must know how you got rid of the 230*l.*?—I could find it out, but I did not spend it all at once.

53,324. You paid it all away very soon?—I had not got any left three months after.

53,325. Did you have any conversation with Mr. Bryett about your husband's vote that election?—He never mentioned anything to me.

53,326. Did you tell him it was necessary he should give both votes for the Conservatives?—No; I met Mr. Narramore in the street, and he says, "Your husband must vote for both," and I said, "He has promised Mr. Pender." He says, "He must vote for both."

53,327. Did you not send up to Mr. Bryett?—Never.

53,328. Did you try and get him to vote for both?—I would if he was wanted.

53,329. Did you tell Narramore how much you had got?—He did not mention anything to me.

53,330. When you were bargaining for your husband's votes?—I never did make any bargain at all more than I tell you now.

53,331. You said you would try and get him to vote for both?—It was my wish he should.

53,332. Did you try to get him to do so?—I would if it had been required. They did not want him at this election.

53,333. How do you mean?—He had promised he would do as he liked; he would not be told by me.

53,334. Nobody told him he would be wanted?—No one came. He said to me, "He must vote for both," but my husband is not going to be told by a bit of a boy like that to say he must do a thing.

53,335. Did you try?—No, I did not.

53,336. Bring up the receipts?—I do not know that I shall be able to come again, for I have been ill 10 weeks.

53,337. (*Mr. Bere.*) When did you tell your husband that you had had 100*l.* from Mr. Heath?—I did not tell him.

53,338. He has sworn here you told him you got 50*l.*?—My husband never asked me about the money at all.

53,339. Your husband has told us here that you got 50*l.* from Mr. John Heath, and you told him on the day after the election; why did you not tell him what it was?—I did not choose to tell him.

53,340. Did you tell him you got 50*l.* of Mr. John Heath?—I do not know.

53,341. You did not?—I told him that something would be given.

53,342. (*Mr. Coleridge.*) What is your husband?—A dealer in timber.

53,343. What amount of money does he turn in the course of a year, roughly?—I cannot say. We pay cash for everything, and do not keep an account.

53,344. If you pay cash for everything, how came you to be 230*l.* in debt at the time of the election?—I was not in debt. I spent it I said.

53,345. Just after the election you told me. Among these receipts there is Robert Bourne you paid 42*l.* 6*s.* 3*d.* That is the 13th July 1865. Blackler, 3*l.* 4*s.*, balance due?—Yes, that was 15*l.* He had 15*l.* altogether; the other he had before, that was the balance.

53,346. When did he have the other?—He had the other just about a month before.

53,347. Here is a bill, "14 days after date, pay to "my order the sum of 7*l.* 13*s.* 4*d.*, value received, "E. Griffiths." That was paid?—That was timber I bought over at Bridgetown.

53,348. Then 1*l.* 18*s.* 3*d.* to Knapman. Then there is the Duke of Somerset for timber, Nov. 9th, 1865?—I paid the man when I bought it.

53,349. If you paid it you have a receipt?—No, I gave the money there and then. It will be in their books.

53,350. Henry Bartlett, July 17th, 8*l.* 9*s.* 6*d.*?—Very likely it is paid and not receipted.

53,351. How long after the election was it before you had got rid of all this money; how many months?—Oh, I turned it over perhaps a month or two.

53,352. How long after the election was it that you spent the last of this 230*l.*?—Perhaps eight or nine months.

53,353. Had you spent it all by Christmas?—No.

53,354. What do you think was the latest time before you had got rid of it all?—I think the last money was when I paid Mr. Bastard. It was all I had.

53,355. How much was that?—It was 40*l.*, I think. You will see a receipt there for 80*l.*

53,356. What does that one for 80*l.* mean?—For timber; I paid him two 40*l.*'s.

53,357. "Recd. from George Griffiths & Messrs. Beer & Prant?"—That was the cheque we gave him.

53,358. Where did you get it from?—Mr. Beer and Mr. Prant. That had nothing to do with this money.

53,359. That was 40*l.* that was paid by Beer and Prant's cheque?—Yes—no, I think it is not more than 10*l.* cheque which I received from them. I carried 30*l.* over, I think, the evening before.

THIRTY-EIGHTH DAY.

Mrs. Griffis.

1 Nov. 1866.

53,360. Which was it?—I cannot be certain, but at all events 40*l.*; that was my own.

53,361. You consider all the money got for your husband's vote your own money?—Yes, it was given to me.

53,362. For your influence over your husband?—No.

53,363. Did not you give him anything?—I gave him a suit of clothes.

53,364. No; he never has any money; he lets me take the money.

53,365. Here is December; for goods carriage, 2*l.* 19*s.* "John Searle, meat and cash." Had John Searle been lending you money?—No; he owed us 17*l.*, and that was the bill, "Meat and cash, 10*l.* 11*s.* 9*d.*"

53,366. That was before the election?—It was not paid then.

53,367. When was it paid?—Before he went away to America.

53,368. When was that?—Not many weeks gone.

53,369. Long after you got rid of the money?—No. He had a trap of us, 15*l.*, and wood of us, 2*l.*; that was 17*l.*

53,370. The last you paid, you say, was to Mr. Bastard?—That was paid before that.

53,371. You say it was not paid the date it bears?—Of course the trap cost money, that was 15*l.*, and 2*l.* wood out of some tops of trees—17*l.*

53,372. "Ash trees, 4*l.* 6*s.* 0*d.*?"—I sent and paid that since, and our man took out a note and put a receipt on the envelope, which I cannot find. That is paid.

53,373. April 25th 1866, 1*l.* 16*s.*; and here is August 8th, 4*l.* 8*s.* 6*d.*?—That is not all that is paid.

53,374. What else is there?—15*l.* to Mr. Cull, of Newton, timber merchant.

53,375. Anybody else?—Yes, Mr. Hill, of Staverton, 10*l.*

53,376. What for?—Timber.

53,377. When was it paid?—The latter part of July.

53,378. What else?—I cannot say what I paid the bank.

53,379. Do you keep a banking book?—No.

53,380. When you put it in you get some receipt?—No. When I have had anything and when the time has been I pay it.

53,381. The bank give you some receipt?—No, they do not; you pay it in and never get it.

53,382. Are you always in debt to the bank?—Not always.

53,383. What bank do you bank with?—The Devon and Cornwall.

53,384. About how much did you pay them?—I never paid in any. I mean to say I have paid the bill at the Devon and Cornwall. Perhaps I gave a bill. I paid Mr. Heath over 20*l.*; I think over 30*l.*

53,385. Mr. John Heath?—Yes.

53,386. What for?—Timber.

53,387. Is Mr. John Heath a timber merchant?—No, an auctioneer.

53,388. When did you pay that?—In the last winter. I went down and paid the bill to Mr. George Heath, and he did not give me a receipt. He said he would send it up, but I never had it.

53,389. How did you pay it?—In sovereigns, I think.

53,390. Whose timber was it?—I cannot tell you; near Rolster Bridge.

53,391. You paid George Heath over 30*l.*?—Yes, Mr. Heath or Mr. George Heath; it was the auctioneer.

53,392. When did you pay for the timber?—I paid 20*l.* for our rent to Mr. Bryett for the orchard and the rent for our house.

53,393. What became of the money from the business all this time?—We did owe twelvemonth's rent in Cornwall.

53,394. (*Mr. Bere.*) Did you keep any books?—My husband just keeps an account book in his pocket for cutting down timber, and that is all. You have had our books here.

53,395. Does not he keep any other book?—No, because we pay cash for everything.

53,396. If you pay cash for everything how came you to be so much in debt?—Because my husband got into trouble through a little matter, and we lost all this money.

53,397. (*Mr. Coleridge.*) Are you quite certain that it was 100*l.* you got from Mr. Heath?—Quite certain.

53,398. Was it altogether a mistake your telling your husband that you only got 50*l.*?—Not a mistake of mine; I did not tell him.

53,399. Why should you have anything; you do not vote?—I do not care; I work and get the money.

53,400. Then you think the person who gets the money ought to be paid for the vote?—Yes. You must please to remember that we pay 10*l.* a-week wages to our men.

53,401. Do you mean that you would have had to give up business altogether if there were no elections here?—I did not want the elections.

53,402. You got 130*l.*?—Well, I did not have anything before, and they had 300*l.* out of me before that. My husband had his goods sold twice.

53,403. How had your husband voted before?—He did not vote for the duke's party when at Bridgetown, and then they put a distress in on us and sold all our things.

53,404. Was it a distress for rent or what?—Yes, they put in for rent first, and then they put in for timber.

53,405. Timber the duke had sold you?—No, from other parties; I do not think anything from the duke.

53,406. And that cost you 300*l.*?—No, we had this little vessel down there we had put all our money in, and that was taken away from us on account of that.

53,407. It was sold to pay the debt?—Yes.

53,408. You would have had to pay the debt at all events?—Yes, but when it was finished, we had enough money to pay everybody, and many were paid afterwards.

53,409. What year was it that this vessel was sold?—1863.

53,410. What time in 1863 was it?—I could not tell you exactly now.

53,411. Was it after the election of 1863?—Yes, after the election of 1863; he would not vote.

53,412. Did he vote against Mr. Seymour?—Yes.

53,413. Did he vote for Mr. Dent?—Yes.

53,414. What did he get for voting for Dent?—Not anything.

53,415. What did you get?—I did not get anything.

53,416. Was it in 1862, at the time when Mr. Dent retired, or when he had the fight with Mr. Seymour?—That I cannot tell you.

53,417. Did you get nothing at the election of Mr. Dent?—No.

53,418. What would you have had if it had gone on?—If they had finished the vessel for us we offered to give them all the power we had.

53,419. You had promised Mr. Dent?—No, I had promised some of the party.

53,420. That was to vote against Mr. Seymour?—Yes; I said if they would take our vessel and finish it, or lend us any money, they might take the vessel; we would give it up to them.

53,421. Who was it that came to you from the Conservatives?—I think it was Mr. John Heath who came to us.

53,422. Did you say how much it would cost to finish the vessel?—I said about 200*l.*; I said I would not have anything from them.

53,423. You said if they finished the vessel they might have it?—Yes, they might take the vessel.

53,424. And they did do so?—They sold us out. I have had something in return, and I think I am quits with them.

53,425. Did they do anything with the vessel?—

They sold us out; Mr. Heath, I think, was the auctioneer.

53,426. Did they finish it?—They finished it in that way.

53,427. And you got 130*l.* in lieu of all that?—Yes, and I well deserved it; I think I am quits with them now.

WILLIAM HAMLYN sworn and examined.

53,428. (*Mr. Bere.*) Were you the agent for the election expenses for Captain Pim at the last election?—Yes.

53,429. What sum of money did you receive for the payment of those expenses?—I should tell you it was quite by chance that I have the documents. They were sent to the town clerk at the time, and I happened to keep copies. The total amount I paid was 266*l.* 2*s.* 7½*d.* That is only a rough copy, and I am not sure about the exact amount. There was some alteration made afterwards.

53,430. You paid John Heath 110*l.* 3*s.*?—Yes.

53,431. And out of that 110*l.* 3*s.* the returning officer has only entered in the list of expenses 27*l.* 18*s.* for horses and carriage hire?—I should tell you that the bills as originally sent in to me from Mr. Heath were 110*l.* 3*s.* 1*d.* I sent to the town clerk subsequently, and the town clerk sent and told me it was desirable to alter the bills; that it should be stated 61*l.* 8*s.*, and hotel expenses 31*l.* 15*s.*, and the bills were made out in that way by Heath; so much for committee-room.

53,432. What, committee 61*l.*?—Yes, and I may tell you that I thought it very high; and I wrote to Captain Pim and told him that I considered the hotel expenses were very high, and he sent me back a letter. I have a copy of the letter that he sent, that I was not to trouble myself about Heath's bills, as he considered they were satisfactory; that or words to that effect. I have the letter from Captain Pim.

53,433. Have you got the original charges sent in by Mr. Heath?—No, I have not; these are all the papers I have.

53,434. (*Mr. Coleridge.*) What was the enclosure in this; have you that?—Perhaps it was a 50*l.* cheque, which makes 266*l.*

53,435. This is a letter written to you, "11 Belsize Square, Hampstead, 1865. My dear sir, read the enclosed, and then deliver it to Mr. Kellock." What was that?—That was relative to some extra expenses that Mr. Kellock had incurred, not included in a regular bill.

53,436. What sort of expenses?—Mr. Kellock told me that there was an extra committee-room, and money that he had paid for this room for getting it ready for the use of the election.

53,437. That was all?—I think there were other things.

53,438. What were they?—I do not remember any particular items.

53,439. You do not know what they amount to?—He did not tell me any amount.

53,440. It was "Read the enclosed, and then "deliver it to Mr. Kellock. If he declines to pay the 'sum total then you must take the amount he 'mentioned as having ready, and I will send you a "cheque for the 110*l.* 3*s.* hotel bill. I am anxious "that there should not be the semblance even of any-"thing unpleasant; but I think you will agree with "me that 144*l.* is a good slice for one person to take "out of me, and if it can be prevented all the better. "I should have replied at once, but have been away "in the country. Write to me at once and let us "settle this business immediately. Yours truly, "BEDFORD C. PIM." What is it?—140*l.* I had to apply to Mr. Kellock for this money.

53,441. What is the 144*l.*? Is not that what Mr. Kellock wanted for the committee-room and the expenses?—I do not think it was.

53,442. Can you tell me who the "one person" referred to is, as having 144*l.*?—I think it was not one person.

53,443. He says, "I think you will agree with me "that 144*l.* is a good slice for one person to take out "of me, and if it can be prevented all the better."

53,444. (*Mr. Bere.*) Does it not refer to Mr. Heath's bill?—No, I think not.

53,445. Can you at all explain what that 144*l.* means?—Not for the moment.

53,446. Mr. Kellock has only entered 25*l.*?—I received in all 266*l.*, 216*l.* from Mr. Kellock, and 50*l.* from Captain Pim.

53,447. (*Mr. Longe.*) You made that?—I received it and paid it.

53,448. The only published account is 216*l.* 10*s.*?—It is 266*l.*

53,449. But you only published 216*l.* 10*s.*?—I gave it in to the town clerk.

53,450. What did you sign your name to?—266*l.*

53,451. And the town clerk altered it, and signed your name?—I do not know; the papers are with the town clerk. Those are merely rough copies, and there are many alterations made.

53,452. Did you see the published accounts in the papers?—No, I did not. I saw the paper of course, that went to the town clerk, and that is the only money that I saw. That is the only authentic document in the town clerk's papers.

53,453. That is the document with your signature to it (*referring*)?—Yes, 266*l.*

53,454. (*Mr. Coleridge.*) When were you appointed election agent?—Shortly before the election.

53,455. Had you known Captain Pim before?—Never till he came and solicited my vote.

53,456. When did he first call? Because here is a letter of the 6th May 1865. That is a month before the election, or two months?—I had no correspondence with him before the election.

53,457. The 5th May 1865 is a mistake for 1866?—It must be.

53,458. He says, "I am in receipt of yours of the "2nd instant, and last night a letter arrived from Mr. "Kellock. Captain Veitch will show you my reply to "Mr. Kellock before he forwards it, and I hope my "compromise will conclude the business; but in case "this satisfactory arrangement cannot be made, Cap-"tain Veitch will kindly conclude the affair for me, "as I especially feel ashamed of keeping tradesmen "out of their bills. I enclose cheque for 50*l.*, which "I know you will agree with me ought to suffice. "Yours truly, BEDFORD J. PIM." What does that allude to?—To certain things. I told you that Mr. Kellock had one which ought to be included.

53,459. Did you receive this in May of this year?—Yes. I did not know him before this election.

53,460. Then on the 7th September Captain Pim writes: "I return you the bills as desired, and beg "you will not think of troubling yourself about Mr. "Heath's charges. I am very glad that the matter "is now settled, and can only return you my hearty "thanks for the trouble you have taken and the very "kind desire you have evinced to have the business "transacted 'on the square.' Yours very truly, "BEDFORD C. PIM" What does that mean, having had the business transacted "on the square"?—I do not know, unless he is a mason; I am not.

53,461. Is that a term with freemasons?—Yes, I believe so.

53,462. Have you never heard that "conducting business on the square" means, conducting it honestly?—No.

53,463. You can explain that 144*l.*?—No; you see that a great deal took place between Captain Veitch and Mr. Kellock; and therefore I knew nothing of the demand from Mr. Kellock. I do not know what it was, but he told me there were certain expenses.

THIRTY-EIGHTH DAY.

W. Hamlyn.

1 Nov. 1866.

53,464. That is a copy of the account sent to the returning officer?—Yes, that is the original there.

53,465. Are the hotel expenses then 110*l.*?—Yes.

53,466. The 110*l.* 3*s.* was altered at the suggestion of the town clerk? —Or his son. His son called me into the counting-house.

53,467. You thought it was part of your duty to alter it at the town clerk's suggestion?—Yes.

53,468. Just see if you do not know something about that 144*l.* that one person is going to take out of Captain Pim?—The letter that was enclosed I sent to Mr. Kellock. It did not concern me, and I have forgotten it.

53,469. But Captain Pim asks you for your advice whether the 144*l.* is not rather a strong measure, and surely you can tell us who that person was?—I do not know whether Captain Pim paid any money to Mr. Kellock that did not come through me.

53,470. He is talking about the compromise, and he says 144*l.* is rather a strong charge?—I think you will find that 144*l.* will be the whole of the hotel expenses, that is all, except Mr. Heath's bill. I think you will find that it comes to something about that.

53,471. The committee-room and horse and carriage hire together come to 145*l.*?—That is about it.

53,472. That cannot be it?—110*l.* 3*s.* was Mr. Heath's charge.

53,473. Out of the 110*l.* 3*s.* 50*l.* is left in the shape of horse and carriage hire, and committee-rooms?—110*l.* is the amount of Mr. Heath's bill sent in to me.

53,474. This 144*l.* odd must go to some person?—Yes.

53,475. Can you tell me who that person was; 144*l.* is a good deal to take out of one person's pocket?—I tell you what I believe it to be. After deducting the 110*l.* 3*s.*, it leaves, I think, 144*l.* Mr. Kellock told me that he had enough to pay everything except the hotel expenses.

53,476. But the figures would not be right then?—The original account is the only one that I have to go by.

53,477. (*Mr. Longe.*) Did not you have any conversation about leaving out the hotel bill with the returning officer?—His son called upon me and told me it was necessary to alter the amounts in this way.

53,478. There is a difference in the amount; it is 266*l.*, what you signed your name to?—Yes.

53,479. And the 216*l.* is the amount put. He struck 50*l.* out of your account?—I cannot explain that.

53,480. Had you any conversation about the valuation?—I had not.

53,481. Did you ever know that it was altered?—I did not till now. I know that I received 266*l.*, and that is the amount that I paid; and these accounts I had promiscuously, and if the Commission had not been here they would have been destroyed.

The following account was put in:

TOTNES ELECTION, July 12th, 1865.—Bills owing by Captain Pim, R.N.

Names of Claimants.	For what incurred.	Amount. £	s.	d.
J. F. P. Phillips, Esq., returning officer	Professional assistance, tradesmen's bills, &c.	16	1	1½
Mr. John Heath	Hotel expenses, &c.	110	3	0
Mr. J. C. Kellock	Professional assistance	25	0	0
Mr. F. J. Hare	Ditto	25	0	0
Mr. J. Diggins	Advertizing in Exeter Gazette, and for newspapers	23	8	8
Mr. H. T. Hodder	Advertizing in Western Morning News	6	0	0
Mr. H. Toms	Printing and stationery	16	5	0
Mr. John Denner	Ditto ditto	9	10	6
Torquay Times Office	Newspapers	0	8	4
Mr. H. T. Hodder	As poll clerk and for copying work	4	2	0
Mr. G. L. Lane	Ditto ditto	4	2	0
Mr. W. D. Narramore	Copying work	2	2	0
Mr. W. G. Hamlyn	As poll clerk	2	2	0
John Johns	Ditto	2	2	0
John Bishop	Repairing Guildhall, &c.	1	3	6
F. Bartlett	As messenger	0	10	6
F. Willis	Ditto	0	10	6
John Willcocks	Ditto	0	10	6
J. Chapple, jr.	Ditto	0	10	6
Totnes ringers	Ringing	3	3	0
Samuel Matthews	Posting bills	0	14	0
		£253	9	1½
	Commission to election agents 5 %	12	13	6
		£266	2	7½
	Returned by Mr. Presswell and retained by me for current expenses	0	16	4

WM. HAMLYN, W. H.
Agent for election expenses.

I hereby certify that these bills have all been paid by me and the vouchers handed over to the town clerk (G. Presswell, Esq.,) as required by Act of Parliament.
W. H., 12/9/1865.

Mrs. A. Phillips.

Mrs. ANNE PHILLIPS sworn and examined.

53,482. (*Mr. Bere.*) Did you get any money at the last election?—No.

53,483. When did you get any?—The first I received was Dunn's election in 1859.

53,484. How much did you get?—20*l.*

53,485. Who brought it to you?—Mr. Evan Evens.

53,486. Who brought you the money in Dent's election?—Mr. Frederick Evens.

53,487. How much?—30*l.*

53,488. Are you sure that he did not pay you a sum of money the last time?—I never saw him in my house.

53,489. Did you find something in your house?—No.

53,490. Were you paid any money at the last election?—Not a farthing.

53,491. Never by anyone?—No.

53,492. Do you know that your husband had some money?—He brought me some home.

53,493. How much did he bring you home?—20*l.*; 40 half-sovereigns altogether.

J. W. Chaster.

JOHN WEBBER CHASTER recalled.

53,494. (*Mr. Bere.*) Is the Bowden Company the same as the Colly Park Meadow Company?—No; it is "Building in Barn Field Bowden, and land called "Barn Field, Garden Park Lawn, Stone Park, Town "Park, Little Farm Park, and Wide Gate's Park."

53,495. Is that the company called the Clerical Company?—No; that was another company.

53,496. Will you give us the names?—Those are the names. I can verify them, having been the churchwarden who signed the list. John Cockrem, Elliott Coulton, Thomas Harris, John Johns, Philip Michelmore, Richard Maye, Richard Maye, jun., Henry Maye, William Peeke, Philip Symons, Philip Symons, junr., Herman Taylor, Richard Tucker.

53,497. When was the Bowden Company established?—It was not established; it was only attempted, in 1864.

53,498. Who was the manager of it?—I think Robert Harris; the only person in occupation was Herman Taylor.

53,499. What were the other companies which have been alluded to?—I think there are two companies in Broomborough, which have not turned up.

53,500. One was the Clerical Company, the other the Colly Park Meadow Company?—Yes; the Clerical Company went down; they did not like to swear hard enough.

53,501. Was there any other company?—There was a small company of three, Elliott Coulton, David White, and a man of the name of Gidley. I mention this, as a reason to show why the Gerston Company was attempted as a counterpoise. There were some other names, Mason, Elliott, and Penny.

53,502. Did they succeed in establishing themselves?—They did not; they were only attempts; those were all in 1864.

WILLIAM COULTON recalled.

53,503. (*Mr. Bere.*) Are we to understand that the occupation of White, Gidley, and yourself, of this property, was a bonâ fide occupation?—Yes, it was.

53,504. You stocked the land with your own cattle?—Yes.

53,505. You have seen them there, and know them to have been there?—Yes, I do.

53,506. (*Mr. Chaster.*) The peculiarity in this case was, that the building was on Mr. Phillips' curtilage, and was approached through doors fastened by Mr. Phillips every night. The land was distinct; they did occupy the land.

JOHN SOUTHWOOD sworn and examined.

53,507. (*Mr. Bere.*) Did not John Tucker come to you in 1863, and offer you some money?—I do not recollect how it was. I know John Tucker of Rolster Bridge.

53,508. Did not John Tucker, the butcher, come to you in 1863, and offer you 25*l.*?—He was out there once or twice. I do not know in particular that he offered me any money; he said, if I liked to take some money, and tell him where to put it, he would go and put it there, and I might go and find it.

53,509. Did you tell him?—No; his money was of no use to me.

53,510. Why not?—I would not take it.

53,511. You rent some land under Mr. Parker?—Yes.

53,512. And you get your qualification from him?—Yes.

53,513. Do you know that Mr. Edmonds wrote to him about your vote?—I received a letter from Mr. Parker, saying he knew there would be a contest for Totnes, and he did not like to interfere with Mr. Durant's wishes.

53,514. You were to vote as Mr. Durant wished?—Yes.

53,515. Did you give the letter to Tucker?—He came to me and asked me for Mr. Parker's address.

53,516. Did you give him the letter?—That I cannot tell.

53,517. He has produced the letter before us?—There was something said about a letter. I suppose I did give it him.

53,518. You did not take the money?—No.

53,519. Did you get any money on the other side?—Not a farthing; I told him that his money was no good to me.

Adjourned to to-morrow at 9 o'clock.

THIRTY-NINTH DAY.

Friday, 2nd November 1866.

Mr. HAMLYN recalled and further examined.

53,520. (*Mr. Bere.*) There was some uncertainty about the account of yesterday?—Yes, I have asked about the account published and the account that I gave, and from a copy of the letter which I had I am reminded that a sum of 48*l.* was paid by Captain Pim separately at the town clerk's request by me, and the vouchers were forwarded to Captain Pim; and deducting that from the amount given, it would make the amount published. I did not remember it last evening.

53,521. Have you been able to come to any conclusion with regard to the meaning of that part of Captain Pim's letter about 144*l.*?—I cannot throw any light upon it. I suppose it refers to Mr. Kellock. I believe it does.

(*Mr. Coleridge.*) If anybody can explain that, Mr. Kellock can.

RICHARD DURANT, Esq., sworn and examined.

53,522 (*Mr. Bere.*) Do you live at Sharpham?—Yes.

53,523. How long have you been in possession of that property?—Upwards of 20 years.

53,524. Did you buy it of Mr. Bastard?—Yes.

53,525. Was he a Conservative or a Liberal?—I believe a Conservative.

53,526. You have a vote for Totnes?—Yes.

53,527. And I believe always voted for the Liberals?—Yes, I am not quite sure whether in the early part I might not—I do not know whether I voted or not, but at any rate I should have voted for a Conservative when I first came, if I had voted—I am not sure whether I voted or not; but I recollect suggesting to my tenants to vote for Baldwin and Seymour at the early part of my residence here; and therefore I should have voted if I had been here.

53,528. Did you vote for Pender and Seymour at the last election?—Yes.

53,529. And Seymour at the election of 1863?—Yes.

53,530. Whom did you vote for in 1859—Mr. Dunn's election?—Mr. Mills and Lord Gifford.

53,531. Have you ever directly or indirectly received anything for your vote?—Nothing.

53,532. Have you ever directly or indirectly used your influence to make persons dependent, or vote in any particular way?—Yes; when I say I used my influence I believe it has been used by my steward in letting certain fields with the understanding that they were to vote the same way that I voted myself, and it was supposed they were let to people holding those views.

53,533. How many persons have you tenants of yours?—I have six or seven.

53,534. Do you know how long they have been voters?—The first instance is my eldest son to whom the property belonged. He was the purchaser of a large portion of that in the borough, and whilst he was a single man, he used it in the way to entitle himself to a vote. When he married he no longer lived with his father; at least was supposed not. It was then that I thought to get other votes in lieu of the one cut off.

53,535. How many votes did you succeed in establishing?—I do not recollect. The man at the lodge is one.

53,536. Is that Hannaford?—Yes, and Mason, Kane, Osborn, and Shinner.

53,537. There were five votes?—Yes, there were seven; but there was some discrepancy, and the revising barrister struck off two; he considered they were partners instead of two.

THIRTY-NINTH DAY.

R. Durant, Esq.

2 Nov. 1866.

53,538. Can you tell us how many acres gave those five votes ?—No, I cannot.

53,539. Or what the value of the land is upon which the voters are qualified ?—I do not know that I can exactly, nor do I know that I can come near it.

53,540. (*Mr. Longe.*) You do not know the number of acres that you hold in the borough ?—No.

53,541. (*Mr. Bere.*) At election times have you yourself canvassed these people ?—No, I do not think I did. I am not sure. I may have spoken to them ; certainly, I canvassed two men who voted the other way.

53,542. Who were those —A man named Kane, and Tozer, I think.

53,543. They were tenants of yours ?—They were tenants of one of those fields.

53,544. What election was that ?—The last election.

53,545. Did they vote against you ?—Yes.

53,546. Who was your agent ?—A Mr. Smith of Dartington ; but I have two agents, there is Mr. Whiteaway.

53,547. (*Mr. Coleridge.*) Who was your man of business in making votes ?—Mr. Whiteaway of Ashburton, was the man who made them.

53,548. He made two votes that voted against you ? —Yes ; then there is Southwood, he voted for Seymour.

53,549. In the election of 1863 William Hannaford voted for Dent ?—Yes.

53,550. In consequence of that he received notice to quit ?—Yes.

53,551. And that was subsequently withdrawn at the request of the Liberal party ?—Some person wrote to me or spoke to me, I believe both, on his behalf. I think Mr. Jenkins who lives close by the lodge.

53,552. What reason had you for giving him notice to quit ?—Because I though his conduct was improper.

53,553. Do you mean in voting against the Liberals ? —In the way in which it was done altogether.

53,554. Had you heard of his receiving a bribe ?— I had, but he denied it, and threw a slur upon the party, stating that he was not paid his day's work.

53,555. We have heard that he received 200*l.* ?—I did hear some such thing at the time, but it seemed not to be believed, at any rate I did not believe it.

53,556. The first arrangement you made with him was altered, was it not ?—It was.

53,557. He lived in a cottage rent free on condition of performing certain services without payment, and then you paid him for those services and he paid rent for the cottage ?—Yes, exactly.

53,558. Who suggested the change ?—No doubt it was Mr. Whiteaway.

53,559. He is a very strong Conservative himself ? —Yes.

53,560. (*Mr. Coleridge.*) That would account for the giving two fictitious votes on the wrong side ?— No, it would not.

53,561. (*Mr. Bere.*) Did you give notice to those two men who voted against you last time ?—They gave up the holdings.

53,562. After notice given by your steward ?—I think very likely.

53,563. Do you know whether that was the case or not ?—I feel no doubt about it ; but it was understood between them that they were to give it up. I do not think there was any other reason. I do not know what has become of Kane, he has gone away.

53,564. What was the Christian name of the other man, John ?—I do not know ; he was a man with a club foot. I went to him when I heard that he was likely to vote against me, and I spoke to him upon the subject.

53,565. You were acquainted with Mr. Dent ?— No, I did not know John Dent. I have known the Dent family all my life. I knew the grand uncle of Mr. Dent, in fact all of them.

53,566. When he came first down here as a candidate he had an introduction to you ?—His uncle wrote to me in his favour, though he knew I should not vote for him, but still it was to ask if I could do him any service.

53,567. In consequence of that did you go down to the "Seven Stars" to see him ?—I did.

53,568. Did you see him ?—I did.

53,569. Do you remember what passed between you ?—The object of my seeing him was to do away with any kind of opposition that might be made in the way of bribery, and expenses at the election in any way, or that they should be lessened, by an amicable contest between Mr. Pender and himself ; that I told him as the object of my visit, and as Mr. Mitchell, who seemed to be the spokesman, was not disposed, as far as I could judge, to allow Mr. Dent to say much for himself. I could not get him out of the room to have any conversation with him, and Mr. Mitchell said you are perhaps aware that he is in the hands of his committee.

53,570. How long was this before the election ?—I think nearly two days.

53,571. Is that all that passed ?—That is all that passed. It was refused.

53,572. Were you acquainted with Mr. Pender at that time ?—I knew nothing of Mr. Pender, but of his coming down here. I had heard of him.

53,573. Did you have any communication with Mr. Pender before you saw Mr. Dent ?—Yes ; it was suggested by Mr. Pender that I should make such a suggestion.

53,574. (*Mr. Longe.*) You did not go merely as a friend of Mr. Dent's, but also as acting between Mr. Pender and Mr. Dent ?—Certainly.

53,575. (*Mr. Bere.*) What is the name of your steward ?—The man who considers himself my steward is Henry Trefusis Smith.

53,576. Who is the person to give the notices to quit ?—Mr. Whiteaway, of Ashburton.

53,577. He is a solicitor ?—No ; he undertakes the general work for Mr. Smith ; Mr. Smith is the man who considers himself my steward, and Mr. Whiteaway acts under him.

53,578. (*Mr. Longe.*) What number of acres of land have you within the boundary of the Parliamentary borough which give votes ?—I have stated they would be 40 acres.

53,579. (*Mr. Bere.*) Have you bought the property from your son ?—No.

53,580. It is his property ?—It is, and I rent it of him.

53,581. And you sub-let it ?—Yes.

Major Williams.

MAJOR WILLIAMS sworn and examined.

53,582. (*Mr. Coleridge.*) Where are you at present residing ?—At Cheltenham.

53,583. At the time of Mr. Dent's first coming here were you residing in the neighbourhood of Totnes ?— No ; I was residing at Cheltenham previous to that ; I had lived for nine years at Gatcombe House, near Totnes.

53,584. Were you there during the election of 1862, when Mr. Dent first came here ?—I was.

53,585. During the whole of the election were you there ?—No ; because the election was knocked on the head.

53,586. How long were you there before the election ?—Some two or three days before.

53,587. Were you down there as a friend of Mr. Dent's ?—No ; I had never seen him before ; I came down at the express wish of a friend of his, in London, thinking that I might be able to give him a helping hand.

53,588. Who did you see when you first came down here ?—I think I saw a Mr. Mitchell, Captain Dent, and as far as my memory goes, Captain King.

53,589. Did you see Mr. Edmonds ?—No ; I do not know that gentleman.

53,590. Who was acting as the solicitor for Mr. Dent?—I think a gentleman of the name of Kellock.

53,591. On your first coming here did you have any conversation with Mr. Dent as to his prospects at the election?—Yes, certainly I had; that was the first thing I spoke to him about; after I had been introduced to him, and we had been talking a little, as it was very natural we should, I said to him, "Will "you let me have a look at your poll book?"

53,592. What did he say?—He said nothing, but looked at me as if I had asked him a question to answer which was impossible; I said, "Why have "you not seen your poll book?" One of the gentlemen present, I think Mr. Kellock, said, "You had "better put no questions to Mr. Dent," and Mr. Mitchell said, "You had better retire, Mr. Dent; it "is better that Mr. Dent should answer no ques-"tions." I said, "Now I see what your game is."

53,593. Will you tell us what then took place?—Mr. Dent went out, and I could not get any sight of the poll book. I looked upon it as being a regular thing to get money out of Mr. Dent.

53,594. Was not the gentleman there whom you see now present, Mr. Edmonds?—I do not know, I am not acquainted with him. There was another gentleman there whom I think I should know if I saw him again.

53,595. Did you make repeated efforts to get a sight of the poll book?—Yes.

53,596. And did you always get the same answer?—Yes.

53,597. You never did succeed in getting a sight of the poll book?—Never.

53,598. Did you make use of any strong expressions on account of your not seeing the poll book?—I said I thought it was a very improper thing that a man should be brought down to be bled in that way, and that he should not be allowed to know what was going on.

53,599. Did you express that feeling to Mr. Kellock?—I expressed it openly in the room.

53,600. Was that in Mr. Dent's presence?—No; he was bundled out into another room.

53,601. And I suppose very good care was taken that he should not hear what you said?—Yes, the greatest care.

53,602. Between that period and the time of the election what took place; what did you have to do with Mr. Dent?—I had my suspicions about how the elections at Totnes were managed, and I said I thought it was a very great shame to bring a fellow down there to spend money to accomplish what I called an impossibility. What I am about to say is, perhaps, principally hearsay, but as far as my knowledge goes, according to the way that the Bridgetown voters are worked, and the system which can be pursued by a wealthy man like Mr. Pender, there is no Conservative candidate, if he had all the money in the world, who could get in for Totnes.

53,603. Before Mr. Dent retired had you found out that a Conservative could not possibly be returned?—I think I had clearly.

53,604. Although Mr. Dent might have been willing to spend any money which would make his election safe?—I think so. I never heard what Mr. Dent was prepared to spend.

53,605. Did you ever hear what he did spend?—I think I have heard that Mr. Bryett said he was prepared to spend 15,000*l.*

53,606. Did Mr. Dent or Mr. Mitchell say what sum they had promised to expend?—No.

53,607. Mr. Mitchell was as silent with you as he wished you to be to Mr. Dent?—I think not at last; I had opened his eyes to what was going on. I got hold of a friend who knew something of what was being carried on upon the other side, and I think I made it clear to Mr. Mitchell that the election was gone.

53,608. Who was that friend?—Mr. Harris of Park Hill; he had a long conversation with Mr. Mitchell, and I begged of Mr. Harris to lay before Mr. Mitchell the plain unvarnished truth, and to let Mr. Dent know that I was most anxious to put a stop to it altogether, and prevent any money being expended.

53,609. What time did you come to the conclusion before the election that Mr. Dent had better retire?—After the nomination.

53,610. And it was very much at your instigation that he did retire?—Entirely.

53,611. If it had not been for you he would have gone to the poll?—I am sure he would.

53,612. Used you to see Mr. Heath at the "Seven Stars?"—I saw him constantly.

53,613. Did he take any part in the discussions?—None whatever.

53,614. Were you staying all this time at the "Stars" with Mr. Dent?—I cannot say that I was. I think I stayed with Mr. Harris, and went into the town in the daytime. I dined with Mr. Dent, but I think I slept at Park Hill.

53,615. What took place after the nomination, up to the time when Mr. Dent determined to retire?—I cannot tell where I got it, but I know I obtained some very reliable information that Mr. Pender was a remarkably rich man, and that he was determined to carry the election. Having learnt that, and knowing, under the circumstances I have mentioned, that Mr. Dent would have to purchase two votes to one on the other side, and that even then he would not get in, I thought it was a great pity that he should spend his money in such a foolish way.

53,616. Mr. Dent was also a very rich man, was he not?—So far as I have been informed he was a man worth between 200,000*l.* and 300,000*l.*

53,617. Did you go through any poll book at all?—I never saw one.

53,618. Then how did you get your information that Mr. Pender would have to buy only one vote against Mr. Dent's two?—That was told me by Mr. Harris, and made to appear very clear.

53,619. Did Mr. Harris seem to be au fait at election matters?—Not at all; he was of different politics to myself. I am a Conservative, he a Liberal.

53,620. Was he active on the Liberal side?—No; he took no interest in it whatever.

53,621. It was only from casual hearsay that he told you this?—I suppose so.

53,622. But it was perfectly patent in the borough that Mr. Dent would have to buy two votes to their one in order to come in?—I should say absolutely so.

53,623. Then it was determined late at night on the nomination day, that Mr. Dent should not stand?—I will tell you what part I took in that. When I had got the ear of Mr. Dent and Mr. Mitchell a little more favourably with regard to his retiring, I begged of them to send over some trusty messenger to meet the committee of Mr. Pender, and to make some compromise of the matter, by allowing the one to come in then, and the other on the next occasion.

53,624. What time was that?—About 11 o'clock at night.

53,625. After the election was as good as gone?—Yes; when I had ascertained that it was gone, we sent a messenger over to Mr. Pender's committee, and when he came back he said they were not empowered to enter into any agreement. I then said, "Mr. Dent, "you see how matters stand, take my advice and retire "from the contest absolutely; send over and say that "you will retire unconditionally." That was a few minutes before 12 o'clock. The messenger went over and said that Mr. Dent would retire from the contest unconditionally. The next morning I was surprised to find that the poll had been opened and five votes recorded on behalf of Mr. Dent.

53,626. Were you not informed that there was some doubt, a poll having been demanded, as to whether they were not obliged to open the poll?—I never heard anything about that.

53,627. Was there any explanation given of why the poll was opened?—I put my own construction upon it.

53,628. What was that?—To get money, of course.

THIRTY-NINTH DAY.

Major Williams.

2 Nov. 1866.

53,629. Did you hear what money Mr. Dent had promised to expend?—I did not hear; he was a very liberal man. After the advice which I had given Mr. Dent, the others kept very clear of me.

53,630. You never saw any poll book?—No; they would not have anything more to do with me.

53,631. Should you say that the bringing down of two Conservative candidates at the last election was a very hopeless business?—Entirely so. The man is not born who can come in on the Conservative interest, so long as the Bridgetown voters are in the habit of voting as they do.

53,632. So that the two Conservative candidates could have been brought down only for the sake of spending money?—That is all.

53,633. Were you not surprised to find that a little more than six weeks after Mr. Dent was again in the field?—I must say I was. I have heard that various overtures were made to him to buy property, and make what is called faggot votes. I said to him, "For "God's sake do not have anything to do with such a "set of leeches as these men are; if you spend "10,000*l.* on one occasion, they will make you spend "20,000*l.* the next. So long as the Bridgetown voters "vote as they do, and so long as a certain number of "the other electors vote for the Liberals, there is no "chance for you."

53,634. You agree with the Duke of Somerset that he can always return one member without any difficulty?—I think he always could do that. I have known Totnes for some 20 years, and whilst here my opinion was that they gave one vote for the duke, and the other as they pleased.

53,635. Have you yourself ever voted for the Tories?—No.

53,636. Did you have any communication with Mr. Dent when you heard that he had come down a second time?—None.

53,637. You were not aware of his doing so?—No; the last that I saw of Mr. Dent was on the day of the would-be poll. I was going home to Cheltenham when Mr. Mitchell and Mr. Dent begged me to change my destination so as to smooth the way for them with their friends in London, that they might not believe Mr. Dent had skulked out of the contest. I said I had no objection to state that Mr. Dent had done it entirely at my suggestion.

53,638. Who do you mean by "their friends"?—His uncle and some personal friends of his own; persons who might have felt annoyed that he did not go to the poll.

53,639. Have you ever heard from Mr. Dent since?—Never; I went to London, where I stayed a day or two and dined with Mr. Dent at the Oriental Club, and I have never seen him since.

53,640. Did he tell you what it cost him?—Not a word.

53,641. Was it between the two elections when you dined with him?—It was just after I went up to town.

53,642. Mr. Dent is in China now, I believe?—Yes.

53,643. We have heard there were some defalcations in reference to one of the members of his house, and he was obliged to go over and look into the matters himself?—That I do not know anything about; it is a very large concern.

53,644. Is there anything else you can tell us in reference to the election of 1862?—Not that I am aware of; nothing strikes me at this moment. I cannot make out how any man, begging his pardon, could be so great a fool, seeing how he was treated at Mr. Pender's election, to come down here again so shortly afterwards, but he had a great idea of getting into Parliament. My belief was that the part which I took had completely settled the matter, and that he would never be seen here again.

53,645. If he had taken your advice he would have retired as soon as you came down here?—Yes; directly I heard what I have told you I came to the conclusion that it was hopeless, and I said to him "Do not spend a penny."

53,646. They refused to shew you the poll book, and you thought it looked very suspicious?—I did indeed.

53,647. (*Mr. Bere.*) How long were you down here?—I think three days.

53,648. Was there a good deal of eating and drinking going on?—I think there was. What I am about to state is mere hearsay, but it shows how things were going on. A requisition had been sent to Mr. Dent to come down here, and a certain number of the requisitionists were placed on his committee. They met at Mr. Heath's, and a servant of Mr. Dent's, in plain clothes, went into the room, and while there he heard these committee-men and requisitionists talking about what they should draw Mr. Dent for before they polled; that was a matter which I heard the next day.

53,649. Can you give us the name of that man?—I do not know his surname; his Christian name was Joseph. He told me that was one of the things which made him anxious that Mr. Dent should not go on. One man said that he had two votes, and that he should not expect less than 250*l.*; another said he should like to get 100*l.* or 150*l.*, and so on.

53,650. Should you be surprised to hear that Mr. Dent had spent between 15,000*l.* and 20,000*l.* at the two elections?—No; he was a very liberal man, and was in the habit of making very handsome presents to ladies of jewellery and other things worth from 200*l.* to 300*l.*

53,651. He was not a man who would make any inquiry as to how much had stuck to the hands of the distributors?—No; he would make up his mind to spend as much as he was asked for, and never inquire for the bill; he is a most liberal person. There was a good deal of eating and drinking going on at the "Seven Stars."

53,652. Is Mr. Dent a partner in the firm of Dent and Palmer, or in the house of Dent and Son?—I think it is his uncle who is a partner in the house of Dent and Palmer.

53,653. Do you know who Mr. Dent's bankers were?—I do not know; very possibly his uncle; he is his agent.

J. Michelmore.

JEFFERY MICHELMORE recalled and examined.

53,654. (*Mr. Bere.*) Have you gone through the poll book and marked it?—Yes.

53,655. And ascertained how many voters who are on the list are tenants of the duke?—There are 68 with crosses, and 25 with ticks, who are tenants of the duke—in all 93.

53,656. There are 93 tenants of the duke, and 25 of them are faggot voters?—That is so.

53,657. (*Mr. Coleridge.*) Every one of those who voted against the duke had notice to quit his holding?—No.

53,658. How many of them have had notice?—Any man amongst the Conservatives who votes according to principle would not be turned out.

53,659. Then how came Mr. Kellock to be turned out?—He was not turned out for voting; we had great difficulty in getting his rent, and he did not keep stock there to cut the grass. The things he had there were mules, donkeys, and ponies. Mr. Kellock's eviction had nothing whatever to do with his voting.

53,660. Or with his son being the agent on the other side?—Not the slightest.

53,661. (*Mr. Bere.*) All the duke's tenants are tenants from year to year?—They are.

53,662. Do they hold under any contract in writing?—No.

53,663. Are there any particular terms in regard to their holding, or is it one general agreement. What would be the terms between an outgoing tenant and the duke?—There are agreements in regard to the estates; the estates are let entirely separate from the fields.

53,664. The tenants of the estate are tenants from year to year, but there are agreements for them with certain conditions?—Yes.

53,665. Is it the same agreement in every case?—Yes.

53,666. (*Mr. Longe.*) What was the holding of those men who were evicted in 1863 and 1864; Turpin, for instance?—He was a householder.

53,667. Had he a vote for his house?—For his house.

53,668. Blackler?—Blackler had a warehouse, but he had a vote independent of the warehouse in Totnes as well. In general, these men who have crosses put against them also have votes in Totnes as well.

53,669. What did he hold under the duke which made you give him notice to quit?—A warehouse.

53,670. John Tucker?—That was a field.

53,671. Byne?—That was a field.

53,672. Mitchell?—A house in Bridgetown.

53,673. James Penwill?—A field.

53,674. John Briggs?—A house and land; the land made the qualification; the house was a small cottage; there was land enough attached to make a vote. He was turned out of his house.

53,675. William Hannaford?—A house.

53,676. Lake?—In Lake's case he rented some mills under the duke and also a field; we gave him notice for the field and he gave us notice for the mill.

53,677. Ellis?—A field.

53,678. Willis?—A field.

53,679. Barter?—He was not evicted.

53,680. Goodridge?—That is a similar case; we wanted a portion of that land for the new school.

53,681. John Parnell Searle?—That was a field.

53,682. James Edmonds?—A field.

53,683. Edward Shinner?—A field.

53,684. Eastman?—A field.

53,685. Shillabeer?—A field.

53,686. Sercombe?—Sercombe has a house and land.

53,687. He had to give up his house?—Yes.

53,688. Knapman, he was not a tenant of the duke?—There was a man of the name of Knapman who was a tenant.

53,689. After 1859?—I do not recollect; William Knapman, who lived at Bourton, was a tenant of the duke.

53,690. What was that?—A house and land; land enough attached to make a vote.

53,691. Goodman?—That was land. Nearly all these notices were served on account of our not being able to get possession so as to allow the building company to come on and build. Every tenant who had land was served with a notice. Those whom you have named were served in order that the building company might enter and take possession of a great deal of it.

53,692. In the case of those houses where anyone was evicted did you ever tell them that they were turned out because they had taken a bribe?—Yes.

53,693. Although you yourself had bribed you gave that as a reason?—We turned them out not only for taking a bribe, but for forming a club to try and bribe the others; they were given to understand that.

53,694. Did you ever yourself tell anyone who was evicted that that was the reason?—I cannot say that I did.

53,695. (*Mr. Coleridge.*) There was a greater sin in their forming clubs against you than there was in your doing so against them?—We thought so.

53,696. (*Mr. Longe.*) Was anyone instructed by you to tell any men who were evicted that that was done because they had been bribed?—That was done by my father.

53,697. You are not aware of what was the reason given?—I am not.

53,698. (*Mr. Bere.*) Your father was the agent for Lord Cranstoun, and you succeeded him?—Yes.

53,699. Having been a Liberal before the election of 1865, he became a Conservative?—Yes.

53,700. And was writing letters to his tenants, asking them to vote for the Conservative candidate?—Yes.

53,701. At a late hour on the nomination day was the Cranstoun influence given to the Liberal party?—No; it was never given to the Liberal party.

53,702. Then what happened?—Lord Cranstoun came down to see what he could do to assist Mr. Astell in his election for Ashburton, and finding that nothing could be done there he came over to Totnes thinking he might be able to assist Colonel Dawkins. I then told him I did not consider it fair his interfering here.

53,703. Where did you see him?—I saw him at Ashburton, and told him I did not consider it fair his interfering here.

53,704. Did you give him any reason?—Yes, that a man placed on his estate upon the duke's ground as a good Liberal was not acting fairly in turning round and voting against those principles.

53,705. What did he say?—That he did not think it was fair, and he promised me that he would not interfere. Afterwards he agreed to withdraw and not interfere further. There was some letter which he had written to Colonel Dawkins, which he wrote and demanded back. I carried the letter. I forget who it was directed to, but I gave the letter into Mr. Kellock's hands on the nomination day requesting the return of the other letter. Mr. Kellock did not give me the letter, but promised to send it over. I saw him later in the day and demanded it. He told me Captain Fox was with Colonel Dawkins, and they had taken the letter to Lord Cranstoun at Torquay.

53,706. Did you ever hear from Lord Cranstoun that he had received that letter?—No.

53,707. Are those men still on the register?—Not on the Totnes register.

53,708. None of them?—No.

53,709. When the Duke of Somerset was examined here the day before yesterday he produced a letter that he said he had asked you for; when did you give him that letter?—When first the Commission was talked of.

53,710. Did he write to you?—Yes, for any letters he had written in connexion with the election matters. I sent him up two out of the three, and those are produced.

53,711. Did you find only three letters of the duke's alluding to election matters?—Those were all.

53,712. What part of the correspondence did you look after?—I went back to the beginning of 1862.

53,713. Did you not look at the letters before 1855?—We have no letters.

53,714. Is it the practice in your office to destroy letters after a certain period?—Not if it is necessary to refer to anything likely to turn up again. We hear very seldom from the duke. Sometimes the letters do not average six in a year.

53,715. You do not happen to have a copy of the agreement under which the farmers hold?—No, I have not. It is the usual farming agreement.

53,716. (*Mr. Coleridge.*) Are they all exactly alike?—They are all alike.

53,717. You have a general form in the office?—We have a general form relating to the duke's property and all other property.

GEORGE MITCHELL recalled and examined.

G. Mitchell.

53,718. (*Mr. Bere.*) You were a candidate for the Council yesterday?—I was.

53,719. You were an unsuccessful candidate?—Yes, I was. I have not heard the result of the election myself yet, but when it is published, I believe I shall not be one.

53,720. I am told that three Conservatives were elected, one of whom was Mr. John Heath, and Mr. Thomas Holman, a Liberal?—Yes.

53,721. Did any bribery take place yesterday, as far as you know of?—Not to my personal knowledge.

THIRTY-NINTH DAY.

G. Mitchell.

2 Nov. 1866.

53,722. Did you hear of any?—Yes, a great deal, but not by our party.

53,723. On the Liberal side?—Not a farthing.

53,724. From your experience of Mr. Holman's proceedings at parliamentary elections, should you be surprised at any bribery at a municipal election?—I should be surprised. If he had done it yesterday, I should be surprised, because there was a perfect understanding between me and Mr. Searle, that there should not be any money spent.

53,725. From your knowledge of the expenses of municipal elections, do you think that there was as much spent yesterday as had been previously spent at previous contests?—Not so much, because they did not begin till between 2 and 3 o'clock. I was at the head of Mr. Heath when he began that practice.

53,726. (*Mr. Coleridge.*) Do you mean to say, you think, after what took place yesterday, that Mr. Heath, after his examination, left us and went and introduced the practice in the municipal election?—I am informed so. I met him just by here, and he came to shake hands with me; I said, "No, I do not "shake hands with you while you pursue those dirty "practices;" he never answered me. I cannot say that he bribed. Perhaps it was not worth answering.

53,727. (*Mr. Bere.*) We wanted to know whether bribery prevailed?—I have no doubt that it did. There are parties who have seen the money pass.

53,728. (*Mr. Coleridge.*) Where was the committee-room?—I had nothing to do with the committee-room.

53,729. Is it out in the passage here?—The grammar school was partly a committee-room.

53,730. How did votes rule; what were the quotations?—I have heard 5*s.*, and I have heard that one man was paid a sovereign.

53,731. (*Mr. Bere.*) Was it managed by Mr. Heath?—There were many scouts round about.

53,732. Any solicitors?—I do not know. I was not out to see myself. I daresay he did. Some of the electors can tell you much more than I can. I assure you that there was not one farthing spent on our side.

53,733. As far as you know?—I am certain there was not.

53,734. (*Mr. Coleridge.*) You know no more about than the others?—I can answer for Mr. Searle, and Mr. Holman and myself in that respect; we never canvassed a man.

53,735. Do you ever recollect a case in your experience, where money has been paid to a man without being canvassed, as a matter of course?—I do not know about that.

53,736. Do you know of a single instance?—I do not know anything about it. I never mixed myself up in it.

53,737. Should you be surprised to hear that a man had been paid?—No. I never spent any or offered a man a farthing in my life.

53,738. How do you know that nobody did on your behalf?—I do not say that. I say we never did it; that is what I say.

R. Harris.

ROBERT HARRIS recalled and examined.

53,739. (*Mr. Bere.*) Did you hear yesterday of bribery going on?—The Liberals bribed very much. Mr. Mitchell and all his party were all down there, and I saw Mr. Mitchell treating at "Jordain's Hotel." I saw him coming out from there; he had got 20 or 30 men there. I say we never bribed one single halfpenny; but I was watching him, Mr. Mitchell, and that was my special forte.

53,740. (*Mr. Coleridge.*) Were there not some placards stuck upon the Seymour flys, "Vote for Bennett, the working man's friend?"—Yes. While I am here permit me to say, as the Commission I presume is very near coming to a close, I have abstained from making any remarks in reference to the various witnesses who have been brought before you, in whose evidence my name has been mentioned. I may say at the outset that there is no man in Totnes who has suffered so much as I have. I have lost a situation of 4*l.* a week on account of it, and therefore I ask you, the Commissioners, to look over the evidence given before you as regards my testimony. There is a person named Samuel Hill, junior, and if you look at my evidence you will find that I told you on the morning of the election I went to that man. As a registration agent I was acquainted with almost every person in Totnes, and I came continually into contact with them, especially when I went round with the requisition. And Samuel Hill was one of those who signed the requisition. I let him a field, and I went to him and felt exceedingly disgusted that he was going to leave us in the hour of need. I said, "Is it "money you want?" he immediately said, "It is too "late, I cannot go on your side." That is the only "conversation I had in reference to money with "Samuel Hill.

(*Mr. Bere.*) The Commissioners are unanimously of opinion that the information you furnished, not only at the outset but through the inquiry, has been exceedingly valuable, and excepting one or two instances, perfectly trustworthy.

G. Mitchell.

GEORGE MITCHELL recalled and examined.

53,741. (*Mr. Bere.*) We have heard that you treated yesterday, do you now say you did not?—I have heard the assertions that Mr. Harris has made against me, that he was particularly watching me yesterday; that he walked down the town to Jordain's, and saw I had got men there carrying on all sorts of rigs; I declare to you here that I was never in at Jordain's house on that day. I never was near the house for the day.

53,742. All we wanted to know was whether, while the Commission was sitting, bribery was supposed to be practised on both sides?—It is easy to make assertions. I still persist in saying that no one saw me at Jordain's house.

Major Williams.

Major WILLIAMS recalled and examined.

53,743. (*Mr. Bere.*) Will you look round the court and say whether you see the gentleman who was acting for Mr. Dent?—Yes, I do, it was Mr. Kellock.

53,744. You have no doubt you saw him in 1862?—Yes, I saw him many times.

T. C. Kellock.

THOMAS CREASOR KELLOCK recalled and examined.

53,745. (*Mr. Coleridge.*) Did you take the advice of Major Williams as early as he wished it?—To be plain we thought that Major Williams's advice was rather interested on the opposite side.

53,746. You had thought he was a feather in your cap?—No.

53,747. What do you mean?—Not being an elector his coming to give us that advice was gratuitous.

53,748. (*Mr. Coleridge.*) He was not likely to participate in the benefits of money spent at that election, and you thought he had better stay at home?—No, certainly not; he did not go to the poll that election.

THOMAS CREASER KELLOCK recalled and examined. *T. C. Kellock.*

53,749. (*Mr. Coleridge.*) There is a letter that was read yesterday, which we had from Captain Pim, a letter to the election agent here, Mr. Hamlyn, saying, give this enclosure to Mr. Kellock, and if a compromise as suggested cannot be come to, pay so and so; and then he goes on to say, "But I think you will "agree with me that 144*l.* is a good slice for one per- "son to take out of me, and if it can be prevented, "all the better." Do you know what that means?—I never heard of it before.

53,750. The enclosure in that letter was given to you, I suppose, that was to be given to the agent; just read the letter and see if you can explain it?—I never saw that letter before, and know nothing of its purport.

53,751. Do you recollect an enclosure of some sort or other being given to you about the date of the 30th of August 1865?—I think evidence was given of it previously; there was the evidence of Captain Pim himself.

53,752. It says, "Read the enclosed, and then deliver "it to Mr. Kellock. If he declines to pay the sum "total then you must take the amount he mentioned "as having ready, and I will send you a cheque for "the 110*l.* 3*s.* hotel bill;" what does that mean, as to "the amount he mentioned as having ready;" does that apply to the balance you had in hand?—I do not know.

53,753. And then at the end he says, "I am anxious "that there should not be the semblance even of any- "thing unpleasant, but I think you will agree with "me that 144*l.* is a good slice for one person to take "out of me."—I do not know what it means.

53,754. 144*l.* is an odd sum, it is not like 150*l.*, or a round sum?—I cannot make it out, nor do I see how there could be such a sum. There could not be more than a surplus of 80*l.* odd.

JAMES CLARKE recalled and examined. *J. Clarke.*

53,755. (*Mr. Bere.*) Mr. Heath told us yesterday, in his examination, that besides the 10*l.* you acknowledged the receipt of at the last election he paid two bills for you, one amounting to 7*l.* 10*s.*, and the other 4*l.*; was that the case?—No.

53,756. Did he pay any money at all for you before the election?—Yes, about 4*l.*

53,757. How much else has he paid beyond that?—I am not aware of any.

53,758. Were not distresses put into your house?—No, I was threatened.

53,759. What were you threatened for?—Half a year's rent.

53,760. You were half a year's rent in arrear?—Yes.

53,761. What was the rent?—13*l.*

53,762. Did not Mr. George Heath take possession as the landlord's appraiser?—No.

53,763. Did he not come into your house?—No; he came and told me that Mr. Manning had sent over to him.

53,764. Was not the half year's rent afterwards paid to Mr. Manning?—Yes, it was.

53,765. Did you pay it yourself?—No, Mr. Heath sold the things at Gillham's.

53,766. Were your things at Gillham's?—Yes, there was a sale there, and I put certain things in. I have the account of it at home, but I unfortunately came away without it.

53,767. We understood Mr. Heath that he paid some money?—He did, he made up the deficiency between the rent and what the things sold for.

53,768. How much was that?—Somewhere about 3*l.*

53,769. He did give you 3*l.* 10*s.* and 10*s.*?—I gave him an I O U.

53,770. He has never demanded it of you?—No.

53,771. Was that the only money he ever paid for you?—I believe it was.

53,772. Are you quite sure that it was not on another occasion he paid half a year's rent?—Yes; that was the only period, and then I was only threatened. I was only valued.

(*Mr. Bere.*) The sittings of the Commission will be now adjourned to London, at No. 1, Brick Court, in the Temple, until Wednesday next, at 2 o'clock in the afternoon. The Commissioners, through me, wish to express their obligations to the mayor and council for the great accommodation which the use of the town hall has afforded them, and especially the little room upstairs of which they have had the exclusive occupation. They also wish to express their sense of the personal kindness and courtesy which they have received from every person in Totnes, sometimes under very painful circumstances.

Adjourned to Wednesday, 7th November, at 2 o'clock.

FORTIETH DAY.

FORTIETH DAY.

7 Nov. 1866.

1, Brick Court, Temple, 7th November 1866.

(*Mr. Bere.*) This is an adjournment from Totnes, and under the power given by the Commission we could only adjourn for a week. Since that, however, we have received permission from the Secretary of State to adjourn for any time we think fit. This meeting will therefore be adjourned till Tuesday next, at 11 o'clock, here, for the purpose of giving notice of the time and place at which we intend to examine witnesses.

FORTY-FIRST DAY.

FORTY-FIRST DAY.

13 Nov. 1866.

1, Brick Court, Temple, 13th November 1866.

(*Mr. Bere.*) We shall further adjourn the Commission till Tuesday next, at 12 o'clock, at No. 9 Committee Room, House of Commons, when we shall then proceed with the examination of witnesses.

FORTY-SECOND DAY.

FORTY-SECOND DAY.

P. R. H. Henson.

20 Nov. 1866.

Tuesday, 20th November 1866.

PETER ROBERT H. HENSON sworn and examined.

53,773. (*Mr. Bere.*) Are you clerk to Sir Robert Collier ?—Yes.

53,774. Were you at any time clerk to Mr. Edy, the special pleader ?—I was.

53,775. In the month of June 1865 did you receive a communication from Messrs. Smith and Guscotte, which induced you to go to their office ?—No.

53,776. Did you happen to be at their office ?—I was, although I do not speak to the date.

53,777. Was it in May or June 1865 ?—I do not know.

53,778. Do you remember the general election of 1865 ?—Yes.

53,779. Was it before or after that ?—It was a few days before Colonel Dawkins put up for Totnes.

53,780. Therefore it must have been before the election ?—Yes.

53,781. Whom did you see ?—Both the partners.

53,782. Mr. Smith and Mr. Guscotte ?—Yes.

53,783. What conversation had you with them then ?—I was in the outer office, and one of them came out and said good morning.

53,784. Which one was that ?—Mr. Smith, I think, but I am not sure. He said, "You are just the man "we want to see, come in. We have got something "here we think will serve you; our client, Colonel "Dawkins, is about to put up for Totnes, and we want "some one to go and assist him; we can put some-"thing in your way if you will go."

53,785. Did he explain to you how you were to assist ?—I do not know.

53,786. Had you any doubt what he meant by the word "assist ?"—I had my suspicions.

53,787. You were to go for the purpose of distributing money ?—Nothing of the kind. On the contrary, whatever was said led to a contrary impression.

53,788. Were you offered any sum of money ?—Yes.

53,789. What sum ?—I was told first that I could have 25*l.* or guineas, if I chose to go for three days' labour, and there would be very little to do.

53,790. What did they tell you you would have to do ?—It really was not defined; something was said about being in a room and attending to little matters.

53,791. And people coming to see you in that little room ?—No, nothing.

53,792. You were to sit in that room and do nothing at all ?—They did not say that, but they said there would be little to do—light, easy work—work I could easily accomplish. That was in answer to difficulties which I suggested. My answer, the moment they made the proposition, was to ask what politics the gentleman was, what were his political views. Then I found he was a Liberal Conservative—at least that was their statement; I thought most probably that he was a Conservative. That rather inclined me against him, the fact that his being opposed to me in politics. Then I think they told me what I could have, and I thought the remuneration was very handsome, and I was not indisposed to earn, if I could earn, that sum of money at that time, because I knew it would be serviceable; but from the account I suspected the general nature of the thing, and I resolved to decline.

53,793. Did you decline it at that interview, or were you there again ?—At once I declined.

53,794. Is that the only interview you had with Mr. Guscotte or Mr. Smith ?—Yes.

53,795. Did Mr. Lind say anything to you on the subject ?—No, not a word.

53,796. (*Mr. Longe.*) Did you make any intimation to them as to what you expected would be your work ?—No.

53,797. In no way whatever ?—No, my object was to decline it as respectfully as possible; they were gentlemen who had served me, and I thought they might serve me again.

53,798. (*Mr. Coleridge.*) How did you happen to go there ?—I went on business for a gentleman for whom I was engaged,

53,799. Accidentally ?—Yes.

53,800. Had you been employed in election matters before ?—No, I mentioned that to them, and so far from that being a disqualification, my not knowing the country, it was, they said, a qualification.

53,801. The stranger you were to the business the better ?—Yes.

53,802. And that confirmed your suspicions ?—

Yes, I thought it was dirty work, and I would have nothing to do with it.

53,803. The fact of being a stranger being a qualification made it suspicious to you?—Yes.

53,804. Do you know who went?—No.

53,805. Did you have any conversation with the firm, or the clerks, at that time, or afterwards, about it?—No.

53,806. Did you know at that time one of the clerks Messrs. Lind and Daw went down?—I do not know, but they intimated to me they were taking me in the place of a clerk.

53,807. Did they intimate to you how long you were to stay?—Three days.

53,808. (*Mr. Coleridge.*) How long were you to go before the election?—I do not know, but I assumed it would be immediately.

53,809. Three days in all?—Yes.

53,810. Have you had any conversation with Mr. Smith since his examination at Totnes?—No.

53,811. Or Mr. Guscotte?—No.

53,812. Nor with the clerks?—No; but I have a letter from Mr. Smith, and that is the first intimation I had of my name being mentioned in the matter.

53,813. (*Mr. Bere.*) Was 25*l.* all that you were offered?—No; finding that I was unwilling, it was intimated to me that I might have 30*l.*, and the impression I derived from my interview was that 30*l.* would not stand in the way.

53,814. (*Mr. Coleridge.*) Have you had any letter from any members of the firm since that letter of the 27th of September? There is one of the 14th, and one of the 27th?—No, I have not.

53,815. (*Mr. Bere.*) Was it your impression that you were to accompany Mr. Smith in the capacity of a friend, or as a person who had to do some dirty work connected with the election?—Upon the whole I thought I should be with Mr. Smith in some form or other.

53,816. Not merely as a friend?—I believe the term used was that I was to "assist."

53,817. (*Mr. Coleridge.*) You say you had nothing to do with any election before?—No.

53,818. Have you been on any registration?—No; I have always been in chambers.

HENRY DANBY SEYMOUR, Esq., sworn and examined.

H. D. Seymour Esq.

53,819. (*Mr. Bere.*) You are the brother of Mr. Alfred Seymour?—Yes.

53,820. Did you go down with him in 1863, when he stood for Totnes against Mr. Dent?—Yes; I forget whether I went with him or afterwards. I think I went afterwards.

53,821. How long before the election did you get down to Totnes?—I really do not remember, but a few days. I do not think I was there more than a week altogether.

53,822. Did you go round with him to canvass?—I do not remember ever going with him to canvass.

53,823. Did you make up a poll-book with him?—I made up a poll-book that he had, but never with him.

53,824. Whom did you find going on his behalf?—I looked upon Mr. Cuming as his principal; he was the head.

53,825. With Mr. Windeatt to assist him, and Mr. Chaster, and Mr. Holman?—Yes.

53,826. Did you have anything to do with Mr. Parnell or Mr. Searle?—I never heard either of their names before.

53,827. Did you know from your brother what money he had taken with him to Totnes for the purposes of the election?—No, I did not.

53,828. Did you learn from him or anybody else before the day of the election that a great deal of money would be wanted?—I remember hearing that some money would be wanted. My brother took down a certain sum.

53,829. Your brother has told us that he took down a sum of 1,000*l.*, and placed it at his credit at one of the banks. When did you learn from him that a fresh sum of money would be wanted?—I suppose from Mr. Cuming, because in all those matters I considered him the best head. He was the general manager of the election.

53,830. Did he tell you how the other money had gone?—I do not recollect any detailed conversation with him on the subject at all.

53,831. I suppose you understood what the money was wanted for?—I do not think Mr. Cuming ever spoke to me directly about the money being employed for bribery.

53,832. Did you know that your brother had brought down 1,000*l.*?—I did not know it; I only heard that he had brought down 1,000*l.*, which was as much as he could conveniently spend.

53,833. When Mr. Cuming told you that some money would be wanted, what steps did you take to procure it?—I forwarded 500*l.* more.

53,834. Can you remember when that was that you received an intimation that more money would be wanted?—I think a few days after; I cannot remember how many; my impression is four or five days.

53,835. How did you forward the money?—According I think to the agent's directions, Mr. Cuming.

53,836. Do you remember what Mr. Cuming's directions were?—I have forgotten the names of the people, but I have heard since that it was forwarded through Messrs. Angel and Green.

53,337. Green and Allin, was it not?—Yes, that is it.

53,838. Do you know how it was forwarded?—No; I have heard since that it was forwarded; it had escaped my remembrance, but it was forwarded to a draper at Totnes whose name I have forgotten.

53,839. Mr. Webber?—Yes, I did not know Mr. Webber.

53,840. How did you give the money to Messrs. Green and Allin?—I had not the money; it was raised; borrowed; it was undertaken to be sent down.

53,841. Did you become security for it?—I became security for 500*l.* being sent down.

53,842. How did the money get to Messrs. Green and Allin?—I do not know how it went to Messrs. Green and Allin; but I went to Mr. Drake to ask him if he could assist.

53,843. Who was Mr. Drake?—He was a solicitor, the parliamentary agent.

53,844. Messrs. Bircham, Dalrymple, and Drake?—Yes.

53,845. Did you see him in London?—Yes.

53,846. Did you come from Totnes to London to get the money?—Yes; the money was wanted, and I thought the best way was to come up; I thought my brother had spent 1,000*l.*, and I understood that some assistance was given by the political clubs, or from some source, I did not know what; but I understood there was some kind of a fund, and I wanted to see if my brother could get some assistance from the party.

53,847. And you came to London and saw Mr. Drake?—Yes.

53,848. Where did you see him?—I went straight to his office.

53,849. Did you tell Mr. Drake that more money was wanted for Totnes?—Yes, more than my brother brought down.

53,850. What did Mr. Drake say to that?—I asked him I think whether there would be any assistance. I understood that at the time of general elections that certain members were assisted from the means of the party, and I asked him whether my brother could have any assistance.

53,851. This was not the general election, this was in 1863?—At any rate I asked him whether my brother could have any assistance.

FORTY-SECOND DAY.

H. D. Seymour, Esq.

20 Nov. 1866.

53,852. What did Mr. Drake say to that?—As far as I can recollect Mr. Drake's was rather an evasive answer; he said he would raise it on my responsibility.

53,853. What guarantee did you give him?—I gave him either a note, or something which I signed.

53,854. Can you remember what it was you signed?—That I really cannot remember. I do not remember what I signed.

53,855. Was there a great deal of writing, or only a small quantity?—I do not know what I signed; but I gave an undertaking to repay the money.

53,856. To whom?—I suppose it was to Mr. Drake.

53,857. Has the money been repaid?—It has been repaid to Mr. Drake.

53,858. Did you repay it yourself?—I considered it as money that was procured for my brother, and my brother has repaid it I believe.

53,859. When did your brother repay it?—I do not know, but he has told me that he has repaid it.

53,860. Since he was examined at Totnes he has repaid it?—I think so.

53,861. Because when he was before us he did not know how that money had come?—He has paid it since then; he told me that he had repaid it.

53,862. Did you tell him how the money was advanced after he had been before us?—No, I did not see the evidence.

53,863. He did not learn from you how the money was procured?—No, not until some time afterwards.

53,864. We put the question to him, and put your name to him, and he said he did not think it was at all likely that you had advanced the money?—Yes, he did not know it at all then.

53,865. (*Mr. Coleridge.*) He wrote to us subsequently, stating that he had seen you?—Yes.

53,866. (*Mr. Bere.*) Did Mr. Drake intimate to you how the money would be conveyed to Totnes?—No.

53,867. Did you have any more to do with that money until it came to Totnes?—No.

53,868. You gave Mr. Drake the guarantee and it came to Totnes?—Yes.

53,869. (*Mr. Coleridge.*) Did you communicate with anybody but Mr. Drake?—No one else.

53,870. How did you communicate at Totnes that they might direct to Mr. Drake?—I do not know; but all my communications were with Mr. Cuming; therefore I presume the communication was with Mr. Cuming.

53,871. Did you go back to Totnes, or write, or telegraph?—I did not write or telegraph, I went back two days before the election, and I left on the day of the election.

53,872. Is that all the money that you assisted in procuring for that election?—It is all the money that I had to do with.

53,873. And you knew nothing about it except the 1,000*l.* your brother told us that he had?—Yes.

53,874. (*Mr. Bere.*) After you had given Mr. Drake the guarantee did you return to Totnes?—Yes.

53,875. (*Mr. Coleridge.*) Do you recollect the election was going against your brother about 2 o'clock, and that there was a greatdeal of excitement?—My impression was that the committee had lost their heads. I went to the committee and said I did not think there was a proper head in the committee room, and that they were wild, and had greatly lost their heads, and that he had better go there.

53,876. Do you recollect speaking in a loud and excited voice, and saying it was too bad that it should be run so close after so much money had been spent?—I cannot swear positively that I did not say such a thing.

53,877. I suppose you were in your brother's confidence at the time of the election, and that you knew how things were going a day or two before?—I did not go over the poll books, and I did not know the state of it. I was there as his friend; but I did not take the management of the election.

53,878. Did he tell you of any difficulty they had with men that were called Mr. Pender's men?—No.

53,879. Do you recollect that they were certain people who had not been paid at Mr. Pender's election, and it was desirable to pay them?—No.

53,880. That was not confided to you, that part of the business?—No, I never heard anything at all about it; I knew no details of the election.

53,881. You had not much doubt for what the money would be wanted?—I had no positive assurance that it was wanted.

53,882. From your own experience of elections you knew?—No; I most distinctly deny that my experience of elections is that bribery has been used. That is the first election (and I have been in many elections) that I have ever heard of such a state of bribery as was made out there.

53,883. You had not been long in Totnes before you understood that in order to carry an election bribery was necessary?—I heard it rumoured.

53,884. Did you think 1,500*l.* could be spent legitimately in such a small place as Totnes?—I know I was under an impression that you might spend a considerable sum in a borough.

53,885. On what is legally authorized?—I was under that impression.

53,886. (*Mr. Longe.*) You say you knew that money was wanted?—I said no doubt the place had a bad name, and if I had clearly put it to my own mind I should have supposed that some portion of that money was wanted for improper purposes.

53,887. (*Mr. Coleridge.*) Was any other name put to this guarantee you gave to Mr. Drake than your own?—No.

53,888. I suppose you have got that guarantee back since it has been paid off?—No, I have not.

53,889. Do you know if your brother has?—I do not. I presume my brother having paid the money has of course received the guarantee; but I have never seen it from the day that I gave it till this hour.

53,890. We shall require to see the guarantee, probably it is in Mr. Drake's possession or your brother's?—I presume so.

53,891. Were you down at the last election?—No, my own election was going on at the same time.

53,892. Had you anything to do with sending money down there?—No, not at all.

53,893. (*Mr. Bere.*) Was that the only sum that you were instruumental in procuring at that election?—That was the only sum I had anything to do with.

53,894. Do you know of any sums of money that came to your brother from the Liberal side at that election?—No.

53,895. Do you know whether any money came from Baron Rothschild?—No.

53,896. (*Mr. Coleridge.*) Do you know of any guarantee being given for a sum of money by the leader of the party at Totnes?—I never heard of such a thing at all.

53,897. (*Mr. Coleridge.*) When you had this interview with Mr. Drake did Mr. Drake say anything about its not being usual to advance money unless some guarantee was given by the person borrowing it?—I strongly urged that my brother had spent a certain sum of money, and that I heard in a vague kind of a way that there was a fund, and as my brother was fighting a hard contest that he should receive some assistance.

53,898. When you said that did Mr. Drake say there was no such fund?—It is a difficult thing to remember a conversation so long ago; but I left with the impression on my mind that there was a doubt.

53,899. You did not in fact get the money, but you gave the guarantee?—I understood that that was provisional, but he would try in the meantime; but as it was a pressing matter he could not give a direct answer, that was the impression, but at any rate the money must be had, and in the meantime he would take a security for it.

53,900. Was the impression on your mind that

Mr. Drake had no money over which he had the control, and therefore he was obliged to take your guarantee to send the money down?—The impression left on my mind was, that it was doubtful whether he could get the assistance or not; in the meantime I must become security for the money.

53,901. Did Mr. Drake leave you with that impression, that it was doubtful whether there was any such fund at all, or whether you could get it to apply to this purpose?—The only impression left on my mind was, that it was doubtful whether my brother could have the money.

53,902. Did he give you any reason to doubt that there was such a fund in existence somewhere, when you put the question to him about the vague rumour?—His answers were very vague; I cannot say that there was a definite impression left on my mind one way or the other.

53,903. When you gave the guarantee did you expect that you would ever be called upon to pay it, or that it would be found from the fund that you alluded to?—I was in hopes that it would be found from the fund.

53,904. You did not expect that you would have to pay it?—No; my impression was that he would try and see what was to be done, and if he was unable to do it, it would be put into the general election expenses.

53,905. (*Mr. Longe.*) Do you recollect stating to him the sum that Mr. Alfred Seymour had spent?—I do not remember.

53,906. Was it a definite sum or a large sum?—I do not remember the particular sum. I said that my brother had spent a good deal of money, as much as he could conveniently spare.

53,907. You made the largeness of the sum the ground for spending more?—I said that my brother had taken a certain sum, I think 1,000*l.*, to spend, and he expected that the election would not have cost more, and he was surprised to find that it cost him more; and the consequence was, that as more money was wanted I went to consult Mr. Drake about raising it.

53,908. You stated at least 1,000*l.* was spent?—That was my impression.

53,909. (*Mr. Coleridge.*) You personally have never been asked to repay that 500*l.*?—I have never thought any more of it. I thought it went to the general expenses. If I had remembered it I should have told the Commissioners, because there was 500*l.* that they could not trace.

53,910. You have not directly or indirectly had to pay that money, or had to pay any interest upon it?—No.

53,911. Your brother has simply paid it since?—Yes, and to tell the truth it had entirely escaped my memory.

Captain Lane Fox sworn and examined.

Capt. L. Fox.

53,912. You are a friend of Colonel Dawkins?—Yes.

53,913. And went to Totnes after he was there at the last election?—Yes.

53,914 How long before the election did you go down?—I think a week after he had been there.

53,915. And how many days before the election?—I cannot tell, but a week after he was there.

53,916. What train did you go down by?—I forget.

53,917. Do you recollect the time that you got there, about?—I think about five o'clock.

53,918. And did you go immediately by his directions, by what you heard from him, to the "Seven Stars"?—Yes.

53,919. Whom did you see there first of all?—I forget.

53,920. Did you know whether there was a gentleman named Kellock there?—I did not see him there. I rather think Mr. Heath was the first person I saw there.

53,921. I suppose you were taken to a private room?—I do not know. I do not think I went to any room. First of all I asked where Colonel Dawkins was, and they said he was out canvassing, and I went out.

53,922. Did you find him?—A person named Kellock came out of a house, and from my personal appearance he said he believed I must be Colonel Dawkins's friend.

53,923. When did you first see Mr. Smith?—I saw Mr. Smith after I got there; but I met Mr. Smith at the station the day before I went down.

53,924. Where?—At Paddington.

53,925. Had you any conversation with him about the election, about what was going on?—Yes, and he told me he considered Colonel Dawkins's return safe, and as there was a strong Conservative feeling in the borough he thought they could return two Conservatives.

53,926. Did you express your surprise at his leaving Colonel Dawkins at Totnes?—I know I understood from him that he had come up on private business.

53,927. Did he tell you when he was going back?—No, but he came back shortly afterwards, two or three days afterwards.

53,928. When Mr. Smith came back he lived with Colonel Dawkins and yourself?—Yes.

53,929. Did you know at all the part of the house in which Mr. Smith was occupying, his bedroom?—To the best of my recollection it was a room on the left-hand side, at the end of a passage.

53,930. Was it nearly over the door, and looking over the Plains?—I cannot say.

53,931. You had known Mr. Smith before he was your private solicitor?—Yes, I had known him many years.

53,932. Were you in the habit of going to his room from time to time?—Yes, frequently.

53,933. He kept a good deal to his bedroom?—Yes.

53,934. When you went did you find the door locked or open?—I think generally locked.

53,935. You knocked and Mr. Smith opened the door?—Yes.

53,936. Did you ever see with Mr. Smith any stranger?—Never.

53,937. Whenever you went up you never found a stranger with him?—No.

53,938. How many times did you go to his room?—When I wanted to see him or to go for a walk.

53,939. Once or twice a day?—Yes.

53,940. And you never met a stranger there?—No.

53,941. Did you ever see a person named Screach there?—Never, to the best of my recollection.

53,942. Did you ever see a person called Evens there, to the best of your recollection?—I do not recollect the name.

53,943. You do not recollect that you ever saw a person in his room but himself?—No.

53,944. Not even his clerks?—No.

53,945. Nor Mr. Heath?—I have no recollection of seeing anybody but himself.

53,946. From the time that you and Mr. Smith were there you were constantly going to his room and finding the door locked, and you never saw anybody there at all?—No.

53,947. Did you ever canvass with Colonel Dawkins?—Yes; when I say canvassing, I drove out with him when he went out into the country.

53,948. You went to the out-voters with him?—Yes.

53,949. Was anything said to you as to whether you had got anything to do with them, or did they come and speak to you, after he had canvassed them, in a suggestive manner?—On the polling day I remember a man saying he had voted for Colonel Dawkins and Captain Pim, and he wished something to be done for him.

53,950. Was that a man named Willcocks?—I have

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not the slightest doubt it was; and I wrote his name down in a book and asked his address, and I mentioned it to Colonel Dawkins.

53,951. Did you mention it to Colonel Dawkins or to Mr. Smith?—To the best of my recollection, to Colonel Dawkins.

53,952. Did Colonel Dawkins refer you to Mr. Edmonds or anybody?—No, I do not think he took much notice of it.

53,953. Is that the only instance you can give of any voter saying anything about getting something for what he had done?—Yes.

53,954. We are told that you went to Torquay with Mr. Kellock?—Yes.

53,955. Did you know what he was going for?—No; he was very anxious that I should see Torquay. He asked me if I had seen it, and I said, "No," and he said he had a very fast trotter which would take us in so many hours or so many minutes, I forget which.

53,956. Colonel Dawkins went part of the way?—Yes; Mr. Kellock's trap was at some inn, and Colonel Dawkins went with us part of the way and then got into Mr. Kellock's carriage, and Colonel Dawkins came back.

53,957. When you went to Torquay, and Mr. Kellock went to the manager of the bank, it being closed, what became of you?—I went about the place.

53,958. He did not take you to the bank?—No, I did not know that he had been to the bank.

53,959. Did you see Mr. Smith there that day?—Yes, he was there certainly one day. I am not certain that it was that day.

53,960. Where did you see Mr. Smith?—When I saw Mr. Smith I think he was dining at the hotel.

53,961. Was anybody with him?—I think one of his clerks.

53,962. Had you any conversation as to what had brought him there?—No, on the contrary; to the best of my recollection Mr. Smith was unwell, and he went there to have a quiet day.

53,963. How long did Mr. Kellock keep you walking about to see the place before he came back?—I walked about, and when I was tired I went to the hotel.

53,964. About what time was it when he came back?—It might be an hour or an hour and a half, I cannot remember.

53,965. Do you remember what time you left Torquay to go to Totnes?—I think it was dark.

53,966. Had Mr. Kellock anything with him when he came back?—I think soon after we started he told me in rather a significant tone that he was carrying more weight than when we started. He appeared to me to wish that I should know that he did carry the weight.

53,967. Did you observe what the weight was; did he show you any parcel?—I have no recollection; he might have done so.

53,968. Do you recollect what time it was when you started off for Torquay?—I do not recollect; it was rather late, and I thought it was rather late to go.

53,969. Did it not occur to you that it was rather late to start off to see the beauties of Torquay?—I thought it was rather late and I told him so, but I had nothing else to do and I went.

53,970. Did Mr. Kellock give you any information of what he was going to Torquay for?—No.

53,971. Not till he had got the weight, and then he told you?—Yes.

53,972. That is the first intimation that you had of it?—Yes.

53,973. You say that on one occasion you saw Mr. Smith there?—Yes.

53,974. How often did you go to Torquay?—I went twice.

53,975. What occurred on the other occasion, not the time that he brought back the weight?—I did not go twice with Mr. Kellock; on the second occasion I went by myself. I went to call upon Lord Cranstoun, to ask him which way he thought his tenants would be likely to vote.

53,976. Did you see Lord Cranstoun?—Yes.

53,977. Did you have a conversation about the change of politics with regard to his tenants?—I had a considerable conversation with him one way and another, and my particular reason for going was that we heard his tenants were going to vote for the Conservatives, and then that they were going to vote on the other side, and I thought that under the circumstances I should like to go over and see which way his tenants would vote, because I thought he would be likely to know.

53,978. Was he staying at Torquay?—Yes.

53,979–80. Did he tell you how it was?—There was no knowledge of how the tenants were going to vote. Lord Cranstoun told me how they were going to vote, and also wrote down on a slip of paper the way they were going to vote, but that slip of paper I have torn up.

53,981. Were they going to vote for Colonel Dawkins or against him?—Some for, or not going to vote, or split with Colonel Dawkins.

53,982. Did he say that he influenced his tenants, or that they voted as they liked?—He gave me distinctly to understand that they voted as they liked; and he told me, or put it on paper, the way he believed they were going to vote, but he told me very distinctly that they voted as they liked.

53,983. Did he tell you what his political views were?—Conservative, I believe, at that time; from the fact of his wishing us success I concluded that they were.

53,984. Do you recollect a letter of Lord Cranstoun's which somehow or other got to the "Seven Stars," and was sent for to the "Seymour Arms," during the election?—I cannot say that I do.

53,985. Do you recollect anything about a letter of Lord Cranstoun's about how the tenants were going to vote having got to the "Seven Stars" people?—I think I do recollect it.

53,986. You do not recollect whether you were present when that letter was sent there, or who came for it?—No.

53,987. Do you know young Mr. Pender?—No.

53,988. Do you recollect that Mr. Pender had been to the "Seven Stars?"—I recollect something about a letter going backwards and forwards.

53,989. You do not recollect seeing a letter given up to Mr. Pender?—No.

53,990. Did you hear of it as an extraordinary thing that young Mr. Pender should have been in the "Stars?"—No, my own recollection is about having seen something about it in the paper.

53,991. (*Mr. Bere.*) Do you know Mr. Jeffrey Michelmore by sight?—No, I can remember very few of them.

53,992. Do you recollect a communication being made to Colonel Dawkins late in the night before the election that Lord Cranstoun had changed his mind, and that his tenants, instead of voting for Colonel Dawkins, were going to vote for the Liberals?—My impression is that I heard they were going to vote that way. We first heard that they were going to vote one way and then another, and I believe that is the reason I suggested myself that I had better jump into a fly and go and ask Lord Cranstoun what his opinion was.

53,993. Had Colonel Dawkins spoken to you about the sums of money being spent in Totnes?—The first conversation I had with him on the subject was soon after I went there, and I told him I understood that it was a place where a large sum of money would probably be required, and he seemed to think that was not the case. He said that he had met with such a flattering reception, and there appeared to be such a strong Conservative feeling, that he appeared to pooh-pooh the idea, and avoided mentioning the subject of money.

53,994. Did he tell you what money he had brought down?—No.

53,995. Were you there before Captain Pim came down?—Yes.

53,996. When Captain Pim came down what was the idea about his being returned; was it supposed that he would be returned or not?—He seemed to have a favourable opinion of his chance, and I was told by Mr. Kellock and Mr. Edmonds that Colonel Dawkins would certainly be returned, and probably Captain Pim; that was my impression.

53,997. That was some few days before the election?—I forget; but from the moment I arrived there I was told that Colonel Dawkins would be returned, and in all probability they would return two Conservative candidates.

53,998. Shortly before the election did not you have a conversation with Mr. Edmonds which made you change your opinion with regard to Colonel Dawkins being returned?—I think not. I think a day or two before I saw Mr. Edmonds; he came to me and he said he was disgusted at the amount of money that would be required, and that a further sum would be required; and he asked me whether I thought Colonel Dawkins would pay a further sum, to which I replied I had no authority from Colonel Dawkins to sanction the payment of any money, that he had avoided mentioning money to me as much as possible, and that I had never heard anything mentioned except the necessary expenses of an election, which was the only way they thought proper to describe them.

53,999. Did you learn from Mr. Edmonds what sum of money had been expended?—To the best of my recollection not.

54,000. Did you hear from Mr. Smith what sums of money had been advanced?—I do not think that Mr. Smith knew; at least at that time he did not say anything about it.

54,001. He must have known, because his hand signed the cheques and he brought the money; but he had not told you?—I was permitted to know as little as possible.

54,002. When you heard that money was wanted did you think that Colonel Dawkins' seat was as safe as you thought it before?—I was told by everybody that there was a strong Conservative feeling, and I was bound to believe what they told me; but having previously heard that it was a doubtful question whether a Conservative would be returned, I honestly confess I doubted whether he would be returned; and when Mr. Edmonds told me that a further sum of money would be required, I considered that the Conservative feeling was not so strong as it had been represented to me by Mr. Kellock and others.

54,003. Had you heard anything about Totnes before you went to it?—Yes.

54,004. Had you heard anything about it in London?—I cannot say.

54,005. Had you seen Mr. Spofforth?—I had seen him.

54,006. And conversed with him about the Totnes election?—I think I had some conversation about Colonel Dawkins going down.

54,007. How long before you went?—The day before.

54,008. Can you tell us what passed?—I can, exactly. When I met Mr. Smith at the station in Paddington, Mr. Smith told me that they wanted a second Conservative candidate, and I think I mentioned that to Mr. Spofforth.

54,009. Did you go to see Mr. Spofforth at his office in Victoria Street?—Yes.

54,010. By previous arrangement?—No; but, in consequence of having heard that there was a chance of being able to return a second Conservative candidate I was anxious that a second should be sent.

54,011. Did you go to suggest to Mr. Spofforth some name?—Yes.

54,012. Who was that?—Colonel Alexander.

54,013. Who did go afterwards, but who did not stand?—I do not know that I suggested it, but I saw Colonel Alexander at the Guards' Club, and I told him that there was a chance of returning a second Conservative candidate, that there was a strong Conservative feeling in the borough; and he said if there was a chance that he would go, and I represented this to Mr. Spofforth. To the best of my recollection Mr. Spofforth was in Victoria Street; I am not sure that he was there; there were many people there.

54,014. Would you have mentioned it to anybody else, not Mr. Spofforth?—I spoke to Lord Neville.

54,015. Was he in Victoria Street at the time?—Yes.

54,016. Who else were there?—I have no recollection; there were two or three people in the room.

54,017. Did not you speak to Mr. Spofforth in his private room?—I fancy he was in the room, but I am not at all clear on the subject.

54,018. Did Mr. Spofforth or anybody else express an opinion as to the chance of a second Conservative candidate being returned for Totnes?—I have no recollection that they did. On the contrary, my impression of the conversation is that they thought it very doubtful indeed that a second Conservative would be returned; that is my impression.

54,019. Was Captain Pim's name mentioned at that interview?—No. Colonel Alexander went down, but having met with no encouragement I think he returned.

54,020. Can you remember whether it was the 3rd of July that you went down?—I cannot recollect the date.

54,021. You have no means of knowing that it was the 3rd of July?—I should think it was most likely that Colonel Dawkins would know; he would be more likely to keep an account.

54,022. Did you go with Colonel Alexander?—Yes, in the same train.

54,023. Was not Mr. Seymour in the same train?—Yes.

54,024. Did he not go through his poll-book?—No.

54,025. He showed you his poll-book?—No; he got into the same carriage with me, and he asked me what I was going to do there. He said he was going down to fight Colonel Dawkins, the martyr, as he was called, and he asked me what I was doing in that part of the country. I said I was going to see my friend Colonel Dawkins, the martyr, and I hoped to see him bowl him over.

54,026. (*Mr. Coleridge.*) You did not know that there was a second martyr in Captain Pim going down?—No.

54,027. I think Mr. Seymour said that he went with you, and showed the poll-book to Colonel Alexander and to you, and showed that Colonel Dawkins and Captain Pim could have no chance?—I cannot recollect, but I recollect Mr. Seymour telling me that he thought Colonel Dawkins would have no chance. He was not personally acquainted with Colonel Dawkins; but as Colonel Dawkins was a friend of mine he was sorry to see a friend of mine throw his money away. He considered his return certain, and there would be no occasion to spend any money. There would be a considerable sum of money required, he thought, if Colonel Dawkins were to stand; the money would only be thrown away. That, is as far as I recollect, the conversation.

54,028. You did not believe that?—I thought it was a way of finding out what Colonel Dawkins was likely to do; and I wish to mention at the same time that this was mentioned to me privately, and I did not wish to make use of it, but I consider that I am bound to state it here.

54,029. Had you any conversation with Colonel Dawkins about a clergyman of the name of James, whom you had been to canvass, and who had voted against Colonel Dawkins afterwards?—I have no recollection.

54,030. You have no recollection of Colonel Dawkins or Captain Pim paying a visit to the Rev. Mr. James?—No, I read it in the evidence. I think they said I had been there with him, but I have no recollection of having been there. I have no recollection of canvassing with Colonel Dawkins in the town.

54,031. If you did go to Mr. James you would not forget it?—No.

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54,032. You do not recollect him speaking of selling his house, or anything of that kind ?—No.

54,033. As it has been suggested, did you in any way act as the mysterious stranger and sit in a room ?—No ; and I wish to say that I do not believe that there was a mysterious stranger. I must have seen him if there was.

54,034. You must have seen him ?—Yes ; I was walking about the house, and if there had been such a person I must have seen him.

54,035. Did you see persons except those you believed to be acting with Colonel Dawkins, or people that you knew were connected with Colonel Dawkins ?—I could not go so far as that ; I might meet people who would be entire strangers.

54,036. What rooms were you in in the house during the election, except your own bedroom, Colonel Dawkins's bedroom, and the sitting room ?—I believe I was upon the occasion, as far as I can recollect, when Mr. Edmonds asked me whether Colonel Dawkins would spend a further sum of money, I think I went then or shortly afterwards to another sitting room ; I cannot exactly describe it, into the sitting room in which Mr. Edmonds was very often, and in which I saw Mr. Heath.

54,037. Was that room at the top of the stairs ?—Yes.

54,038. No. 8 ?—I think so ; it was nearly opposite to Colonel Dawkins's committee-room, as far as I can recollect.

54,039. I must put the general question. Did you directly or indirectly influence or attempt to influence voters by promises of money or any advancement of any sort or kind ?—To the best of my recollection, never.

54,040. Were you asked by Colonel Dawkins or anybody connected with Colonel Dawkins to do so at any time ?—The only conversation or the only thing that could be in any sort or way interpreted or might be interpreted into that sort of thing was a conversation that I had with Mr. Edmonds, when he asked me about the money, and I said I had no authority from Colonel Dawkins, and I mentioned the conversation that there was a further sum required.

54,041. Colonel Dawkins did not communicate to you that he would advance it ?—No, I have no recollection of his doing so. I did not act in any way for Colonel Dawkins, and he never mentioned it to me, and I was surprised to hear what he had spent when I heard of it ; but I knew large sums were spent.

54,042. Were you asked to take any money with you ?—No ; Colonel Dawkins wrote to me and said that he found it very dull, and he would be obliged if I would come down, and I did go at great inconvenience to myself.

54,043. (*Mr. Bere.*) When Mr. Edmonds told you he was disgusted that more money was wanted, did you go and communicate that speech to Colonel Dawkins ?—I think I did ; I most likely should have done so.

54,044. (*Mr. Longe.*) Although you took no part, there was no secret between you and Colonel Dawkins as to the fact that he was spending money ?—I understood that there was no money spent ; but when I told Colonel Dawkins what Mr. Seymour told me, I understood from Colonel Dawkins that he thought there would be very little money required, and he merely told me that he had instructed his agents to pay the necessary expenses, and he avoided mentioning anything to me about money ; and when Mr. Edmonds spoke to me about money I said all I had heard of was the necessary expenses of the election, and never having been engaged in that before I said, "I suppose "you know what it means." I remember Mr. Kellock coming to me on the morning of the polling day. He came into my room when dressing, and he told me he considered it was all over with Colonel Dawkins after he had paid very large sums, I forget how much ; that two or three persons whom they counted upon as perfectly certain had gone to the "Seymour Hotel" and could get very large sums. I said, "Colonel "Dawkins has spent quite enough money, and I "could not advise him to spend more." I said, "I "am sorry to hear Colonel Dawkins has spent so much "money, and if he were to take my advice he would "tell those men to go to the devil, and let them get "what they could from the 'Seymour.'"

54,045. (*Mr. Coleridge.*) Were those men mentioned ?—No ; but I understood it was those who signed the requisition. I think Mr. Kellock mentioned that.

54,046. Did he mention that ?—I cannot be certain, but I rather fancy so.

54,047. Did you hear the name of Blank mentioned ?—No.

54,048. Or Thomas Jacob Searle ?—No ; but I recollect the name of Harris. They called him "Loppy Harris," and I know that made an impression on my mind.

54,049. (*Mr. Longe.*) Did you know that money was being paid to voters at the "Seven Stars Hotel"?—My impression was that that sort of thing was going on.

54,050. In the hotel ?—Yes.

54,051. What was your impression as to the person who was paying the money ?—My impression was distinctly all the way through that Mr. Heath appeared to have more to do with it than anyone else. He was always walking about in a mysterious way, remarkably silent, and, as far as I could judge, played the part of the mysterious stranger as well as anybody could.

54,052. Your impression was that it was Mr. Heath ?—My impression was that whatever was done was done in the "Seven Stars," and that it was Mr. Heath, and my reason for fancying it was from seeing Mr. Heath walking backwards and forwards ; and if I recollect rightly I have an impression that Mr. Heath was in and out of the sitting room where Mr. Edmonds was when I went into the room.

54,053. (*Mr. Coleridge.*) You told us you never saw him in Mr. Smith's bedroom ?—No.

54,054. You never saw Mr. Smith dealing with money in his own bedroom ?—No ; but Mr. Smith distinctly told me that he had money in his bedroom, and that was the reason the door was locked.

54,055. You never had any dealings with the money ?—No.

54,056. Did you see the bags ?—No ; when I went and knocked at the door he opened it immediately.

54,057. You do not remember seeing any mysterious stranger, and so far as supplying the mysterious stranger goes Mr. Heath comes the nearest to it ?—That is my impression.

54,058. (*Mr. Bere.*) Did you see Mr. Heath, when people came in, walk away with them into sitting rooms ?—My impression is that it was Mr. Heath. There was a tremendous amount of mystery about what he was doing ; and I may safely state that I mentioned that to Colonel Dawkins. I said, "I want "to know what Mr. Heath is doing ? What part is "he taking in the election ?" He appeared to be walking about in a mysterious way, frequently passing me.

54,059. Did you see the young Heaths ? Were they mysterious ?—No ; my conversation with young Heath, as far as I recollect, was about horses which he had in his stables.

54,060. (*Mr. Longe.*) Did you have much conversation with Captain Pim ?—No.

54,061. Did you ever talk about what was going on in the "Seven Stars," how the money was going ?—I cannot recollect the conversation that took place between me and Captain Pim. As far as I know it was mentioned, but I have no recollection of any particular conversation.

54,062. You do not recollect anything being said or that he was aware that money was being spent at the "Seven Stars ?"—No ; I think the only thing I can refer to and recollect as a conversation was that Captain Pim said a certain sum of money would be required, and that Colonel Dawkins would have to spend money. I understood him so.

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Capt. L. Fox.

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54,063. For whom ?—That he must put his shoulder to the wheel, that he must work hard.

54,064. When was that ?—One evening after dinner. He said that Colonel Dawkins must either put his shoulder to the wheel or work hard. He told me that he was working hard himself in canvassing, and he gave me to understand that he was not going to spend any money at all.

54,065. But Colonel Dawkins was to spend money for him ?—I do not know, but my impression was this, if I recollect the conversation rightly, he said Colonel Dawkins must put his shoulder to the wheel, and I am not at all certain that he did not say put his hand in his pocket.

54,066. (*Mr. Coleridge.*) Have you any doubt that Captain Pim was perfectly cognizant of everything going on ?—Captain Pim distinctly told me that he would not spend any money at all; that he went on purity of election.

54,067. But about Colonel Dawkins ?—He seemed to imagine that Colonel Dawkins was spending money.

54,068. Can you recollect at all how late you were up on the night of the nomination ? We have heard that half the house did not go to bed ?—The last night I stayed up very late, 2 or 3 o'clock.

54,069. Do you recollect a person called Narramore coming in, and Captain Pim sending him off to the Liberal voters to offer fabulous prices to raise the price of votes ?—No.

54,070. About 3 o'clock in the morning ?—I do not know.

54,071. You were not up ?—I do not know; to the best of my recollection I was up very late.

54,072. We have had two or three witnesses who said Captain Pim told them to go to the Liberal voters and offer them fabulous sums to make the Liberals pay more, when the election was as good as gone ?—I do not recollect that. I have told you everything I recollect.

54,073. (*Mr. Longe.*) Do you recollect when the conversation took place about putting his shoulder to the wheel and his hand to his pocket, and was it to get plumpers ?—I do not know. I think his impression was that Colonel Dawkins was not working hard, not canvassing so vigorously as he was. That is what I understood by "putting his shoulder to the "wheel," and I fancy he said, "Put his hand in his "pocket." I should fancy there was no doubt that money was being spent at that time, and he must have understood it.

Mr. William Dent sworn and examined.

Mr. W. Dent.

54,074. (*Mr. Allen.*) You are uncle to Mr. John Dent who stood for Totnes in 1862 and 1863 ?—Yes.

54,075. Did he communicate his intention to stand ?—No; I first learned it from the newspapers.

54,076. No communication took place between you ?—No; the first time that I saw him after he had been down I told him he was very foolish.

54,077. Was that after the first or the second election ?—I cannot remember; but living in the country I saw him very rarely; but no doubt after the first time I told him.

54,078. Did he tell you then what money he had spent ?—He never touched upon it in any way.

54,079. Did you never understand from him what he had spent ?—No; I positively never communicated with him on the subject.

54,080. You really know nothing whatever ?—Nothing whatever I assure you; and I do not believe he communicated with any of his elder relatives in England; whose advice he acted on I do not know.

54,081. Do you know whether any of his relatives tried to prevent him spending money at Totnes ?—I do not think they were aware of it.

54,082. (*Mr. Bere.*) Did you ever learn after the election what money he had spent ?—Never.

54,083. Is he in China now ?—Yes.

54,084. Do you know whether there is any probability of his coming home ?—I do not know, but I should think it is unlikely.

54,085. (*Mr. Coleridge.*) You yourself were asked to stand for Totnes ?—No.

54,086. Was any communication made to you to stand at the last general election ?—No; I think probably it might be my son.

54,087. Is his name William ?—Yes.

54,088. Do you know whether he was asked ?—I do not know.

54,089. We have here the name of William Dent mentioned. It is in Mr. Spofforth's letter; he says, "It is no good asking Mr. William Dent any more"? —I do not know anything about it.

54,090. (*Mr. Bere.*) Did you know anything of Mr. Mitchell, who appears to have been a great friend of your nephew ?—No; I think the China friends are those by whom he was advised.

54,091. Did you know Captain Helms who was with him a great deal ?—No.

54,092. In fact he never communicated at all to you anything about standing for Totnes ?—No.

54,093. (*Mr. Coleridge.*) There is a letter from Mr. Spofforth to Mr. Edmonds, who was the Conservative agent for Totnes, in which he mentions the name of Mr. William Dent. Was any letter communicated to you on the last general election ?—No.

54,094. Do you know Mr. Spofforth ?—When I came into this room I heard his name mentioned.

54,095. There is another William Dent besides your son. Is there not one that is in the house ?—That is the gentleman.

54,096. Is he in England ?—No, nor is he in a state to attend if he were.

Mr. Markham Spofforth sworn and examined.

Mr. M. Spofforth.

54,097. (*Mr. Coleridge.*) You have been asked to produce certain documents and letters ?—Yes.

54,098. Have you got the correspondence ?—I have all the correspondence relating to Totnes.

54,099. Relating to 1863 ?—The earliest correspondence is with reference to 1865. The first letter with regard to those elections (there must have been others, but we periodically destroy them) is June 5, 1864, a letter from Mr. Bryett.

54,100. That is the first letter you have ?—Yes, relating to any of the Totnes elections.

54,101. Let us have the letters ?—But I must ask permission to read some letters I have here afterwards.

54,102. You were asked to produce your letter-books ?—We do not keep letter-books; they would fill this room. Each department is kept separate, and what is considered important is retained.

54,103. You are a partner in the house of Baxter, Rose, and Norton ?—Baxter, Rose, Norton, and Co.

54,104. How long have you acted as agent in London for the Conservative party ?—Since 1853 I think, 13 years.

54,105. And you were yourself agent in 1853 ?—I am not quite sure that I was. I do not consider myself the agent of the Conservative party. I was first consulted by the persons who came about seats and that sort of thing.

54,106. In 1853 ?—Yes.

54,107. Mr. Rose succeeded you ?—Yes, he took it up subsequently.

54,108. Who preceded you ?—Mr. Henry Edwards Bone.

54,109. You succeeded him ?—Yes.

54,110. How did Mr. Rose become connected with it ?—He was a member of the same firm and interested himself in the business, that was all.

54,111. Will you look at that (*referring to a letter*).

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Mr. M. Spofforth.

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Is that in Colonel Taylor's handwriting?—It is a lithograph.

54,112. Sent to all the Conservative agents?—Yes.

54,113. Amongst other duties you were to look after the registration for the Conservatives?—I have not time to look after that; but I remind the agents of their duties at certain times.

54,114. The letter says, "Should you require any "information Mr. Markham Spofforth will give it"?—If they wrote for information they would get it.

54,115. Suppose they wrote for pecuniary assistance?—Then they would not get it.

54,116. (*Mr. Coleridge.*) I see they write and ask you for back rents?—Yes.

54,117. Did you pay any?—No.

54,118. (*Mr. Bere.*) Were you consulted as early as 1853 about Totnes?—Yes, no doubt.

54,119. Did you know anything about the election of 1857 when Mr. Mackenzie and Mr. Gregory went down?—No, I did not.

54,120. Who was Mr. Mackenzie?—He was an East India merchant in the city.

54,121. Is he alive?—Yes.

54,122. Do you know where he lives?—He lives at Surrey House, Marble Arch.

54,123. Did you know that he had been down after 1855, when Lord Gifford had been down; but for reasons of his own would not stand at that time?—I forget the circumstance; it is a long time ago; but I went down twice I think.

54,124. Can you say whether it was from any communication with the Conservatives and your office that you were consulted originally as to a candidate for Totnes?—I should say the Conservative agent for that time would write to me in the way that Edmonds did on the last occasion, and ask if Dawkins was approved of by the party.

54,125. Would not his name be first mentioned to the Conservative party at Totnes by you?—Possibly.

54,126. Can you say whether that did take place or not?—I cannot say, but I believe it did. I have no knowledge of Mr. Mackenzie, and I do not recollect sending him.

54,127. Did you know anything about Gregory?—No.

54,128. Did you know how the elections were fought until 1857?—No.

54,129. Have you yourself ever been to Totnes?—Yes, once.

54,130. At election times?—No.

54,131. In 1859 was Mr. Dunn sent through your agency?—No; I do not know how he went down there. I did not send him.

54,132. In 1862, when Mr. Dent went down, was he suggested as a candidate by you?—No. Mr. Dent had a friend named Mitchell, who came to me and said for particular reasons Mr. Dent was desirous of being in parliament, and that he had been asked by someone to stand for Totnes; would there be any objection on the part of the Conservative party to his standing? and I said "No."

54,133. What was Mitchell at that time?—He was a police magistrate at Hong Kong, a great personal friend of Mr. Dent's.

54,134. Had you known him before?—No; but before Mr. Dent went to Totnes I had received a letter from a brother of mine in China, who said that Mr. Dent had been very kind to him, and he wished me to look after his interests. So I went and saw Mr. Dent about his standing for Totnes, and he asked my opinion whether he would get in, and I gave it in the negative.

54,135. For what reason?—I thought the Duke of Somerset's interest was so strong that he could not win a seat.

54,136. Did you know at that time that Totnes was a very corrupt borough?—No, I do not know that I did; but I subsequently wrote a note to Mr. Dent reiterating my opinion, and recommending him not to go down.

54,137. Did you intimate to him that if he went down it would cost him money, and that it would be spent without much purpose?—I thought the money would be thrown away.

54,138. He went down and Mr. Pender was elected?—Yes.

54,139. Did you see him between the two elections, December 1862 and January 1863?—I might have seen him at the clubs, but not on that business.

54,140. Did you have any conversation with him?—I remember once I said, "Now, Mr. Dent, you had "better have taken my advice."

54,141. And did he agree to that?—Yes.

54,142. Was that after the second election, or between the first and second?—They followed very quickly.

54,143. Yes, within six weeks?—I cannot say.

54,144. He did not consult you any more with regard to the election of 1863 than he did with regard to the election of 1862?—No; he went down without any advice of mine, and I was careful not to give it.

54,145. When did you first come to the conclusion that Totnes was a very corrupt place?—There were rumours after Mr. Dent's first contest that he had spent a large sum of money.

54,146. Did you hear the sum of money mentioned?—I always understood between 3,000*l.* and 4,000*l.*

54,147. Did you ever ask what he had spent?—No.

54,148. Before the election of 1865 I believe you were applied to in 1864 to find a candidate?—Before 1865 I had some letters from Mr. Edmonds, asking for two candidates.

54,149. Did they begin by asking for two candidates, or only one?—They began by asking for two; I remember the letters.

54,150. (*Mr. Coleridge.*) Do you wish that letter on the notes?—Yes.

54,151. (*Mr. Bere.*) I will get them regularly. What was the first letter you received with regard to Totnes from the Conservative party as to the election of 1865, the letter from Mr. Edmonds?

54,152. (*Mr. Coleridge.*) Mr. Harris's letter is the first?—The 21st of July is the first I received about a candidate, and it was from Mr. Harris.

54,153. What William Dent was it?—A cousin of Mr. John Dent I wrote to, or rather I do not think I did write to him. This is the letter from Mr. Harris. As he has taken the liberty of publishing private and confidential letters, in reply I must do so.

54,154. (*Mr. Bere.*) He was obliged to do that. He was obliged to publish them?—This is the letter. 21st July 1864:—"Confidential. Totnes, 21 July "1864. My dear sir,—When I called with Mr. "Rennie at your office on the 24th of May last you "promised to render some assistance to fight the "registration, and as Colonel Taylor writes to say that "it is certain a general election will take place on "the next year's register, I am induced to write to "know to what extent you can help us. I want now "about 30*l.* to pay some extra rents and carry out the "engagements entered into last year. Knowing you "have a bad opinion of Totnes I am anxious to avoid "any exaggeration; but I will tell you what the "Radicals say, viz., 'that in the next register the "Tories will have a chance.' If you set any value "on two seats in Parliament come and help us. I "am certain you will never regret it. I am, dear "sir, yours truly, Robert Harris."

54,155. When had you communicated with Mr. Robert Harris with regard to Totnes?—I never knew Mr. Harris till he appears to have come to see me with Mr. Rennie, and then this letter comes afterwards, which I do not believe I replied to. I should not think of giving him any money, either for the registration or to pay back rents, so I do not suppose I took any notice of his letter. The next letter is dated March 23rd, 1865, from Mr. Edmonds, but I do not think I need read that.

54,156. (*Mr. Coleridge.*) There is a letter from Mr. Harris asking for a candidate with good com-

mercial liberality ?—I think it would serve your purpose if I went on and read Mr. Harris'. There is no answer given to that letter about the rents and the assistance.

54,157. Read Mr. Edmonds' letter ?—It is: "Totnes, "March 23rd, 1865. Dear sir,—We are now without "a man to fight this place at the next election, Mr. "Macleay, who intended to do so, having recently "lost a brother in Australia, which will probably "render his presence in that colony necessary. Can "you find us a man, or do you think Mr. Dent could "be induced to stand again ? He is an exceedingly "popular man here, and would fight a stronger battle "here than any other man, and I am of opinion that "the battle could best be fought by his being nomi-"nated, apparently against his inclination, and by his "not appearing at all on the scene of action at the "election. However, whatever man comes forward, "he ought at once to begin operations, as now is the "time to win the election, and not when it actually "takes place. We have always laboured under the "disadvantage of not having a man in the field some "time before the election, by which a saving of a "great deal of money might be made. Faithfully "yours, T. H. Edmonds. M. Spofforth, Esq."

54,158. (*Mr. Bere.*) Do you know anything about a requisition that had been got up to Mr. Macleay ?—I do not recollect.

54,159. Mr. Macleay was not a client of yours, but a client of Mr. Henry Smith's, of Norfolk Street ?—I do not know anything about Mr. Macleay.

54,160. Was any communication made to Mr. Smith about Mr. Macleay standing for Totnes ?—No.

54,161. Were you aware that a requisition had been taken by Mr. Harris to the electors soliciting Mr. Macleay to stand ?—I was not aware of it. I saw Mr. Macleay before he went to Totnes, but he elected not to stand.

54,162. What was the next communication you received ?

54,163. (*Mr. Coleridge.*) What do you mean by beginning early ?—That they might make the acquaintance of the electors, because it saves money afterwards.

54,164. Is it not your experience that the longer an election is hanging about the more it would cost ?—Yes; but I would not interpret that as saving money in bribery.

54,165. That was that the candidate, whoever he might be, was to come down ?—Yes.

54,166. What was the next communication ?—The next is my reply of the 24th March 1865, and the next communication is from the celebrated Robert Harris, of the 2nd May 1865:—"My dear sir,—I "had the pleasure of an interview with you once "when C. G. C. Rennie, Esq., was present, respecting "this borough. You then assured me you could get "the Conservative party a candidate—being an "elector and an interested party you must take my "statement as such—but I assert most positively that "the Conservative party for 20 years have not stood "so well as they do now. I understand that Mr. "Dent will not come again; if you could succeed "with one of the same firm or name he would stand "the best chance; or if you could get Mr. R. Potter to "come he would certainly be elected; in fact, if you "wished it a requisition with more than one-half of the "electors could be got for him; or if you could get us "a good commercial man with plenty of spirit, like Mr. "Dunn—either one would do, one set is safe, and on "petition we should have both certain. Mr. Bryett "could give you reasons which I am confident will "satisfy you on that point; however, that must be left, "for on after consideration Mr. Edmonds will run up "and see you if you wish it, as he has instructions from "the committee to that effect. Surely as the register "is so favourable we are not to be left behind. And "I feel confident you can get one or two candidates "if you choose; if we do not succeed this time, ever "after blot the borough of Totnes out of your book. "I am, sir, yours faithfully, Robert Harris."

54,167. What was the commercial spirit Mr. Dunn exhibited at Totnes ?—I suppose he meant he wanted a candidate like Mr. Dunn.

54,168. With the same amount of money, and the same readiness to spend it ?—I do not know what sum he spent, and whether he alluded to that I do not know.

54,169. Was there any commercial transaction, except the buying and selling of votes ?—I think all constituencies prefer commercial men, because they think they get their sons on better. I thought Mr. Harris was a man of substance in Totnes, and I wrote this letter:—"(*Private and confidential.*) 6th May "1865. My dear sir,—I am taking measures to see "Mr. William Dent, cousin of Mr. John Dent, and "ask if he will come forward for Totnes. It is quite "out of the question asking Mr. Potter to come out. "He will not stand for any place at present, and "certainly Totnes would be rejected by him. Failing "Mr. W. Dent, I will endeavour to procure you a com-"mercial man, of the spirit you require. I am, dear "sir, yours very faithfully, W. Spofforth. Robert "Harris, Esq., Totnes."

54,170. What do you mean there ?—I did not allude to any bribery; that is the last thing I should have put in a letter.

54,171. What is the next communication ?—A letter of the 24th.

54,172. (*Mr. Coleridge.*) When did you take up the bad opinion with regard to Totnes ?—I never did.

54,173. Captain Pim said you would not touch it with a pair of tongs ?—I think the gallant commander has rather exaggerated that. He came and asked me if I would recommend him to stand for Totnes, and I said certainly not. I had not a good opinion of the place with regard to the possibility of success of a Conservative, and on other grounds which he would understand.

54,174. Was that before Colonel Dawkins came ?—Yes.

54,175. Did he come to you ?—He had been in communication before, and he came and asked if he might stand, if there was any objection. I said there is no objection, but I would not advise you to go down. I am told it requires from 1,500*l.* to 2,000*l.* to fight the seat, and I think that is a large sum of money.

54,176. When was it you first knew Totnes was such a bad place, an expensive place ?—I did not think it was an expensive place, but I thought the 2,000*l.* would be thrown away.

54,177. When was it you first knew Totnes was a venal place, how long back ?—I should say there has always been a popular impression against Totnes, and my impression was that a Conservative never was returned there.

54,178. Not since Baldwin ceased to spend money; there was always a Conservative till 1852 ?—My advice to Captain Pim was, that whatever he spent he would lose the election, and so I said to Colonel Dawkins; and in one letter I said——

54,179. (*Mr. Bere.*) We will come to that in the order of date. It appears you did find a candidate, in the person of Mr. Kennard ?—Yes, and I wrote the letter.

54,180. Had you seen Mr. Kennard upon the subject ?—Yes.

54,181. Did you go to him ?—No, he came to me.

54,182. Did you tell him what sum of money would be required to contest Totnes ?—I should tell him the same as Colonel Dawkins, from 1,000*l.* to 1,500*l.*, had he named that to me.

54,183. Who had named that ?—Mr. Edmonds; but I thought it was better to put 500*l.* on the local agent's estimate.

54,184. You say, Mr. Kennard is a gentleman of position and fortune, and you must show him that he can win for a reasonable sum of money ?—Yes.

54,185. And that was a reasonable sum of money ? Yes; it was a general election, and the boundary has

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a circumference of five miles, and it is necessarily expensive to canvass.

54,186. Mr. Kennard did go down ?—Yes.

54,187. And you wrote the letter of the 6th of June, saying, "He is an exceptionally good candidate; I "hope that he will consent to stand, and that you will "pull him in ?"—Yes.

54,188. Did you receive any communication from Mr. Harris or Mr. Edmonds after Mr. Kennard went down to Totnes ?—The next letter was the 2nd June from Mr. Harris.

54,189. That precedes this letter of yours of the 3rd ?—It is: "Totnes, 2nd June, 1866. M. Spofforth, "Esq. Dear sir,—Enclosed is a list of the voters "of this borough. You will observe we can carry "one easy, and it will be a very close run for the "second. You must get us two good men. Pender "comes down here on Tuesday next; I fear he will "then begin canvassing. We ought to have at least "one in the field; can't you get us one at once? "Yours faithfully, ROBERT HARRIS."

54,190. Was it in answer to that that you wrote the letter of the 3rd, which begins, "I have at length found I think a suitable candidate" ?—I have no copy of that letter.

54,191. That letter of the 3rd of June must be an answer to that of the 2nd ?—Yes, no doubt it is.

54,192. Did you receive any communication from Mr. Harris or Mr. Edmonds between the 3rd and the 6th of June ?—No, I think not, as it is not here. The correspondence was kept regularly from this time.

54,193. The next letter you wrote is the letter about Mr. Kennard being an exceptionally good candidate. That is the 6th June 1865; written to Robert Harris, Esq., Totnes ?—Yes.

54,194. Did you have any answer to that ?—No, I think the next is the 19th of June.

54,195. Was that written after the two letters of yours of the 19th ?—It would be written on the day it bears date.

54,196. Here are two letters of yours, one to Mr. Edmonds and one to Mr. Harris, of the 19th June ?—I have not copies of them.

54,197. There is a letter: "Dear sir,—Your mind "will be relieved to learn that Mr. Kennard sent me "the poll book on the day I wrote to him for it. I "have got it by me, and will return it if you wish." What did that mean ?—Mr. Edmonds had lent Mr. Kennard his poll book, and Mr. Kennard had not returned it, and I got it and sent it.

54,198. It goes on, "You may rely on my having "one or two men when the time comes, but I quite "agree with you the longer they stay the better, so "long as the sitting members refrain from active "exertions." Did you mean that it was advisable for the Conservative candidate to go to Totnes early ?—I was astonished when I read these letters, published in the *Times*. There it was, "The longer they stay "away the better." The paragraph stands, "I quite "agree with you the longer they stay the better, so "long as the sitting members refrain from active "exertions." That is to say, the better they became known the better will be the chance.

54,199. Are you sure that is your meaning ?—Yes, certainly; it cannot mean anything else. I was surprised to see it otherwise in the *Times*.

54,200. (*Mr. Coleridge.*) Here is a letter: "Dear "sir,—I have got the poll book back from Mr. Ken-"nard, who is going to stand for Gloucester. You "may rely on having two men, but I think they should "not seek acquaintance with their future constituents "until the last moment" ?—When persons go personally canvassing they are invariably asked for something by the lower class of voters.

54,201. (*Mr. Bere.*) Surely after that you must mean in the other letter they should stay away from the constituencies, and not go to them ?—I think not. What I advise is, that personal canvass shall be avoided whenever possible. They should be at the place and address meetings, but not go and see the people.

54,202. (*Mr. Longe.*) According to your reading, they are to stay at Totnes so long as the members refrain from active exertions, but as soon as they begin they are to go away ?—Yes. I see it is that the meaning of the letter is, that so long as they stay away our men should stay away. I am sorry it has given so much trouble.

54,203. (*Mr. Bere.*) When did you first see Colonel Dawkins about this matter ?—I cannot remember the date.

54,204. It must have been between June the 19th and June the 27th ?—It must have been that time.

54,205. Who introduced you to him, had you known him before ?—I think he called upon me, with whom I cannot remember. He would be introduced, of course.

54,206. Did he call upon you to discuss the possibility of his getting into parliament for some place or another, or did he mention Totnes in particular ?—No; he said he had been told that I was the proper person to apply to, to ascertain whether there would be any objections to his standing for Totnes. I told him I knew of none; there was no one in his way.

54,207. Did Mr. Smith come with him ?—No, he did not; I think not.

54,208. Do you remember any interview at which Mr. Smith came there with Colonel Dawkins ?—I do not think I saw either Mr. Smith or Mr. Guscotte until after the election. Still Mr. Smith might come with him on that occasion; I do not remember it.

54,209. You will not be quite certain whether he did or did not ?—No.

54,210. Did you know Mr. Smith at all before the time of the petition ?—I only knew him by name, as a partner in a highly respectable firm in Essex Street.

54,211. I believe you discussed with Colonel Dawkins the sum of money that would be required to be spent, because you intimate to Mr. Edmonds, in the letter of the 27th June, that Colonel Dawkins "is prepared to "spend 2,000*l.*" ?—I told Colonel Dawkins it had been intimated to me that from 1,000*l.* to 1,500*l.* would be the cost of an election at Totnes; but I thought it was better to put 500*l.* on to the estimate of the local agent.

54,212. That is your letter of the 27th June, is it not (*handing a letter to the witness*) ?—Yes.

54,213. Did you have any further communication with Mr. Edmonds or Mr. Harris before that, previous to the election ?—Yes, I had a letter from Mr. Harris on the 19th of June. Will you allow me to say that at this time I did not know Mr. Harris by sight or personally. I was under the impression he was a man of respectability and substance in Totnes, for Mr. Rennie had told me he was an important man in the borough.

54,214. Did Mr. Rennie tell you he was his agent in respect of his lands ?—I never knew any other.

54,215. Did Mr. Rennie tell you he was a local preacher, and his agent at Totnes ?—No, he did not. I will read this letter:—"19th June 1865. M. "Spofforth, Esq. Dear sir,—I am desired by some "of the Conservative committee to write you in re-"ference to Lord Cranstoun. I have just seen Mr. "Counter, Mr. Astell's agent at Ashburton. He tells "me that Mr. Astell has succeeded in getting his sup-"port for Ashburton, but he cannot give me any "intelligence about Totnes. There are four who are "under his lordship's direction, voters for Totnes, "viz., Henry Bradridge jun., Pridhamsleigh, Ashbur-"ton; Richard Mortimore, Sandridge, Stoke Gabriel; "Robert Oldreive, do., do.; Robert Jackson, Buck-"fastleigh. The latter is not a tenant but a carpenter, "so he works continually on his lordship's estate. "He is one of the manufactured votes made by his "lordship's agent, Thomas Michelmore, who is also "the Duke of Somerset's agent. It is considered "certain that, if you could prevail on his lordship to "write these tenants, and also his agent, that they "would all comply with his request; in fact, the "agents of the duke would certainly let us have "their support for one seat; is it, therefore, too much "to ask you to do all you can for us in this direction?

" Again, would you see Mr. Potter, and try him on " behalf of William Edward James, Totnes, station " master on the S. D. Railway; William Smale, Totnes, goods carrier for the same Co.; James Paddon, " Kingsweir, Dartmouth, station master on the Dartmouth Railway. They all would gladly accept a " situation on the Great Western. Every effort must " be made by us, by so doing we can secure both seats. " Again, one of our electors is just gone to Eastbourne, Sussex, to reside. He is an organist. His " name is John Horth Dean; he is now an organist in " some church there. Could you set in motion any " inquiries about the minister, who he is, and what " are his politics. Although his vote is worth nothing " on a scrutiny, we must try and get him. Perhaps " Viscount Pevensey might help you. If you see Mr. " Rennie, I should like for him to know this also, as " he will do all he can for us. I am, sir, your " obedient servant, ROBERT HARRIS."

54,216. In answer to that did you write this on June 20th, 1865 :—" I am happy to tell you that we " have got Lord Cranstoun's full support, and he will " use every influence he has got in the contest for " Totnes. The only difficuly is finding a man with " plenty of money to carry the seat. This, however, " I trust to be able to do, and as soon as we find him " you shall know. I will get Mr. Potter to influence " the persons you name" ?—Yes, I wrote that letter.

54,217. How had you learnt that Lord Cranstoun would give his support to the Conservatives ?—I cannot say that I learnt it from any individual, but it was generally understood that Lord Cranstoun had become rather disgusted with the proceedings of the Liberal party and become Conservative.

54,218. Had you learnt that Lord Cranstoun had applied for a peerage that he had not been able to get from the Liberals ?—I had not done so.

54,219. Do you believe that he had ?—I do not.

54,220. Had you heard about it ?—No.

54,221. Do you know of any cause for his dislike to the Liberals ?—I should have thought the general dissatisfaction with their long administration was the cause.

54,222. The general dissatisfaction throughout the country ?—Yes.

54,223. And which particularly affected Lord Cranstoun at the time of the election ?—Yes.

54,224. Did Mr. Harris ever tell you, and did you happen to know, that those four votes were created on qualifications given to the voters by the Liberal agents ?—No.

54,225. Did you inquire whether Lord Cranstoun had any property himself in the borough of Totnes ?—I did not inquire; I believed he had, of course.

54,226. Cannot you remember at all who had intimated to you that Lord Cranstoun would lend his influence to the Conservatives ?—No, I do not; I might have been told by 50 people.

54,227. You write immediately in answer to that letter, and you cannot tell us who gave you that information ?—I cannot.

54,228. It was information on which you could rely ?—I have no doubt of it that it was true. When he turned from the politics he had previously entertained, it soon became a matter of notoriety.

54,229. Do you know that a considerable influence had been used to get Lord Cranstoun to turn round ?—I did not.

54,230. You did not know that Mr. John Abel Smith had been doing what he could to convert Lord Cranstoun ?—I did not.

54,231. What is the next letter that you have from Mr. Harris or from Mr. Edmonds ?—The next letter I have is the 22nd June. The 21st June I had a letter from Mr. Edmonds, in which he states : " Dear sir,— " Both Mr. Pender and Mr. Seymour's addresses are " out, so there is now no time to be lost. By-the-by, " I saw in to-day's paper that the electors of Glasgow " were getting up a requisition to the former ; is there " any foundation for the statement ? I find that Lord " Cranstoun's agents in this locality are endeavouring " to make his tenants believe that it is all bosh about his " lordship wishing them in future to support a Conservative, and that they had better vote for the Liberals, " as before. I think he ought to write a strong letter " to each of them, or, what would be far better, come " down and see each of them himself. Yours faithfully, " T. H. EDMONDS. M. Spofforth, Esq."

54,232. In consequence of that did you take any steps to get Lord Cranstoun to write such a letter ?—I wrote the following letter the next day : " 22nd " June 1860. My dear sir,—I think, notwithstanding " Mr. Pender's address, there is some probability of " his leaving for Glasgow, if they can so arrange. I " do not think he is at all fond of his present constituency, and might be induced for very little to seek " another. The gentleman I expected this morning " has not turned up, but may do so before post, and " you shall hear again. I am, dear sir, yours faithfully, M. SPOFFORTH. T. H. Edmonds, Esq."

54,233. Who was that gentleman ?—It was impossible to say.

54,234. Had you some other candidate in your eye besides Colonel Dawkins, at that time ?—Yes, very possibly.

54,235. And you cannot say who that was ?—No; I might have a great many. The next letter I have is from Mr. Edmonds, on the 27th of June : " Your " telegram duly reached me this afternoon, and we " shall be prepared to meet the candidate to-morrow " morning." I suppose this is to say that either Colonel Dawkins or Captain Pim is going down.

54,236. Is that your telegram (*handing same to witness*) ?—Yes. " Candidate will be with you to- " morrow morning. Put out placard asking voters to " reserve their votes."

54,237. That candidate was Colonel Dawkins ?—I cannot say which it was.

54,238. Because this is your letter : " The bearer " of this is Colonel Dawkins, who has a letter of introduction to Mr. Edmonds. Do the best you can " for him. You will not find a better candidate on " this side of the general election" ?—Yes.

54,239. At this time had you a second person as a candidate in your eye ?—No; I do not think I was thinking about Totnes at that time.

54,240. Is that the telegram you sent on the 28th June (*handing same to witness*) ?—" Gentleman will " be with you at 4 o'clock to morrow. Give notice " to reserve second votes."

54,241. Is that merely a general instruction in case of your being able to find out a second candidate ?—I think Captain Pim at that time had made up his mind to go down.

54,242. Had you seen Captain Pim at that time ?—I should say so.

54,243. He was not the person who communicated with you, was he ? Do you remember Captain Fox calling upon you ?—I did not remember it till to-day.

54,244. And did not he mention Colonel Alexander ?—He did.

54,245. And did Colonel Alexander come down ?—I was not aware of it ; it seems he did go down.

54,246. In all probability would not that telegram refer to Colonel Alexander and not to Captain Pim ?—It might.

54,247. Do you remember who was present when Captain Fox was at your office ?—I do not remember anyone but myself; I do not think there was anyone. I told him subsequently I did not remember anyone.

54,248. Was there a general meeting of the Carlton Committee at your house ?—Yes.

54,249. Did any members of the Carlton Club meet at your house to discuss the prospects of the Conservative party at the coming election ?—No.

54,250. Do you remember Captain Fox saying that Lord Neville was there at the time ?—It is possible ; it was just about the time of the general election.

54,251. You were preparing for the contest generally all over the country ?—Yes. Will you be kind enough to repeat your question about the members of

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the Carlton calling at my house, I do not think I understood it.

54,252. I asked you whether influential members of the Carlton Club were in the habit of meeting at your house and discussing the prospects of the Conservative party at the coming election?—No.

54,253. Or making arrangements for particular elections?—No; the arrangements were entirely in my hands.

54,254. Both as to the candidates and the people at the boroughs?—Yes.

54,255. Then what was the next communication you received?—The next was a telegram I had from Mr. Edmonds: "The second candidate should be here "immediately." Dated the 17th, I take it to be.

54,256. It cannot be the 17th, because you did not send down the first till the 27th. What was the next letter?—The next letter, I think, is from Mr. Theodore Bryett; I do not know that it is worth reading.

54,257. Perhaps I had better look at it (*the letter was handed to the Chief Commissioner*). Do you mean to say that you had no letters at all on the subject of the election, or any communication on the subject of the election, between the 27th June and this letter?—None at all; of course the telegrams would be destroyed. All that came in the hurry of the elections would be destroyed. The telegrams would be with the polls; there are none amongst the papers.

54,258. Did you ask Mr. Smith to send down a confidential clerk, in order to telegraph to you, from time to time, the state of the poll?—No, certainly not.

54,259. Are you quite sure that a letter was not written, at your request, to Mr. Smith, asking him to get "a steady clerk" (those were the words), to telegraph, from hour to hour, the state of the poll?—It is very likely; I always do that with a person who I know is going down with a letter of introduction.

54,260. This is the letter: "July 8th, 1865. "Colonel Taylor desires me to ask, as an especial "favour, that you will procure some steady clerk to "telegraph to me at this place (not to the Carlton) "the poll every hour in the day—winning or losing. "This is of the utmost importance." Why was the telegraph to be sent to your house and not to the Carlton?—That is 6 Victoria Street?

54,261. Yes.—That is my place of business, not my house. The reason was, because the Carlton has nothing to do with it. Of course the members of the Carlton, as well as those of any other political club, are anxious to know how the poll is going on.

54,262. As soon as you learnt the results of the poll you sent them up?—I sent them to the Carlton, to the Junior United Service, and I supplied them also to the India Office.

54,263. Did I understand you to say you did not know anything about Mr. Smith until the time of the petition?—I am not sure whether I saw Mr. Smith before the election; if I did he came with Colonel Dawkins at the time of the election.

54,264. Had you never seen him in company with Mr. Rennie about the time of the election?—No, not that I am aware of.

54,265. Do you remember Mr. Rennie coming down and asking you about whether you had got a man for Totnes?—Do you mean on any particular occasion?

54,266. About two days before the election?—I do not remember it. He might have done so.

54,267. Was not Mr. Smith, with you then?—Perhaps it was not Smith, of Smith and Guscotte; perhaps it was Mr. Henry Smith of Norfolk Street?—No, I never saw him, I have not seen him for many years. I never had any communication with him, and I never saw him about the Totnes election.

54,268. Do you remember a gentleman in your presence showing Rennie a paper which was given to him at Totnes, containing an account of the way in which the election was likely to go?—No; is there not a report from Mr. Harris that you have there?

54,269. Is that what you mean (*handing a paper to the witness*)?—It was a fair copy which I brought. I never read it until this morning.

54,270. At that time you thought Mr. Harris a man of some importance, did not you?—I do not often read letters when they are written like this. I daresay I should only glance through this and not see the substance of it. There is one letter from Harris, in which he states the election can be won without spending a shilling in bribery.

54,271. I should like to see it?—I have it not here, but I will send for it.

54,272. You cannot remember any interview with Mr. Rennie at all?—I saw Mr. Rennie.

54,273. I mean, two days before the election?—No, not on that election.

54,274. Did not he tell you it would cost you so much money, that unless you were prepared to go all lengths it was no use your going on?—No man ever told me so. This is the letter, I think it is worth reading:

"M. Spofforth, Esq.,

"Dear sir, Totnes, 26 May 1865.

"I am in receipt of yours of the 6th instant. "Don't you think you could get Mr. John Dent "again? For certain he will stand the best chance. "Even supposing he could not come, if he will only "issue an address we can carry him without his "coming here. You may depend we can return him "without the least difficulty, and if Mr. Potter will "come with him we can carry both seats. I know "you are almost dispirited about the borough, but "do once more try us. If we fail, then discard us "altogether. The reason why I am so urgent is "because the Conservative party were never more "united nor more numerous.

"Mr. Mitchell told me when we last had an interview that Mr. Dent would willingly give a thousand or two to the borough if he could be returned, as he spent a good bit of money when last here. I say let no more be spent except the incidental expenses until after the election. I am certain we can elect him without a farthing being spent in bribery. After he is elected if he is disposed to distribute a few pounds, well and good, but not before, and adopt the same course with respect to Mr. Potter—in fact I am confident, now Lord Cranstoun's tenants are with us, that if Mr. Potter would condescend to come we can have one seat without a fight, that is by a compromise. This I have from a source reliable, or we can take them both by a fight. I feel certain, from the conversation I had with Mr. Potter about 12 months since, that he would come if you only recommended it, and surely two seats are of importance to the Conservative party. I want to see the notorious system of bribery knocked out of Totnes, and this can only be done by your getting us men of position and character. Mr. Dent is by all beloved. Mr. Potter is renowned and has the railway influence which is now enjoyed by the opposite party. If Mr. Dent had no particular desire to enter parliament, and were to allow his address to be issued, Potter for certain would be returned unopposed. Seymour is very unpopular and Pender has resolved not to spend anything in bribery, in fact the late Liberal leader, Mr. F. B. Cuming has given up, and there is a thorough split in the party. On the whole, therefore, I trust you will see the importance of immediate action; I need not recapitulate what I said personally to you with regard to the present register, it speaks for itself. Mr. Bryett, who is now beyond any personal motive, will tell you that the Conservative party are stronger now than at any time since the Reform Bill.

"I am, dear sir, your obt. servant,

"Robert Harris."

I do not believe I ever read that letter through until I got the secretary's notice to produce the correspondence.

54,275. (*Mr. Coleridge.*) Were you at that time under such a delusion, that you believed Mr. Harris's letter?—Quite; I would not have believed Mr. Harris

if I had thought he was capable of doing what he has done.

54,276. (*Mr. Bere.*) Had you seen Mr. Harris several days before the election?—Yes.

54,277. Had you discussed with him the relative position of the parties in the borough?—In my interviews with Mr. Harris I said, "I cannot conscien- "tiously recommend any Conservative candidate to "come down, because I do not believe you can return "one."

54,278. What was his view?—He said if two Conservatives came down he was positive they would be returned.

54,279. Did he tell you by what majority they could be returned?—Something under 20, and there was a good chance for a Conservative candidate.

54,280. And you took his representation as a correct one?—No, I did not place much credence in it; and I did not like Colonel Dawkins to go down.

54,281. (*Mr. Coleridge.*) From the fact that you lost the single-handed election by eight only you would not consider that you could win the election a year after?—You cannot judge by previous elections.

54,282. You mean you would not take that into consideration, in considering the possibility of returning two Conservatives?—If in the single-handed election you have a strong majority, it is indicative of the bias of parties, unless bribery has been resorted to, then of course all politics go to the winds.

54,283. (*Mr. Bere.*) When had you reason to suspect Harris was not the respectable man you imagined?—When the petition came on, after Colonel Dawkins came to ask me to advise him on the subject, and I ordered evidence to be got up, and then I saw the part Mr. Harris had taken in the matter, and not until then. It was in the shooting season, after the general election.

54,284. (*Mr. Coleridge.*) When did you first know that he was the person actually paid and employed to look after the registration?—I did not know that he was paid.

54,285. There is no doubt about that, that he was paid regularly. When did you know he was the registration agent?—I do not know, Mr. Harris may have told me, but it made no impression on my mind. When I wrote to him I did not know it.

54,286. The impression on your mind was that Harris was over Edmonds, instead of Edmonds being over Harris?—No; Edmonds was a solicitor, and I understood this Harris was a person of considerable importance, who busied himself in the borough, and it is always desirable to keep on good terms with a man of that class, and that is why I wrote to him.

54,287. And you always thought him to be a person in a better position in life than he really is?—Yes, certainly.

54,288. (*Mr. Bere.*) Will you tell us what happened about the petition?—There is an enormous correspondence about the petition which I have not had the time to wade through, but there are a great many private letters which I must ask the Commissioners not to make unnecessarily public; but the first communication I received about the petition was from Mr. Edmonds, dated July 21st 1865.

"Dear sir,

"I have been quietly obtaining evidence for a "petition, and have already no less than 32 cases of "bribery, some of them of the most glaring character, "and clearly bringing home the agency to both the "Liberal candidates.

"Totnes has always had a bad name, but it has "been infinitely more corrupt on this occasion than "on any other, and I hope steps will be taken to get "the place disfranchised. I could get a great many "additional cases, were it not that the men are afraid "of being prosecuted for bribery. If it could be "shown that they would be safe, much more infor- "mation might be obtained.

"Yours faithfully,

"M. Spofforth, Esq. T. H. Edmonds."

Then I wrote in reply to that, telling them to get up evidence, as follows:—

"My dear sir, 22nd July 1865.

"As soon as you have got your 32 cases "of bribery, or indeed any of them, ready, you "had better send the evidence up to me. I really "think the best way would be to go in for the dis- "franchisement of the place; but at any rate let us "do our utmost to countervail the advantage which "the purse of our opponent has given to the Liberal "party."

I did not know at that time that any money had been spent on our side. Then it goes on and says,

"You may safely state to the voters that you will "use your influence with the Conservative powers to "take care no harm shall come to those who confess "the truth. We will do our utmost to protect them, "and there is no instance of a committee visiting "penalties upon any voter who makes a clean breast "of it.

"I am, dear sir, yours faithfully,

"T. H. Edmonds, Esq., M. Spofforth.

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54,289. (*Mr. Coleridge.*) You did not claim the seat on the petition?—No.

54,290. How was that?—Because I found Colonel Dawkins and Captain Pim were tarred with the same brush.

54,291. After that?—Yes.

54,292. (*Mr. Bere.*) When did you find out that tke Conservatives had spent money?—After we had investigated those 30 cases, because we found we had made offers.

54,293. And they had made larger ones?—Yes.

54,294. After the petition was presented, were there some negotiations about a compromise?—All I know about it is, that during the progress of the business, when I had a great many petitions on my hands, perhaps 15 or 16 coming on at the same time, I think Commander Pim first came to Victoria Street, and stated that he believed, if the petition could be withdrawn, a sum of money might be forthcoming for the expenses of the petitioners. I said to him in very imperative terms that I would allow of no such suggestion to be made to me, and I requested that he would not mention it to Colonel Dawkins, as I was satisfied Colonel Dawkins was a man of honour, and would not listen to it.

54,295. Were the terms mentioned for the withdrawal of the petition?—I heard something about 5,000*l.*, but where I do not know.

54,296. Had you not at one time heard something to the effect that Totnes was to be set off against some other borough?—Certainly not.

54,297. Will you read that letter (*handing a letter to the witness from Mr. Edmonds to Messrs. Smith and Guscotte, dated 6th March* 1866)?—Shall I read it out?

54,298. You had better read it to yourself first. (*The witness read the letter.*) Having read that letter, had you made any communication either with Messrs. Smith and Guscotte or with Mr. Edmonds with regard to the withdrawal of the petition?—No; I was always against its withdrawal.

54,299. Then is this statement perfectly untrue: "When I returned to this town on Saturday, they "were enabled to tell me, from information received "from the other side, that Totnes was to be set-off "against Devonport, and this I suppose is the real "secret of Mr. Spofforth being so anxious for its "withdrawal; and its excuse about affecting the "Reform Bill was really all bosh"?—Allow me to explain that. What date is that?

54,300. 6th March 1866, written by Mr. Edmonds to Messrs. Smith and Guscotte?—Well at that time I had great doubt in my mind whether we had sufficient evidence to justify us in carrying on the petition, and I do not find the telegraph or the letter here sent to Edmonds to get the petitioners to sign a withdrawal.

54,301. Was not that afterwards? Was not that

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somewhere about the 13th or 14th March? Just read that letter, and perhaps that will refresh your memory (*handing a letter to the witness dated March 15th 1866, from Mr. Edmonds to Messrs. Smith and Guscotte*)?—"I am unable to send you the authority "to withdraw, as on my going to Mr. Lloyd's soon "after the receipt of your letter I found that he had "been suddenly called away to Swansea, and that "he would not return until to-morrow evening. I "hope he may then be home in time to post it to you, "but it is somewhat doubtful." These are letters to Messrs. Smith and Guscotte.

54,302. Read on that letter, and you will see why I called your attention to it, and you will be able to know whether you ever did make any such request?—I do not see what this has got to do with it. "Unfortunately I destroyed the one which was "signed by the petitioners about a fortnight since "which I brought with me to town on my last visit, "Mr. Spofforth having told me that, as it was in his "shorthand writer's writing, it was not on any "account to be used."

54,303. I merely put that into your hand to see whether the mention of that would not refresh your memory as to when the withdrawal of the petition had been drawn up in your office?—Generally speaking, when local agents send to say there has been bribery, I send down a petition with a form of withdrawal, at the same time telling them to get the petitioners, who are generally people of no great condition, to sign them at the same moment, because, if afterwards it is desirable from want of evidence the petition should be withdrawn, the petition should be withdrawn.

54,304. If that is your usual practice, why should not that petition have been used, although it was in your shorthand writer's writing?—Because it was better to be in the handwriting of the petitioners.

54,305. You wished to explain this passage about the Reform Bill?—(*Referring to the letter*) "When "I returned to this town on Saturday, they were "enabled to tell me, from information received from "the other side, that Totnes was to be set off against "Devonport, and this I suppose is the real secret of "Mr. Spofforth being so anxious for its withdrawal, "and his excuse about its affecting the Reform Bill "was really all bosh." I do not remember anything about the Reform Bill. I think Mr. Edmonds must have been wandering in his mind. "If it is really to "be withdrawn the Totnes people will be bitterly "disappointed."

54,306. Then this is perfectly untrue: "This I "suppose is the real secret of Mr. Spofforth being so "anxious for its withdrawal, and his excuse about "its affecting the Reform Bill was really all bosh?"—Yes.

54,307. You never made such an excuse, and were not anxious for its withdrawal?—No.

54,308. (*Mr. Coleridge.*) How many days before the division on the Reform Bill was it that the petition for Totnes was presented?—I am not able to give the dates. I remember it was very important. My object was to get rid of as many Liberal members as possible before the Reform Bill came in.

54,309. You said you knew Colonel Dawkins to be a man of honour, and that he would not consent to a payment of money to withdraw the petition. Did you not know that he did consent afterwards to withdraw it?—I ought, for the satisfaction of the Commissioners and the public, to state what I know about that. Captain Pim, as far as I remember, was the only person I heard from about the withdrawal of the petition. I told him I would not listen to any suggestion of the withdrawing it for money, and I thought he had better not mention it to Colonel Dawkins, who was really being at the charge of the petition, although I supposed Captain Pim would be at the expense of it afterwards or partly. He had mentioned it to Colonel Dawkins, because Colonel Dawkins came to me and mentioned it again, and I said to him what I had previously said to Commander Pim, that it was a breach of privilege to withdraw a petition for any consideration of that nature; that I would not have anything to do with it, and that if he chose to entertain it he was to take the business away, and I would not have anything to do with it. Colonel Dawkins said, the moment he understood the nature of the offer, and that it was a breach of privilege, that he would not listen to it for a moment.

54,310. Did Colonel Dawkins, at the time when you mentioned that, tell you the terms on which he had wished to withdraw it, anything about his case being brought before the House, as part of the terms?—He said that his only object in getting into parliament was to have justice done in the matter of his quarrel with Lord Rokeby; and he said afterwards that the object of his presenting the petition was to obtain the seat, in order that he might bring his claims before the House.

54,311. But did he tell you, as he has told us since, that part of the terms were that all his expenses were to be paid, and that the Liberal members were to undertake that his case should be brought before the House?—No, I heard nothing of that.

54,312. (*Mr. Longe.*) Where is the letter to which that is an answer, to Mr. Edmonds (*handing a letter to the witness, of which the following is a copy*)?

"6 Victoria Street, Westminster Abbey, S.W.

"DEAR SIR, June 19, 1865.

"YOUR mind will be relieved to learn that "Mr. Kennard sent me the poll-book on the day I "wrote to him for it. I have got it by me and will "return it if you wish.

"You may rely on having one or two men when "the time comes, but I quite agree with you the "longer they stay the better, so long as the sitting "members refrain from active exertions.

"I am, dear sir, yours faithfully,

"T. T. Edmonds, Esq., M. SPOFFORTH.

"Totnes."

It is in the correspondence I take it.

54,313. There is a letter from Mr. Edmonds about the same date which that would be an answer to. I do not find it here?—If it is not there, it is possible I might send it on to Mr. Kennard, and say, "Send me the poll-books back;" or it might be destroyed, if it is not in the correspondence. Most likely, I should say, it was a letter asking for the poll-books, and I should send it on to Mr. Kennard.

54,314. The letter to which that is an answer does not appear, and you do not know where it is?—I do not know. It might have gone to Mr. Kennard, or might have been destroyed. There must have been a great deal more correspondence than I see there I should say.

54,315. What explanation do you give of those tactics?—What tactics?

54,316. Why that the candidates should keep away from the borough as long as possible?—I think it is desirable candidates should not make the acquaintance of constituencies that are suspected not to be very pure.

54,317. In the case of a borough known to you not to be pure, those are the tactics you should recommend?—I do not know what you mean by "tactics." I should say that is the ordinary common-sense view of it, keep your candidates away if you know they are to be importuned for money.

54,318. In the case of a borough you know to be corrupt?—Yes.

54,319. And you did know this was corrupt?—No more than any one of the British public. That is all I knew of it.

54,320. Having the candidates in the field nominally, but keeping them personally away?—No; what I meant was, they might address constituents; but if candidates are too long in the field, and they go about from house to house, they are importuned for money, and it is a very disagreeable thing, and it is desirable to keep them away.

54,321. It is only in the case of a corrupt borough you would recommend it? You would not say, as a principle, that candidates ought not to be known to their constituents?—No; they ought to be known.

54,322. Mr. Edmonds recommends it in his letter, and you recommend it also, that they should stay away. Mr. Edmonds recommends that the candidates should not come "till the writs are issued?" —Yes; that would be six weeks before the election.

54,323. Months before, he wished to have the money?—No, not months before. It is six weeks, notice for a general election.

54,324. This is a letter from Mr. Edmonds dated March 23rd (*referring*), where he recommends that they should stay away till the writs are issued?—That is where he wished to be supplied with candidates, is it not.

54,325. Yes. He wished to have the names?—That is Mr. Harris, is it not.

54,326. Yes, it is Mr. Harris. He says, "We do "not want him here till the writs are issued, if the "members keep off." Was not that in order to avoid expense?—I do not know what Mr. Harris meant.

54,327. Put out Mr. Harris, and merely take your letter and Mr. Edmonds' letter?—Take my letter. I advised them to stay away for the reason I told you, that if candidates are there too long they are in the habit of visiting about from house to house, and they are importuned, and it is desirable to keep them away.

54,328. Is it in every borough you recommend that course, or only in boroughs you know to be corrupt?—I should recommend it in boroughs that are known to be corrupt more than in others. Personal canvassing of the candidates is always to be avoided if it can be carried without.

54,329. You told Mr. Harris 1,500*l.* to 2,000*l.* would be required?—1,500*l.* to 2,000*l.*

54,330. Did you know that 1,500*l.* to 2,000*l.* would be required for legitimate expenses?—Certainly.

54,331. (*Mr. Bere.*) By "legitimate" do you mean legal?—Yes.

54,332. (*Mr. Coleridge.*) Returned by the electioneering agent?—Yes.

54,333. Have you seen the return?—No.

54,334. (*Mr. Longe.*) Do you know the number of the electors of Totnes?—Between 400 and 500.

54,335. Just 400. Do you know the town of Totnes?—Yes, I do.

54,336. Why should you expect that 2,000*l.* could be spent legitimately in that town?—I did not expect he would be asked for 2,000*l.* I told him 2,000*l.* would be the outside probably. They said 1,000*l.* or 1,500*l.*, which would very easily go in a small place like Totnes. There are the private solicitors to go down. Then there are local solicitors to be retained as election agents, who would require from 200 to 300 guineas. In addition to that, you have your canvassers and your messengers and your committee rooms to pay for, in fact a candidate's hand is continually in his pocket.

54,337. You mean to say, from your knowledge of elections, you were right in supposing 2,000*l.* could be spent legitimately in Totnes?—I think 1,500*l.* I would not tell him positively 2,000*l.* I thought it better to tell him the outside.

54,338. (*Mr. Bere.*) Did you say his private solicitor went down without a fee?—No, I did not. Solicitors are not in the habit of working for nothing, so I suppose he would be paid.

54,339. Did you ever know of a solicitor in a small place like Totnes having from 200 to 300 guineas retaining fee?—Yes, and 300*l.* I do not think too much for a really clever man.

54,340. (*Mr. Longe.*) Did Colonel Dawkins ask for any assistance at all?—No.

54,341. He did not ask in the abstract what was the practice?—No.

54,342. You merely told him he would require about 2,000*l.*?—I did not tell him. I said, "The local "agent states you will require from 1,000*l.* to 1,500*l.* I "think I had better tell you the local agent generally "puts too little, and you must be prepared with 2,000*l.*"

54,343. And you gave him to understand he must find that money himself?—I never asked a question about it.

54,344. (*Mr. Coleridge.*) Without any bribery you think Totnes a particularly cheap place. I find it is not more than 2,000*l.* between the two candidates. Do you think that a small sum?—I do indeed.

54,345. (*Mr. Bere.*) You say you would not have been surprised to find 1,500*l.* to have been spent legally in Totnes. What made you say in all your letters, "Totnes is a very expensive place?"—I call Totnes a very expensive place.

54,346. Why should the expenses be greater at Totnes—a very small place—than in other boroughs with the same number of voters, so that actually you find it difficult to get a candidate on account of the expensive reputation which it enjoys?—Because in other boroughs they say 600*l.*, but I always find they invariably exceed by 500*l.* the local estimate.

54,347. (*Mr. Coleridge.*) Did Colonel Dawkins appear to be very keen about the petition going on, was he anxious about it?—Most anxious.

54,348. There is a letter amongst your correspondence somewhere, in which Colonel Dawkins says, "I "will not go on unless my petition goes in among the "first. First come first served?"—I remember that.

54,349. What does that allude to?—He was afraid, I take it, that I should present a lot of petitions before his, and that he would not get the seat. He always intended to obtain the seat. Here is the letter; it is dated February 7th: "Dear sir, I hope the petition "against Pender and Seymour went in. I shall not "fight it unless it comes off among the first to be "decided, and first come first served is the rule." That is just after the meeting of Parliament, the day after.

54,350. What was the date of the presentation of the petition?—It would be on February 6th, I suppose so.

54,351. Then as late as that he refused to fight it, unless he could get it on quick?—Yes. You know he had given instructions to have it presented. He never hesitated in his intention to proceed vigorously with it until after he saw Captain Pim, and the moment I told him it was not a constitutional thing to withdraw it, upon consideration, he abandoned the intention on that ground.

54,352. It seems to me from that, and also from his willingness to compromise upon the terms afterwards offered, that you took a more sanguine view of the petition than Colonel Dawkins did himself, a more sanguine view of success?—When he went into the witness box?

54,353. Yes.—I was not sure that I would be able to unseat either, but I made up my mind, come what will, we would investigate the case, and it was on that ground we persevered in getting the Commission appointed, and that is why the Commission is now sitting.

54,354. (*Mr. Bere.*) Your anxiety to get the Commission would not be the same if there had been two Conservatives?—I suppose not.

54,355. (*Mr. Coleridge.*) You must be under some misapprehension. You said it was from his anxiety to go on, and you meant to get the seat; but the petition had gone in the day before that letter, if you are correct in your dates?—Possibly Colonel Dawkins did not know.

54,356. Do you mean to tell me you did not tell him you meant to claim the seat?—I do not know. I had petitions both claiming the seats, and petitions not claiming the seats.

54,357. Had there not been a consultation with a queen's counsel in which the subject had been discussed?—I think so.

54,358. Is not the explanation of it that he was not so sanguine as you were?—What do you mean?

54,359. As he knew at the time the seat had not been claimed, what was the reason for his anxiety to press for it?—If he was not aware that we had claimed the seat, which he might not be, he might have been willing to have vengeance on Mr. Pender.

54,360. He was not willing to delay that vengeance a few weeks?—Just so.

54,361. (*Mr. Bere.*) Did you see a Mr. George

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Salmon at any time?—I think I saw a Mr. George Salmon of Great George Street. I think there is a letter there.

54,362. Was he a cousin of Mr. Pender's secretary?—I told Captain Pim to get to know who was the private secretary of Mr. Pender. He said he could do it through a Mr. George Salmon of Great George Street who was a cousin of Mr. Pender's secretary.

54,363. Did you have any conversation with him about the withdrawal of the petition?—Not a word.

Mr. Arthur Elley Finch sworn and examined.

Mr. A. Finch.

54,364. (*Mr. Bere.*) Where do you carry on your business as a solicitor?—No. 2, Gray's Inn.

54,365. In partnership with anybody, or by yourself?—In partnership with a Mr. Jennings.

54,366. Is the firm Finch and Jennings?—Harrison, Finch, and Jennings. It is a very ancient firm.

54,367. Were you Mr. John Dent's solicitors?—Yes, and are now.

54,368. Have you received any recent communication from him?—Yes.

54,369. How long ago?—I should think about three weeks ago.

54,370. Did he mention at that time having received any communication from the Commissioners appointed to inquire into the corrupt practices at Totnes?—He did not.

54,371. What was the date of that letter, do you remember?—It would be about six weeks before the receipt of it.

54,372. Have you had any communication by telegram from him since?—No.

54,373. Did he in that letter mention whether there was any probability of his coming home or not?—No, he did not. I should say from my knowledge of his private affairs that it is not likely that he is coming home.

54,374. Have you had any correspondence with Mr. Mitchell?—Yes.

54,375. When was the last letter you had from him?—Not since he has been away. I had when he was here.

54,376. He is now practising as a barrister at Hong Kong, is not he?—I have heard so; I have no knowledge on the subject about it.

54,377. You of course know Mr. John Dent's handwriting?—Yes.

54,378. Is that his handwriting (*handing a letter to the witness*)?—Yes.

54,379. Is that Mr. Mitchell's handwriting (*handing a letter to the witness*)?—Yes.

54,380. Do you remember Mr. John Dent going down to stand for Totnes, in December 1862?—I have no further recollection of it than this, that I received a printed address to the electors by Mr. John Dent, and I knew by that that he had put up as a candidate for Totnes.

54,381. Do you mean that he had taken the steps without any consultation with you at all?—Entirely.

54,382. Had you any communication with Mr. Mitchell on the subject?—I did not know Mr. Mitchell at that time.

54,383. On receiving this address did you put yourself in communication with Mr. John Dent?—No.

54,384. You took no trouble about it?—None whatever. I received it through the post anonymously.

54,385. Did you see Mr. Dent after he came back from Totnes?—Oh, yes, after, on his private matters.

54,386. Did you ever talk to him about his standing for the borough?—Never.

54,387. Did it never excite curiosity in your mind that he should have gone down to the borough and come back again without going to the poll?—He was a man of large fortune, and I should have thought it a liberty to speak to him on the subject if he did not mention it to me.

54,388. Did he discuss with you the subject of going to parliament?—Never.

54,389. Did you know of his going again to Totnes in 1863?—Except from the public prints I should say I did not know anything of it.

54,390. When did you first know Mr. Mitchell?—Between I think the two elections Mr. Mitchell came to me from Mr. John Dent, instructing me to apply to Mr. Rennie to recover some rent of some property which Mr. Dent had purchased down at Totnes; and I made the application to Mr. Rennie for that rent, and I believe he paid it in consequence of my sending him a lawyer's letter.

54,391. Was that the only information Mr. Mitchell gave you with regard to Totnes?—The only information.

54,392. Did not you ask Mr. Mitchell anything about election matters?—Nothing whatever. I do not think it occurred to my mind at the time as connected with the election. He did not mention the fact that it was connected with the election in any way.

54,393. Do you know that was the time that there was expected to be a fresh vacancy at Totnes?—No, I do not know that it was.

54,394. Then you knew nothing at all, except from the public prints, about the election of 1863?—Nothing whatever.

54,395. Did Mr. Dent ever communicate to you at all what he had spent at that election?—He did not.

54,396. Did you ever see him to talk to him on the subject matter of the election afterwards?—I never had any conversation with him on the subject. I did not see him frequently while here.

54,397. Did you see Mr. Mitchell on the matter?—No, I never saw Mr. Mitchell, nor did he open his lips to me on the subject.

54,398. Did he write to you on the subject?—He never wrote to me on the subject.

54,399. Have you ever had any communication with him or anybody else on the subject of Mr. Dent's election for Totnes?—Never with anyone whatever.

54,400. Not in your capacity as solicitor?—No, no communication, I believe, on the subject.

54,401. You cannot give us any information to correct the impression that we have received that Mr. Dent spent a very enormous sum of money at the elections of 1862 and 1863?—I cannot give you any information either to confirm or correct it. He may have spent a very large or a very small sum; I do not know.

54,402. Did his money matters pass at all through your hands?—No, I do not think I have had anything to do with his money matters, perhaps with one or two exceptions, but nothing that would give me any information whatever on the subject of his elections.

54,403. Had he any other man of business than yourself as his solicitor?—I should think not previously; I had a sort of impression—I do not know how arrived at—that he was in the hands of a party, and he must have employed the solicitor of that party.

54,404. Mr. Spofforth do you mean?—Well, if Mr. Spofforth was in that capacity, I should think it must be so; but that is only an impression I have. If it had been a matter in which Mr. John Dent had been personally concerned I expect he would have come to me. I have been the family solicitor many years.

54,405. Have you had anything to do with election matters yourself?—Never.

54,406. And perhaps Mr. Dent might have known you were not conversant with election matters?—Very likely.

54,407. And that may have been the reason why he did not come to you?—And as I have an impression that he did not make any communication to any member of his family, that might have been so.

54,408. (*Mr. Coleridge.*) Are you also solicitor of Mr. William Dent, his cousin?—Yes.

54,409. Where is he now?—In Paris, I believe, in a very serious state of health.

54,410. How long is it since he has been in England?—Perhaps a fortnight or three weeks.

54,411. Do you know when he is coming back?—I do not know; I should think he was not coming back immediately.

54,412. (*Mr. Bere.*) Are you now from time to time having communications with Mr. John Dent?—Yes, upon private matters.

54,413. (*Mr. Coleridge.*) Did you ever have telegraphic communications with Mr. John Dent?—I have received one only, which was almost unintelligible from the blunders foreigners make in the English language.

54,414. Who are Mr. Dent's bankers?—Child and Company, Temple Bar.

54,415. Are they his only bankers?—As far as I know they are his only bankers.

54,416. Were they the bankers of his firm?—The bankers were a China firm; I do not think they have any English firm.

Captain James Richard Veitch sworn and examined.

Capt. J. R. Veitch.

54,417. (*Mr. Bere.*) What are you now?—A captain in the royal navy and governor of the Liverpool borough prison.

54,418. When were you elected to that?—In January this year.

54,419. Who were the electors?—The magistrates of the borough.

54,420. You were elected, I suppose, after a contest with other candidates?—Yes, there were 90 applicants I think.

54,421. Where had you resided previously to that?—Totnes.

54,422. And had taken, I believe, considerable interest in the elections of Totnes?—I had the last one, in consequence of a brother officer of mine coming down to contest the borough.

54,423. That was in 1865?—Yes.

54,424. And that officer you allude to was Captain Pim?—Captain Pim.

54,425. Had you known him prior to his coming down?—Only by report.

54,426. And when he came down you called on him, or did he call on you?—No; I think it was Mr. Kellock introduced me to him—I am not quite certain about that—at the "Seven Stars." He asked me if I would go in and be introduced to him.

54,427. And did you have any conversation with Captain Pim as to what his chance of success was?—Yes.

54,428. What impression did you derive from Captain Pim as to his opinion?—He told me that he had come down to contest the borough on purity principles.

54,429. How long had you lived in Totnes?—About 12 months, or a little longer. I think I came home from sea in 1862, so I must have been there three years.

54,430. (*Mr. Coleridge.*) Not long enough to have been let into the secrets of Totnes elections?—Oh, yes, partially. I was there during Mr. Dent's election.

54,431. (*Mr. Bere.*) Are you a native of Totnes?—No.

54,432. Had you lived there from time to time when you came home from sea?—No, only when I came home from sea last time, when I was made post captain.

54,433. You had taken a good deal of interest in Mr. Dent's election?—None at all, except voting.

54,434. Had not you gone to his committee room at the "Seven Stars?"—I had been to the "Seven Stars," I do not think to the committee room at all.

54,435. Did not you see Mr. Mitchell?—I did see Mr. Mitchell.

54,436. What did Mr. Mitchell tell you about that election?—It is so long ago I really forget now. I do not think that he let me into any of his secrets, except that it cost a lot of money.

54,437. Did he give you any figures?—No, I heard the figures.

54,438. What were they?—I heard that it cost nearly 4,000*l.*

54,439. From whom?—I am not certain whether it was from common report or not.

54,440. Is that all you had to do with Mr. Dent's election?—That is all I recollect beyond voting. I voted, that is all.

54,441. After you had seen Captain Pim did not you suggest that you knew Totnes would cost a good deal of money, and that no person who stood upon pure principles was likely to get in?—I told him that I did not think that he had much chance of getting in.

54,442. But he had a great opinion of his own personal powers?—Yes; and when he told me that he intended to stand upon those principles I said I should do everything I possibly could to assist him.

54,443. And did you go and canvass with him?—I canvassed a large portion of the town with him, the electors whom I knew.

54,444. Were they ready in promising, or did they hold back?—They held back, the majority of them.

54,445. Were those the persons who you had heard were in the habit of receiving bribes who hung back?—I did not know they had received bribes before.

54,446. You heard that 4,000*l.* had been spent at Mr. Dent's election, and you must have formed a conclusion that that had not been legally spent?—I never thought about it.

54,447. Did you take the trouble to inquire who had had the money?—Not at all; the only person I knew that had money was a man called Hannaford, Mr. Durant's lodge-keeper.

54,448. Who was taken away by Gill?—Who was taken away by Gill; and the reason I knew that was that he worked for me occasionally.

54,449. (*Mr. Coleridge.*) Did he tell you himself?—I asked him.

54,450. And he told you?—Yes.

54,451. Did he admit the whole amount?—He said it was close on 200*l.*; but that was some time afterwards, I think months afterwards.

54,452. (*Mr. Bere.*) Is that all you did with Captain Pim, merely go about with him and canvass?—When Captain Pim came there of course he had to be introduced to the electors, and I went up with him to the meeting, and of course I was voted into the chair; and I introduced him to the electors merely from the fact of being a brother officer of his own.

54,453. Did you introduce him to the electors as a person who was not going to spend any money at all?—I did.

54,454. Was that received with pleasure or discontent?—They said they should not promise their votes; they did not seem to have much pleasure in it.

54,455. That was the immediate effect of your introduction, that they would not promise their votes?—They would not promise their votes.

54,456. (*Mr. Coleridge.*) Were you ever late at night at the "Seven Stars" with Captain Pim while he was there?—I was there one night.

54,457. That was the nomination night?—On the nomination night.

54,458. How late were you there?—Half-past 11.

54,459. Not later?—No.

54,460. Do you recollect some people coming in to know what they should do about certain voters?—No.

54,461. Do you know Narramore?—Yes.

54,462. Do you recollect his coming?—Yes. He brought a poll-book, I think, or he told me he had seen Mr. Charles Michelmore's poll-book, and I told him that he had better tell Mr. Edmonds about it, and I believe it was suggested to him whether he could not get hold of it. I recollect his stating there were some entries in that.

54,463. Do you recollect his asking Captain Pim what he should do about offering some sums of money to certain voters who were hanging back?—No, I

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was not with Captain Pim then. I was at home and in bed before midnight.

54,464. (*Mr. Bere.*) Did you accompany Captain Pim in his outskirt canvassing ?—No.

54,465. Did not you go with a man named Earle ?—No.

54,466. Did you receive any money from Captain Pim after the election ?—I did.

54,467. How much was that ?—50*l.*

54,468. Had you written to him for it ?—He sent down and asked me whether I would try what I could possibly do to finish up his expenses, to get his expenses settled, and I went to his agent about it.

54,469. To whom ?—To Mr. Hamlyn.

54,470. And then did Mr. Hamlyn tell you the further sum wanted ?—He told me that he was busy trying to get the bills in, but he could not get them in, and then I went to Mr. Kellock, who was retained for Captain Pim, and I found out from him that he had left a cheque in his hands for 300*l.*

54,471. Did you find that all that 300*l.* had been expended ?—He told me that it was not sufficient, that was before the bills were in, and I had better write up to Captain Pim for some more money. I wrote to Captain Pim, and I told him I did not know how much more would be required, and he sent me two cheques, one for 100*l.* and the other for 50*l.* and after the bills were all in, Mr. Kellock said that 50*l.* would not cover it, he must have 100*l.*, and I said I could not help that, he must make 50*l.* do, and he took it, and I returned the 100*l.* to Captain Pim.

54,472. Had you full power to use the 100*l.* if it had been necessary ?—I had.

54,473. Did not you credit Mr. Kellock's statement that it was necessary ?—No.

54,474. Did you examine the accounts yourself ?—Yes, I think I did with Mr. Hamlyn.

54,475. Did you look at the hotel account ?—Yes, I did, which was the only thing I demurred to.

54,476. You thought it was too large ?—I thought it was exorbitant. I wrote to Captain Pim on the subject, and he told me that he did not wish to have anything to do with it, and I was to settle it without any more to do.

54,477. And you paid over the 50*l.*, which you thought enough ?—Yes, I thought it was quite sufficient, because Mr. Kellock consented afterwards to take it; he said he thought he should be able to make it do, after talking a long time on the subject. I think Captain Pim, in a letter to Mr. Kellock, told him when he found the expenses were 267*l.* that he had better keep the remainder, and Mr. Kellock said that was not sufficient and wanted 100*l.*

54,478. (*Mr. Coleridge.*) You were a good deal at the "Seven Stars" about the time of the election ?—No.

54,479. You have heard about this mysterious stranger ?—Yes.

54,480. And it has been suggested that you might have been the stranger ?—Oh, dear no.

54,481. Had you had anything to do with giving money to anybody, either directly or indirectly ?—No.

54,482. Or offering money to anybody ?—No.

54,483. Or promising money to anybody ?—No.

54,484. Did anybody, knowing you to be Captain Pim's friend, come and ask you for anything, either before or after the election ?—I do not recollect.

54,485. Whether you could not do something for him ?—There might have been such a person. I recollect Captain Pim sent me a letter down after the election, asking me about a man who had been asking him for assistance, and I recommended him to have nothing at all to do with it.

54,486. What was the man's name ?—Barter.

54,487. What had Barter asked you for ?—He had not asked me for anything.

54,488. What had he asked Captain Pim ?—He had asked him to assist him.

54,489. Saying he had voted for him ?—Saying he had voted for him.

54,490. Did he say what he wanted ?—Some 10*l.* or 15*l.*

54,491. How long was that after the election ?—About two months.

54,492. Before the petition ?—Yes, it must have been before the petition, because I was not there after the petition.

54,493. Is that the only one you know of ?—The only one I recollect.

54,494. You were never asked by any voter ?—No.

54,495. You never offered anything ?—No.

54,496. Or promised any employment ?—No.

54,497. On behalf of Captain Pim ?—Never.

54,498. Are you sure of that ?—To the best of my recollection. The utmost I ever did say, of course in canvassing with Captain Pim, I told the voters I thought he was a desirable man for the borough.

54,499. Did you go and canvass the Rev. Mr. James with Captain Pim ?—No.

54,500. Were you ever with Mr. James at all during the election ?—No.

54,501. You never had any conversation with him ?—No.

54,502. Did Captain Pim ever tell you about any conversation he had had with him ?—No.

54,503. (*Mr. Longe.*) I believe you did go to the Rev. Mr. Butland ?—I did.

54,504. Do you remember then the conversation that took place. Was there any intimation given by Mr. Butland that if a place were got for his son he would give his vote for Captain Pim ?—No, I think not. I think Mr. Butland merely said that he was so much out of pocket by the last election that he would not promise this time.

54,505. (*Mr. Coleridge.*) Did he tell you how he was out of pocket ?—No.

54,506. Did you ask him ?—No, he was my landlord, and I had as little to do with him as I possibly could.

54,507. (*Mr. Longe.*) Did you sign the requisition to Mr. Macleay ?—No, it was brought to me.

54,508. Who brought it ?—Mr. Robert Harris I think.

54,509. Why did you refuse to sign it ?—Because I said I would not sign a requisition to any man. I considered it tantamount to promising my vote.

54,510. (*Mr. Coleridge.*) Did he tell you that you need not give it, although you considered by signing that you gave your promise to do so ?—I believe he did.

54,511. (*Mr. Bere.*) It was bringing a Conservative down as a simple means of extorting money ?—I believed from what I had heard that Colonel Dawkins had a good chance of being elected.

54,512. Without bribery ?—I do not think anything was said about bribery.

54,513. (*Mr. Longe.*) You objected to signing your name to a requisition to a person you did not know ?—Yes.

54,514. (*Mr. Coleridge.*) That there would be bribery was taken for granted ?—I do not know about that, I know that I saw no money paid away. I heard afterwards that it had been paid away.

54,515. Do you know of any instance that has not been brought before us, where money was paid away, that you heard of afterwards ?—No.

54,516. You never saw any mysterious stranger at the "Seven Stars" ?—Never. I do not believe there was anyone there.

54,517. (*Mr. Bere.*) Did you yourself have anything to do with money passing ?—No.

54,518. (*Mr. Longe.*) Had you anything to do with the Conservative committee, or were you at all acquainted with the secrets of the committee ?—No, I was not. I was in the committee room one night, I believe it was the polling night.

54,519. Or in any election ?—No, I had nothing at all to do with it. I just merely went about with Captain Pim as a brother officer of my own, and I was anxious to get him in, for I think our service ought to be represented better than it is in the House of Commons.

54,520. Have you heard it said that you had taken part in distributing money?—No, I have not written or spoken to anyone on the subject.

54,521. But you have never heard?—No.

54,522. (*Mr. Coleridge.*) Do you endorse Captain Pim's opinion of himself, that his influence had more effect on the part of Colonel Dawkins than Colonel Dawkins' money had for him?—I should be sorry to say anything about that.

54,523. Did you know of him as being a person so notorious in Totnes that his influence would be likely to be very great?—I did not think he was known in Totnes.

54,524. He told us that his grandfather lived there?—He told them that on the hustings.

54,526. Had it a great effect on them?—I do not think so.

Mr. Blount sworn and examined.

Mr. Blount.

54,526. (*Mr. Coleridge.*) I believe you stood for the borough of Totnes in 1839?—Yes.

54,527. Was that the first time that you had been in Totnes during an election?—Oh, dear no.

54,528. When was the first election for Totnes that you were present at?—I was present at the first reform election in 1832, not at the election but previously; I was not there at the polling.

54,529. Who were returned on that occasion?—Mr. Jasper Parrott and Mr. Cornish.

54,530. Was there any bribery, as far as you know, at that election?—On the contrary, it was perfectly pure, so pure that I think a glass of water could not be purer.

54,531. Up to what time do you think the borough was pure?—Up to my election.

54,532. You think that was the first time that money was spent?—Yes.

54,533. At that time Mr. Baldwin was your opponent?—I was Mr. Baldwin's opponent.

54,534. What was it that occasioned the vacancy?—Mr. Jasper Parrott, who had been in Parliament since 1832 to that time, in the latter part of June of the year called on me and he said, "A systematic plan "of corruption is going on in Totnes, such a one as "I cannot oppose or withstand."

54,535. Did he say on whose behalf?—Yes, and he said the public-houses were open and general treating was going on.

54,538. By Mr. Baldwin?—Yes, by Mr. Baldwin distinctly.

54,537. Who was the other Conservative?—There was no other Conservative. Lord Seymour was the member with Mr. Parrott; we have jumped over from 1832 to 1839; and he said, "I shall resign my seat, "and I think you are the only person who can supply "me."

54,538. Did you then make up your mind to go down?—No, indeed I did not; I told him I was sorry to hear it, and I was disinclined to go to Parliament at all at that time, but particularly for Totnes, because I knew that it was an exceedingly unpleasant thing for Lord Seymour to have me as a candidate. Of course Mr. Parrott tried to persuade me that I was the most proper person among all parties.

54,539. Then did Mr. Parrott resign?—I had another meeting with him, and that ended in my saying, "Well, I will not give an opinion unless "Mr. Windeatt comes up with his list showing what "remains of those who are not tainted by the other "side."

54,540. Did Mr. Windeatt come up?—Mr. Windeatt came up, and I think we had a meeting at Whitehall, which ended in Mr. Windeatt producing this list before Mr. Parrott, myself, and Mr. Brooking Cuming who was then a young man in town under his articles.

54,541. What was the state of things?—He showed then a fair majority of 10.

54,542. Without bribery?—I know nothing of bribery. Of course we were to resist bribery.

54,543. Was that giving credit for what they would do on the other side in the way of bribery?—We struck off all that were tainted and gone.

54,544. The Liberals that were tainted by the other side?—They had been all Liberals up to that time.

54,545. What time of the year did Mr. Parrott resign?—I must tell you, at the same meeting I think with Mr. Windeatt, he wrote a letter to the Under Secretary of State, asking for the Chiltern Hundreds, and I think I presented that to Mr. Stanley at the Treasury. I know it was early in July, I think I presented it the 13th July; it was granted, and I believe the writ went down on the 15th, when I was at Ashburton.

54,546. Was there a general election imminent during that time?—The general election came on, I think in 1841.

54,547. What was the reason of Mr. Parrott, he being in possession of the seat, resigning at that time?—Because he thought he would not be able to bear up against it on a future occasion. It was from pure motives; he thought it was high time that some opposition should be given to the practice that was going on, and he did it really from the idea that he was not the person that could.

54,548. But he being in his seat at that time, there was no opportunity for their doing anything till another election?—Certainly not. I can give no other reason. I begged him to stay, and told him he was wrong.

54,549. How long after the writ did you go down to Totnes?—I went on the following day; I was at Totnes on the 16th.

54,550. When did the election take place?—It took place on the 23rd.

54,551. Who were your agents?—I had no agents.

54,552. None at all?—No.

54,553. Who was your solicitor?—Mr. Windeatt took the management.

54,554. Did Mr. Brooking Cuming go down?—He was there.

54,555. What did you find was the state of the borough when you came to canvass it?—Exceedingly favourable to me; when I came to canvass it I found Mr. Windeatt's paper correct.

54,556. Did you have any suggestions made to you that something was being done on the other side?—Yes, treating was going on very largely on the other side.

54,557. Was there any bribery in addition to treating?—I do not know.

54,558. What were the number of electors at that time?—We polled 142 each.

54,559. (*Mr. Bere.*) Could you remember what numbers Mr. Windeatt gave to you and Mr. Baldwin, respectively?—I could not remember such a thing. I can only tell you that the bad votes that were polled on either side were very much larger than I could have supposed.

54,560. What do you mean by bad votes, people who had no qualification?—No, who had changed their qualifications at that time.

54,561. (*Mr. Coleridge.*) How many bad votes were there on your side?—I think we had three; I would not send, for some had left their residences and would not come, there was no question of it.

54,562. How many were there on the other side?—Eight I consider.

54,563. You found that a great deal of treating was going on in the borough, and at the election it was run to a tie?—Yes.

54,564. How do you account for those 10 disappearing whom Mr. Windeatt had given credit for?—They had not disappeared, the other side got more than was expected. There were three I think I ought to have had, but my party were so confident about the election that they really were not inclined to fetch them to the poll.

54,565. Had you the Duke of Somerset's influence?—I went in the Liberal interest. I believe all the

duke's tenants came to me, but I took very little interest in them.

54,566. You had the Bridgetown votes?—Yes, I believe I had. The late Mr. Michelmore, who was the duke's agent, called on me and said, "You are on "the Liberal side, certainly I cannot help giving you "my vote."

54,567. As a matter of history we have heard that for a long time it has been the habit of Totnes up to 1864 to have two Liberals, one of whom was the duke's nominee and the other the town nominee. Lord Seymour being in, you stood as town nominee?—I did.

54,568. Did you find that in force at that time, that there was a distinct character between the two?—No, the townspeople were excessively anxious to get rid of that.

54,569. They wanted both?—No, they wanted a fair mixture, not to have separate interests, that is what Mr. Parrott felt; they had at many elections, although there was no contest till that time, from the first of Lord Boringdon's down to 1839.

54,570. That custom you know has obtained up to the year before last?—Since it has.

54,571. The late duke took a strong part in Liberal politics?—Oh, yes, he was always a Whig.

54,572. And Lord Seymour was always returned?—Oh, yes, he was in office as a Lord of the Treasury, under Lord Melbourne's Government.

54.573. It came to a tie and there was a petition afterwards?—We both petitioned.

54,574. What was the history of the petition, an objection was taken, was there not?—No; the history of the petition was it was made a void election. I met Mr. Austin, who was the counsel, in Whitehall, about two hours afterwards, and he said we should have been beaten on the scrutiny, and he was bound to go for a void election, and he took a ground which was quite novel, but perfectly satisfactory to the committee.

54,575. (*Mr. Bere.*) There is no report of the decision of that committee in the election reports?—No, I do not think there is; there was no one there, it was taken all by surprise, our evidence. The fact of that point having been raised has never appeared on the election reports. The Attorney General of the day, Sir John Campbell, thought it such a wrong decision that he regulated the notice to four clear days.

54,576. Were you at that time an agent of the Duke of Somerset's in any way?—I had been of that property.

54,577. Had you preceded Mr. Thomas Michelmore?—No, he was the old agent, but I had been the means of this estate, or the part which the duke had in Totnes, being purchased of a Mr. Wise.

54,578. That is the manor of Totnes?—The manor of Totnes, the rectory of Totnes, and all the rectorial tithes, and about 60 acres of freehold ground, and the mill.

54,579. Can you tell us what year that was?—Yes, 1827, long before the Reform Bill.

54,580. Do you know was that property within the borough at the time?—All Totnes was within the borough.

54,581. No, only the manor of Great Totnes was within the borough?—Perhaps so; that was not a distinction I drew. It was left entirely to my own arbitration between Mr. Wise and the Liberals and Conservatives.

54,582. Was the property you bought in Totnes for the duke within the borough or not?—Yes, it was.

54,583. (*Mr. Coleridge.*) Were you agent of that property at the time of the Reform Bill?—Yes.

54,584. Do you recollect anything about the redistribution, and the borough taking in all Bridgetown?—No.

54,585. Do you recollect the Commissioners coming down?—Yes; Mr. Birch I think was there, but I do not recollect any objection he made to the boundary.

54,586. How came it that all the increase of the boundary was taken from the other side of the bridge?—It was so; the new bridge had just been made, and it did seem so natural.

54,587. Was not it as natural that Dartington should come in too?—Well, it might; I think I have read some observations as if there had been a little feeling on the part of the Commissioners, but the duke had land at Dartington which was so dealt with.

54,588. We are told that if you had taken a central point and drawn the compass round, a great part of Bridgetown would have been left out, and a great part of Dartington brought in?—I do not recollect anything of that sort.

54,589. You do not recollect any contest?—On the contrary, I do not think there was any opposition.

54,590. We have heard that not only was a great deal of money spent by Mr. Baldwin in bribery, but also by you. What were your expenses at that election?—I will tell you as near as I possibly can. Here is my banker's book (*producing it*). You asked me why Mr. Parrott resigned; he stated that the town was put to great fright and expense arising from *quo warrantos* for their annoyance, and if money was not procured to assist them it would perhaps destroy their whole party.

54,591. That was on the municipal elections?—Yes, just so, we were just beginning.

54,592. Was the candidate then called upon to pay the expenses at municipal elections as since?—There had been nothing of the sort. I am speaking of my own time. I was the first who came as an opponent after the Reform Act, because Lord Boringdon was the opponent.

54,593. Was that Mr. Baldwin's first contested election?—Yes, after the Reform Act; but Mr. Baldwin had been member for Totnes in the old times, and he had paid 5,000*l.*, it was so mentioned on the hustings. I heard him say so, that he had paid the old corporation that money for being returned.

54,594. Mr. Baldwin paid the corporation before the Reform Bill 5,000*l.* for his seat?—Yes; he said "I thought I had bought my sitting for life."

54,595. Now tell us what it cost you?—I first of all gave Mr. Windeatt a cheque upon the Newton Bank for 200*l.* I then at the time of the election said, "Now you will want something for legitimate "expenses," and I gave him another 200*l.* Then I was down there again at the races in August, or a little later, perhaps, and had a meeting with Mr. Watson, and so forth, and he said the proceedings were coming on and would be very expensive, and I gave him another 200*l.*

54,596. (*Mr. Bere.*) What proceedings?—These *quo warrantos*; we were then preparing for them. I then paid into Mr. Presswell's, law agent, 25*l.*, and I paid 16*l.* something for what they call the exchequer seal to the Chiltern Hundreds, which I had obtained for Mr. Parrott. Then Mr. Watson wrote again and said, "Upon my word we shall want another "100*l.*; we are done up and cannot get on." And I sent him that, and that is all that went through my banker.

54,597. (*Mr. Coleridge.*) Have you any account of how that was spent?—Not the least; I looked at it in this way: I certainly thought the *quo warrantos* ought to have had 300*l.* I thought the legitimate expenses might be 200*l.*; and I saw treating going on which I asked should I have to pay for; and I said it is enough to spoil any election in the world, and that was they had the Assembly Room open every night, and all the world feasting just as they liked; and the answer to me was, "Oh, everybody comes in here; "therefore you cannot call it individually treating, it is "treating the whole town."

54,598. You put down the legitimate expenses at between 300*l.* and 400*l.*?—No, I do not; 200*l.* I call the other illegitimate.

54,599. If Mr. Spofforth says he considers 1,500*l.* the sum, you do not consider so?—No.

54,600. What did the petition cost you?—There they are (*referring to a paper*); 639*l.*

54,601. Disbursements, 415*l.*, is that included in the 639*l.*, or is it plus?—That includes.

54,602. The whole you paid was 639*l.* 15*s.* 7*d.*?—Yes, the very money.

54,603. The whole thing then cost you about 1,200*l.*?—Yes, but I do not think you should mix up the election and the petition.

54,604. We have been told that you spent about 1,200*l.*?—In the election?

54,605. It was put as in the election, but it may be put as the two together?—Nobody can tell that, and I should not have known it myself if I had not come in here.

54,606. Do you know whether in those days there was any organized system of the Reform Club or any other clubs assisting members in going down as a candidate from London?—Yes, but I do not think there was any person assisted at Totnes.

54,607. Was there any system of that sort that you know of?—I know the Reform Club had committees and had money sent them which they used to distribute.

54,608. We heard for the first time to-day that Mr. Seymour got this money from Mr. Drake, giving his guarantee for it, and never expecting to have to repay it. Do you know whether it was at that day as it is now?—I should think it was in 1839.

54,609. Do you mean that they would get it back from the person they advanced it to?—If they could they would.

54,610. And if they could not they would put up with the loss?—Yes, no doubt that is the object. I think there has always been a little party in some way or other on either side.

54,611. At that time Mr. Joe Parkes was the manager, was not he?—Mr. Coppock was the man. Mr. Joe Parkes was a very excellent assistant, and I think at the last election was essentially employed.

54,612. (*Mr. Bere,*) I see the account which Mr. Presswell gives: "Do you know what sum of money "was spent at that election by either candidate? I "think Mr. Blount spent from 1,500*l.* to 2,000*l.*"?—He never meant the petition when he said that, and therefore that is fabulous. I tell you that except that treating which occurred every night, and was general and not individual, I should think there was not a farthing.

54,613. (*Mr. Coleridge.*) Your knowledge of Totnes up to that election was that Totnes was perfectly pure?—The purest borough in England. In 1832 when Lord Boringdon and I canvassed the town we acknowledged that they were the finest set of men that ever were, we never turned one vote.

54,614. Whom did you attribute the first corruption to?—My friend Mr. Barry Baldwin, he came there and systematically did it.

54,614*a.* When did he get the Gerston property?—A few years before.

54,615. Had he made votes upon it at that time?—I think he had.

54,616. As far as you know, being the agent, that was the first commencement of bribery in the borough?—At that election.

54,617. You did not stand at that election?—I did not.

54,618. How was that?—Because it was an exceedingly unpleasant thing, as I have mentioned to Lord Seymour. and they found a young man, Mr. Gisborne; he was a young man, not fit to cope with the election.

54,619. Was there any bribery on his part?—I do not think so. I was at the election but I did not see any money going.

54,620. Not so much as at your election?—Nothing like it; they were all upon their p's and q's, and I think it was a quiet and respectable election.

54,621. When was the last election you were personally at?—That; I never went to another.

54,622. (*Mr. Longe.*) Do you remember what number of votes the duke's interest gave you at that time?—Out of the 142?

54,623. Yes.—Very few. I should think not 30 at that time.

54,624. Do you know at that time what the general practice there with regard to the duke's land was. Was it held upon the terms of voting for the ducal candidate?—I apprehend that they began to make votes very early indeed. The subject of linhays, which you have had before you here, was exceedingly well argued at Totnes.

54,625. After the Reform Bill?—Yes; and I do not think I have seen a single court of registration so respectable as that was. Mr. Rogers, Mr. Jardine, and Mr. Gaselee, afterwards Mr. Sergeant Gaselee, were there, and I do not think I ever saw cases better argued; and that was one which I think has been before the Common Pleas, and it was then decided that these linhays were to be buildings with roofs.

54,626. The practice of making those votes commenced very soon after the Reform Bill?—Yes, I apprehend so.

54,627. On the duke's property?—Yes, and other; I do not think he was alone.

54,628. During the time that you had the administering of that property there?—Yes; it was very little though; mine was more tithes; that made me keep it on waiting for the settlement of these tithes.

54,629. (*Mr. Coleridge.*) Were you the auditor as well?—Not there.

54,630. Who was the auditor, Mr. Festing?—No; he is the agent in Wiltshire.

54,631. (*Mr. Longe.*) Do you know the number of household votes at that time?—I should think very few. Out of 30 there might, perhaps, be 22, but that is quite the extreme.

54,632. In the case of the household voters did they rent their houses on those terms, that they should give a vote?—No; I never heard anything of the sort. They were building houses at that time freely in Bridgetown, and there were very many old houses now taken down, some on long leases.

54,633. (*Mr. Bere.*) The place called Seymour Place, was not it?—Yes.

54,634. (*Mr. Longe.*) At that time was not it an understood thing that the tenant should give a vote to the ducal candidate?—Well, our feelings were all the same way; there was no necessity for it at that time, I think.

54,635. Were they asked their views, or how had it become established by long practice?—I had not canvassed them since Lord Boringdon's election till my own. I found at Lord Boringdon's election that they were not at all in favour of him; they had rather pledged themselves to the other side, the extreme Liberal side; Lord Boringdon was nothing but a Whig and a very gentlemanly man, and we did not extract a single Liberal vote from the Liberal part of the town. I think all sides were the same at that time. Afterwards when Mr. Baldwin began of course he raised up a new party.

54,636. (*Mr. Bere.*) Are you quite certain that the property that was bought in the parish of Totnes in 1827 was also within the borough of Totnes?—Oh, decidedly.

54,637. Because all the parish of Totnes was not within the old borough?—I have not a doubt about it myself. The parish not all within the borough?

54,638. No. At the time of the Reform Bill the extension consisted of extending the old borough to include the whole parish of Totnes and manor of Bridgetown. The old borough was only 50 acres, and the addition of the parish of Totnes after the Reform Bill was 235 acres.—But it must be all within the manor.

54,639. But not within the old borough. What did the old borough consist of?—It consisted of the manor of Great Totnes.

54,640. And the constituency were about 70, I believe?—Yes.

54,641. You do not happen to know whether it was in the borough or not?—You give a distinction which I do not see the effect of.

54,642. You have told us that the borough was

FORTY-SECOND DAY.

Mr. Blount.

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enlarged without any reference to the Duke of Somerset's property. It was enlarged on the Bridgetown side on which he had property, and if it was also enlarged on the Totnes side on which he had property, that would give us a still stronger inference that it was done to suit him and not other people?—The boundaries were enlarged after the Reform Bill; previous to that it did not signify.

54,643. Was the property purchased by the Duke of Somerset in 1827 within the old borough or not?—I should think it was, if you say the borough was less than the parish.

Mr. T. C. Allin.

Mr. Thomas Charles Allin sworn and examined.

54,643*a*. (*Mr. Bere.*) Are you one of the firm of Green and Allin?—Yes.

54,644. What are they?—Solicitors.

54,645. Where do they carry on their profession?—Their offices are in Angel Court, Throgmorton Street.

54,646. We have heard that some money was sent down to Totnes through you in 1863?—Yes, 500*l.*

54,647. How did that happen?—A person called at our offices.

54,648. Who was it?—I do not know who he was, nor did I take his name, nor was his name entered in our books at all, and he left a 500*l.* note to be remitted to Mr. William Webber, who was a client of ours.

54,649. He was a large and well-known draper there?—Yes.

54,650. Did you see the person?—Yes.

54,651. Should you know him again if you saw him?—I have not the slightest recollection of the person.

54,652. Had you ever seen him before?—Never.

54,653. Have you seen him since?—No.

54,654. Had you any previous communication that a sum of 500*l.* or any sum would be sent to you?—Not that I remember.

54,655. Do you mean that a man simply brought a 500*l.* note to your office and handed it to you, and you sent it down to Mr. William Webber?—Yes; that is, we gave him credit for it in our books.

54,656. Did you notify to him the receipt of the 500*l.*?—Yes.

54,657. Can you tell how long it was before the election?—No; I knew nothing about the election.

54,658. You knew there was an election for Totnes at that time?—I knew there was an election, but I was not concerned in it.

54,659. Can you find that communication to him by looking at your letter book?—No; there is no letter in my book except the letter remitting the money.

54,660. What is the date?—The 19th January 1863. The 17th of January it was paid to me, and on the 20th January I wrote a note with it merely forwarding it.

54,661. I think you had to do with some money in 1862?—In December 1862 a cheque was paid to our firm for 1,200*l.* to be remitted in the same way.

54,662. By whom was it paid?—I do not know. It was paid into the hands of my partner, and he intimated it to me on the same day. No entry of the name is given in our books whatever, but possibly the name of the person on the cheque may be found at our bankers, Messrs. Smith, Payne, and Smith.

54,663. Have you any record of what date that was?—It was the 5th December 1862, and on the 8th I remitted the money.

54,664. What did you do with that cheque?—Paid it into my bankers, Smith, Payne, and Smith.

54,665. What were you instructed to do with it?—Forward it to Mr. Webber.

54,666. How did you forward it to him?—By my own cheques.

54,667. At his request from time to time?—No; all on the same day.

54,668. What day did you send it down?—On the 9th.

54,669. Had you anything to do with any money for Totnes before that?—No.

54,670. Or since?—No.

54,671. Those were the only two transactions in which you were concerned?—The only transactions.

54,672. (*Mr. Coleridge.*) Do you know who sent these persons to you?—I do not know.

54,673. Who brought you the cheque?—I asked the person who brought me the cheque for 500*l.* who he was, but I really forget who he said he was, I think he said he came from a broker's.

54,674. Did not he say that he came from Messrs. Bircham and Dalrymple?—No.

54,675. Or Mr. Drake?—No.

54,676. Have you seen him since?—No.

54,677. Did you give a receipt for the note?—No.

54,678. Whom did you receive directions from to give this to Mr. Webber?—The person who brought it.

54,679. Who brought the cheque?—I do not know.

54,680. Another stranger?—A different person, I believe; I did not see him.

54,681. Had you been notified by Mr. Webber that somebody would come with the cheque?—I have no recollection of it.

54,682. Or with the 500*l.* note?—No.

54,683. At the last election, 1865, did you send any money to Totnes?—No.

54,684. Those are the only two?—Yes.

54,685. (*Mr. Longe.*) Did you make no entry?—In our books we placed 500*l.* to the credit of our client, Mr. Webber.

54,686. (*Mr. Coleridge.*) Did Mr. Webber acknowledge receipt of your cheques?—Yes; we had one letter from him acknowledging the receipt.

54,687. Have you that?—Yes (*the witness produced the letter*).

54,688. Mr. Webber is dead, I believe?—Yes.

54,689. This is the letter acknowledging the receipt:—"Totnes, Jan. 22, 1863. Dear Tom, I "forgot yesterday to acknowledge receipt of yours "of the 20th with the inclosure *all right*. Your "charge will not be objected to, I should *think*. We "had a sharp contest on Tuesday, and beat the "China man again as you have seen. Yours very "truly, W. Webber. T. C. Allin, Esq." Cannot you recollect whom the 1,200*l.* cheque was signed by?—No, I cannot, but possibly Smith, Payne, and Smith have it entered in their books.

54,690. This is a copy of the letter you wrote (*referring to a copy*)?—Yes.

54,691. Was Mr. Webber your uncle?—Yes.

54,692. These are your letters inclosing the cheques to Mr. Webber:—

"My dear uncle,

"I inclose you three cheques on my firm's "bankers for amounts making up 1,200*l.*, payable "to the order of Webber & Co. and yourself.—Yours "very truly, Thos. C. Allin. 8th Decr. 1862."

£289	0	0
506	10	0
404	10	0
£1,200	0	0

"My dear uncle, 20th January 1863.

"I inclose you cheques and drafts for the "under-mentioned amounts,—

£215	0	0
151	0	0
131	10	0

"making together 497*l.* 10*s.* 0*d.*; the difference, "2*l.* 10*s.* 0*d.*, I must charge your friends as a com-"mission of one-half per cent. for my trouble in "passing the matter through my books, remitting, &c. "Hoping that this will not be refused, I am yours "very truly, Thos. C. Allin." What made you draw the cheques in that particular way?—I had no particular object in doing so but that they might be more easy to him, and he was continually remitting to London and might possibly pay bills. I was not instructed to do it.

54,693. (*Mr. Coleridge.*) You knew that this was an election matter?—No; I did not form an opinion; I had my suspicions.

54,694. And that was the reason you drew these odd sums ?—I would not say that.

54,695. Will you say that you would not have drawn it in these odd sums except in some way for concealing the sums ?—No, I could not say that.

54,696. Will you say it was not because it was an electioneering matter that you drew it in that way ?—I had nothing to do with the election.

54,697. But it was because it was an electioneering matter that instead of drawing it in ordinary hundred pounds you drew it thus ?—Possibly.

54,698. (*Mr. Bere.*) Do you usually charge people commission for cheques passing through your hands ?—Sometimes we do.

54,699. "The difference, 2*l.* 10*s.*, I must charge "your friends."—Consider the trouble of keeping books.

54,700. Was the cheque you received in December 1862 the cheque for 1,200*l.* paid in by Mr. Jack ?—It was paid in with other money.

54,701. Was it paid in by Mr. Wilkinson ?—I do not know.

54,702. Do you know Mr. Wilkinson ?—I do not.

54,703. I will read you what has been sworn about that cheque : "The 1,200*l.* was paid on the 5th Decr. "1862, where did you get that from ?—From "Mr. Wilkinson, of London, a discount broker. "Was that concern afterwards turned into the Joint "Stock Discount Company ?—Yes. You got it from "him ?—I did not get it from him; he made the "payment of 1,200*l.* for me. Where did he make "that payment ?—I asked him if he would do it "Did you direct him to pay 1,200*l.* to Mr. Allin, of "the firm of Green & Allin, 10, Angel Court, "Throgmorton Street, to be remitted to William "Webber, draper, Totnes ?—Yes. From whom did "you receive instructions ?—Of course only from "Mr. Pender, not from any other person." Did you "know anything about Mr. Pender before ?—No.

54,704. Had you had no communication with him at all ?—No; I never saw him.

54,705. (*Mr. Coleridge.*) Are you a native of Totnes ?—No; of Devonshire I am.

54,706. Have you ever been down to Totnes at an election ?—No, only one, and then I was a boy ; at Mr. Blount's election.

54,707. (*Mr. Bere.*) You have had nothing more to do with elections at Totnes than what you have told us ?—No.

54,708. (*Mr. Coleridge.*) Those are the only sums of money you have sent down ?—The only sums.

WILLIAM HOLE sworn and examined.

W. Hole.

54,709. (*Mr. Bere.*) Where do you live now ?—94, St. Paul's Road, Islington.

54,710. How long is it since you left Totnes ?—About 20 months I should think, say two years.

54,711. Had you a vote for Totnes up to the time you left ?—Well, yes.

54,712. And after you had left you voted, did not you ?—Yes.

54,713. You voted at the election of 1865 ?—Yes.

54,714. For whom ?—For Pender and Seymour.

54,715. Where were you living then ?—I lived then at Stanley Road, Ball's Pond.

54,716. You were employed on some business in Norfolk ?—No ; I was employed at Honey and Humphreys', the accountants.

54,717. Had you been sent down at the time of the election on some business of theirs in Norfolk ?—Quite so.

54,718. And at the time of the election you were actually in Norfolk ?—I was.

54,719. Who was it that communicated with you about coming down to Totnes to vote ?—I communicated myself.

54,720. To whom did you make the communication ?—To Mr. John Pender.

54,721. You had written to him to ask him for a situation, had you not ?—Certainly not. Perhaps it would be better for me, if you will allow me, to relate the 27 years' experience I have had of Totnes election affairs.

54,722. (*Mr. Coleridge.*) How many years have you had a vote for Totnes ?—27, since 1839.

54,723. (*Mr. Bere*) How much had you for your vote ?—I never gave a vote for 23 years.

54,724. When you did give a vote how much did did you get ?—Never a farthing. Do you think I should take money for votes ? I am sure I did not. If you will allow me, I will just state my position in Totnes from March 1839, when I started in business there, until I left Totnes, and then you will be able to judge better. I and Mr. Anderson went into business, and while we were concerned in business matters at Plymouth we were cautioned by a man named Merton, a printer at Totnes, who seems to have been considered a Radical, not to have anything to do with politics ; and when we came to Totnes, another man, named Samuel Hannaford, a printer, who was on the Tory side, said, "Young gents, I "recommend you not to have anything to do with "political matters on any consideration." Well, since we went into business this Anderson and myself came to a determination not, on any consideration whatever. Well, we went on year after year, I may say down perhaps to five years; candidates called on us and we never gave a vote on any consideration whatever. About that time, at the end of the five years, Anderson left me, but I never put my foot over the step of the door to interfere in political matters. I never attended a meeting at a public-house or an hotel. I never took a glass of ale, a glass of wine, or a glass of brandy and water, or anything in the town, during the whole of that time ; and Anderson left me, and I said we had come to the determination not to have anything to do with political matters, and of our course it added to social comfort.

54,725. (*Mr. Bere.*) When did you change your mind ?—Not for any consideration.

54,726. You have voted ; when did you first vote ?—I have voted for about four years, and up to that, 1863, I never put my foot over the door on any consideration whatever to give my vote to anybody who came as a candidate ; I never attended any meeting or put myself to the smallest inconvenience.

54,727. (*Mr. Coleridge.*) Did not you come down by the mail train at the last election to vote ?—Yes, in 1863, when John Dent put up. Now, of course you want to know the matters I have been engaged in, but I wish to tell you a little of what I have not been engaged in. In 1863 I gave a vote to Mr. John Dent on this consideration, I thought that the Liberals had been spending a large quantity of money, that is constitutionally ; on the other hand, I thought that if they could get in a Conservative it would do away with that immoral practice that had been carried on during the whole of the 23 years.

54,728. Did you bribe anybody to help that to be carried out ?—No.

54,729. Did you give any money to anybody ?—Not a farthing.

54,730. Did you pay any money ?—No.

54,731. Did you promise any ?—Certainly not.

54,732. What did you receive for voting for Mr. Dent ?—Nothing.

54,733. Did you canvass anybody ?—Certainly not.

54,734. Now in 1865 did you come down by the mail train ?—In 1865. It was like this. I will show how this occurred. I am bound to tell you exactly how it occurred. After I gave my vote to Mr. Dent I then gave up my business. I made an assignment of my business over to William Brown, Esq., who had a loan of money in the concern, and after that of course I had to seek a situation ; I was out of business, and I was recommended by my friends to call on Mr. Dent. When I came to London I called on him to see him, and he did not see me. I considered he would not see me.

FORTY-SECOND DAY.

W. Hole.

20 Nov. 1866.

54,735. Did he get you a situation ?—I went to ask him to give me a letter of introduction to any commercial house.

54,736–7. Did he do so ?—I never saw him, and when the next election was I went to Mr. Pender's office and introduced my card to him, and I said, "Now, sir, "I voted against you at the last election," but if he would give me a letter of introduction I should be exceedingly obliged to him. Well, he gave me his card.

Adjourned to Friday next at 12 o'clock.

FORTY-THIRD DAY.

FORTY-THIRD DAY.

Friday, 23rd November 1866.

Mr. R. Wilkinson.

23 Nov. 1866.

Mr. Robert Wilkinson sworn.

54,738. (*Mr. Bere.*) Are you the cousin of Mr. John Dent, who was a cadidate for Totnes ?—Second cousin.

54,739. When he was in England in 1862 and 1863 were you intimate with him ?—I frequently saw him, but I was not intimate with regard to anything beyond ordinary family matters.

54,740. Did you know from him his intention to stand for Totnes in December 1862 and January 1863 ?—My first knowledge was obtained from reading his address in the "Times."

54,741. He had not consulted you about going to parliament at all, had he ?—I wish he had.

54,742. Had you learned from him that he wished to go to parliament ?—After seeing him and conversing with him he said he had particular reasons, but beyond that I never heard of it, and I could not help remarking upon his making an attempt to get into parliament.

54,743. Did you see him after he came back from Totnes in 1862 ?—Not specially.

54,744. Did you happen to see him and talk to him about standing for Totnes ?—I think on one occasion I said, "What have you to do with standing for "Totnes ?"

54,745. Did he ever tell you about the expense Totnes had been to him ?—No.

54,746. Not at any time ?—No.

54,747. Not after the election which he contested in January 1863 ?—No ; the fact is he did not consult his friends, he kept rather aloof.

54,748. And you knew nothing about it ?—No. I was astonished this morning when I received your summons.

Your name was mentioned, and in Mr. John Dent's absence we are obliged to get information where we can.

54,749. (*Mr. Coleridge.*) You can enlighten us about this. Who was R. C. Dent who figures in Mr. Dent's banker's book ?—He is dead, poor fellow ; he was Captain Robert Cecil Dent. He knew nothing about the proceedings I am sure. He died about a fortnight ago.

54,750. (*Mr. Bere.*) Can you tell us whether Mr. John Dent had any other solicitor besides Mr. Finch ?—I cannot tell, Mr. Finch is his family solicitor.

54,751. You cannot tell us whether Mr. John Dent consulted any solicitors in London with regard to his Totnes affairs ?—I cannot.

54,752. Did he ever tell you that he was going under the advice of any person in London ?—No, certainly not. It hardly ever formed the subject of conversation, and when it did I shook my head at it, and therefore I was not admitted into his confidence in any way.

54,753. (*Mr. Coleridge.*) Did you know Mr. Mitchell ?—I have seen him at his house, but I do not know him.

54,754. Can you tell us of any other relations in London or in England who can tell us about his affairs ?—To tell you the truth, none were admitted into his confidence more than myself.

54,755. Is there a William Dent ?—There is a William Dent, his uncle.

54,756. Is there a William Dent his cousin ?—Poor fellow, I should doubt whether he knew anything about it.

54,757. He is in Paris ?—Yes, poor fellow ; he is incapacitated. There is a Mr. Wilkinson Dent ; I do not know that he would know anything about it ; he never approved of it, from what has passed between him and me.

Mr. F. Smith.

Mr. Frederick Smith recalled.

54,758. (*Mr. Bere.*) Have you got any information to give us to clear up the mystery about the distribution of money at Totnes ?—None whatever.

54,759. Have you made any inquiries since the last time you were examined ?—I have talked the matter over with Mr. Guscotte.

54,760. Is that the only inquiry ?—Yes.

54,761. We have had the evidence of Mr. Henson. Did you arrange that he was to go down with you ?—With regard to that perhaps you will allow me to make a remark. At the time I was at Totnes I had forgotten that I had seen him, and it was only when Mr. Guscotte reminded me that I remembered that I had seen him. He happened to be at our office. He came to make an affidavit about Mr. Edy's business, and he walked with me into Mr. Guscotte's room. I had a conversation with him, but I had no intention of taking anybody to Totnes till the morning I was going ; I did not like carrying so much money about with me going by myself.

54,762. Can you remember at all whether you had more than one interview with Mr. Spofforth before you went down ?—I think I only saw him once.

54,763. (*Mr. Coleridge.*) Had you any interview with Mr. Travers Smith ?—No.

54,764. Not on the subject of compromising the petition at any time ?—No, I had nothing to do with the petition.

54,765. (*Mr. Bere.*) Are you still convinced that you were in No. 13 after having examined it, that that was the room in which you were ?—I have not the slightest doubt of it.

54,766. Are you still of opinion that there was no stranger there ?—If there had been I must have seen him.

54,767. There was a person had called, and that person you sent away ?—Yes.

54,768. And you believe him to have gone away ?—Yes ; I never heard of or saw him afterwards.

54,769. (*Mr. Coleridge.*) Captain Fox, as you heard the other day, says he was frequently in your room ?—Yes.

54,770. And that he always found your room locked ?—Yes ; I was unwell at the time, and I locked the door.

54,771. You locked the door, and when anybody knocked you came and opened it ?—Yes.

54,772. Did many people come to your room except Captain Fox?—I have no recollection of anyone except my clerks and Captain Fox, except on the morning of the nomination, when Mr. Heath came.

54,773. Is that the only time that Mr. Heath came when the door was locked?—Yes.

54,774. Have you any recollection of anybody else?—I think Mr. Edmonds once or twice, and I am not sure Mr. Kellock did not come.

54,775. Did Mr. Screach or Frederick Evens come?—I never saw either of them till the last time I was at Totnes.

54,776. Did Colonel Dawkins come there at all?—He may have.

54,777. You think, as far as you recollect, that none of the Heaths except Mr. John Heath came to the door when it was locked?—Yes.

54,778. Are you certain that Mr. Heath was in your room at the time of the nomination?—I think it was only for a moment to see the procession walk from the "Seven Stars" to the polling booth.

54,779. Did you go at all into your clerk's room while you were there?—I cannot say, I do not recollect.

54,780. Do you happen to know that they slept as they said, one on each side?—I knew they were sleeping close, but I did not know in which room.

54,781. (*Mr. Bere.*) This is what Captain Pim has sworn to: "Do you mean that that night as well "as other nights Mr. Smith was in such a state that "he did not know what he was doing?—Yes, perhaps "that is the kindest way of putting it for Mr. Smith; "he had had a great deal too much champagne "while he was down here, and he did not know what "he was doing the whole time. (*Mr. Longe.*) Was "he in a position to take the part of Mr. Mum?—"No, he could hardly stand at times; I heard Mr. "Smith's evidence impugned, and it is as well to tell "you that he was quite 'screwed,' as we call it. (*Mr. "Bere.*) Was he in such a state that he might do "things and not remember them?—Yes." Now, I think you ought to have an opportunity of explaining that allegation made against you?—The only thing that Captain Pim can build these remarks upon is, that once we were dining in a private room together. I had been unwell and had been taking some essence of Jamaica ginger previously that afternoon; and in the middle of dinner I was sitting next to Captain Fox, and he said, "You appear to be sleepy." I felt it, and I went and slept on the sofa, and I felt just as if I had been drugged; but as to Captain Pim's remarks with regard to that, they are untrue; because I used to walk about with Captain Pim, and I walked over to Bridgetown with Colonel Dawkins.

54,782. You have not tried at all to find whether any person was sent down from London on that occasion?—I have not been able to ascertain; I do not know where to inquire.

Mr. JOHN GUSCOTTE recalled and further examined.

Mr. J. Guscotte.

54,783. (*Mr. Bere.*) You had the conduct of the petition in conjunction with Mr. Spofforth?—I had.

54,784. Was there any mention of a mysterious stranger at any time made in consultation?—Never a word.

54,785. Did you ever hear from Mr. Edmonds or Mr. Harris of the fact of a mysterious stranger having been sent to Totnes for the purpose of distributing the money?—No, not once; in fact I went to Totnes to get up the evidence and saw the voters, and in fact I drew the draft brief at Totnes, when I saw Screach and others who gave evidence, and they made no mention of it; nor Mr. Edmonds, nor Mr. Harris, nor Mr. Heath ever alluded to such a thing and never mentioned him, and I should like to tell you that when Screach gave his evidence before the Committee he was rather afraid to tell the truth. I said, You must speak out, all you have to do is to tell the truth. He asked what he should say, and I said, "You must tell the whole "truth." He seemed to be afraid of implicating himself, and I said, "Never mind, we have nothing to "fear, tell what you know; it does not matter." He still seemed to hesitate. Accordingly he was called by the Committee, and on being examined and cross-examined, he told Sergeant Ballantine that he received some of the money from a stranger. That was the first of it, and we all laughed and thought that was an ingenious way of doing it, and Mr. Edmonds, when we were talking about it, said he did not believe that there was a stranger, and never till you were going to Totnes did he say that he believed there was a stranger.

54,786. Did you take Screach's evidence?—I did not see him.

54,787. (*Mr. Coleridge.*) Did not he tell you when you were getting the brief out that there was a stranger?—No. I was not going into that.

54,788. As between you and Screach there was no secret of what he had done?—No, and in the lobby he was frequently talking to me.

54,789. What did he tell you?—He said that he had spent a great deal of money, and that he had never seen money flow so fast.

54,790. Did he say what he had spent?—I do not think he did. I recollect his mentioning a sum of 500*l.* at one time, and I suppose that is the sum that he at Mr. Edmonds' request got from Mr. Lind.

54,791. Did he tell you at all when he did get it?—I could not recollect so as to swear to it; but I understand he got it from Mr. Smith.

54,792. Did he ever tell you that he had any from Mr. Edmonds?—Yes, one 500*l.*, either from him or through him.

54,793. Did he tell you whether he had any from Mr. Kellock?—No, he did not.

54,794. How was it when you went to get up the brief that you did not see Frederick Evens?—I did not know the people, and I trusted to Mr. Edmonds to bring them before me, and I examined them.

54,795. Who did he bring before you besides Screach?—I think Narramore, and a baker named Bovey, and I think a man named Edmonds, and another named Heard.

54,796. What did Narramore tell you?—His discussions were with regard to Captain Pim.

54,797. Did he tell you anything?—No.

54,798. Did he not say that he had come about 4 o'clock in the morning?—I think he did, but I did not make a note of it.

54,799. But if you can recollect anything?—I think he said he had run up the votes at the last hour.

54,800. Did he tell you by whose direction?—No.

54,801. (*Mr. Longe.*) Did he say that they might be considered *bonâ fide* offers?—No, he said he had offered 400*l.* to a man, for instance.

54,802. (*Mr. Coleridge.*) Did you examine Robert Harris?—Yes.

54,803. What was the version that he gave of the offer made by Mr. Pender?—He was very positive when he told me. I examined him narrowly upon that, and he told me, and I took it down in the brief as he gave it before the Committee.

54,804. Did you believe it at that time?—Yes, I certainly did, because he was so positive, and I put the question over and over again to get the facts.

54,805. (*Mr. Bere.*) Were you told anything about Mitchelmore's poll-book—that Harris was to be had for a situation?—Yes.

54,806. Was the book shown to you?—No.

54,807. No question was put upon that by the Committee?—Yes, I think so.

54,808. You were not down at the election yourself?—No.

54,809. You were not down at all?—No.

54,810. There is one question that I want to ask Mr. Smith.

FORTY-THIRD DAY.

Mr. F. Smith.

23 Nov. 1866.

Mr. Frederick Smith recalled.

54,811. (*Mr. Bere.*) Did you express yourself satisfied with the way the money was spent, to Mr. Heath?—No.

Mr. J. Guscotte.

Mr. John Guscotte recalled.

54,812. (*Mr. Bere.*) Did you ever express yourself satisfied with the way the money was paid?—No.

54,813. Was Mr. Heath here before the Committee?—No.

54,814. Did you see him when you were at Totnes?—Yes.

54,815. Did he say that he had the money to distribute?—No, but it was spoken of.

54,816. At that time did Mr. Heath tell you anything about a stranger having the money to distribute?—Not a word. I had some conversation in the bar before going away by the train, and I talked about the election and politics, and he never mentioned about a stranger.

54,817. In speaking about politics and Totnes generally, did you ask him about any former elections?—I did not ask him anything, I think he volunteered to tell me.

54,818. Did he tell you how the money had been distributed in former elections?—I do not recollect.

54,819. Did he tell you it was usual for that purpose to have a stranger to distribute the money?—No, he did not.

54,820. (*Mr. Coleridge.*) Did not you ask Mr. Heath who had distributed the money?—I did not examine Mr. Heath about that. I was about to examine him, but Mr. Edmonds said, We must not have Mr. Heath, because he knows too much to go into the witness box.

54,821. Did you ask about the money?—No.

54,822. You knew that your party were tarred with the same stick, and you had no idea of claiming the seat?—We knew that money had been spent in bribery.

54,823. Had you any idea of claiming the seat?—No, except when he talked about abandoning the petition.

54,824. When was it you came to the conclusion to abandon the seat?—I think when we talked to Mr. Spofforth.

54,825. Was that in 1865 or 1866?—I think in 1866; early in January I recollect that Mr. Spofforth was away, and then he came back.

54,826. Was it as early as the second week in January 1866?—I should think so.

54,827. The petition was presented on the 6th of February?—I should say certainly in January it was abandoned; but I could not say.

54,828. Certainly before the 7th of February?—Yes, certainly it was.

54,829. You recollect our adjourning at Totnes for a month, from September till the middle of October?—Yes, I recollect.

54,830. During that adjournment did Mr. Heath come to see you in London?—No, he did not.

54,831. Did he come to your office?—No.

54,832. Should you have known it if he came to your office?—I should have seen it, the clerks would have told me.

54,833. You would be sure to know it?—I think so.

54,834. You did not know he was in London trying to find the mysterious stranger?—No.

54,835. He did not come to you?—No.

54,836. Do you know a man called Edward Cook?—No, I do not.

54,837. There is a letter of Colonel Dawkins, in which he says, "I hope the petition of Pender and "Seymour too went in," and in which he says he will not fight unless it goes in amongst the first. I asked Mr. Spofforth to explain that, and the explanation he gave was that perhaps he was anxious to get into parliament and wished it to be over as soon as possible, because they had an idea of claiming the seat. This is on the 7th of February. Now how long before that had you abandoned the seat?—The decision must have been come to before that day, but I cannot tell you exactly.

54,838. Therefore Colonel Dawkins must have had some particular reasons for saying he would not fight it unless it went in amongst the first lot?—It appears so.

54,839. Had you any conversation with him about it; because I could understand, if he was going to claim the seat, there would be a reason in that; but had he at any time expressed to you his anxiety to get in?—I do not know that he had. He had in the earlier stages.

54,840. After all idea of claiming the seat was given up, had you ever any conversation with him whether a petition should be forced on?—No; but I remember he wished it disposed of, and he wrote several letters about it. I do not recollect what his motive could have been now.

54,841. There is a letter written to your firm on the 5th of March 1866. Had you any knowledge of any offer to set off Devonport against this petition?—No.

54,842. Is that letter the first you had heard of it?—No; Mr. Edmonds had been present at an interview with Mr. Spofforth and said, Is this petition to go on? and I think he said the party would like it withdrawn. He did not mention about setting it off; but we drew our conclusions that it was to be set off against some other.

54,843. When was the first information you had about Devonport?—In that letter.

Did Mr. Spofforth say anything about setting it off then?

54,844. (*Mr. Bere.*) Did Mr. Spofforth at that interview say anything about the Reform Bill?—No, not at that interview.

54,845. At any interview?—I think he said there was an object to withdraw the petition.

54,846. As far as the Reform Bill was concerned?—I could not tell you on what ground.

54,847. Was it because he thought Totnes was pretty sure to be scheduled in those that were disfranchised?—I think he made it a case on the Reform Bill.

54,848. Was this one of the first Committees that was struck?—I think it was among the first, there were several struck the same day.

54,849. Were you present at any interview with Colonel Dawkins and Mr. Spofforth when Mr. Spofforth said it was illegal to withdraw the petition on the grounds mentioned?—Yes, I recollect an interview in which Mr. Spofforth said it could not be done.

54,850. Who made the proposition at that time to withdraw?—I think Mr. Spofforth. It had been suggested that they would give money, and Colonel Dawkins, after considering it, said, "Let them pay my "expenses."

54,851. What sum did he mention?—His expenses had been 5,000*l.*, and he said, Let them pay my expenses.

54,852. And Mr. Spofforth said that was illegal?—Yes, he said it was out of the question.

54,853. Was any suggestion made to get over the difficulty?—No. Mr. Spofforth gave him that idea, and so did I, and he abandoned it. Then there was a talk about Mr. Pender giving up the seat, and he was to take it.

54,854. Did Colonel Dawkins find any money for fighting the registration of 1865?—No, he did not.

54,855. Did not he subscribe for the expenses of the hearing of the registration cases before the Common Pleas?—Not through us, he did not. He was asked to do so, but he did not.

Mr. W. R. DRAKE sworn and examined.

54,856. (*Mr. Bere.*) Are you a member of the firm of Burchell, Dalrymple, Drake, & Ward?—I am.

54,857. How long have you been agent of the Liberal party in London?—Since the year 1859 I have been consulted by the Liberal party. My connection has been attending to the petitions till 1864, when I declined to have anything to do with the business.

54,858. Did you not succeed Mr. Coppock?—No, he was in a different position. He was the solicitor and a member of the Reform Club.

54,859. You are not the solicitor of the Reform Club?—No. I have been a member of the Reform Club only 18 months.

54,860. Has your business been connected with the management of election petitions?—Yes; except to the extent of advising any member who came for advice, my only professional connection has been with petitions that come before me as a matter of business.

54,861. If a Liberal candidate was wanted for a borough would not you be consulted as to who was the proper candidate?—It might be; it was generally known that I make communications between members of the Liberal party, and it was usual that a gentleman seeking a seat in parliament would apply to me.

54,862. And would you mention a seat that you thought would suit him?—Quite so.

54,863. At the time would you make arrangements or inquiries about the expenses of those seats?—No, I never had anything to do with the conduct of an election at all; all I did was to place the parties who applied to me in communication with the local people.

54,864. Did you take any part in the election at all?—Never professionally. I have, previous to that time that I am speaking of, gone with gentlemen. I went with Mr. Tite to Bath, and I went with Mr. Bartlett to Taunton, but not to conduct the affair; that was left to the people, and I went with Lord Richard Grosvenor.

54,865. Supposing a gentleman came to you to ask for a seat, professing Liberal opinions, to whom would you go to consult?—I should make my own inquiries, and satisfy myself that he was a fit man, and if I felt that he was qualified I should put him upon a list, and whenever the kind of seat for him became vacant, I should communicate with him.

54,866. Would you not consult others as to who should be a candidate?—No, I should exercise my own judgment.

54,867. Was there not a committee of persons recognized as being able to determine as to whether a man was fit or not?—No.

54,868. At Brooks's or the Reform Club?—No, I was not a member.

54,869. You may have consulted them?—If a man came to me I put him on my list, and communicated with him when the opportunity came.

54,870. Was Mr. Joseph Parkes a gentleman with whom you would consult?—I have consulted with him often when questions have arisen.

54,871. When did you first recommend a person as a Liberal candidate for Totnes?—I never recommended anyone.

54,872. Do you recollect Mr. Pender calling on you in December 1862?—Mr. Pender called upon me, I think, probably in December 1862, telling me he had been in communication with the parties at Totnes, and they appeared willing to accept him, provided there was a vacancy caused by any other accident than the death of Lord Gifford.

54,873. At that time did you know the state of the Liberal parties at Totnes?—No, I never had any communication with the Totnes people.

54,874. Did not you inquire into the character of the borough or its position?—No, I always considered one seat to be in the nomination of the Duke of Somerset, and the other seat—I thought there were two sections, the independent Liberal and the duke's section, and that they could return the other member.

54,875. Did you know that in the borough there were two parties, the independent and the ducal?—Yes, I learned that from Mr. Pender.

54,876. Not before Mr. Pender told you?—No; I had no knowledge whatever about Totnes.

54,877. From your experience in elections, what would you consider the sum that might be fairly and legally expended in a borough like Totnes?—That is a question that I do not feel competent to answer. In the first place, I have not had anything to do with the expenses of elections, and it would depend upon the custom that prevails.

54,878. Bribery?—No, the question of payment. In some places they have a practice (I think a vicious one) of retaining the solicitors on both sides with large fees, and they have a practice of employing paid canvassers and messengers to an enormous extent, and therefore I do not think the expense of a borough depends upon the size.

54,879. (*Mr. Coleridge.*) Would you put it at 1,500*l.* like Mr. Spofforth?—It ought not in my opinion to cost that.

54,880. 1,000*l.*?—It depends; if they retain solicitors, and large fees, 1,000*l.* might be spent.

54,881. If 1,000*l.* had been spent, you do not think any more could be spent by justifiable means?—I am not prepared to say. Mr. Cuming was a man who had large fees.

54,882. He never had more than 50*l.*, and assuming the whole of the agents had only 250*l.* between them, could 750*l.* more be spent?—No, not on that assumption.

54,883. Then they could not legitimately spend more than 1,000*l.* at Totnes, assuming that?—No.

54,884. (*Mr. Bere.*) Had Mr. Pender been a client of yours at that time in private matters?—No, I do not think I had ever acted for him. I think the first business I transacted for him was in 1863.

54,885. Did he not come originally to you when seeking to represent Great Grimsby?—Yes, he was introduced to me in connection with Great Grimsby in the early part of 1862. There was a petition presented against the return of the sitting member, and we had every anticipation that the result would be unsatisfactory, and if unseated there would be a vacancy, and Mr. McDougall put himself in communication (I did not know him at the time at all) with a Mr. Winteringham, who was the leading man at Great Grimsby, and Mr. Pender met Mr. Winteringham at my office; that was the first time I saw Mr. Pender.

54,886. In your communications with reference to Great Grimsby was there any intimation of what the election of Great Grimsby would cost?—I never heard it.

54,887. Did you make any inquiries of Mr. Winteringham of what the expenses would be of Great Grimsby?—No, the negotiation was carried on by Mr. McDougall with the party at Great Grimsby.

54,888. Without interference on your part?—Yes; they asked he, I think, whether Mr. Pender was a fit man, and I said I thought he was exceedingly so, because he was a merchant at Manchester, and a director of the Great Grimsby Railway, which gave him a chance of success at Grimsby.

54,889. Mr. Pender called upon you again at the end of 1862, and mentioned to you that he had been applied to by certain parties at Totnes?—That he had been in communication, I think.

54,890. Do you remember whether that was before Mr. Mills' death?—Yes.

54,891. At that time it was expected that Lord Gifford would die?—Yes.

54,892. Mr. Mills' death was sudden?—Yes.

54,893. Did he come after Mr. Mills' death?—I think the only interview with Mr. Pender after Mr. Mills' death was an interview at which Mr. Cuming and Mr. Chaster were present; I am not sure whether Mr. McDougall was there too.

FORTY-THIRD DAY.

Mr. W. R. Drake.

23 Nov. 1866.

54,894. Was that the first time you had seen Mr. Cuming and Mr. Chaster ?—The first time I had seen Mr. Chaster ; but I think I had seen Mr. Cuming in business. I knew him professionally.

54,895. (*Mr. Coleridge.*) Were you connected at all with the election of 1859 ?—Not the last. It was only after the general election of 1859 that I was at all consulted.

54,896. At any time was the probable expense of Totnes mentioned ?—I never heard a word about the expenses.

54,897. Did you ever inquire about it ?—No.

54,898. If a candidate came to you, you did not know what the expense of a particular borough would be ?—In some boroughs I might have had a notion which would have enabled me to give a general idea ; but as a rule I did not, because I felt what I had to do was to communicate with the local parties and propose a candidate ; but I never assisted in anything about the expenses, or anything of that kind.

54,899. Supposing a candidate came to you, and there happened to be two boroughs vacant, one of which had an extensive reputation, and the other a reputation not so extensive, you would not be able to tell what the cost of either borough would be ?—I would not. In isolated cases I might have an idea that it would cost 1,000*l.* or 1,500*l.*, and if I had that information I gave it; but beyond that I had no idea.

54,900. Did you take any part at all with regard to Mr. Pender's going to Totnes ?—None whatever; on the contrary, I rather interposed to prevent his going.

54,901. Was that because you were interested in Mr. Alfred Seymour ?—Because he was a candidate for another constituency, he was in my judgment interfering with the chances of a Liberal candidate at Exeter, and I desired therefore to remove him on that ground.

54,902. (*Mr. Coleridge.*) That was assuming that Lord Gifford died and not Mr. Mills ?—Yes; and it was not till after that that I knew there was a distinction between the parties ; I urged them to take Mr. Seymour and not Mr. Pender, and then they told me it was an independent vacancy and not a ducal vacancy.

54,903. Did you hear that Mr. Seymour had been down, and gone back because he was not the proper candidate ?—Yes.

54,904. That is all you had to do with the election? —Yes.

54,905. How long had Mr. Pender been on your list; had he been on your list before 1862 ?—He was on my list with reference to Great Grimsby.

54,906. Who introduced him ?—He was introduced in the early part of 1862. There was an appointment made for him to meet Mr. Winteringham, he being the representative of the party at Great Grimsby.

54,907. How early in 1862 was Mr. Alfred Seymour on your list ?—He had been on the list a long time previously to that. He had been anxious to get into parliament some time.

54,908. When you kept this list had you according to the habits of the town a sort of price list ?—No, if I had a little knowledge I communicated it.

54,909. To whom should you have referred any member ?—With regard to Totnes I should send him to Mr. Cuming.

54,910. But with regard to any place ?—To the local authorities.

54,911. (*Mr. Bere.*) Did you consult anybody about Mr. Pender's fitness to be the representative in the Liberal interest ?—Yes ; at the time he was proposed to be a candidate for Great Grimsby I did, and I ascertained that he was a merchant of high standing.

54,912. Did you consult more than one person ?—I am unable to mention. It was with the city people to ascertain his commercial standing.

54,913. Did you go to the Reform or Brooks's to ascertain whether he was a fit person ?—No, it was rather a question for the constituency, and not for the Reform or Brooks's.

54,914. Is the electioneering business of the Liberal party transacted in your office ?—No, I am not aware of any in which I am personally engaged.

54,915. At the time of the general elections surely there is a consultation ?—Yes, at the time of the elections there is a room taken. There was one in Parliament Street at the last election.

54,916. You used to attend there yourself, I suppose, at the general elections ?—Yes.

54,917. Who else used to attend there ?—It would be difficult to say. I daresay every Liberal member would run in and out. There was no regular committee ; it was rather a house of call to get information.

54,918. Was there any fund ?—No, there was no fund that I am aware of.

54,919. No subscription of any sort or kind ?—Not that I am aware of.

54,920. No money passed through your hands ?—No.

54,921. In 1863 Mr. Alfred Seymour went to stand against Mr. Dent ? — Upon the death of Lord Gifford.

54,922. Did you see Mr. Alfred Seymour before he went down ?—Yes.

54,923. Had you learnt what Mr. Pender had spent in the uncontested election of 1862 ?—The only information I had was a letter in the paper, in which he said he gave 1,000*l.* to the charities.

54,924. That letter did not happen to mention that he had give 1,200*l.* besides ?—No; from my interview with Mr. Pender he was under the impression that 1,000*l.* was all he had to pay.

54,925. And not plus 700*l.* ?—Yes, he was under that delusion.

54,926. Had you anything to do with the transmission of the 1,200*l.* to Totnes ?—No.

54,927. Just before the election of 1863 did Mr. Danby Seymour come to you ?—Yes.

54,928. What passed between you and him ?—He said then that the election would be more costly than he had anticipated, and that Mr. Cuming intimated that they must have more money ; and he said, " Is " there not a fund out of which my brother can be " helped ? I think he has done good service to the " party, and I think he ought to be helped." I said, " I know of no fund." He said, " Do not you think " the party would be likely to assist him ? I said, " Of my knowledge I know of no one, and I know " of no fund ; " but I said, " If your brother wants " 500*l.*, why not advance him 500*l.* ? " because I thought he was a man of considerable means. He said he would, but it was not convenient for him to do so then.

54,929. Did you know at that time how much money Mr. Alfred Seymour had taken down ?—No ; I understood from Mr. Danby Seymour, he told me that he had mentioned that ; but he is in error, and I did not ask him.

54,930. Did not you ask him, when Mr. Cuming informed him that more money was wanted, how much had been spent ?—No ; and if I had a fund to distribute I should say, " Let us understand what " you have had, and what is to be done with it ; " but as I had not I did not make any inquiry, and I did not know of the fact.

54,931. When you found Mr. Danby Seymour himself could not immediately advance it what did you do then ?—He said he could not advance it but he would become surety, and I said, " I am not in " the habit of making advances of this sort ; but I will " lend you this 500*l.* if you will give me a guarantee."

54,932. Did you take a guarantee ?—I took an I O U.

54,933. Where is that ?—I gave it up to Mr. Alfred Seymour, who paid me on the 23rd October.

54,934. What steps did you take to send it ?—Mr. Danby Seymour asked me to send it to Green and Allin.

54,935. (*Mr. Coleridge.*) Had you any transaction of this sort before taking the I O U ?—No.

54,936. There was no regular form drawn up ?—Nothing but an I O U.

54,937. (*Mr. Longe.*) Did you tell Mr. Seymour that you would provide the money yourself ?—Yes.

54,938. Did he tell you that the persons to whom you were to send it were Green and Allin ?—Yes; I had no more knowledge on the subject.

54,939. Had you know him yourself in business ?—No; I did not even at the time know that they were solicitors.

54,940. (*Mr. Bere.*) Did you send the money to Mr. Allin ?—Yes.

54,941. How did you send it ?—I do not know; I drew two cheques for 250*l.*, and they were taken.

54,942. To whom did you give that cash ?—Probably to one of my clerks, but it was in cash.

54,943. Did your clerk come back and tell you that he got the cheques cashed, and got one 500*l.* note for them ?—No.

54,944. Who was the clerk ?—I cannot charge my memory at all.

54,945. Is he a person in your employment now ?—I do not know who it was.

54,946. On what bank were the cheques drawn ?—One was on my own banker, Dimsdale, and another on Glyn's.

54,947. (*Mr. Coleridge.*) Is that the firm's bank ?—Yes.

54,948. (*Mr. Bere.*) What instructions did you give ?—It was simply to take it to Mr. Allin and say it was to be sent.

54,949. Was that to Mr. Webber ?—I do not know; I think so.

54,950. How was it that you did not send it to Mr. Cuming ?—Because I was told to send it to those people.

54,951. You had no letter from Mr. Cuming ?—No; I had no correspondence with anybody in Totnes.

54,952. Are you sure you did not give your clerk instructions to put those two sums together, and to get that 500*l.* note ?—I had no instructions to do so, and I think it would be.

54,953. What made you draw two cheques ?—Because I was not sure of the balance at my own bankers, and I drew 250*l.* on my own bankers, and 250*l.* on the bankers of the firm.

54,954. Having given the cheques to the clerk that was all you had to do with the matter ?—Yes.

54,955. Are you certain you did not know at that time that Mr. Alfred Seymour had taken 1,000*l.* to Totnes ?—That I will undertake to swear.

54,956. (*Mr. Longe.*) Have you spoken to Mr. Danby Seymour since his examination ?—Yes, he called upon me.

54,957. And do you mean he withdraws all he said ?—I did not say so.

54,958. I thought you said so ?—No, I beg your pardon, I did not say so.

54,959. I thought you said he made a mistake when he said he told you about the 1,000*l.* ?—No, you misunderstand me. Mr. Seymour called upon me when he left here, and said he had been examined upon the point, ; but I do not think anything passed with him in reference to what he had said to me at the time. I did not refer to that, but I say I understood Mr. Seymour saying that he told me, and if he said so he was under a misapprehension, because he never did mention the sum.

54,960. You remember the transaction ; what did he say, that his brother had spent a large sum ?—No.

54,961. (*Mr. Coleridge.*) I think "costly" was your expression ?—Yes.

54,962. Did you ever ask Mr. Danby Seymour for the money ?—No, and perhaps that is the most curious thing about it.

54,963. Did you look to Mr. Alfred Seymour for it ?—Yes.

54,964. What is your explanation about that ?—At that time I had very important business, and almost immediately after the election I went abroad for about two months, and then I came back and went abroad again, and that is the only thing I can think of which made me forget it.

54,965. Did Mr. Alfred Seymour pay it with interest ?—No, and it was called to my recollection by Mr. Alfred Seymour. I saw that he had given his evidence, and then it occurred to me that there was 500*l.* that I had lent to Mr. Danby Seymour.

54,966. You were surprised to see no mention of it ?—Yes, the thing had passed entirely out of my memory; but I then communicated with Mr. Alfred Seymour that there was 500*l.* come down which he knew nothing about ; and I said, I presume you know your brother had 500*l.* from me.

(*Mr. Coleridge.*) He then wrote to us and told us.

54,967. (*Mr. Bere.*) Either Mr. Danby Seymour's recollection is incorrect, or yours is ?—What does he say ?

54,968. He intimates that he did not know through whom it was to go down ?—All I can say is that I had no communication with anybody but Mr. Danby Seymour. It is odd if he did not tell me how the money was to go.

54,969. (*Mr. Coleridge.*) Had you nothing to do with sending the original 1,000*l.* ?—No.

54,970. Had Mr. Pender ever mentioned those people's names to you as persons through whom he sent the money ?—No ; the names were quite foreign to me. I am quite confident upon that subject, because I was in communication with no one else.

54,971. It is a singular thing that these people were the same people through whom Mr. Pender sent his money ?—I have no knowledge of that, not the least.

54,972. When did Mr. Seymour pay you ?—On the 23rd October.

54,973. Do you know Mr. Robert Tucker of Ashburton ?—Yes, I think it is Robert Tucker I know ; there are two Tuckers, and I know them both.

54,974. Did you know from the time that you were connected with the borough that the three boroughs, Totnes, Dartmouth, and Ashburton, had been worked together ?—No.

54,975. Did you not know of the fact that the voters lived at the different places, that Dartmouth voters lived at Totnes, Totnes voters at Dartmouth and Ashburton, and so on ?—I did not know thefact.

54,976. (*Mr. Bere.*) After the election of 1863 did you hear from Ashburton what it had cost him ?—No ; I went abroad after the election, and I have no recollection of seeing Mr. Seymour at that time.

54,977. Did you have any communication with Mr. Pender or Mr. Seymour with regard to the elections before the election of 1865 ?—No.

54,978. Did you see Mr. Pender on private business during that time ?—Constantly.

54,979. You were his private solicitor in 1863 ?—No, only in connexion with the Whitworth Company.

54,980. Were you the solicitor of that company ?—Yes.

54,981. When was that Whitworth Company formed ?—In the early part of 1863, March 1863.

54,982. Who were the original promoters of tha, company ?—Joseph Whitworth, William Wilson Hulse, Daniel Gooch, John Pender, Joseph Leece, Theodore Aston, J. Emerson Tennent.

54,983. When was the first proposition made to form that company, how long before the execution of the articles of association ?—My knowledge of it was immediately antecedent to the articles of association.

I was told that an arrangement had been come to to make the Whitworth business into a company, and I was asked to advise about it.

54,984. Had you had anything to with the Whitworth business before ?—No.

54,985. They came to you as to another solicitor ?—Yes, but I think it came through Mr. Pender's connexion.

54,986. Was that the only business you transacted for Mr. Pender ?—I do not recollect anything else except the Telegraph Company.

54,987. Are you his solicitor now ?—No, except for purchasing some of the Arlington Street property.

54,988. Did he complain of the expenses of Totnes ?—I do not think I had any conversation with Mr. Pender about it until after the last petition was disposed of.

54,989. Have you had considerable complaints from Mr. Alfred Seymour between 1863 and 1865 ?—No.

54,990. He told us he was in a chronic state of remonstrance with everybody about his expenses ?—I daresay he was, but I had no communication with him.

54,991. (*Mr. Bere.*) Did Mr. Pender come to you before the election of 1865 with regard to Totnes ?—No ; I asked him, and I suppose I made some inquiries.

54,992. Did Mr. Pender ever tell you that an arrangement had been come to whereby the interest of the Duke of Somerset should be given to the independent candidate ?—No.

54,993. Did he ever tell you that an understanding had been arrived at as to the sum that the election of 1865 ought to cost ?—No.

54,994. Had you anything more to do with the election of 1865 until after the election itself ?—Nothing whatever.

54,995. Then the petition was instituted, and I believe you, with Mr. Travers Smith, had the conduct of it ?—No, I had nothing to do with it professionally.

54,996. But personally ?—Yes, as a friend of Mr. Seymour's.

54,997. Were you consulted as to the evidence that was to be procured in their behalf ?—I was not consulted upon it. I was present when several of the conversations took place upon the petition, and I may have given my opinion upon any point that arose, but only in that sense.

54,998. The evidence to be given on your behalf was nothing. They were defendants ?—Yes.

54,999. They had, of course, to procure materials for cross-examination ?—Yes, that was entirely done by Mr. Tucker and Mr. Travers Smith.

55,000. (*Mr. Coleridge.*) The seat not being claimed, there was no recriminating evidence ?—No.

55,001. Had you any notion that they were going to claim the seat before the petition was presented ?—No ; I had no communication with anybody, and I thought it was not a place for which they were likely to claim the seat.

55,002. (*Mr. Bere.*) I suppose you had learned that the Liberal party had spent a great deal of money ?—That was the general impression.

55,003. And the Conservative party had ?—Yes.

55,004. During the inquiry before the Committee, did it come out that a certain 50*l.* note had been paid to a Mr. James, which 50*l.* note was found to be a portion of a sum which had come into the hands of Mr. Percy Salmon ?—It scarcely came out in that way. It came out, so far as I understood, that that 50*l.* was part of a sum of 2,000*l.* which Mr. Percy Salmon had drawn out of the Consolidated Bank.

55,005. I think there was a suspicion that Mr. Percy Salmon had revealed to the Conservatives the way in which that 2,000*l.* had been got ?—It appeared that an inference might be drawn from the mode in which the question was put.

55,006. Did you write to him on the subject ?—Yes, and the correspondence is before you.

55,007. Mr. Pender has intimated that he is satisfied with Mr. Salmon's explanation, and understands the way in which it was arrived at ; but were you anxious that Mr. Salmon should not be examined as a witness ?—I was anxious that Mr. Salmon should not be examined as a witness, when I became aware that he had anything to do with the money, which I became aware of at an interview that I had with him, and the correspondence is very full on the subject, and if you will ask me to refer to it I will.

55,008. There is only one question that I wish to ask. Did you suggest that Mr. Salmon should leave England to prevent his being examined before the Committee of the House of Commons ?—I could scarcely take upon myself to suggest it. I think Mr. Salmon said, "I want to wash my hands of it, and be away "from the thing altogether ;" and he had in the previous February written to Mr. Pender to suggest that he should get out of the way, and I acquiesced in the suggestion.

55,009. (*Mr. Coleridge.*) He was enough of a lawyer to know that he had better be away ?—I do not know about his being a lawyer, but he appeared to think he was in a great mess, and the less anybody else knew about it the better.

55,010. (*Mr. Bere.*) Was it not more than an acquiescence. There is a passage in the letter of the 25th of June as follows : "It is quite true that in "answer to a very strong expression of your desire not "in any manner to be mixed up with the inquiry, I "suggested you could avoid the possibility of being "called as a witness by leaving London ?"—You must take that as I put it.

55,011. (*Mr. Longe.*) His expenses were to be paid ?—No.

55,012. (*Mr. Bere.*) He wished his expenses to be paid, but they never were paid ?—No.

55,013. They were never settled ?—No.

55,014. (*Mr. Coleridge.*) The reason was, I suppose, the feeling on the part of Mr. Pender that he was the person who had split with regard to the money ?—I cannot say.

55,015. Do you know anything about a proposition that was made to compromise the petition ?—I know of it in this way : Mr. Pender told me that Mr. Percy Salmon had suggested that an offer had been made on the 7th June that for 5,000*l.* the petition would be withdrawn, that it was in consequence of that that I saw Mr. Percy Salmon to hear what the proposition was. Mr. Percy Salmon was reticent, and I left without his saying anything to me, but as I was going downstairs, he said, "Yes, if I had 5,000*l.* I could tell it ;" and I said, "If Mr. Percy takes my advice he will not pay "5,000 pence ;" and if you will refer to the letter, you will find I had an interview with Mr. George Salmon, of the firm of Mayhew, of George Street, and what took place occurs in a letter of mine to Mr. Percy Salmon of the 20th March 1856. That refers to my interview with Mr. George Salmon.

55,016. At that time did Mr. Salmon entertain the idea of compromising the petition ?—No.

55,017. (*Mr. Coleridge.*) Colonel Dawkins made it a condition that Lord Rokeby was to apologize, and there was to be a new election, and he was to have a seat for Totnes ?—Yes.

55,018. (*Mr. Bere.*) Is that all you know about the proposal ?—Yes, the two interviews mentioned there.

55,019. Do you think you could discover who the clerk was by whom you sent those cheques ?—I will inquire certainly, but I have no recollection whatever —in fact the whole thing has escaped my recollection.

55,020. You are quite certain that you gave no specific directions to your clerk as to how the money was to be transmitted to those persons ?—No.

55,021. Not that the cheques were to be broken up ?—No, there were no broken-up cheques.

55,022. Not by you ?—No.

55,023. Not by you, but by your giving directions ?—No, what I did was to send the money.

55,024. You did not say to your clerk, "Tell Green "and Allin not to send down your cheques but diffe-"rent cheques ?"—No, I simply sent the money.

55,025. (*Mr. Coleridge.*) I will put this again. Are you quite certain that Green and Allin were mentioned to you by Mr. Danby Seymour, or had you a letter from Mr. Brooking Cuming, mentioning Green and Allin?—The fact of Mr. Seymour stating it so strongly makes me doubt, but my own recollection, speaking to the best of my recollection, unquestionably Mr. Danby Seymour mentioned them to me.

55,026. Have you any recollection of having a letter from Mr. Brooking Cuming at that time?—No; if Mr. Danby Seymour told me where the money was to go, he did it at the instance of Mr. Cuming, no doubt; there is no question of that, and I am sorry there should be a conflict between me and Mr. Danby Seymour as to the fact; but my own recollection is what I have stated. I have made a search, and I find no letter of Mr. Brooking Cuming's.

55,027. (*Mr. Bere.*) I do not think we have had the exact date of your interview with Mr. Salmon?—The date of the cheque was the 16th January—whether that was the day I cannot say. I think I remember writing the cheque whilst he was sitting at the table.

55,028. Do you mean to say you do not know of any fund raised at any time by the Liberal party for assisting that party in electioneering matters?—I have no personal knowledge on the subject.

55,029. (*Mr. Coleridge,*) Do you mean for legitimate expenses?—I have no personal knowledge.

55,030. (*Mr. Bere.*) Do you mean that there may be such a fund, but you are not the person who administers it?—There may be such a fund, but I have no personal knowledge of it.

55,031. Since 1864 you have had nothing to do with it?—No.

55,032. You are still adviser to the party?—No, I have declined over and over again, but people will come to me.

55,033. (*Mr. Longe.*) What is your own hypothesis as to the way the money was expended?—I have no hypothesis, you must gather that from the evidence.

55,034. How could that money and other money possibly be spent? It would not be spent in paying attorneys' fees?—Why should it not?

55,035. Is it the custom to give the fee at the time?—Very often indeed.

55,036. Is it so?—Yes.

55,037. Not to pay after the election is the custom?—I have no knowledge of the management of the election. I have never personally managed an election at all.

55,038. You do not know whether it is a custom?—As far as my experience goes it is.

55,039. Are you aware of any other expenses which it would be necessary to pay four days before the election?—There would be a great many if there were paid canvassers and messengers employed.

55,040. Do you suppose 500*l.* could be spent legitimately in canvassing?—It depends on the size of the boroughs and the canvassers.

55,041. Do you not know the size of it?—I did not then.

55,042. Could you suggest anything besides the paid canvassers in which 500*l.* could be spent?—I could suggest a great many things.

55,043. What?—There might be, which is a common thing, to pay fees and back reckonings. When bills are disputed they stand over, and then they have to be paid.

55,044. (*Mr. Coleridge.*) And registration expenses?—Yes; you will find at elections, when you have any experience of it, Mr. Longe, that things will creep up.

(*Mr. Longe.*) We have had sufficient experience in this election.

55,045. (*Mr. Coleridge.*) The retainer of attorney supposes prior payment?—I should think the practice would be to pay afterwards.

55,046. (*Mr. Bere.*) The election would appear in the audit sheet?—Yes; no doubt, under the Act of Parliament, no payments could be made except through the election auditor, but we know they are made every day.

55,047. (*Mr. Coleridge.*) Did you ever see the return of Mr. Seymour's legitimate expenses published after the election?—I think I saw it during the progress of the petition.

Mr. Henry Smith sworn and examined.

Mr. H. Smith

55,048. (*Mr. Bere.*) I believe you are an attorney carrying on business at Norfolk Street?—Yes, I am solicitor to the Conservative Land Society.

55,049. And Conservative registration?—Secretary to the National Conservative Registration Association.

55,050. May I ask what the National Conservative Registration is?—It is an association formed for the purpose of rendering assistance to county constituencies with regard to county outlying voters, and giving general assistance to them.

55,051. A sort of central assistance in registration operations?—It is.

55,052. Does it confine itself to counties?—It does particularly; but if any points arise with regard to registration law and assistance is required we frequently give it.

55,053. How are the expenses provided?—Provided by subscription, the Earl of Shrewsbury and Talbot is the chairman.

55,054. I suppose most of the leading Conservatives subscribe?—Yes.

55,055. Is it considered essential that a Conservative member of parliament should subscribe?—Not at all.

55,056. I suppose most do?—Where they have received assistance in their respective localities most of them do.

55,057. Is that assistance rendered where the Conservative members supply an agent to go round with the revising barrister to conduct the registration?—Yes. Wherever it is required to have a local Conservative agent assistance is rendered, but there is no interference with the local operations.

55,058. If a case was reserved by the revising barrister would that be taken up?—Not at the expense of the society.

55,059. Had you anything to do with the registration of Totnes?—Nothing whatever, except opinions which might be asked of me with regard to the votes.

55,060. You are acquainted, I believe, with Mr. Rennie?—Yes.

55,061. How long have you known him?—For three or four years.

55,062. Did you know him when he went down to see whether he should stand as a candidate for Totnes?—I knew him, but did not consult him with regard to standing.

55,063. Did he afterwards consult you about the registration expenses at Totnes?—I do not recollect being consulted by him at the time; but during the time that Mr. Rennie considered that he had claims upon Totnes he bore the whole of the expenses of the registration I suppose, but I had nothing whatever to do with it.

55,064. Did not you pay the registration expenses at Totnes at one time?—In the year 1864 I did.

55,065. What did they amount to?—There were several other expenses, certain requisitions that you have heard of were got up.

55,066. That was afterwards?—I think about the same time, contemporaneously with the other. It may have been immediately afterwards, but the whole of the expenses incurred then amounted to 332*l.* 1*s.* 6*d.*

55,067. Did you send any agent down to assist in that?—No.

55,068. Did you pay that yourself?—Yes.

55,069. To whom?—Partly to a person named Robert Harris.

55,070. How much did you pay to him?—25*l.* I think.

55,071. Was that for his own services?—Yes.

55,072. To whom did you pay the rest?—50*l.* to Mr. Dawe and Mr. Hockin.

55,073. Twenty guineas to each of them?—More than that, and this with the expenses of the requisition to which I have referred amounted to 332*l.* 1*s.* 6*d.*

55,074. Can you give us the items?—I think I can.

55,075. Whom did you get the money from?—From Mr. Macleay.

55,076. He contemplated becoming a candidate?—Yes, in contemplation of the dissolution; he having heard that Mr. Dent was not likely to become a candidate he consulted me with regard to his probable chances; but I knew nothing with regard to Totnes as to the local position of Totnes, and I went down there.

55,077. Can you tell us when that was?—In 1864 I went down there, and I saw those who were considered as the leaders of the Conservative party.

55,078. Whom did you see?—Mr. Bastard, Mr. Bentall, Mr. Gill, Mr. Kellock, and Mr. Phillips the mayor.

55,079. Did you not see Mr. Edmonds?—Yes.

55,080. And Mr. Heath?—Yes, because I was staying at his house.

55,081. Did you make the acquaintance of Mr. Harris?—Yes, in fact I went to Mr. Harris.

55,082. Did you form the same opinion of Mr. Harris as Mr. Spofforth?—I do not know.

55,083. He thought he was a very respectable man indeed, and addressed him as Esq., and called him "My dear sir"?—No. I do not think you will find any letters of mine in which I have addressed Harris, Esq.

55,084. What conclusion did you come to?—First, with regard to the municipal authorities, I found that there was a strong Conservative majority, and referring to Totnes proper there was a Conservative mayor, and from the communication made to me by Mr. Harris and others I considered (as to the practice of Totnes I was ignorant) that there was a certainty of a Conservative success if the voters were polled according to political feeling.

55,085. Did the leading members of the Conservative party tell you at that time that the close run in 1863 was owing to 12 men having been bought by them who previously voted for the Liberals?—No, not at that time, but I was informed what would be necessary with regard to Totnes.

55,086. Did they bring before you the fact of there having been a close contest in 1863?—I knew that from my own information.

55,087. They did not give you any information that you thought bribery had been at work?—No, but I was told that Mr. Dent had expended a large sum of money.

55,088. Did they fix on any amount?—No. I do not recollect that they did at that time.

55,089. At any time had you reason to believe?—It was subsequently communicated to me that the Conservatives of the place thought nothing less than 3,000*l.* would be of any use with regard to the borough of Totnes.

55,090. They fixed it at 3,000*l.*?—Mr. Dent has spent a great deal more, but nothing less than 3,000*l.* would be of any use.

55,091. From your experience you knew how it was to be spent?—I could judge.

55,092. You knew that it could not be spent legally?—I knew it could not.

55,093. What do you think could be spent legally?—I have heard Mr. Drake's evidence, and I endorse it, with regard to the fees, that and other expenses must determine the expenses; looking at it as I have heard, and the explanation with regard to the 50*l.* to one and 50*l.* to another, I think that 500*l.* or 600*l.* should be the extreme.

55,094. Mr. Macleay was willing to stand at that time?—No. He never gave his adhesion, but a requisition was sent down and it was left with me to report, and undoubtedly from the first explanations given to me I gave him a favourable report.

55,095. Did you go about the town at all?—No, I did not.

55,096. How long did you stay there?—I think I stayed two days.

55,097. Were you there more than once?—I think three times.

55,098. At that time did you agree on Mr. Macleay's behalf that the registration expenses should be paid?—I was informed, as a sort of antidote to the practice pursued by the Duke of Somerset, that there was an arrangement entered into to counteract that by the creation of votes; and if all those newly created votes could come in on the succeeding registration, the Conservative chance would be much improved; and I think, as Mr. Macleay had had the compliment paid to him by the Conservative party, the least he could do would be to pay the registration expenses of that year.

55,099. At that time was Mr. Oldrey in your employment?—Yes, he was.

55,100. How long had he been in your employment?—He may have been two or three years.

55,101. From him had you learnt a great deal about the borough?—I had conversations with him, but I do not think I had at that period.

55,102. Then I believe a requisition to Mr. Macleay was not signed till 1865?—It must have been before that, because there is a letter in which I pay 40*l.* 2*s.*

55,103. That is the letter of the 21st of March 1865, that rather confused me because there is no address upon it?—It is to Mr. Edmonds, I went to see him with Mr. Macleay.

55,104. Mr. Macleay did not stand because his brother died?—The explanation that I had with regard to the practice in Totnes induced me to advise him not, and that was a quiet way of informing the constituency that he did not mean to stand.

55,105. (*Mr. Coleridge.*) Was he ever repaid the money for the registration?—No.

55,106. (*Mr. Bere.*) Did you ever have any explanation with regard to the Council for subsequent elections?—Not subsequent, but it was mentioned to me.

55,107. Who mentioned it to you?—Mr. Harris.

55,108. At Totnes?—Yes, I think so; and whether a part of this amount of 332*l.* 1*s.* 6*d.* was applied for the municipal purpose I do not know.

55,109. Did not you see Mr. Rennie shortly after the registration expenses had been sent to him, and inform him that the Totnes people had applied for a sum of money to pay the Council election?—I think very likely.

55,110. Do you remember what sum they had asked for?—I do not know.

55,111. Would it be a sum of 200*l.*?—No.

55,112. Did you let them have it?—No; the whole of the money that passed through my hands is what I have told you.

55,113. Did you have anything to do with any of the other candidates who went to Totnes?—No.

55,114. Have you had anything to do with any elections at all?—No, in no way whatever.

55,115. You found it was a corrupt place, and you did not wish to have anything more to do with it?—Yes.

55,116. Did you have anything to do with it as far back as 1859?—No.

55,117. Did you know much about the borough before Mr. Oldrey came to you?—My first acquaintance was in August 1864.

55,118. And you had not heard much about it before?—No.

55,119. (*Mr. Coleridge.*) When you lend assist-

ance is that paid by the place itself, or does it come out of the general fund?—Out of the general fund.

55,120. The place itself does not pay anything more than another?—The payment to the fund is entirely optional, whether they seek its services or not.

55,121. If they seek its services they pay nothing more?—No; but if the expenses for the outlying voters are sent down by the society they are reimbursed by the candidate.

55,122. Did you at any time see Mr. Spofforth about the election of 1865?—No.

55,123. You had nothing to do with the petition?—No.

55,124. With regard to the election of 1865 did you happen to be at Mr. Spofforth's office?—No, I never had any conversation with Mr. Spofforth about Totnes at all.

55,125. Did you hear anything about the compromise of the petition?—No.

55,126. (*Mr. Bere.*) Did you happen to be at Mr. Spofforth's office about the election of 1865 when Mr. Spofforth and Mr. Rennie came and had a conversation?—No.

55,127. Is there anything more you can tell us?—No.

55,128. Will you kindly let us have those items?—Yes. I think you will find the total comes to 332*l.* 1*s.* 6*d.*, which includes the requisition.

55,129. Among the registration expenses for the Liberals there are several extraordinary items, and we wish to see if they are the same?—I paid them, and I can tell you. With regard to the requisition I may tell you that it contains a number of names, and perhaps about one-third of those who signed the requisition for Mr. Macleay voted for the Liberals at the last election.

(*Mr. Coleridge.*) 17.

55,130. (*Mr. Bere.*) You did not happen to know that it was a requisition to Mr. Dent, and in every single instance Harris informed the persons who hesitated that they were not bound to vote for the person to whom they were sending the requisition, but that it was simply to bring a gentleman down to stand and spend money?—I am surprised that I never heard anything about it, and I had the requisition back from Mr. Edmonds.

55,131. (*Mr. Coleridge.*) Where there is a sitting member belonging to the borough he pays the registration?—Yes.

55,132. You only pay when there is none?—Yes.

55,133. Supposing there were two Conservative members sitting for Totnes you would not give anything towards it?—No.

55,134. We find on the Liberal side it is part of the expenses of the sitting member to pay?—Yes, and properly so, to take care of his own seat.

55,135. It was in consequence of having no sitting member that you paid?—Yes, to see what was required and to make ourselves personally acquainted with the borough.

55,136. (*Mr. Bere.*) After the election of 1865 I believe Mr. Harris applied to you to be recommended to an appointment?—I think I applied to him to take one. I was consulted by some leading people in Cambridge for a person to go and conduct the political arrangements for the borough, and becoming acquainted with Mr. Harris at Totnes I recommended him for the situation, and he was appointed.

55,137. That was a real appointment which he had at Cambridge?—Yes, for which he was to receive 200*l.* a year and all his expenses paid, and after that he was to have a salary of 150*l.* a year.

55,138. Do you know why he resigned or lost that appointment?—I think through the case at Totnes.

55,139. Did he resign or lose it?—I think he resigned after a communication. He said he might not hold the appointment with advantage to the persons by whom he was appointed, and after a consultation it was determined that he should resign; so I have understood since.

55,140. From Mr. Peede?—Yes.

JOHN FIELD sworn and examined.

J. Field.

55,141. (*Mr. Coleridge.*) What are you?—I belong to the Private Inquiry Office.

55,142. Where is that?—Devereux Court.

55,143. Do you recollect Mr. Pender's election in 1862?—Yes.

55,144. Did you go to Totnes?—Yes.

55,145. Who engaged you to go down?—I was sent from the office to go down.

55,146. Who sent you?—I do not know; I was to meet Mr. Barton.

55,147. Who is Mr. Barton?—One of the officers.

55,148. Who gave you the instructions in the office?—Mr. Nicholl.

55,149. What is he?—The manager.

55,150. What were you told to do?—To see if any bribery was going on.

55,151. What were you to do?—To see that Mr. Pender did not bribe.

55,152. That Mr. Pender himself did not bribe, or the other side?—The other side, I suppose.

55,153. How long did you go before the election?—I think two days before.

55,154. He was there before you?—Yes.

55,155. What time did you get down?—In the middle of the night.

55,156. Did you find a fly or anything waiting?—No; I stayed all night at the station, at one of the rooms.

55,157. As soon as it got light where did you go?—I saw Mr. Barton, and I was to go to the "White Lion, but they would not let me in."

55,158. They suspected you?—I suppose so, and I got to an eating-house and coffee-house.

55,159. Did Mr. Barton go there too?—No.

55,160. Did you hunt in couples or single-handed?—Single-handed.

55,161. To whom did you report?—I had nothing to report; I did not see anything.

55,162. You went, and saw nothing?—Yes.

55,163. Did you see Mr. Pender?—I do not know.

55,164. Did you go to the "Seymour Arms?"—I do not know.

55,165. How much did you get paid, including travelling expenses?—12*s.* a day.

55,166. Did you pay the travelling expenses out of that?—No, I was paid extra.

55,167. How long did you stay?—Six days.

55,168. Did you do anything at all during that time?—No.

55,169. What did you do?—Went to different public-houses, but as soon as they found I was a stranger they shut up.

55,170. There was a great deal going on?—Yes.

55,171. Were you disguised?—Not particular.

55,172. Had you a wig?—No.

55,173. Did you go to the "Seymour?"—No.

55,174. Did you go across the bridge?—I went on the bridge.

55,175. Whom did you communicate with?—Nobody; I did not see anybody.

55,176. (*Mr. Longe.*) Did you learn any names?—No.

55,177. Did anybody ever come to you, or ask who you were?—No.

55,178. Did you know Mr. Brooking Cuming?—No.

55,179. Mr. Windeatt?—No.

55,180. Mr. Pender?—No.

55,181. Mr. Holman?—No.

55,182. Whom did you know?—Nobody.

55,183. Was your only acquaintance there Mr. Barton?—Yes.

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55,184. Did you see anybody to know the names ?—No.

55,185. Did you read the names over the shop doors ?—No.

55,186. What did you go there for ?—I went to see if there was any bribery going on at the public-houses.

55,187. You took notice ?—I went to see if there was any talk about it, but as soon as they saw me they were quiet.

55,188. That is all the Inquiry Office did ?—That is all I did ; I do not know what Mr. Barton did.

55,189. Did you go away together ?—Yes.

55,190. Did you tell him you had done anything ?—I said I had seen nothing.

55,191. What did you tell Mr. Nicholl ?—I had my instructions from Mr. Barton.

55,192. As far as you were concerned you saw nothing ?—No.

55,193. Did not you see a fight or help in one ?—No.

55,194. Nothing at all ?—There was a little flare-up on the night of the nomination.

55,195. What did you do ?—I got in ; I thought they might suspect me.

55,196. Did you go to the "Seven Stars ?"—No.

55,197. Did not you know Mr. Heath ?—No.

55,198. Did not you speak to anybody ?—No, I spoke to nobody ; I never knew anybody.

55,199. You went to look after Mr. Barton, and Mr. Barton went to look after you ?—I do not know.

55,200. You got 12*s.* a day and your travelling expenses and came back ?—Yes.

55,201. (*Mr. Longe.*) Were you supposed to see money pass, to use your eyes ?—Yes, if I saw any; but I could not if I did not see any.

55,202. (*Mr. Coleridge.*) Was this your first turn ?—That was my first turn.

55,203. Was that the reason for your selection ?—I do not know ; I suppose there was no one else in the office.

W. Barton.

WILLIAM BARTON sworn and examined.

55,204. (*Mr. Longe.*) What are you ?—I am acquainted with the Private Inquiry Office.

55,205. Were you employed at the last election for Totnes ?—In 1862.

55,206. Is that the only time you were employed ?—Yes.

55,207. When did you go down ?—By the mail train on Friday, December 3rd.

55,208. Who sent you down ?—I was sent down from the office, by Mr. Nicholl's orders.

55,209. Did you know who he had orders from ?—No ; I was ordered to communicate with Mr. Cuming.

55,210. Were any other names given to you ?—No.

55,211. Whom did you go with ?—I went by myself, and Field came down the same night, but not by the same train.

55,212. When you got to Totnes to whom did you go ?—I did not go to Totnes first ; I went to Newton Abbott by appointment, where I was to meet Mr. Cuming and from him receive instructions.

55,213. Did you meet him ?—Yes.

55,214. What instructions did you get from him ?—To go to the "Seven Stars," take up my abode, and find out if there was any bribery going on.

55,215. Did you go to the "Seven Stars ?"—Yes, but I could not get in there.

55,216. Where did you go to ?—To the corner of the street as you go to the railway, I think the "William the Fourth."

55,217. Did you know the name of the landlord ?—I do not know.

55,218. How long were you in Totnes ?—I got to Totnes on the Saturday morning ; I stopped at Newton that night and met Mr. Cuming in the morning.

55,219. How long were you at Totnes ?—We remained till the Tuesday ; the nomination day was the Monday.

55,220. The following Tuesday, not the following Tuesday week ?—The following Tuesday.

55,221. During that time did you see any bribery ?—No, I did not ; I heard a great deal of it.

55,222. What did you hear ?—I could hear that there was a leather club, comprised of 27 men, that was held over the bridge.

55,223. (*Mr. Bere.*) Did you ever hear who they were ?—No.

55,224. How did you get at that much ?—It was the gossip there ; they did not suspect me.

55,225. How came they to suspect Field ?—I cannot tell ; I do not think they suspected me, they did not show it in any way.

55,226. Did you hear of any particular persons receiving money ?—No, I did not.

55,227. Mr. Dent resigning in the middle of the night prevented it ?—I think it is probable. Where I was it was a sort of neutral house, the "King William the Fourth."

55,228. (*Mr. Longe.*) Did you look after the "Seven Stars ?"—I went on two or three occasions.

55,229. Did you see women with baskets ?—No.

55,230. (*Mr. Bere.*) Were you there late on the night of the nomination ?—Yes.

55,231. Did you see a great many people about ?—Yes.

55,232. Did you hear when Mr. Dent resigned ?—Yes, and I saw several of the other party at the "William the Fourth" have very blank faces.

55,233. They had not been paid ?—I suppose so.

55,234. (*Mr. Coleridge.*) Did they tell you that it had been promised and not paid ?—I cannot say.

55,235. Which party said that ?—I think both.

55,236. Did you ever hear this expression made use of by the Liberal party, "Mr. Cuming will never pay "us now" ?—No.

55,237. Did anyone ask you for money ? Did they think you were distributing money ?--No ; they thought I was going to visit some friends at Falmouth and I was stopping to see the fun of the election.

55,238. Are you a Falmouth man ?—I have friends there.

55,239. (*Mr. Bere.*) What report did you make to Mr. Nicholl ?—There was none to make. I saw Mr. Cuming's clerk ; someone came to London to apply for some person to be sent down, and this was the only person I saw.

55,240. (*Mr. Coleridge.*) Did you have any communication with Mr. Pender ?—No.

55,241. What did you do at Totnes ?—We endeavoured to find out if there was any bribery, but we did not.

55,242. Had you ever had any job of this sort before ?—No, but several since.

55,243. You were so successful that time that you have been at other places since ?—I do not say that we were successful.

55,244. (*Mr. Longe.*) Did you say there was bribery on the Liberal side as well as the Conservative side ?—No doubt of it.

55,245. Did you hear of it ?—I heard of it ; one party was as bad as the other, that was the conversation.

55,246. (*Mr. Bere.*) The truth is, that as Mr. Dent resigned there was no occasion for much bribery ?—Yes, no doubt ; I remained up the whole night.

55,247. (*Mr. Coleridge.*) When did you go back, on the election day ?—Yes.

55,248. What were you paid, the same as Field ?—Rather more, I think.

55,249. Was that paid by the office or Mr. Cuming ?—The office. The charges were made to Mr. Cuming, and the office pay us a salary, or so much when we were employed.

Mr. Charles C. Rennie sworn and examined.

55,250. (*Mr. Bere.*) You are a barrister practising on the Western Circuit ?—Yes.

55,251. And the son of Sir John Rennie ?—Yes.

55,252. In the summer of 1862 were you anxious to go into parliament ?—In the summer of 1861.

55,253. Did you think Totnes would be likely to suit you ?—I knew Mr. Champernowne there. He was a landed proprietor, and I wanted to see what the place was like.

55,254. Had Sir John Rennie taken Bowden then ?—I think not.

55,255. When did you go ?—I think in September.

55,256. And did you stay with Mr. Champernowne ?—Yes.

55,257. And went to Totnes ?—Yes.

55,258. Had you known Totnes before ? — Not beyond staying at Dartington.

55,259. Whom did you see ?—I first saw Mr. Bryett and then Mr. Edmonds.

55,260. Did Mr. Bryett intimate that he had given up having anything to do with it ?—Yes, I think so.

55,261. Did you see Mr. Edmonds ?—Yes.

55,262. What prospect did he give ?—He intimated a majority.

55,263. Did he intimate what sum it would take to secure that majority ?—No, he did not in the least.

55,264. Did you think from what he told you that money would be wanted ?—No.

55,265. You did not happen to ask him yourself ?—No.

55,266. Having seen him did you have a public meeting there ?—That is some time afterwards.

55,267. You had no public meeting at that time ?—No.

55,268. Did you come to the conclusion that you would become a candidate for Totnes in the Conservative interest ?—Yes.

55,269. Did you take any steps about getting an interest in the borough, about getting land ?—Not then.

55,270. Did you appoint Mr. Edmonds your agent ?—Yes.

55,271. Did you give him a salary ?—Not then.

55,272. Did you give anything to the Conservative registration ?—I gave 150*l.* to be spent on charities and the registration.

55,273. Did you pay 150*l.* ?—I paid 150*l.* when I first went to Totnes.

55,274. To whom did you pay ?—To Mr. Edmonds.

55,275. Did you ever have any account of the way in which 150*l.* was expended ?—No.

55,276. Did you ever inquire ?—No, I was told for back expenses, they did not say what.

55,277. You never asked ?—No.

55,278. Can you say what time of the year it was you paid this money to Mr. Edmonds ?—The end of September or the beginning of October.

55,279. Is that the only sum you have paid ?—Yes. When I went to Bowden I promised to give a salary of 50*l.* to Mr. Edmonds, and I promised to give Harris 25*l.*

55,280. Had you seen Harris ?—I was told he was the man who worked the place, and I was recommended by Mr. Bryett to see him and speak to him.

55,281. You gave Mr. Edmonds a salary of 50*l.* ?—Yes.

55,282. Was that for his services only ?—Yes; the whole arrangement with the committee was broken up, and I never paid any money at all.

55,283. Did you ever pay, except 50*l.* to Mr. Edmonds, besides the 150*l.* ?—25*l.* to Harris, and some money to charities, about 30*l.*

55,284. Did you have an account of the money expended ?—Yes.

55,285. Was it expended in charities ?—Yes; it was principally money given to the poor people in the town.

55,286. Besides that you did not spend any other money ?—I think 10*l.* to Harris Harris was to have a salary afterwards.

55,287. That is when you became the owner of the land ?—Yes.

55,288. You raised Harris's salary ?—Yes.

55,289. When did you first hold your meeting ?—There was a meeting in the early part of September 1861; but the general meeting was not held, in the "Seven Stars," till the beginning of October.

55,290. Did you speak at that meeting ?—Yes.

55,291. Did you suggest that the first step to be taken towards winning the parliamentary elections was to win the elections in the Council ?—Yes.

55,292. And you suggested how those elections might be won ?—No; but I considered that if they had an organization in the borough it might ultimately carry the parliamentary election.

55,293. Did you know that your advice was taken, and that they did work to secure the seats in the Council ?—They did, particularly Harris.

55,294. You have no doubt that the 150*l.* went to secure them ?—They did not secure them, but they went to work afterwards and they did not have any money afterwards. They paid great attention afterwards, and they carried them pretty well as they liked.

55,295. Did you make inquiries at that time into the particular way in which the constituency was qualified to vote, the peculiar qualifications on which they voted ?—The faggot votes ?

55,296. Yes.—Not then; I did not begin to look into the affairs of the borough till 1862.

55,297. Then being a *quasi* resident in the borough you paid more attention to it ?—Yes.

55,298. At any time did you conceive that even one Conservative could be returned without bribery ?—I thought if you got sufficient interest in the town by acquiring land, and not coming down at the last moment, very likely we should return one and one. If there was a fight of course bribery would be resorted to. It was my interest to secure that position.

55,299. Was it at your instigation that Sir John Rennie took Bowden ?—Yes.

55,300. For the purpose of making yourself acquainted with Totnes ?—Yes.

55,301. You thought only by a compromise a Conservative might come in ?—Yes.

55,302. If there was a fight there would be bribery ?—Yes; if there was a fight I believe there would be bribery.

55,303. When did you first become the lessee of the land which originally belonged to Mr. Dent ?—Mr. Dent's second election was in 1863; it was in Midsummer. He was going to do great things, but Mr. Mitchell got disgusted and threw it up, and he said he would let it by auction unless I took it. I thought there was a chance if those votes were made of counteracting the influence of the Duke of Somerset, and I took the land and allowed the people to make the votes. But it was not to be considered that I should stand myself. There was a distinct understanding that it was simply to allow them to counteract the duke's faggot votes.

55,304. What quantity of land did you take ?—Part within the parish of Dartington, and part in Totnes parish, and Broomborough, perhaps 150 acres in the whole.

55,305. Can you tell me how many votes at the time you took it were upon that property ?—I think the company was formed about 50.

55,306. At the time you took it did you know how many voters there were upon the land ?—I believe none.

55,307. Were there buildings on the property ?—Not one in each field, but there was a homestead and farmyard sufficient for it.

55,308. A homestead sufficient to qualify the company ?—Yes.

55,309. What rent did you give ?—575*l.*

55,310. Was that the value ?—It was supposed so.

55,311. Mr. Harris said you got it 60*l.* a year

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cheaper ?—Yes, but even then the rent was more than it was worth.

55,312. A land valuer would not give it ?—No.

55,313. You got that land to get as many votes as possible ?—Yes, I was told that was what the rent would fetch, I did not know.

55,314. Can you tell us how many acres there were ?—I cannot say, about 150 altogether.

55,315. (*Mr. Coleridge.*) How many houses were there ?—There was one house, but that is let.

55,316. Did you think the land was worth about 4*l.* an acre ?—Yes, I think so.

55,317. Was it all grass ?—Yes.

55,318. It was accommodation land ?—Yes, it was very good land too.

55,319. (*Mr. Bere.*) When did you give up that land ?—I gave it up at Christmas 1864.

55,320. What was the reason ?—I found that these votes had not been qualified, and there was no chance of the qualification before the election ; it did not pay, and I did not want to be troubled with it any longer ; Mr. Dent said he would take it, and I gave it up.

55,321. You paid the registration expenses of 1861 ?—No, 1862.

55,322. And 1863, Mr. Macleay ?—No, I paid it myself.

55,323. How much did you pay ?—Mr. Hockin 20 guineas, and Mr. Dawe 20 guineas, and their expenses backwards and forwards, and the hotel bill ; I think 63*l.* altogether.

55,324. That you paid yourself ?—Yes.

55,325. You have the items rendered to you ?—Yes.

55,326. Can you supply them ?—I have no account. It was simply that they had 20 guineas each, and the hotel bill, and travelling expenses.

55,327. Was it in Christmas 1864 that you gave up the idea of standing for Totnes ?—I gave it up when Mr. Dent first went down, in December 1862.

55,328. What made you continue to pay the registration expenses of 1863 ?—Because I had been a candidate before, and I thought if the thing could be carried I did not mind paying a little for it.

55,329. Did not you find that a considerable sum of money found its way into the Conservative pockets ?—I heard that Mr. Mitchell said that at the first election Mr. Dent spent 1,000*l.*, and the second 6,000*l.* When I was at Totnes, when Mr. Dent was standing at the first election, I heard there was a general report that Mr. Dent would spend 4,000*l.* and would be prepared to go further.

55,330. You did not know anything about Mr. Dent's affairs ?—No ; I said, If you get in you may stay as long as you like ; Mr. Mitchell gave a flaming account of it, and Mr. Dent went down.

55,331. You had given up the notion of standing when Mr. Dent came down ?—I thought I should not stand, but I thought the seat could be carried.

55,332. Were you there during the election of 1863 ?—No.

55,333. In 1865 ?—No.

55,334. Although you did not stand you were consulted about the candidates for the Conservative party ?—They were always writing to me.

55,335. Did you ever find them a candidate ?—No ; I had taken the land, and although I had it I did not want to pay the registration expenses, and I wrote once or twice to Spofforth, saying if they could get a man who would work up the borough probably he might come in. He did find me a candidate, at least Mr. Smith saw me, and told me that Mr. Macleay was thinking of standing. I gave him a copy of the rate books, and I told him when I paid it, and that showed a majority of five or six, after Mr. Dent's election ; but if the new claims were carried out it would give us a majority of 30, and if he liked to fight it would cost him 200*l.* or 300*l.* If he won it would cost him very little, and if he lost he would be harmless. He went down and declined to stand.

55,336. Had you gone to Mr. Henry Smith, or had he come to you ?—He wrote to me.

55,337. Had you known him before ?—Yes.

55,338. He knew you were interested in Totnes ?—Yes.

55,339. How long were you living at Bowden ?—I was there a year. After Mr. Dent stood I gave it up, and there was no object in keeping on the house.

55,340. After Mr. Macleay refused to stand were you consulted again about a candidate ?—They were constantly writing to me about it.

55,341. Did you procure one ?—No, I was not the local agent and did not.

55,342. Did not you even suggest one ?—No, I could not have recommended anyone.

55,343. Do you remember Mr. Harris coming to you in 1865 in London ?—Yes.

55,344. Did you go with him to Mr. Spofforth ?—Yes.

55,345. What happened at that interview ?—I think it was about Mr. Potter, the chairman of the Great Western. Harris had an idea that he was determined to stand for Totnes. I said, If you think that you had better go and see Mr. Spofforth, and I took him over.

55,346. In what language did you introduce Mr. Harris ?—I said to Mr. Spofforth that he was my agent.

55,347. Did he make any inquiries as to what he was ?—Yes, he asked me several times, and I said I did not know.

55,348. Did you tell him he was a man of importance and distinction ?—No, I did not say he was a man of position, but I said he was a clever fellow.

55,349. Were you surprised at his letters ?—Yes, I was rather.

55,350. Did you tell Mr. Spofforth that he was a dissenting preacher ?—Yes, I think so. I might have said he was a man of importance, because he was of great use.

55,351. How long did that interview last ?—I think five or ten minutes.

55,352. Was that all you had to do with the election of 1865 ?—Yes.

55,353. Did you happen to be in Mr. Spofforth's office before the general election ?—I am not certain. He asked me the state of the register, and I said we had a majority of eight or ten.

55,354. When did Mr. Spofforth ask you that ?—I forget.

55,355. Some time before the general election had you gone to his office, or did he meet you accidentally ?—I do not know.

55,356. Was there some meeting that you had with Mr. Spofforth when Mr. F. Smith was present ?—Yes.

55,357. When was that ?—Two or three days before the election.

55,358. Where was that ?—In Mr. Spofforth's office. I was introduced, and after that Mr. Spofforth left the room, and I asked Mr. Smith how he was getting on, and he showed me the poll-book, I think with a majority of 30 for the first Conservative, and 18 for Captain Pim. I said that was all nonsense, they might have ten or twelve ; I said they were disorganized and they did not work well, and that he must be careful what he did, and if he went in to win he must spend any amount of money, that I could not advise it myself, and had never advised anybody to go.

55,359. Is that all you have had to do with the borough of Totnes ?—That is all.

55,360. You were down at the election of 1862 ?—Yes.

55,361. Did you hear Mr. John Heath make a speech outside the "Seven Stars" ?—Yes, I did.

55,362. From the top of the carriage in which Mr. Dent was brought from the station ?—Yes, to a large crowd.

55,363. What did Mr. John Heath say ?—He said various things, and concluded by saying, "We have "got the ammunition."

55,364. (*Mr. Longe.*) When you went down did you find any persons besides the Duke of Somerset who held houses in Totnes, to command votes ?—

Mr. Edmonds of Bowden and Mr. Phillips had various properties which would command votes, but which could not be made use of. The only person was Mr. Durant of Sharpham, he had five or six fields.

55,365. The houses and shops in the town, did you find that those voters were independent?—I did not think there was much pressure on the townspeople.

55,366. Was there any person who could put on a pressure except the duke?—If one man happened to owe to another man money he came down upon him, and he was obliged to vote.

55,367. Not landlords?—No.

55,368. (*Mr. Bere.*) It was the same system that the duke applied that Mr. Durant applied to his tenants?—Yes, but there are no large proprietors of houses there.

55,369. Your tenants; it was understood which way they would vote?—Yes, they were put on for the purpose, and I believe the duke's were put on in the same way.

55,370. You cannot tell us who the tenants were, what fields they had, and buildings on them, at the time you took them?—No, it was all accommodation land, taken by the people in the town.

55,371. There are no letters that will throw any light upon the subject?—No.

55,372. No communications from Mr. Edmonds or Mr. Harris?—No.

Mr. William Henry Oldrey sworn and examined.

Mr. W. H. Oldrey

55,373. (*Mr. Bere.*) Are you connected with the Conservative registration for West Kent?—Yes.

55,374. Were you at one time in the employment of Mr. Henry Smith, of Norfolk Street?—Yes.

55,375. When did you first enter into that employment?—In the month of March 1861.

55,376. Had you previous to that been living at Totnes?—Yes.

55,377. All your life?—I think with the exception of while I was with Stamp and Coleridge at Honiton.

55,378. Had you ever yourself a vote for Totnes?—No.

55,379. You knew a great deal about what was going on?—Yes, living in the place I did.

55,380. Were you a Conservative or a Liberal?—Oh, a Conservative certainly.

55,381. Did you have anything to do with the election of 1857, Mr. Dunn's election?—I acted as poll clerk I think.

55,382. Were you employed in any other way?—No.

55,383. Did you receive payment for your services?—I think one guinea.

55,384. Did you canvass anybody?—No.

55,385. In 1862 had you anything to do with Mr. Pender in Dent's election?—No, I had left then.

55,386. Did Mr. Henry Smith know anything about it?—Not a word.

55,387. You had communication from Totnes?—Just from my friends to say how he was getting on.

55,388. When had you first anything to do with Totnes after you left?—I think it was in March or April 1864. I think Mr. Robert Harris came to London and called at Norfolk Street to ask me to go and see Mr. Potter, and ask him if he would stand for the borough. We saw him, and after a great deal of conversation he asked to be furnished with a copy of the poll-book, the last poll-book, and a copy of the register, and with a statement of how the borough stood. Mr. Harris promised to furnish me with these particulars, and Potter requested that it should be sent to me, and I was to hand them to Mr. Potter, and I saw him with those papers.

55,389. Who sent them?—Mr. Harris.

55,390. Is this the paper he sent you (*referring to a paper*)?—I think it is.

55,391. This is an account of the state of the parties at Totnes?—It was a similar statement.

55,392. You took that to Mr. Potter?—Yes.

55,393. What did he say?—I do not know whether I saw him; I afterwards saw him and asked what he intended to do, and if he had gone through the papers. He asked me what the probable cost would be, and what it had cost Mr. Dunn. I then saw Mr. Potter again and said it would be between 2,000*l.* and 3,000*l.*

55,394. Did you go to see Mr. Cameron?—Yes, I knew Mr. Cameron for many years, and I said, "What did it cost Mr. Dunn to fight Totnes," and he said, "Between 2,000*l.* and 3,000*l.* That is all the conversation I had with him.

55,395. You did not ask for any particulars as to how that money had been spent?—No.

55,396. You knew it had been spent in bribery?—Yes.

55,397. You said it would cost between 2,000*l.* and 3,000*l.*?—Yes.

55,398. That ended your negotiations with Mr. Potter?—Yes.

55,399. Do you happen to know Mr. Harris did not consider that answer decisive, and renewed negotiations?—I heard so.

55,400. Between your interview with him and Mr. Harris renewing negotiations Mr. Macleay had come upon the scene?—Yes.

55,401. You heard what Mr. Smith said, is that correct, that statement?—Yes, it was, I had a great deal to do with it.

55,402. In your opinion was the real cause of the opposition of the parties at Totnes a true Conservative feeling, or opposition to the Duke of Somerset?—I think a true Conservative feeling, no doubt about it.

55,403. Can you estimate the number of people influenced by that true Conservative feeling, because we have heard a great many say, supposing the Duke of Somerset had been Conservative, they would be Liberals, from a feeling of antagonism to the duke, and nothing else; you think it was not so?—No.

55,404. That is all you know about it?—Yes.

55,405. You saw Mr. Cameron when he was down there in 1859?—Yes.

55,406. There was a man called Snell there?—Yes, but Cameron says he was not employed by him.

55,407. Was there a man called Higgins?—I do not know.

55,408. Had you seen Snell in Totnes before?—Never.

55,409. Do you remember, in the election of 1852, a man coming down, a stranger, with Mr. Mills?—I was only 12 years of age then.

55,410. What was Cameron doing there in 1859?—He was there solicitor for Mr. Dunn.

55,411. Had Mr. Edmonds acted then?—It was Mr. Bryett and Mr. Kellock.

55,412. Did plenty of money go then?—I cannot say.

55,413. Did plenty of money go on the other side?—I do not know.

Adjourned till Monday, at 12 o'clock.

FORTY-FOURTH DAY.

FORTY-FOURTH DAY.

Monday, 26th November 1866.

Mr. D. E. Cameron.

26 Nov. 1866.

Mr. Dugald Edward Cameron sworn and examined.

55,414. (*Mr. Bere.*) Are you a member of the firm of Julius and Cameron?—Of the late firm.

55,415. Was it the firm of Julius and Cameron in 1859?—In 1858.

55,416. When did you first become acquainted with Mr. Dunn?—In 1858.

55,417. Had he come to you as a client?—No, I was opposed to him in a matter connected with a divorce case.

55,418. Private matters?—Yes.

55,419. And he then made your acquaintance?—Yes, he made my acquaintance also in consequence of my firm being connected with Australian agencies.

55,420. Had he employed you in any business in 1859?—Not in any.

55,421. Had he expressed a wish to you to go into parliament?—Not before the occasion on which he said he had been solicited.

55,422. Did he tell you from whom the solicitation had come?—He said from three places, and he said there was a deputation waiting in town from Totnes.

55,423. Did he give you the names of the other places?—Reading, and Plymouth, and Totnes.

55,424. Did he ask you your advice as to which of those places he should go to?—He did.

55,425. Which did you recommend him to go to?—I first before I recommended any course accompanied him to this deputation.

55,426. Who were the members of the deputation?—I only recollect one gentleman, and that was Mr. Edmonds.

55,427. That is the solicitor of Totnes?—Yes.

55,428. How many members of the deputation were there?—Perhaps two or three.

55,429. Where did you see them?—At Messrs. Baxter, Rose.

55,430. At Mr. Spofforth's?—I did not know at that time.

55,431. Was he present?—No, the only gentleman I saw was Mr. Rose.

55,432. What passed at that interview?—A communication was made to Mr. Dunn, to ask whether he would stand, and questions were asked as to the probable expense.

55,433. Who asked that, did Mr. Dunn, or you?—Mr. Dunn.

55,434. Who answered you on that subject?—Mr. Edmonds.

55,435. What did Mr. Edmonds say the probable expense would be?—1,500*l.* or 2,000*l.*

55,436. Did you inquire of Mr. Edmonds how much would be required for the retaining fees of solicitors?—I did not interfere particularly with the matter.

55,437. Had you been connected with electioneering matters before?—Not till that period, but it so happened I was in others that year, and I have subsequently, but not before.

55,438. On hearing that 1,500*l.* or 2,000*l.* would be required did Mr. Dunn consent to give that?—After some considerable time Mr. Dunn said he would not exceed 2,000*l.*

55,439. After that inquiry did he say he would stand?—No; I recollect suggesting to Mr. Edmonds that before Mr. Dunn should make his appearance there should be a requisition sent to him from Totnes, that he might gather what the feeling was.

55,440. Can you say what time of the year that was in 1859?—That would be April the 9th.

55,441. Was that all that passed at that interview, or was there a poll-book produced, or an estimate of what the contest might be expected to be?—Not that I recollect.

55,442. Eventually did you go with Mr. Dunn to Totnes?—I went with Mr. Dunn, two or three gentlemen, and Mrs. Dunn.

55,443. Who went with you then?—Mr. Phipps, a brother-in-law, and Mrs. Dunn, myself, and another gentleman, a friend of theirs.

55,444. You all went to Totnes together?—Yes.

55,445. How long did you stay there yourself?—I stayed from the 12th, I believe for nine days.

55,446. Did you go with Mr. Dunn to Totnes?—That was my object.

55,447. At that time did you know whether Mr. Dunn had any money with him?—I believe he had money.

55,448. Did you know how he brought that money?—No, I did not.

55,449. After you had been there nine days did you leave?—I left.

55,450. How long did you stay away from Totnes?—Until I was telegraphed for by Mr. Dunn to return.

55,451. Was that three or four days after?—Two or three days.

55,452. Then you returned to Totnes?—Yes.

55,453. Did you take any money with you?—Yes, I took a cheque.

55,454. Your own cheque?—No, from the firm of Brown, Dunn, and Salmon.

55,455. That was a firm of which Mr. Dunn was a member?—Yes.

55,456. What was the amount of the cheque?—I think 1,000*l.*

55,457. Who paid that cheque to you?—Mr. Salmon.

55,458. Is Mr. Salmon alive?—I believe he is, but I do not think that he is in this country, he is in Australia. The firm has broken up.

55,459. What did you do with the cheque?—I did not take the cheque in my hand, it was a letter directed to him.

55,460. It was a cheque in the envelope?—Yes, and I had reason to believe it was for 1,000*l.*

55,461. What did you do with that?—I gave it to Mr. Dunn.

55,462. Do you know on what bank that cheque was?—I believe it was paid into the Teignmouth bank.

55,463. Not at Totnes?—No.

55,464. Do you know what bank at Teignmouth?—Yes, Watts and Company, I think.

55,465. Do you know who procured the cash for that cheque?—No, I do not.

55,466. Then you got there some few days before the election, did you?—Yes, it would be.

55,467. Did you take upon yourself the management of the election?—No, I refrained myself from the management. I felt myself incompetent.

55,468. Who did?—Mr. Edmonds, Mr. Bryett, and Mr. Kellock.

55,469. In what room of the "Seven Stars" did they conduct the business of the election?—I am afraid I cannot say.

55,470. Have you been to Totnes since that?—I have.

55,471. Do you remember whether it was the room with the large bow window projecting into the street?—It was upstairs, and I think on the left-hand side of

the staircase, and on the right-hand side there was a room where Mr. Dunn generally dined.

55,472. Do you happen to remember a small room at the top of the staircase which is lighted from the house itself, and there is no window out into the open air?—I think I do recollect something of that.

55,473. Who used to sit there?—I do not know. I think there was somebody there.

55,474. Who was that somebody; was there a man named Higgins?—I believe it was Higgins, but he went by the name of Mum. Mum was his avowed name, but I think his name was Higgins.

55,475. He came down in the course of that inquiry?—Yes.

55,476. Was Snell down there?—Yes. He came from some part of Devonshire I think.

55,477. He said he came from Ulverston, I think, and he said he was given a certain quantity of money to disburse?—I believe so.

55,478. Had you anything to do with the giving him that money?—He has avowed so, but I do not think I had, I believe the money came from Mr. Heath.

55,479. You cannot tell how you got that cheque cashed. Do you know what became of the money?—Some went to Mr. Bryett, some to Mr. Edmonds, but principally to Mr. John Heath.

55,480. Who went from Totnes to Teignmouth to cash that cheque?—I do not know.

55,481. Did you ever see the money that was procured by that cheque?—No.

55,482. You never did?—No.

55,483. You did not know whether it was in notes or gold?—No.

55,484. How much more money did Mr. Dunn obtain before the election was over?—I do not know that he had any more, I believe not.

55,485. Is that the only sum of money you believe, as far as you know, that was spent at that time?—Yes, what he took down, and the 1,000*l.*

55,486. Did he ever tell you what he took down?—No, but I think it was about 800*l.*

55,487. What made you think that?—He said something to me going down in the carriage, what he expected they wanted, but he meant to try and feel his way first. He was not sweet upon the place, and I should not have been surprised if he came away altogether.

55,488. You entered into calculations as to the probable result of the election with Mr. Bryett and Mr. Edmonds?—Very little indeed. I happened to be at Totnes many years ago, and I did not feel myself justified, not knowing any of the Totnes people. I may say I was there when I was about six or seven years of age, and I knew nothing whatever about the Totnes voters and the gentlemen connected with the election. I trusted entirely to them; they were the agents employed.

55,489. Did not you have a poll-book made out, and did not you go through the poll-book and see what chance there was of winning the election?—Yes, there was a poll-book. I had one that was made out subsequently, I recollect, when Gifford and Mills were on one side and Mr. Dunn on the other.

55,490. Who gave you that book?—It was a printed book that I had from Mr. Edmonds. Mr. Edmonds I particularly communicated with.

55,491. Did that show you a majority for Duun over Mills?—I think it did.

55,492. Did you see what amount?—A very small amount, not more than six, seven, or eight.

55,493. Up to the day of the election did you think that Mr. Dunn would get in?—I thought he would, that was my belief, according to the statements that were made. I relied upon what I was told.

55,494. Did you think he would get in without bribery?—I believed there was bribery.

55,495. Did you yourself see any money pass?—Not on any occasion.

55,496. Where did you principally stay?—I was going about with Mr. Dunn canvassing. He felt as if he must have me at his right hand. He said he would not go unless I went; I rather objected because I did not wish to leave London.

55,497. You used to go about canvassing with him?—Yes.

55,498. Did you find the voters promised their votes readily?—In Totnes, not in Bridgetown.

55,499. Did you yourself see Mr. Higgins?—Yes, I saw him.

55,500. Was he paid afterwards by Mr. Dunn?—I believe he was paid, but I do not know whom by; he came to me after the election was over to claim a balance, and I never saw him afterwards.

55,501. Did you pay him the balance?—No.

55,502. What balance did he claim?—I do not know whether he said any amount, whether 6*l.* or 8*l.*, I do not know.

55,503. Did Mr. Higgins ever tell you how much money he had had in his hands?—I am afraid to say, I think it was 400*l.* or 600*l.*

55,504. In the middle of the day the election was lost, virtually gone?—Yes; there were other voters that Mr. Dunn could have brought up, but even they would not be sufficient to give him a majority, and they were not pressed.

55,505. Did you find that many men who promised their votes for you voted against you?—Yes, there were several, and one in particular, I do not recollect his name, a butcher, was very sanguine in Mr. Dunn's behalf, and voted against us.

55,506. What was his name, Willis?—I do not know, but he expressed himself about Mr. Dunn, saying that he had taken stock of him and he was just the man for the place.

55,507. I believe Snell afterwards brought an action against Mr. Dunn?—He did.

55,508. That action was compromised by 25*l.*?—Yes, upon delivering up all the papers, which he intimated were some of them in my handwriting.

55,509. What were they?—Theywere pencil marks, but when I got them they were not in my handwriting.

55,510. Have you those?—I think they were given to Mr. Dunn or torn up.

55,511. (*Mr. Coleridge.*) How long has Mr. Dunn been dead?—He was in the House of Commons one session, in 1860 he got in for Dartmouth, and he wrote to me from Marseilles, he was going to Hobart Town; it was the Saturday prior to the 29th of January, and he died in 1861 on board the vessel. I believe his matters had got into a little difficulty, and his father was over there, manager of the bank.

55,512. Was the firm Brown, Dunn, and Salmon?—Yes.

55,513. Had you anything to do with the council elections?—Something.

55,514. Did Mr. Heath send in separate charges besides that paid by the election auditor?—Yes, he sent in a separate bill.

55,515. Have you got that bill?—I handed it to the secretary.

55,516. Who were employed actually at that election by Mr. Dunn?—Mr. Edmonds, Mr. Bryett, and Mr. Kellock.

55,517. Do you know anything about Frederick Evens?—I do not know the name.

55,518. Did you hear the name of John Sandford Screach?—I do not know, they have become familiar to me by looking at the paper.

55,519. You recollect Evens?—I recollect one, there was a jeweller.

55,520. That is Evan Evens?—Yes.

55,521. There was Mr. John Heath, and which of the young Heaths?—I do not recollect anyone except the father, and the young one who drove about.

55,522. Do you recollect Mr. Heath, junior, the auctioneer?—No.

55,523. Mr. John Heath's bill in the auditor's account is 102*l.* 5*s.* 3*d.*?—But the other bill was upwards of 220*l.*

55,524. Plus that?—I wish I could refer to it, I think the bills were in the aggregate 220*l.* There was a separate bill for the committee, a separate bill for the servants, and a separate bill for Mr. Dunn.

FORTY-FOURTH DAY.

Mr. D. E. Cameron.

26 Nov. 1866.

55,525. They were all paid?—Yes, after considerable discussion.

55,526. Assuming that Mr. Dunn took down 800*l.* and you 1,000*l.*, what sum did he further expend? That did not include the election auditor's bill?—I think it did.

55,527. (*Mr. Bere.*) That is the election auditor's account (*referring*)?—I had it with me, it was sent up to me.

55,528. It was not paid out of the 1,800*l.*?—No.

55,529. Did you pay this?—No; Mr. Dunn I think.

55,530. Did you pay this by cheque?—The only cheque paid me was to pay Mr. Snell's accounts, and the damages.

55,531. The damages were 25*l.*, and the accounts were what?—70*l.* or 80*l.*

55,532. Mr. John Heath's bills were 220*l.*?—Yes, the three bills.

55,533. Is that all Mr. Dunn paid?—No, I think there was a bill, Mr. Higgins'.

55,534. Do you know how much he paid of that?—4*l.* or 5*l.*

55,535. That would make in round numbers about 2,400*l.* it had cost Mr. Dunn?—I do not know that it exceeded 2,000*l.*

55,536. If that bill was not paid out of the 1,800*l.* it would considerably exceed 2,000*l.*?—I think that bill must have been paid at Totnes, and there was a balance due to Mr. Edmonds of 25*l.*

55,537. Did Mr. Edmonds account for any money?—He accounted for some.

55,538. And in fact according to your idea this sum comes within the 1,800*l.*, or out of the 1,800*l.*?—Yes.

55,539. How did you go to get at this 1,000*l.* cheque?—Mr. Dunn gave me a note.

55,540. Where did Mr. Dunn give you a note?—At Totnes.

55,541. Had Mr. Dunn told you that more money was wanted for the election?—Yes.

55,542. You knew that he had 800*l.* down with him?—Yes, he calculated it would cost 2,000*l.*, but he took only a limited sum down, not making up his own mind whether he would go to the poll or not; when he had hopes of success he wrote up to his partners for the other.

55,543. Did you take the note yourself to the office of Brown, Dunn, and Salmon?—Yes.

55,544. Did you see what was put into the envelope?—No; I believe it was a 1,000*l.* note.

55,545. I suppose you had not much doubt what the 1,000*l.* was to be used for?—I could not believe that it was for legal expenses.

55,546. (*Mr. Coleridge.*) Had you anything to do with electioneering before?—No.

55,547. (*Mr. Bere.*) You cannot give us any account how the cheque was cashed?—I believe that Mr. Dunn drew upon it.

55,548. Paid it into Watt's bank and drew it out?—Yes.

55,549. (*Mr. Coleridge.*) Mrs. Dunn was very active in canvassing?—Yes, and she was a very successful canvasser.

55,550. (*Mr. Bere.*) Her orders were very large?—There were large orders to drapers, I think, in one case.

55,551. And Captain Phipps was very active?—Yes.

55,552. Was Mrs. Dunn Mr. Dunn's executrix?—Yes, there was a suit to administer his estate.

55,553. (*Mr. Coleridge.*) How came you to go down if you were not the regular solicitor of Mr. Dunn?—I do not know, he took some fancy to me.

55,554. He thought you would be a useful person?—I was the trustee of his former wife.

55,555. You went down specially in this matter, not as his usual solicitor?—Yes.

55,556. Was there any arrangement made?—I said if I left town I could not go under 10 guineas a day.

55,557. Did you ever get it?—No, I proved it in chancery, but I never got it.

55,558. Do you know who sent this man Higgins down?—No.

55,559. Seeing a stranger there did you ask about him?—No.

55,560. Did you have any conversation with Mr. John Heath about him?—No.

55,561. Seeing a stranger there did you ask?—No, he said there must be somebody there.

55,562. Did he tell you that before he came?—Yes.

55,563. Do you recollect when Mr. Higgins did come?—Three or four days before the election.

55,564. How long before the election was it Mr. John Heath told you that some one must come down?—It is difficult to say.

55,565. When did he tell you that someone must come. Did you tell him that he must get a person, or how was it?—I did not answer one way or the other.

55,566. Did you not give him any answer about a stranger being there?—No.

55,567. Do you know where he came from?—My idea was that he came from Devonport.

55,568. How long is it since you have seen him?—I have never seen him since except on one occasion when he called upon me for a balance of account, that was in 1860.

55,569. What sort of a looking man is he?—I think he was marked with the small pox.

55,570. Do you know at all what he was by trade or profession?—No.

55,571. Who sent Snell down, do you know?—No; Snell came there, I saw him first talking to Mr. Heath in the bar parlour, and Mr. Heath introduced me to him as a person who knew Totnes and who was zealous in the Conservative cause.

55,572. Did you see Snell and Higgins together?—No.

55,573. Did Snell stay in the "Seven Stars"?—Yes.

55,574. You say you believed Mr. Heath had the money, who gave him the money?—I believe Mr. Dunn or Mr. Bryett.

55,575. Do you know whether it came through Mr. Bryett or not?—I do not; Mr. Bryett or Mr. Edmonds.

55,576. Did you ever give him any money yourself?—I believe not.

55,577. Do you recollect whether there was any sum that you gave Mr. Heath before or after that election not for his bill?—I believe he had 2,000*l.* on account of his bill.

55,578. When did he have that?—When first the election was going on.

55,579. Before the actual polling?—Yes.

55,580. And before his bill was made out?—He might have made it out.

55,581. How did you give him the 200*l.*?—I do not think I gave it to him, but he had 200*l.*

55,582. Who gave it to him?—Mr. Dunn.

55,583. Did you ever give him any money yourself during the election?—I believe I was present when the money was given to him by Mr. Dunn.

55,584. Was it given by cheque or cash?—I cannot tell you.

55,585. What did you put the expenses of the election at, Mr. Dunn's expenses, legal and illegal altogether?—I put them at under 2,000*l.*

55,586. While there did you come across the other party to know what they were spending?—Not in the least.

55,587. Did you attend the committee room at all on your own side?—The committee hardly ever met but I used to see them.

55,588. I suppose Mr. John Heath or Mr. Edmonds intimated that money was going on the other side?—I believe so.

55,589. Was it in consequence of their saying so

much money was going on the other side, Mr. Mills' side, that they wanted 1,000*l.* extra?—No; if Mr. Dunn went to the poll he calculated he would have to spend 1,000*l.* more.

55,590. You did not know of any other money coming to you?—No.

55,591. Do you know of Mrs. Dunn having any money down?—No, I believe not.

FORTY-FOURTH DAY.

Mr. D. E. Cameron

26 Nov. 1866

Mr. W. R. Drake.

Mr. William Richard Drake recalled and further examined.

55,592. (*Mr. Bere.*) Do you know a Robert R. Moore, a barrister?—Yes, I did know him.

55,593. What was he?—He was a barrister, and he was lecturer of the Anti-Corn-Law League. I think that was his origin.

55,594. Used he to go about assisting Liberal members to make their speeches?—That was very much his occupation.

55,595. He was sent down with two or three Liberal members at various times in order to help them at their canvassing?—Yes, I fancy that was so. I know he did go in that way.

55,596. Do you know his handwriting?—Yes.

55,597. Is that his handwriting (*referring*)?—Yes.

55,598. Will you explain this passage: "I have "recently had two very satisfactory interviews with "Brand, and yesterday and the day before saw Drake "and went very fully into matters with him, and I "believe without further delay both my own affairs "and the manner of my assistance as regards elections, "will be practically settled"?—The poor man was very much involved, and he was anxious to have his services secured generally, for the purpose of going down with members and making himself useful, and making speeches and that kind of thing. He explained to me that he was much involved indeed, and that there were some executions out against him, and I endeavoured at the time to see whether some arrangement could not be made for getting a composition subscribed, and enable him to pay his debts.

55,599. Who were they that did subscribe for that purpose?—Nobody did subscribe. I think my friend Mr. Pender said he would give a small sum, and I am not sure who else; but it failed because we could not get the people to take a composition.

55,600. (*Mr. Coleridge.*) Did he ever make another suggestion of how he might be paid for his political services through the aid of your firm?—I think my impression is that upon one or two occasions I have paid him. I have given him small sums of money.

55,601. Did he ever suggest to you that he might be paid through other business, that you might give him briefs in private committees to pay him for his political services?—No, never.

55,602. There is a letter in which he suggests to Mr. Pender that that might be done. Was that brought to your notice?—No, if it had been I should have kicked the fellow out of the place.

55,603. I think the effect of the letter is (we cannot find it at present) that "Mr. Drake wants everything "for himself, and will not do anything for me. He "might do everything I want if he would give me "three or four briefs in private committees"?—I should like to see the letter, and should like to be allowed to refer to a question and answer in my examination which, as they stand upon the notes, will convey a misapprehension as to what I intended to say.

55,604. (*Mr. Bere.*) What is that?—It is this: The Commissioners ask me as to my knowledge of the existence of a supposed fund for assisting Liberal members at the time of the general election. I replied by saying I had no personal knowledge on the subject. The chairman then put this to me, "You mean by "'no personal knowledge' you had not the adminis-"tration of the fund." I reply, "That is so." That is strictly accurate. But upon the minutes there is this upon the note that I have seen of it. You say, "No money passed through your hands or into your "hands?" And my reply is, "No money passed into "my hands." What I meant to convey was, that no such fund as you indicated passed into my hands for distribution. I did not mean you to understand that at the general election, where I conducted the general business of it, no money did pass into my hands; but no fund passed into my hand for distribution.

55,605. No money passed from the fund which existed at the Reform Club or Brooks's?—I have no personal knowledge of any fund; but when you ask me, "Did any money pass through your hands?" I accepted it as meaning money for the purpose of distribution.

55,606. (*Mr. Coleridge.*) Do you mean you did receive sums of money for individual elections, but that you had no general sum of money at your disposal to dole out here and there as you required?—I had no general fund in that way to administer.

55,607. You had money in your hands?—Yes, because all the machinery in London for the election, which went on for several weeks, was met with funds handed to me.

55,608. Subscriptions of Liberal members and others?—Yes.

55,609. (*Mr. Longe.*) You were the recognized medium through whom the money could be got for special purposes?—No, not special purposes, for the purposes of the organization. I had a large staff of clerks and canvassers. There were considerable expenses for travelling and printing, and matters of that sort, disbursed out of the fund which was in my hands.

Yes; but in no single instance did money that came into my hands go directly or indirectly to Totnes, except the 500*l.*, and that was not the general election at all.

55,610. Was it the general purposes of the election or for the purposes in London, sending about?—Yes. I might have a letter from one place or another, and I had to send a messenger to make inquiries about the canvassing.

55,611. None of the money was in any way paid directly to the assistance of any one election?—I had simply to hand the money to A. B. or C. D.

55,612. For the general purposes, or the purposes of the election?—For the purposes of the separate elections probably.

55,613. (*Mr. Longe.*) In the case of an election, where the Liberal party wished the Liberal member to succeed, it would be the natural course to come to you for assistance?—Not to me individually. It would not be to come to me, I had nothing to do with money or the fund. There is a general fund for the purpose of meeting the legitimate expenses, but with the administration of the fund I have nothing to do.

55,614. (*Mr. Coleridge.*) Would Mr. Cooper?—No.

55,615. Take the legitimate expenses. If there was a man who could not afford to contest a county which he was the right man to be returned for, in that event the party would lend him some assistance?—Certainly, that is my impression.

55,616. (*Mr. Longe.*) You would not be the proper medium?—They would not come to me. That was done between the members themselves, the leaders of the party.

55,617. (*Mr. Bere.*) These are the questions and the answers: "Do I understand you to say you "did not know of any fund raised at any time by the "Liberal party for assisting that party in electioneer-"ing matters?—I have no personal knowledge on the "subject. Do you mean not for legitimate expenses? "—I have no personal knowledge. Do you mean "there may be such fund, but you are not the person "to administer it?—There may be such a fund, but "I have no personal knowledge. Since 1864 you "had nothing to do with it?—Not professionally. "There was no fund?—No, there was no fund "that I am aware of. There was no subscription

FORTY-FOURTH DAY.

Mr. W. R. Drake.

26 Nov. 1866.

"of any sort or kind?—No. No money passed "through your hand?—No"?—What I meant was that no money passed for purposes of distribution.

55,618. In Mr. Coppock's time he had larger powers?—Yes.

55,619. The matters are kept more distinct now?—Yes, I think so. I have had nothing to do with the one except incidentally. I knew little of the practice at that time. I think Mr. Coppock stood in a different position.

55,620. (*Mr. Bere.*) From whom would you get that 25*l.* that you gave to Mr. Moore?—I should prefer not saying from whom I would get the cheque. I know it had nothing to do with the Totnes election or any inquiry. I have no objection privately to inform you, not the least.

55,620*a*. It has a material bearing upon the existence of a fund or of the persons through whom you could get a Liberal agent rewarded?—I would undertake to do this. I could satisfy you in any way that there was no available source for Totnes. I will undertake to satisfy you of that in any way.

55,621. (*Mr. Coleridge.*) Anything you say as to this has no bearing on Mr. Seymour's election?—No.

55,622. There was no general election then, and the fund would have no existence?—No.

J. R. Mills, Esq., M.P.

JOHN R. MILLS, Esq., M.P., sworn and examined.

55,623. (*Mr. Bere.*) You are member for Wycombe?—Yes.

55,624. You are the brother of Mr. Thomas Mills, who was member for Totnes some time?—Yes.

55,625. Are you his executor?—Yes.

55,626. Can you give us any information as to any sums of money which he spent for the election of 1859?—I have his bankers book, which is the only account I have. There is February the 20th, 1859, 78*l.* 13*s.*; and July the 2nd, I find a payment to Mr. Tucker of 250*l.*

55,627. Is that the only entry you find relating to Totnes about that time. Are there not some large cheques to self at that time?—No, there is not one in the book. There is December the 1st, 1865, Totnes, 449*l.* 9*s.* 9*d.*

55,628. He first stood in 1859?—Yes, I think so.

55,629. Did you ever hear what that cost him?—Never.

55,630. Did you never hear generally from your brother what Totnes had cost him, from beginning to end?—No, I never asked and I never wished to know.

55,631. Was it because it was so much?—No, not at all, I never wished to know anything about it.

55,632. What would that be, "By J. R. M. 800*l.*"—J. R. M. is myself. We were constantly in the habit of exchanging cheques with each other.

55,633. (*Mr. Coleridge.*) Did you ever send any money yourself to him for Totnes?—When at Totnes in 1857 he wrote to me for 500*l.*, that was about the 4th, and on the 14th he gave me the cheque back again.

55,634. Is that the only money you sent down?—Yes.

55,635. Was that the time he was at Totnes?—Yes.

55,636. Did anything of the same sort take place in 1859?—No.

55,637. (*Mr. Bere.*) There is "By Totnes organ, August 8th, 5*l.*"?—There are a few items.

55,638. Those are the only entries in 1859 and since that you have been able to find relative to Totnes?—Yes.

55,639. In 1857 there are some?—Yes; on February 6th there was a cheque I sent him for 500*l.*, which he returned to me, and it is credited on the other side on the 14th.

55,640. Did you send it in cash or in a cheque?—I paid it in London.

55,641. Was not that to Messrs. Green and Allin?—I do not know, I think it was in Throgmorton Street.

55,642. Would you say it was not Green and Allin?—No; it is many years ago now, and I had the money back on the 14th. Then there is March 28th, "Totnes 23*l.* 14*s.* 2*d.*" These were personal expenses. Then April 3rd there is 50*l.* to Tucker. Then July 1st, Tucker 85*l.*; I suppose that is Totnes. Then October 15th by Totnes 334*l.* 11*s.* 2*d.*

55,643. That is all with regard to 1857?—Yes.

55,644. Is there any entry in 1858?—There are two entries in 1858, Totnes 5*l.*, and Totnes 5*l.*

55,645. Between 1852 and 1857 what entries do you find?—1852, July 17, Totnes 100*l.* and 21*l.*; then on the 30th, Totnes school 10 guineas; January 1st, 1853, Totnes 250*l.*; August 18th, Totnes 390*l.* Those are all the items I can find.

55,646. You did not send any money in 1852?—No, not a penny.

55,647. You have omitted the most important item, there is, "By Totnes 700*l.* May 6th, 1852"?—I had not seen that before.

55,648. Do you know anything about the 22nd July, "By loan 700*l.*"?—No, I do not know, he might have lent it to me.

55,649. By Chaster, August 3rd, 10 guineas, by Huxham 14 guineas, by sundries 400*l.*, do you know any explanation of those?—No; but as he does not put any personal expenses in the book, 400*l.* would be easily accounted for.

55,650. "By cash" there is sometimes. Probably that means personal expenses?—Yes, probably.

55,651. (*Mr. Coleridge.*) Had your brother ever stood for any place besides Totnes?—I do not recollect.

55,652. He did not sit for any other place?—No.

55,653. Here is one item, "By Cuming, 1857, 105*l.*;" and do you know what this means, on the credit side of the account, "Totnes election balance 6*l.* 10*s.* 9*d.*"?—I know nothing more than what it tells you. I did see reading in the newspapers that same witness said the 500*l.* unaccounted for was overplus of my brother's election unpaid. I thought it was an impudent thing for any person to say. I am sure my brother did not leave anything unpaid.

55,654. Do you know who it was said that?—No; but I am sure it was not true.

55,655. I know what you allude to. It was back expenses?—Yes; but I am sure it was not the case with my brother, because he paid everything out of hand.

55,656. Do you know what first led to your brother coming to Totnes?—No, I do not know indeed.

55,657. He had no connexion with the place at all?—Not in the least.

55,658. He was not a Devonshire man?—No.

55,659. (*Mr. Bere.*) Can you give any explanation of that entry (*referring*), "W. W."?—No, I cannot.

55,660. This is all the explanation you can give?—Yes; I believe the system had not begun as it has been practised recently; whatever it was it was in a moderate way.

55,661. I do not know whether you have heard the evidence in 1859 that it cost Mr. Dunn more than 2,000*l.*, and as he was not successful it is assumed that Mr. Mills spent more?—I am quite sure he never did.

55,662. You do not know what it cost him?—No.

55,663. Mr. Pender requiring to see something, the answer was, "Mr. Mills never wanted to look at "any accounts at all, and we shall not show them "to you?"—Perhaps he was wise in that.

55,664. In 1859 there was a small sum spent according to the book, have you looked at it since

that?—The last year there was a cheque of 45*l.*, no doubt paid for charities.

55,665. Nothing for registration expenses?—No.

55,666. According to the expenses altogether I should say they were roughly about 4,000*l.*?—I do not think it was much more. My brother had plenty of means, and whether he spent it in that way or any other it did not matter. It was no business of mine.

Mr. Percy Salmon sworn and examined.

55,667. (*Mr. Bere.*) Were you at any time Mr. Pender's private secretary?—I was.

55,668. When did you cease to be secretary?—I ceased at the time the London offices were opened. I then became manager of them.

55,669. When did you become secretary?—October 1863 was my first connexion with Mr. Pender.

55,670. Were you ever employed about the affairs of Totnes before the election of 1865?— Never, except once I was down at the time of the registration.

55,671. Which year was that?—December 1864.

55,672. September?—No, December.

55,673. It was not registration then?—Something of that; it was in 1864.

55,674. Had you gone down at Mr. Pender's request?—Yes.

55,675. Did you take any part in the registration yourself?—No.

55,676. What did you go down for?—Mr. Pender will tell you. I looked after the correspondence.

55,677. What did you look after?—The letters I suppose.

55,678. Was Mr. Pender there?—Yes.

55,679. For the registration?—I understood so, it was the end of November or December.

55,680. You were his private secretary and went to look after his correspondence?—Yes.

55,681. Nothing to do with the election?—Nothing.

55,682. It was not till 1865 that you had to do with election matters?—Yes.

55,683. Was your only connexion the getting money from the Consolidated Bank and bringing it to Mr. Chaster?—Yes.

55,684. Nothing else?—No.

55,685. You were not at Totnes during the time of the election?—Not at all.

55,686. Were you the bearer of a communication from a cousin of yours, Mr. George Salmon, about the compromise of the petition?—He hinted as much to me.

55,687. Was he concerned for Captain Pim?—No, not that I know of.

55,688. Did he tell you what authority he had for hinting at the compromise?—He told me no authority.

55,689. Did he mention any sum for which the compromise could be effected?—4,000*l.* or 5,000*l.*

55,690. Did he intimate from whom he had received instructions to mention such a sum as that?—He did not.

55,691. What did you do upon hearing that?—I mentioned it first to Mr. Pender.

55,692. What did Mr. Pender say to that?—He made no particular reply.

55,693. Did you mention it to anybody else?—To nobody till Mr. Drake called upon me respecting it.

55,694. Then you mentioned it to him?—He called upon me to speak to me about the compromise.

55,695. What did he say to you about it?—He asked me if I had heard there was such a thing possible, and I said I thought it was possible.

55,696. What did you say?—There was nothing definite. It was simply that I said if a certain amount of money was paid I believed the petition might be withdrawn.

55,697. Did Mr. Drake ask you what your reason for that belief was?—No, I believe he asked me and I declined to answer.

55,698. Did you state the amount?—I said 4,000*l.* or 5,000*l.*

55,699. Where did that interview take place?—In the office in London.

55,700. Mr. Drake's office?— In my office, or rather Mr. Pender's office.

55,701. When?—Say a week or ten days before the petition came on at the House.

55,702. What did you do in consequence of Mr. Drake's interview, did you go and see your cousin again?—No, I did not, the matter was dropped.

55,703. You took no further trouble?—No, not the least.

55,704. Did you intimate to Mr. Drake to whom he might go to see whether terms might be effected?—No, I merely received a hint about the terms and mentioned the fact to Mr. Pender, and Mr. Drake intimated that he had called upon me as Mr. Pender's solicitor or friend.

55,705. You refused to tell Mr. Drake from whom you received the communication?—Yes, undoubtedly at the time. It was secrecy.

55,706. Mr. Drake left you, not knowing from whom you received the communication?— Undoubtedly.

55,707. He of course could do nothing further in the matter?—Not through me.

55,708. Did you expect him to come to you again?—The compromise was open, and if he had liked to come to me again he might have done so.

55,709. You expected him to reopen negotiations through you?—If he wished to do so.

55,710. Did you go abroad at the time of the election petition?—I was absent.

55,711. Where?—In Paris.

55,712. Was that in consequence of a suggestion of Mr. Drake's that you should leave?—Yes.

55,713. In order that you should not be examined as a witness before the Committee?—Yes.

55,714. You had intimated to Mr. Drake that you were anxious to go abroad?—I did not.

55,715. Did not you intimate that you did not want to be examined as a witness?—Never.

55,716. Then he is under a mistake if he thinks so?—Undoubtedly.

55,717. Are you sure that you did not intimate to him that your throat was in rather a bad state, and that you wanted to go abroad for that?—Merely I was to make an excuse; you have the correspondence on the point.

55,718. Did you make the excuse that your throat was bad?—Yes.

55,719. Was your throat bad?—I was not well at the time; I was suffering from bronchitis.

55,720. You did tell Mr. Drake a trip abroad might benefit your health?—It was an excuse to avoid my being called before the House of Commons.

55,721. Are you sure you had not expressed your dislike at being examined before the House of Commons?—Not the least; why should I? What interest had I in the matter?

55,722. (*Mr. Coleridge.*) You brought down a sum of money to Exeter?—I did.

55,723. (*Mr. Bere.*) This is a letter of yours of the 16th February:—"My dear sir,—I have been thinking that if Dawkins presses the petition to an issue before the Committee of the House, it would be prudent that I should go to the continent for ten days or so, in order to avoid the possible chance of his subpœnaing me, which would certainly prejudice your interests and be anything but agreeable to me." After that do you mean that you did not tell Mr. Drake that you did not want to be examined before the Committee?—I did not. You must remember the relation between Mr. Pender and myself.

55,724. (*Mr. Coleridge.*) You knew that Mr. Pender had put the letter into Mr. Drake's hands?—I did not know.

FORTY-FOURTH DAY.

Mr. P. Salmon.

26 Nov. 1866.

55,725. Did not you know that he was cognizant of it?—No.

55,726. Did not you imagine that he, being the person who was conducting the opposition, would be a person likely to see a letter of that kind?—I understood that Mr. Drake had nothing to do with it.

55,727. As Mr. Pender's solicitor or friend, did not you think such a letter as that would be likely to be laid before him?—I cannot tell what is likely; he assured me he was not acting in the petition.

55,728. From the conversation you had with Mr. Drake, did not you think he had seen that letter that you had written to Mr. Pender?—I had not.

55,729. Did not you think he knew things that only could be known through that communication?—I did not know what his position was; I understood he was his private solicitor or friend; under those circumstances he knows best.

55,730. Under those circumstances did not you think the letter would be open to him?—I supposed it possible.

55,731. When you had the interview had you any doubt that he had seen that letter that you had written to Mr. Pender?—I did not know what had passed between them.

55,732. Did you believe that Mr. Drake had never seen that letter?—Not to my knowledge.

55,733. From the tenor of the conversation that you had with Mr. Drake, did not you believe that Mr. Pender had shown him that letter?—No; I do not think there was anything in the conversation that would lead me to say that. Mr. Drake came to me, or sent to me, at the office; I do not repeat it all now, because the chairman has the correspondence; I simply performed certain instructions.

55,734. You certainly produced an impression on Mr. Drake's mind which caused him to write in those terms. "You will remember that, previously to the "petition coming on for hearing, you expressed to me "your very strong desire not in any manner to be "mixed up with the inquiry; and that, with a view to "avoid the possibility of your being called as a witness, "you desired to leave London." You did not answer that by denying that you had produced a strong impression on Mr. Drake's mind?—I cannot be accountable for his impression. It is palpable I had no interest in keeping away, but my evidence would have unseated Mr. Pender.

55,735. That was interest?—I left for that, but it was not for myself.

55,736. You did not wish to put Mr. Pender in a difficulty, and you knew that if you were cross-examined you would be obliged to disclose things that would be fatal to Mr. Pender's seat?—Yes, quite so.

J. Pender, Esq.

JOHN PENDER, Esq., recalled and further examined.

55,737. (*Mr. Bere.*) I understand there is some of your evidence that you wish to make an explanation of?—Yes, there are one or two things which I have handed to the secretary. I was asked if the Marquis of Tweeddale had introduced me to the Duke of Somerset, and I said "No," but the answer is "Yes."

55,738. I understood you to say "No." Then "the "deputation consisted of Mr. Chaster, Mr. Cuming, "and Mr. Thomas Michelmore?"—It was Mr. Charles.

55,739. You admitted that you had conversation with Mr. Harris?—Yes; but before the Committee of the House of Commons he stated that the conversation about the Matchams was on the Plains. What I said was, that the first conversation I had with the Harris'—the conversation that was the means of unseating me—nothing whatever was said about the Matchams.

55,740. It is clear there could not be anything about the Matchams; the Matchams were mentioned in the polling booth on the morning of the election. It was after the Matchams had voted for you, when they were expected to vote for Dawkins and Pim, that the suggestion of Harris was made?—Yes, and that bears very much upon it; it must have been a week before.

55,741. Then I asked you whether you were a manager of any telegraphic companies?—Yes, and it is director that it should have been.

55,742. "When did that take place; it must have "been just at the time the petition was instituted?"—It must have taken place after I was unseated, because I did not know before.

55,743. (*Mr. Coleridge.*) As to your conversation with Mr. Harris, you say the conversation was about five minutes?—Yes.

55,744. Had you two conversations?—No.

55,745. Because two witnesses come and say that it was half an hour, and the way they fix it is this, that they saw you talking before they went to dinner, and when they came back you were talking still?—I adhere strongly to what I said, that it was from five to ten minutes—ten minutes is the extreme; it was nearer five minutes than ten minutes.

55,746. You told us on the last occasion that you did not know of any money that you had spent in 1862 being passed on to Mr. Seymour's election?—I said I was not aware of any money I paid in 1862 being passed on to Mr. Seymour's election till the examination of the witnesses took place before the Commissioners, and then I saw that money had.

55,747. Had you any knowledge, till the examination took place, that money had been spent in bribery at your own uncontested election in 1862?—I had not.

55,748. Will you explain what this can mean. Here is a letter, "Totnes, Seymour Hotel;" is that in Mr. Brooking Cuming's handwriting?—Yes.

55,749. It is: "My dear sir,—I have received "your letter and list inclosed, of which I approve, "only adding a name or two. As soon as the election "is over I will get the committee formed, and see "how best to dispose of your handsome donation. "Thanks for adopting the list of the charities. Mr. "Dent is silly enough to permit his address again to "appear here, but he is again ill; and although not "here, Messrs. Gill, Edmonds, and Frederick Kellock "are actively canvassing for him, and picking up "some of the 'consideration men.'" Do you know what the meaning of that is?—I do not know; I only infer that they were some of the men to be looked after.

55,750. Did you infer that they were men looked after in the first instance?—No.

55,751. "I think, however, we are all right. We "get several new promises, and shall lose a few of "your men, but not many." What could that mean?—I have no idea.

55,752. Do you know what that refers to?—It is possible, in writing to me as he did at that time, that they had got possession of certain money, and he wished to leave an impression on my mind that that money had been spent. I knew nothing about it, but it was, I suppose, gradually drawing me in.

55,753. This was your agent before you quarrelled with him, and immediately after the election?—Yes, before Mr. Seymour's election. What I say is this, that he was wishing to impress on my mind that some of the money that I had given to him was spent.

55,754. When did you first know that a number of people had promised the Conservative side and had voted for you; would not that refer to those men?—I do not understand that.

55,755. Several men who promised to vote the other way were going to vote for you, and then they withdrew?—I was not aware of that.

55,756. Were you not aware of that when you received this letter?—No.

55,757. I cannot find any answer in which you inquire of Mr. Cuming what he means by "some of "your men"?—It is very likely it would leave very

little impression on my mind, and I would not recognize the thing in any way.

55,758. In the absence of Mr. Cuming you cannot give us any further explanation of this?—No; the best evidence of what importance I attached to that is that I asked Mr. McDougall to get a statement of how the money was expended, and I am sorry Mr. Cuming is not able to explain, but I can see now the drift of that note.

55,759. Here is a letter: "Weston-super-Mare, "23rd January 1863. My dear sir,—My marriage "(which took place yesterday) so quickly following "the election, has prevented my doing more than send "you the telegrams. It was a most anxious time, and "I at one time feared that our friends would be unable to resist the temptation of Dent's gold. Thank "God the victory has been well won. At first we "had a sort of divided command, which never does "when we have to fight such daring and dangerous "enemies as Mr. Dent and his friends. I had nominally the lead, but was obliged to consult Mr. "Michelmore about everything that was to be done. "On the morning of the nomination, however, I was "intrusted with the sole conduct of the election, and "urged to win; and by putting forth every possible "nerve and working my men into the greatest possible "excitement, to call forth every energy, I had the great "happiness and self-congratulation to find Mr. Seymour our member by a majority of eight. Of course "the Tories were dreadfully crestfallen, as they "clearly withdrew Mr. Dent thinking his money "would be more easily available against Mr. Seymour, "as a man of far less means than yours. Their corruption has, however, failed to hurt the good cause "in Totnes, and I triumph in it. We go on to-morrow to Oxford for a few days, and take up our abode "at the Mitre, and Tuesday or Wednesday go on to "town." At that time Mr. Cuming wrote you this letter you had no doubt that he had expended much more of your money in bribery?—I did not know anything about it.

55,760. Then the 23rd of January?—I knew nothing about it then.

55,761. It was not until that that you knew about it?—Yes.

55,762. Although you were ignorant of that, and although Mr. Cuming was writing as if he was wishful for the purity of the borough, he knew what had been done?—Yes.

55,763. Then here is a letter from Mr. Brooking Cuming to Mr. J. Michelmore. It is: "Dec. 6th, "1864. I inclose a certificate which will, I have no "doubt, enable you to satisfy Mr. Pender that the "70*l.* lent to Bearne was advanced by you after the "election. As you are aware, I have not for a long "time had anything to do with the management of "election matters in Totnes. I daresay Mr. Pender "will pay you if you ask him, as the matter has "already, I know, been mentioned to Mr. McDougall, "and he stated it should be paid; but you may have "trouble, as, judging from experience, there seems "great disinclination to discharge political advances "that cannot be strictly enforced at law"?—You can see the drift of that letter; Mr. Cuming had ceased to be my agent. I had certainly objected to pay certain demands made upon me, because I considered my money had been improperly expended, and I declined to pay those sums.

55,764. This applies to a particular transaction to which I will call your attention. Then there is a certificate of the 6th December 1864, signed by Mr. Brooking Cuming: "I hereby certify that the 70*l.* "advanced to Mr. Bearne after the election in order "to enable him to pay off a debt to a Conservative, "who pressed him for the same in consequence of "his voting for Mr. Pender, was the money of "Jeffery Michelmore." What were the circumstances?—The circumstances were these: I knew nothing at all about the advance of the money to Bearne until 1864, when I went down with a view to arrange for the general election, and then this sum was named to me as having been advanced by Mr. Michelmore to Mr. Bearne, and I stated it was entirely done without my authority, I knew nothing at all about it. They said, True, but it is generally understood that those things are done and you must adopt that, and I said, I will only do it on one occasion. If you find me, or hand to my solicitor the mortgage upon the property, and if it is done in a proper way, if I have a real mortgage for that money—then I may be disposed to find the money, but I will not find the money without.

55,765. Did you find the money?—No.

55,766. You never paid it?—No.

55,767. There is your answer (*referring to a letter,*) you will find about Bearne at the end. It is: "Mr. "Pender has sent to me a note which you have "addressed to Mr. Michelmore on the subject of a "mortgage on Mr. Bearne's property. As the loan "of 70*l.* was made upon the distinct understanding "that security was to be given on the property, and "presuming that you must have obtained this before "paying the money, if you will send me the mortgage, "I am instructed by Mr. Pender, to pay the money to "Mr. Michelmore; obtaining from you the security." Is that a copy of the letter?—I think I was at Brighton at the time, and some of those letter's were sent to me, and this is a copy of the letter I sent to Manchester.

55,768. And not getting the mortgage deed you never paid it?—No.

55,769. And unless this money was got at subsequent elections you never paid it?—No.

55,770. You did not know whether it was paid in any registration expenses?—Not that I am aware of; I would not have paid it without security.

55,771. Have you looked through those accounts (*referring*) to see whether they were correct, or whether there are any sums of money you can tell us of?—I am not aware of any. I think there should be a credit in this account; out of this 2,000*l.* paid in 1865 I think Mr. Chaster said he had 300*l.*

55,772. Then this is a letter shortly after the election, from Mr. Brooking Cuming. It is: "Totnes, "22nd December 1862. My dear sir, — Many "thanks for your telegram. I have just been to Mr. "Jeffery Michelmore's, he and his father are both out "of the way, but will be home in an hour or two. I "do not know where Mr. Seymour is. I hope we "shall be able to write or telegraph to him to-night. "I received your two letters yesterday with their "enclosures." Can you explain what those were, shortly after your election?—I cannot tax my memory.

55,773. Can you recollect whether within a fortnight of your election you sent any sums of money to Mr. Brooking Cuming?—No, I think not. I think you will find there is every shilling there.

55,774. It is very remarkable?—I am not aware of any enclosures. They may have referred to other matters. He was writing to me about receiving letters for situations, and it is possible he may have referred to that.

55,775. Do you recollect receiving that letter from Mr. Chaster (*referring*)?—I remember that.

55,776. Were you not surprised to receive this letter: "January 21st, 1865. My dear sir,—Will "you be good enough to forward the enclosed to Mr. "Pender? I received your favour of the 18th, and "find you have since sent in Mr. Pender's subscriptions to the various charities. I think it would be "well in future if the list were sent down annually "to Mr. Pender's committee for revision, before the "money is forwarded. Many changes have taken "place; some of the charities are worked against us, "and Mr. Pender should be advised of all the facts "before deciding on the course he will pursue on "each occasion. If Mr. Pender approves of this, "let us have the proposed list early in December in "each year, as they are all due on the 31st." Do you know what those charities were that were worked against you?—They told me they were the blanket societies and others; that a great portion went to the

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J. Pender, Esq.

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Conservative party and not the Liberal party, and in some instances, where they were managed by the Conservatives, the Conservatives took the largest share of the subscriptions.

55,777. Who had sent you the list that Mr. Chaster thought not politically correct?—I think Mr. Cuming.

55,778. Mr. Chaster thought that Mr. Cuming had not sufficiently eliminated the parties before sending it?—Yes, I suppose so; I had to be guided by what they told me, I simply subscribed pretty much as they suggested.

55,779. Mr. Chaster kept you pretty well up from week to week, from your first connexion with the borough, about everything that was going on?—Yes.

55,780. I suppose as a general rule you answered those letters?—Yes, as a rule, if there was nothing of importance I did not. I looked upon Mr. Chaster as a very reliable man.

55,781. (*Mr. Bere.*) Do you remember in the election of 1862 canvassing a man called Mr. Robert Lake?—I do not remember.

55,782. Do you remember hearing of any person being a little behindhand with his rent, in company with Mr. Jeffery Michelmore?—No, I do not; I know what you refer to, I read it in the evidence that Mr. Jeffery Michelmore had said that I told him to take care of that man, but I do not recollect. In 1862 I was very ignorant of the ways and doings, and I went with a strong determination to keep out of everything.

55,783. Then the account given by Mr. Jeffery Michelmore is not in that respect correct?—My own impression is that I never said anything about it, but it is four or five years ago.

55,784. Mr. Jeffery Michelmore having given a circumstantial account of what took place, can you say it did not take place?—From the mode of action I was pursuing I should certainly say that I did not say so.

55,785. Did you ever know at any time if the payment of that rent by Mr. Jeffery Michelmore had been debited to you?—I never knew anything about it.

55,786. When did you first become acquainted with Mr. Robert Moore?—I became acquainted with him through Mr. McDougall; he told me he was a very eloquent man, and I remember having heard him give a free trade lecture.

55,787. How long was that before your election for Totnes that you heard him speak?—I never had any connexion with him till we went to Totnes.

55,788. He went with you?—I think he joined us at Exeter.

55,789. He seems to have speedily become intimate with you?—Yes.

55,790. And he addressed you as my dear Pender?—Yes, I may tell you what the object of Moore going down was; it was strongly represented that there was a great deal of night work that went on in public-houses, and I had a dislike to public-house work, and I said I would rather give Moore something to make speeches at the Assembly Rooms to keep them out of the public-houses, and I think Mr. McDougall read a paper, and we had a better class of meeting; but I soon found Mr. Moore was a very needy man, very needy indeed.

55,791. He not only made speeches for himself but for other people?—Very likely he did.

55,792. Did he suggest the heads of any speeches?—Yes, if I was out canvassing, and if I had to make a speech the following day, he would give me the heads. I may mention that from the time I went down to Totnes it was very arduous business. I started in the morning to canvass and I got back to dinner, and if I had to make a speech, he would say, there or two are three heads.

55,793. What is the earliest date of his having to do with Totnes in 1862?—I think in the month of October.

55,794. Is that 1862 or 1863 (*referring to letter*)?—It is 1862 I think.

55,795. Perhaps that letter from Mr. McDougall will put the date before you; that is a letter written by Mr. McDougall clearly after his first going to Totnes?—Yes.

55,796. That is the first time that he came into communication with the Totnes people?—Yes.

55,797. That is in October 1862?—Yes, and that pretty well gives the history of my connexion with the borough.

55,798. Would you like the letter in?—Yes.

55,799. It is: "Seymour Hotel, Totnes, October "29th, 1862. Dear sir,—I left Exeter this morning "under the impression that Mr. Seymour had pre- "ceded me and had held a conference with the "leaders of the Liberal electors. I was glad to find "that he had not been seen here. I first called on "Mr. Windeatt, he was very cold at first, but after- "wards warmed and became less unfavourably disposed. "After talking the matter over for nearly two hours, "he said he would do nothing by himself, so agreed "to meet him at 12, with Mr. Cuming and Mr. "Michelmore, two gentlemen who with himself are "the chief men in the Liberal camp. The same "ground was gone over with the three. It was again "agreed that the three could do nothing without "others who were named, and 6·30. was named as "the most convenient time for holding a large "meeting Mr. Windeatt afterwards introduced me to "the dissenting minister, who has shown over the "town and given me the political biography of the "principal men here. I invited him to dine at the "hotel, and believe have secured him as fast friend. "It is now 5·30. and I have an hour to wait for the "meeting. It is possible they will depute two or "three of their number to wait upon the gentleman "of whom I have told everything but the name, and "this I must tell if they agree to send a deputation. "The course indicated is to see you, converse with "with you on your political views, and return, and "report, and if approved to signify their wish to the "duke and ask his support, which they believe would "be cheerfully given. The prospect is much more "promising than I had reason to hope this morning. "I have some information about costs which I will "give you when I return." There is a letter written by Mr. Moore, in December 1862, in which he says, "I have enclosed a letter from Mr. Alfred Seymour." Do you recollect that letter from Mr. Alfred Seymour to Mr. Moore, which was of sufficient importance for Mr. Moore to forward it to you?—I do not recollect about the enclosure, and I do not think Mr. Moore and Mr. Alfred Seymour were particularly friendly. I think Mr. Alfred Seymour knew more about Mr. Moore than I did, and he rather avoided him. There was some little feeling on the part of Mr. Moore, but I do not remember what that letter was.

55,800. "I have informed him that you are at "Manchester, and promised to keep the appointment "for Saturday"?—Yes, and that is after my election and before his. Mr. Alfred Seymour was anxious to see me and make my acquaintance, and he wrote to Mr. Moore, and Mr. Moore enclosed the letter, and he wrote to Mr. Seymour, saying I should be glad to meet him and to see him in Lancashire, if he could find time to come down.

55,801. Here is a letter of December 26th, 1862?—Yes.

55,802. At that time did you discuss with Mr. Moore what the best steps were to be taken about bringing the Whitworth gun before the public?—I should think Mr. Moore was about the last man to have discussed that. Mr. Moore was always pushing, he was always wanting to get a little money, and wanting to get some employment whereby he would earn a little money, and there is no doubt at all that Whitworth was finding it up hill work with Government. Mr. Moore was frequently coming about the office at Pall Mall and getting a certain amount of information, and I think he was anxious to write about it; but if you read the note, I may be able to explain it.

55,803. This is a note written on the 26th December 1862, it goes on, "I will endeavour to find par- "ticulars about Armstrong." Can you say whether you had written to him and asked about particulars of Armstrong?—I cannot really say.

55,804. Then the letter goes on, "I think a plain "statement in plain unscientific English to be placed "in the hands of every member of the Lords and Com- "mons about the Whitworth gun would be the best "that could be done for it. It should give in "terse short sentences what the gun is, how it is so, "what it professes to do, what it has done, its use on "land, its use at sea, what more it has done than the "Armstrong gun; and taking this Whitworth gun as a "great fact a few lines should tell what sort of royal "navy we should have to fight with this gun and fight "against it. If I could have a quiet hour or two with "yourself and Whitworth I could prepare this paper, "and we could fire shot after shot of similar missives "throughout the session, and at last should achieve a "practicable breach in the hard-headed, old notion- "plated stupidity of Lords and Commons. I speak, as "we say in court, subject to correction, but my own "notion is, the less said about Armstrong the better. "He must either send from the same distance as Whit- "worth has done shot and shell slap through as much "iron and wood as Whitworth has done, and with as "much after mischief and as little powder, or there is "an end of him." Do you remember when you answered that letter, or did you give him any encouragement to write those letters?—No.

55,805. He was a man constantly wishing for employment to make money?—Yes.

55,806. He would suggest various means to be employed, and trust to your recommending him?—Yes, he was an extraordinary man.

55,807. Then there is a letter of the 9th of March, 1863: "Before I left Totnes yesterday the boxes had "arrived from Mrs. Pender, and from all I could learn "all parties are more pleased at their having been sent "than at anything else that could have been done by "you in honour of the festivities, and they are especi- "ally gratified at the fact of Mrs. Pender's sending "them. As to the distribution of the 1,000*l.*, Mrs. "Lorimer requested me to say to you that they were "not only satisfied but gratified with the sum given "for the British School, and that all parties were "satisfied with the amounts given to each object. "Bowden told me the same. Jenkins was about. "Chaster's mother died on Thursday last, so I did not "see him. What think you of Loppy Harris coming "to ask me if I would try to persuade you to get him "appointed to some country post office. He makes, he "says, about 100*l.* a year at Totnes, he would get 150*l.* "as postmaster and would leave Totnes." Can you remember whether you gave any answer to that?—I do not remember. I should say not.

55,808. Do you remember the fact of that letter being written?—Yes, I think I mentioned it in my evidence that Mrs. Harris had gone to Mrs. Lorimer.

55,809. This is long before March 1865 that Harris mentions it to Moore, that he should be obliged to you if you could procure him a situation?—I did not answer that.

55,810. Is there some explanation that you wish to give of those matters?—I am in the habit constantly of writing memoranda, and you will see from that letter it was intended to be written, and I want to mention now that there is nothing in the course of this business that has annoyed me more than the case of Mr. Jenkins. I must say that he has done a very foolish thing in destroying those letters, not only going against what he ought to have known to be right, but there was nothing in my letters or Jenkins' letters to me which might not have been placarded all over Totnes. If he plumed himself upon anything it was upon his own purity; as to anything affecting his moral character, or as to bribery, there was nothing of the kind passed between him and myself. He did occasionally interest himself in some of the poor people down there, and I think he would write and mention one or two people, and perhaps say that a little money would be of great assistance to them, but it had no reference to political matters.

55,811. I think he must have done more than that, because it was through him that you retained Mr. Michelmore?—He might; he was a very active partisan, but he knew nothing at all about money matters, and I never spoke to him about them, and I do not know why he should have burnt the letters.

55,812. I am glad that you explain the matter, because the inference was that there was something which induced him to destroy them?—I wrote a letter to you; he wrote a letter to me saying that it was upon principle, and he was to justify the thing, and I am very sorry for it.

55,813. About that matter of Mr. James, when you advanced the money through Mr. Bowden to him did you tell Mr. Bowden any of the circumstances, or was he the person at the time Mr. James came to?—Mr. James, as I have always stated, I believe to be a thoroughly honourable man.

55,814. As regards Mr. Bowden, when you asked Mr. Bowden to get this money did you tell him what it was for?—Certainly; I told him it was for Mr. James, and told him the whole circumstances, that is the reason, and told Mr. Bowden to give him a cheque. I gave him a cheque and asked him to take it, and he took my cheque and got me notes for it. When I gave the cheque he sent his clerk to his own bankers to get the amount of money he wanted, and handed the notes to me.

55,815. He knew the circumstance about Mr. James writing the note?—Yes, and in that letter I wrote afterwards, saying I did not wish to give publicity to it, because I thought it would be rather an awkward thing on the day of the election to have given a cheque on the Devon and Cornwall Bank in favour of Mr. James, knowing that it would be talked over immediately at Totnes, and they would then say it was a private loan. I did not think it necessary to do that.

55,816. You never received the security?—The security is held on my account.

55,817. By Mr. James?—Yes.

55,818. Without any collateral note such as Mr. Edmonds had?—It was held for my account, we do that constantly.

55,819. Have you got any letter in which he intimates that he holds it to your account?—Yes. Now I may tell you that I believe that the money will be paid to me before the end of the year.

55,820. As far as Mr. Bowden's knowledge went, your knowledge was Mr. Bowden's. Mr. Bowden was aware of it?—Yes, intentionally.

55,821. Can you throw any light upon that matter (*referring to a letter*)?—It was never addressed to me.

55,822. It is a letter by Mr. Evan Evens to Mr. Southwood, but it is found amongst your papers?—I do not know how it has come there.

55,823. It is two days before the polling day of 1865, and it is a letter that may be interpreted in a very odd way?—It may indeed.

55,824. It is amongst your letters?—Yes, it must have got in there by mistake. I do not know anything about it.

Mr. Charles Wescomb sworn and examined.

55,825. (*Mr. Bere.*) You are the proprietor of the "Exeter and Plymouth Gazette," and also of the "Globe" newspaper?—Yes.

55,826. Did you see any of the Conservative candidates before the election of 1865?—Yes.

55,827. When did you first see either of them?—I do not think I can tell you the exact date; but before Colonel Dawkins became a candidate for Totnes I received a letter from Messrs. Smith and Guscotte, asking if I knew whether there was a chance for

FORTY-FOURTH DAY.

Mr. C. Wescomb.

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Exeter for a second candidate, as a client of theirs was anxious to get into parliament.

55,828. Can you at all fix the date of that letter?—I really cannot. I was not prepared to be examined here to-day, I came in accidentally. I answered that there was no chance at all for Exeter, that no stranger ever represented Exeter, if he was not a county man or a city man he had very little chance. I said that I would call upon them as I would be in London in a few days.

55,829. You had known Mr. Smith?—I had known Mr. Guscotte, he was articled to Mr. Barton in Exeter, and he wrote to me knowing that I had taken some part in political matters in the city.

55,830. Did you call upon him?—Yes.

55,831. Did you see Mr. Smith or Mr. Guscotte?—Yes.

55,832. Did you have some conversation about Totnes?—Yes.

55,833. Can you tell us at all what passed?—Nearly so. I understood from Mr. Edmonds or Mr. Kellock that they wanted a candidate at Totnes, but I told Mr. Guscotte, "You must understand no man "goes to Totnes without spending a lot of money."

55,834. You knew the reputation of Totnes pretty well?—Yes. And his answer was, "My client is "Colonel Dawkins; he considers that he has been "badly treated, and I do not think he will object to "spend a fair sum to get into parliament, as he has a "grievance I think."

55,835. Was any sum mentioned?—He asked me what I thought it would cost, and I said I had no notion, but I heard such a thing as 2,000*l.* or 3000*l.*

55,836. Had you heard that at the time of Mr. Dent's election?—Yes.

55,837. Had you heard that from mere rumour?—I think mere rumour.

55,838. Was that all that passed?—No. I said, "Of course you will take nothing that I state for more "than it is worth, it is from information that I have "received, but you had better put yourself in commu-"nication with Mr. Edmonds or Mr. Kellock of "Totnes;" and I believe he did so.

55,839. Had you any more communication while in London with Mr. Guscotte?—None.

55,840. When next did you have anything to do with the election?—I think Mr. Guscotte called upon me in Exeter, and said that Colonel Dawkins had determined to stand for Totnes.

55,841. He then intimated that Colonel Dawkins was ready to spend the money that you had suggested?—No.

55,842. Did you have any long interview with him when you saw him at his office?—It was a very short visit indeed, he was in a hurry.

55,843. You had something to do with Captain Pim's coming down?—Yes.

55,844. What was that?—Captain Pim asked me what I thought of his going to Falmouth.

55,845. Did he write to you, or was he on mining business?—I never had anything to do with him in mining business.

55,846. His account to us was that he became acquainted with you in mining matters?—I think it was in a railway, but I had nothing to do with Captain Pim in mining matters.

55,847. Did you see him in Exeter?—I think he wrote me, and asked me what I thought of Falmouth.

55,848. Did you give him your opinion?—Yes; I said I thought there was not much chance at Falmouth for a Conservative, and then I informed him what Mr. Kellock had told me, because at this time Colonel Dawkins was at Totnes, and the canvass had gone on for some time, and they professed to make up a good poll, and Mr. Kellock said, We must get a second man to come down, we shall carry Colonel Dawkins, but we want a second man to carry the second votes, and I said, I have heard from Captain Pim, and he wants to get a place; but I know him to be a good energetic man, and I would not allow him to go and spend any money. He said, The second man will stand a fair chance of winning without spending a large sum of money, and I wrote to Captain Pim, and told him that which Mr. Kellock had informed me, and we had an interview in London.

55,849. You came up to London?—Yes, I was going there, and I saw Captain Pim and told him what Mr. Kellock had said verbally.

55,850. Was Mr. John Heath with you?—No; I never had any connexion with getting a candidate in any way; it so happened that each of the men had written to me to ask my opinion, and I said to Captain Pim, "If you go down there to run second, stipulate "what your expenses will be." He said, What ought I to stipulate, and I said, Under any circumstances do not you pay more than 500*l.* I said, You must retain an attorney, and there will be the polling expenses, and the sheriff's expenses, but make it a definite sum, and I believe he told me he had so arranged it when I went to Totnes one day.

55,851. This is the account that Captain Pim gives, and I should like you to hear it and see how you reconcile it: "Did you come as a candidate on the "Conservative interest for the borough of Totnes in "July 1865?—Yes. How did you first become "acquainted with the borough?—Mr. John Heath "came to my house. Where do you live in London? "—In Hampstead. Had you known Mr. John Heath "before?—Not in the least. Had you any communi-"cation with the Carlton Club, or with anyone con-"nected with it, with regard to standing for the "borough?—No. Did you mention to any of your "friends that you wished to stand for the borough? "—I tried to get in for Abingdon before, and I sup-"pose Mr. Heath must have known it. When did "you stand for Abingdon. At the last election in "1865?—Yes. I did not stand for it, I went down "and went over the borough with some friends. Had "any of your friends any connexion with the West of "England?—I believe Mr. Wescomb of Exeter, and "I believe he was the man who mentioned my wish "to get into the House to the people of this borough. "Had you known Mr. Wescomb of Exeter long?—"Some years. Did he go with you to Abingdon?—"No. Mr. Wescomb is the editor and proprietor of the "'Exeter and Plymouth Gazette?'—I believe he is. "How did you first become acquainted with Mr. Wes-"comb?—In matters of business about five or six years "ago, principally mining in Cornwall. Have you any "reason to doubt that it was through Mr. Wescomb "that Mr. John Heath came to you?—No; Mr. John "Heath told me he had a requisition signed by 168 "electors of the borough when he came to my "house?"—I think Mr. Kellock, after we had a talk, and I told him about Captain Pim's wish to get into the House, I think Mr. Heath went up. I think that is correct, and I think Mr. Heath said he had been to Captain Pim's in Belsize Square.

55,852. Did you go to Captain Pim's and to Mr. Spofforth's?—No.

55,853. Will you go on with what you were going to say?—All I had to do with it further is that I went two days before the election to Totnes. Captain Pim asked me to go and take a little luncheon and talk matters over, and he said he was afraid he should not win the election, but he had stipulated he should not pay more than 500*l.*

55,854. Did you stay at Totnes all night?—No.

55,855. Never?—No.

55,856. Had you anything further to do with the election as far as Totnes was concerned in 1865?—No, nothing whatever.

55,857. Do you know anything about the prior election at all?—No.

55,858. That in fact that is all you know about the election?—It is.

ALFRED SEYMOUR, Esq., M.P., recalled and further examined.

55,859. (*Mr. Bere.*) When you were examined before us at Totnes you intimated that you had heard that a sum of 500*l.* was sent at your election in 1863, but you did not know the source from whence it came? —Yes.

55,860. After your examination you learned from whence it came?—Yes, and immediately I knew of it I wrote and communicated to you, as I considered I was in duty bound.

55,861. Would you be kind enough to say how you became aware of how that 500*l.* was brought?—I had a line from Mr. Drake, asking me to come and see him; I went and saw him, and he said, "Do you know "where that 500*l.* came from?" I said "No, I have not "the remotest idea." He said, "Well, it came from "your brother." Then, upon further inquiry, I found that the sum had not been paid by my brother. Mr. Drake held his "I O U" for the amount, and as soon as I found that the money had been expended in my service, and had not been paid, I considered myself bound to pay it, and did pay it on the 23rd of October.

55,862. Did you pay it by cheque?—Yes.

55,863. To whom did you make that cheque payable?—To "self," I think.

55,864. You did not make it payable to Mr. Drake? —I gave it to him personally.

55,865. Did he give you a receipt?—No.

55,866. Did he hand to you the I O U?—Yes, which I immediately destroyed.

55,867. At any time did you learn from Mr. Drake whether he considered that a private advance from himself to your brother?—He told me then that he considered it was a private advance from him to my brother, and as there was my brother's note of hand I considered myself bound to pay it.

55,868. Did he say whether the 500*l.* came from himself, or was advanced from some other source?—I understood it was a private advance from him to my brother. What passed between them I did not know.

55,869. Did Mr. Drake tell you the way in which the money was sent to Totnes?—He said he had forgotten altogether how it was sent. He could not recollect at the time how it was sent. Afterwards we found it was sent in two cheques, payable to Green and Allin, I think. But when I first saw him he had forgotten how it was paid.

55,870. It was not sent quite in that way. The way it was sent was, Mr. Drake gave two several cheques, one drawn by himself and one in the name of the firm, for 250*l.* each, and they were entrusted to a clerk to get them cashed. He got the proceeds and united them together, and got a 500*l.* note and took it to Green and Allin?—I did not go into the means by which it was sent.

55,871. Did you learn from Mr. Drake that he himself had arranged how the money should go, or that Mr. Danby Seymour had arranged?—I do not think that I went into the question; as far as I recollect my conversation with him beyond that, he said he had paid in two cheques of 250*l.* each. Whether he had received other information I cannot tell.

55,872. At any time during the election did you learn that the money was running short?—I had previously stated, if the election was to cost a great deal more, I had no notion of spending much more.

55,873. You had no notion of this money coming?— No.

55,874. (*Mr. Longe.*) The first intimation about this was Mr. Drake's writing to you?—Yes, in October, previous to my letter to you.

55,875. (*Mr. Coleridge.*) Things looked very bad about the middle of the day in the election of 1863? —I knew I was safe.

55,876. About 2 o'clock were not things looking rather black?—No, I knew I had a clear majority.

55,877. It was within 1, about 2 o'clock?—It was; but when I polled this poor fellow who died afterwards I knew I was safe.

55,878. (*Mr. Bere.*) Did you have anything to do about that election with Robert Moore?—Never. I knew him slightly, but I had nothing to do with him, with regard to my election or anybody else's.

55,879. Did you write to him?—I never remember having had a letter from him; but I may have had a letter.

55,880. Not only did you have letters from him, but did you yourself write to him?—I may have done so.

55,881. There is a letter of the 25th December 1862, from Mr. Moore to Mr. Pender, in which he says he has a letter from you, do you remember writing to Mr. Moore to be forwarded to Mr. Pender?—I remember I only saw him once. He came to see me in London, and was anxious to be employed at my election; and I said I did not require him, and I thought it much better not to have him, and I told him I did not want him.

55,882. Did you write to him about that election? —I suppose I did, according to his letter; it has passed from my memory whether I did or not.

55,883. Did you happen to write to him from Torquay?—I cannot tell.

55,884. Were you staying with Baron Rothschild? —I was staying there, and he happened to be there.

55,885. Are you sure you did not write from Torquay to Mr. Moore?—I am not quite sure; I may have done so. It has escaped my memory entirely

55,886. This is a letter from Mr. Moore to Mr. Pender, it is written the 19th January: "Since closing "mine of this morning to you, I have seen Villiers, and "learned that Seymour will have a very close run for "it, and would have been beaten, but that Rothschild, "who himself went down to see how matters stood, is "finding doubtless, on security, the funds; even yet "Villiers does not consider the election safe; but "Danby Seymour does, though he admits not by the "duke but by the money. Under these circumstances "Seymour should not have written to me from Tor- "quay as he did, for he was there with Rothschild." Can you give any explanation of that?—No, he was an Irishman with a vivid imagination, and no doubt invented what he knew nothing about.

55,887. (*Mr. Coleridge.*) Did Baron Rothschild lend you money?—No.

55,888. Neither on security or without security?— No.

55,889. Who had the head place at that election? —Mr. Thomas Michelmore.

55,890. It was a most anxious time, Mr. Brooking Cuming says in his letter, and at one time he thought the election was gone. Was there any time you thought the election was gone?—No; my head agent was old Mr. Thomas Michelmore, who is dead, and Mr. Cuming was the head agent of what is known as the independent party, and I employed the solicitors belonging to the independent party, but they were supposed to come under my head agent, who is Mr. Thomas Michelmore.

55,891. Do you recollect any special appointment of Mr. Cuming as the head man on the nomination day?—I had nothing to do with it.

55,892. (*Mr. Bere.*) Your brother says he thought matters were not being worked very well?—I was not consulted upon those matters, and never made any inquiries.

Mr. WILLIAM RICHARD DRAKE recalled and further examined.

55,893. (*Mr. Bere.*) I have found the letter from Mr. Moore referring to you, it is written to Mr. Pender on the 26th, 1862?—I think it is possible that I was out of town at the time.

55,894. Have you made inquiries as to the clerks who cashed the cheque?—I cannot find who it was. There were only two clerks whom I should have trusted with 500*l.* I have seen both, and they say

FORTY-FOURTH-DAY.

Mr. W. R. Drake.

26 Nov. 1866.

they have no recollection on the subject. I may mention that when I told Mr Alfred Seymour of this money, I said I had no recollection of how the money was sent down, and I in fact took upon myself to send to Totnes to ascertain how the money did go.

55,895. Whom did you send?—I sent Mr. Burt, my confidential clerk.

55,896. Mr. Moore says in his letter: "I am glad "Drake has been to see you, and note what you say "of him as regards myself. I fear Drake has in truth "but one object in the world, and that with an infinitely grasping hand to gather everything to himself that "can be gathered. I will speak to Villiers and get "him to introduce me to Brand. Brand's difficulty is "that to employ me fixedly would deprive me of the "influence that my acting independently gives me, and "that he has no fund to make payment out of. Drake "if honestly disposed to aid me might give me briefs "before committees; two or three would be all I should "ask for in a session, and I should then have time to "aid elections, and to attend to your business also, "which so far as I can see would need during the "session some time every day, but not the whole day." Did you ever hint to Mr. Moore that you would through private bnsiness repay him for his political work?—I never made any such suggestion. Mr. Moore was an extremely useful talker, but he was to me a great bore, for he was unfortunately always at me for a job of some sort; he was very poor, but no doubt had been extremely useful at the time of the anti-corn-law agitation.

55,897. He seems from his letter to have done business at other places?—Wherever I could give him a job I gave it to him.

55,898. (*Mr. Coleridge.*) Did you ever employ him before a committee?—No.

Mr. C. Burt.

Mr. Charles Burt sworn and examined.

55,899. (*Mr. Bere.*) Mr. Drake has informed us that you went to Totnes to inquire about 500*l.* that passed from London to Totnes?—Yes.

55,900. From whom did you learn how it came down?—From Mr. Jeffery Michelmore.

55,901. Did you go to him at once?—Yes.

55,902. And he told you without any hesitation?—Yes.

55,903. Did he say the suggestion about the 500*l.* being sent down came from him, or Mr. Danby Seymour, or anybody else?—He did not say, nor did I ask him.

55,904. You did not ask whether Mr. Danby Seymour went up without knowing how it was to come?—I did not. He said he had made inquiries how it came down, and had from the inquiries found out that it had come through the channel you have heard of.

Mr. W. R. Drake.

Mr. William Richard Drake recalled.

55,905. (*Mr. Bere.*) There is a letter of the 20th January 1863, from Robert R. Moore to Mr. Pender, in which he says: "De Lane and Rothschild it seems "came to the rescue of Seymour. But of what use is "it, will they come again at the general election, and "are they not meanwhile doing what you avoided, "corrupting the borough, and increasing its greed of "corruption. I warned Seymour of all this. The "duke it seems is not after all the king of Totnes, "but gold is; but had this vacancy been better "managed it need not have been"?—I have not the most remote notion what that is.

A. Seymour. Esq., M.P.

Alfred Seymour, Esq., M.P., recalled.

55,906, (*Mr. Bere.*) Can you explain that letter?—I have not the least notion of it.

55,907. Did Mr. Delane advance you any money for the purpose of the election of Totnes, or for any other purpose?—No, he did not in any way.

. Pender, Esq.

John Pender, Esq., recalled.

55,908. (*Mr. Coleridge.*) Did you ever answer this letter of Mr. Moore?—No, I did not answer it.

55,909. Did you ever hear anything more about it?—I remember Moore saying something about it afterwards; but I always imputed Moore's feeling to the fact of Mr. Seymour giving Moore the cold shoulder, and would have nothing to do with him.

55,910. Did you ever hear anything more about that?—No; my impression is that Moore knew nothing at all about it, his idea was that he would get a job from Mr. Seymour's election, but he did not, and he was disappointed.

55,911. (*Mr. Bere.*) Did you pay Mr. Moore anything?—Yes.

55,912. That does not appear?—I think there is about 50*l.* of that 200*l.*, and I generally carry about 50*l.* or 60*l.*, and when I get a note, instead of passing it through my books, I pay it if I want to.

A. Seymour, Esq., M.P.

Alfred Seymour, Esq., M.P., recalled.

55,913. (*Mr. Coleridge.*) Did Mr. Moore apply to you for a job?—Yes.

55,914. In terms?—If he did not he gave me clearly to understand it.

55,915. You did not care about it?—No.

55,916. You never paid him anything?—No.

I. D. Seymour, Esq.

Henry Danby Seymour, Esq., recalled.

55,917. (*Mr. Bere.*) We are obliged to recall you, because there is a distinct contradiction between the evidence you gave when examined. and the evidence of Mr. Drake, as to the interview you had about the 500*l.* The contradictions are upon those three points. First of all, it was your impression that the money came from some fund?—No, I never stated that.

55,918. That there was a fund?—No, I never stated that. I can swear I never intended that, it is entirely a misapprehension.

55,919. You said, I asked him I think whether there would be any assistance. I understood that at the time of general elections certain members were assisted, and I asked him whether my brother could have any "assistance"?—I said I heard there was some fund, but I knew nothing about it.

55,920. What did Mr. Drake say to that?—As far as I recollect Mr. Drake's was rather an evasive answer. He said he would raise it on my responsibility.

55,920*a*. What guarantee did you give him?—I gave him either a note or something which I signed.

55,921. Did you understand from Mr. Drake that the money he was advancing was his own money on your security?—I did not know whose money it was. I only knew he advanced the money.

55,922. When you left Totnes did Mr. Cuming suggest to you that money would be wanted ?—I do not know.

55,923. Who said to you the money would be wanted ?—I do not know, but I looked upon Mr. Cuming as the responsible person.

55,924. Are you sure he did not tell you how the money, if procured, should be sent to Totnes ?—I have no recollection on the point.

55,925. It may have been what Mr. Drake says was the case, that you instructed him to send it to Green and Allin ?—It is quite possible. All I can say is, at this moment I cannot in the least remember even having heard of the name of Green and Allin, or the name of Webber, but my impression is that I acted under Cuming's advice.

55,926. Do you think Mr. Cuming gave you a letter to Mr. Drake ?—It is possible he may have given me the address ; but I think if he had given me a letter I should have remembered it.

55,927. Do you think he might have done so ?—It is possible he may have done so, but I cannot remember it. But I think if there had been any letter I should have remembered the circumstance. My impression is that there was no letter ; whether there was any address or not I cannot at this distance of time recollect.

55,928 It may have been that Mr. Drake received his information of how the money was to be sent through you ?—It is quite possible.

55,929. (*Mr. Longe.*) Can you explain how it was that you did not tell Mr. Alfred Seymour of this loan that you had incurred for him ?—I had entirely forgotten the loan altogether. I looked upon it when that money was raised that it would go to the general election expenses. I had forgotten the whole circumstances of the case till called to my mind.

55,930. You had borrowed 500*l.* ?—I did not borrow it. What I say is, that when that money was raised my guarantee whatever I gave, I considered simply as a receipt for the money, and I considered that the money so borrowed was for my brother, and would go into the general election expenses, and never considered it a debt that I owed.

55,931. How did you suppose that Mr. Alfred Seymour would know of this ?—Because I thought Mr. Drake, the political agent of the Liberal party, would communicate with him, and tell him of this. I was never more astonished than I was when I heard that had not been done.

55,932. You did not understand that it was a personal kindness on behalf of Mr. Drake ?—No ; I considered that if we waited until we found there was no money coming from any fund the election would be lost. I considered in putting my name to whatever document Mr. Drake placed before me, the nature of the document I forget, it was simply in the nature of a receipt, and that immediately after the election the whole accounts would be gone into, and that money would be settled in the general election expenses.

55,933. Having given your I O U as you supposed you had no further responsibility in the matter ?—Certainly. I considered that my I O U, or whatever the document was, in the nature of a receipt for the money on the part of my brother.

55,934. (*Mr. Bere.*) Did you ever expect to be called upon to pay that money yourself ?—No, certainly not.

55,935. It was a matter between Mr. Drake and Mr. Alfred Seymour ?—That is how I looked upon the matter entirely, and I may tell you it was all done in a hurried manner, the election was going on very quickly, and I signed whatever was placed before me, I do not remember the nature of the document. It is three years past and I know no more about it. When the subject is called to my memory I can only say that I thought that money went to the general expenses, and had been settled by my brother long ago. The document I signed is a receipt for the money which was necessary for the election, and that it would go into the general account, and I thought Mr. Drake would immediately after the election have settled it with the other election expenses.

55,936. There was a contradiction between you and Mr. Drake, whether you did tell him what had occurred ?—I cannot tell whether I did or not. I think it is highly probable I did at the time, but I have no idea myself. I did not go into the details of Totnes, into money matters. I was merely asked for more money, or to go and see Mr. Drake, and I merely acted as an agent. I never went into any questions at all.

55,937. Do you remember the account, the ground on which you based your claim, or asked for assistance ?—Because my brother was spending money in the Liberal cause, and whatever there was to be spent he would have to pay, and he said he went down to Totnes, and would spend so much.

55,938. That was cash ?—Whether it was money to be paid hereafter, or cash, it was money out of his pocket.

55,939. (*Mr. Coleridge.*) Who suggested Mr. Drake as the person to go to ?—I cannot say who suggested Mr. Drake, but he was the obvious person to go to in London, because he was the agent of the whole Liberal party, and therefore in any matter of difficulty I considered that he was the person to apply to.

55,940. Was not it Mr. Brooking Cuming who suggested him ?—The agent of Totnes. I cannot distinctly recollect the fact of Mr. Cuming having done so ; all I can say is, that Mr. Cuming was my brother's principal agent, and I looked to Mr. Cuming for everything at Totnes.

55,941. It was owing to a suggestion that you received at Totnes, and not from your private knowledge ?—I had no private knowledge. If you will allow me to correct what I saw in the "Times," I never intended to say that I went over the poll-books with anybody. It is printed in the "Times" that I went over the poll-books with the agent, but to the best of my recollection I never went over the poll-book at all.

55,942. At your own election had you any agent ?—No, I never went to any agent.

55,943. (*Mr. Longe.*) Do you recollect saying, Why not advance the 500*l.* yourself ?—I recollect what took place at all. I remember asking, but I cannot recollect his saying those words, "Why do not you raise the money yourself ?" But I suppose he did because I agreed to do so.

55,944. Not exactly so, because you did not intend to pay it ?—I became responsible.

55,945. I think I asked you whether you considered yourself responsible, and you said, No, it was a receipt ?—At the moment, if I had signed an I O U I was legally responsible, but from the intimate knowledge of my brother, I knew, acting on his part in that way, that he would release me from that legal obligation.

55,946. You did not feel called upon to mention it to your brother, and never did ?—I do not know whether I did.

55,947. We have that clearly I think ?—I do not remember mentioning the circumstance, and I do not think I did, to my brother.

55,948. That is consistent with the view, that you did not consider it advanced to you, or a loan to you ?—Yes, and I beg to call to the attention of the Commissioners that I thought I was acting for the good of the election in my brother's behalf, and that is all I can say.

55,949. (*Mr. Coleridge.*) You thought it would be paid in the general expenses. Is that in settling your brother's expenses, or the general expenses of the election ?—I do not understand that. There was no general election at that time.

55,950. When your brother's general election expenses were settled this sum would be taken credit for ?—The general expenses are the expenses that attended my brother's election in 1863.

FORTY-FOURTH DAY.

H. D. Seymour, Esq.

26 Nov. 1866.

55,951. (*Mr. Bere.*) Did not you give Mr. Drake any reason for wanting this further sum of money?—I only told him that the agents said some was wanted.

55,952. Can you be at all certain how much money was spent?—I cannot be certain now about it, and I do not remember what money was spent.

55,953, Did you say a great deal had been spent, or anything to that effect?—I suppose Mr. Cuming told me the money he had brought down, the money that was there, and the money that was wanted.

55,954. Did you give that reason to Mr. Drake for wanting a further advance of 500*l.*?—I came up to see him. I heard that money was wanted, and I came to see if I could get it from the source I had named to the Commissioners.

55,955. (*Mr. Longe.*) You do not remember what document it was you signed?—No.

A. Seymour, Esq., M.P.

ALFRED SEYMOUR, Esq., M.P., recalled.

55,956. (*Mr. Bere.*) What was the document?—It was simply three letters, "I O U" the sum, and "Danby Seymour."

55,957. Not directed to anybody?—No.

D. Seymour, Esq.

HENRY DANBY SEYMOUR, Esq., recalled.

55,958. (*The witness.*) I considered it a receipt for my brother.

55,959. (*Mr. Longe.*) Not as surety?—I must have known that I was legally liable for it, but as to the legal liability I felt certain that my brother would take it off my hands.

55,960. You did not understand that it would be part of your duty to inform Mr. Alfred Seymour that you had got that 500*l.*?—I cannot remember when I went back whether I informed him or not. I cannot recollect in the least degree having informed him about that in any way.

55,961. You do not remember carefully abstaining from informing him or promising him?—I cannot remember.

55,962. (*Mr. Bere.*) Do not you think it is probable that Mr. Cuming hinted to you not to tell him anything?—I daresay it was. I should think it was most probable.

55,962*a*. You left it with Mr. Drake?—Yes; I left it with him as the agent of the Liberal party. I went to him to see if I could get anything there from this fund that I heard existed.

55,963. (*Mr. Bere.*) Do you wish to say anything, Mr. Drake.

(*Mr. Drake.*) No, I have nothing to add. No doubt Mr. Seymour and myself wish to say what is correct.

(*Mr. Danby Seymour.*) It is a long time since, and it is very difficult to remember everything that passed.

(*Mr. Bere.*) The Commission will be adjourned to Friday at 12 o'clock to my chambers at Brick Court, for the purpose of considering the report. We may have one or two witnesses to examine, but it is not probable. We may have to examine a gentleman at his present place of residence, otherwise the sittings of the Commission are closed.

Adjourned till Friday the 30th, at 12 o'clock, at 1, Brick Court, Temple.

FORTY-FIFTH DAY.

FORTY-FIFTH DAY.

Friday, 30th November 1866.

Mr. J. T. Mackenzie.

30 Nov. 1866.

Mr. JAMES THOMPSON MACKENZIE sworn and examined.

55,963*a*. (*Mr. Bere.*) You are an East India merchant?—Yes.

55,964. Do you carry on business in New Broad Street?—Yes.

55,965. Did you stand for Totnes as a candidate in 1857?—Yes.

55,966. Had you been down there previously in 855 when Lord Seymour became Duke of Somerset?—Yes.

55,967. How had you first become connected with Totnes?—I was in Scotland at the time, and a relation of mine, Mr. Grant, wrote to me to say that a deputation had come to him wishing that he would stand for Totnes.

55,968. Did he tell you of whom the deputation consisted?—I cannot recollect; but he wrote down and suggested that I should go down, and in consequence of that I went from Scotland direct to Totnes. I was shooting at the time.

55,969. When you went to Totnes I suppose you went to the "Seven Stars?"—Yes.

55,970. Whom did you see?—There was a large deputation of the Conservative members.

55,971. Were Mr. Bastard, Mr. Gill, and Mr. Bentall there?—Yes, no doubt, and Mr. Phillips and Mr. Bryett and I addressed the electors that evening at a public meeting. The names are all mentioned in the paper, and all those gentlemen I am sure were there.

55,972. At that time was Mr. Yarde Bullar a candidate also. Was he in Totnes?—I do not think so. When I went down there I understood that Mr. Yarde Bullar had been canvassing some of the people but generally he was not acceptable to the constituency.

55,973. He had preceded you and had retired?—Yes; at all events he was not so acceptable to the constituency.

55,974. Did you see him at all while you were down there?—Not to speak to him.

55,975. After you had this meeting did you issue an address?—I issued an address to the electors that evening at the Town Hall.

55,976. Did that contain an intimation of your intention to stand?—Yes.

55,977. How long before the election was that?—I should suppose about a fortnight.

55,978. What time of the year was the election?—I should think it could not be later than October.

55,979. Did you canvass?—Afterwards I canvassed the electors.

55,980. Did you have many promises of support?—A considerable number.

55,981. At any time was any sum mentioned to you as necessary to spend in the borough?—In October

1855 I do not think any specific sum was mentioned of course when you canvassed the people you found that a great number of the people who were put down thought they had not made up their minds and did not mean to pledge themselves, and I understood that those people who did not promise were all to be bought.

55,982. You did not go to the poll ?—No.

55,983. When did you give up the intention of going to the poll ?—I believe about a week or 10 days before the election.

55,984. Did you communicate that intention to the constituency ?—I communicated it in an address.

55,985. (*Mr. Coleridge.*) Did you give any reason for retiring ?—I said I did not think there would be any chance of success without resorting to the means I did not intend to do.

55,986. (*Mr. Bere.*) You had come to the impression that you must spend a good deal of money illegally ?—That is the fact.

55,987. Had you come to the conclusion what you would have to spend ?—I should think perhaps 1,000*l.* or 1,500*l.*

55,988. (*Mr. Coleridge.*) Who was your professional man ?—There was a Mr. Crompton Reed.

55,989. A Totnes man ?—No, he was a person that Mr. Grant had arranged with, and he went to Totnes. I have not seen him since.

55,990. He acted as your professional adviser ?—Yes, I understood he was a kind of agent.

55,991. Did not Mr. Bryett act for you at all or Mr. Charles Edwards ?—All those were on the committee.

55,992. How many attorneys did you pay ?—In 1855 I merely gave the sums that I paid to Mr. Reed.

55,993. Is Mr. Crompton Reed alive ?—I have never seen him since.

55,994. What did you pay Mr. Reed ?—350*l.*, and after I left I sent 30*l.* to distribute amongst the poor.

55,995. That included all you paid ?—Yes.

55,996. (*Mr. Bere.*) Did you draw that on your bank ?—Yes, Smith, Payne, & Co.

55,997. (*Mr. Coleridge.*) Is Mr. Crompton Reed a London agent ?—I may mention, when I went a second time, the party said they would prefer having no person from London, and he did not go back. Mr. Grant arranged all about it before. I came from Scotland.

55,998. Is Mr. Grant in London ?—He is dead.

55,999. Was that all you had to do with Totnes in 1855 ?—That is all.

56,000. Had you formed any idea of what the state of parties was in Totnes in 1855 ?—My general impression was that a great number of the voters voted according to the duke. They were exceedingly frank and open, and they said, "I am the duke's man."

56,001. Did you pay any money between 1855 and 1857 ?—No.

56,002. No money for the purposes of registration ?—No.

56,003. Were you applied to in 1855 to pay any expenses that had been incurred before by the Conservative party ?—No; the first cheque I sent was sent to Mr. Bentall on the 18th March, 200*l.*

56,004. Had Mr. Bentall written to you to stand again ?—In 1856 I had repeated communications asking me to come forward at the general election, which happened to be the dissolution of parliament upon the China debate; I did not agree to that, but in March I agreed to come forward.

56,005. Had Mr. Bentall written to you, and was it in answer to that letter that you sent that cheque ?—I was in communication with several people, but I stated that I would not go there with any view of having any kind of corrupt practices; the consequence was that the parties formed themselves into a local committee—Mr. Bastard, Mr. Thompson, Mr. Farwell, Mr. John Heath, and Mr. Bentall, a committee to suppress bribery.

56,006. (*Mr. Coleridge.*) Was Mr. John Heath on that committee ?—Yes; that was a committee for the management of the election.

56,007. (*Mr. Bere.*) I see here a quotation of yours?—That was sent with the 200*l.*

56,008. It is: "Herewith I forward you a cheque "for 200*l.* for, as you say, strictly legal purposes. "As however you appear to have some reason for not "wishing my cheque to pass through your hand, "which I confess I cannot comprehend, I have ex-"changed mine with a friend and remit you his." Whose cheque did you send down. On whom was the 200*l.* drawn at that time?—There is the cheque —Edwards.

56,009. You gave Edwards your cheque for 200*l.* and he gave you his cheque in lieu thereof?—Yes.

56,010. Was it on the same bank ?—No.

56,011. Then you sent that to Mr. Bentall ?—Yes.

56,012. Now have you got the letter to which this is an answer ?—No.

56,013. Can you remember at all what the contents of the letter were, Mr. Bentall's letter ?—I think to the best of my recollection it merely mentioned that this money was to be applied under the directions of the committee. When they told me the committee I said I was satisfied, and I would leave the expenses to them, and whatever they settled I should pay, provided it was strictly legal; I can perfectly recollect sending to Mr. Heath, who I saw was on the committee, one of the Acts against bribery, and told him whatever was done must be done in strict conformity with that.

56,014. When did you go to Totnes yourself ?—In March.

56,015. The election took place on the 28th March ?—Yes.

56,016. How long before the election did you go down ?—To the best of my recollection I was there some four or five days before the election.

56,017. Did anybody go down from London with you ?—No.

56,018. Any professional adviser or friend ?—There was Mr. Stewart of the Oriental Bank came down.

56,019. (*Mr. Coleridge.*) When was it first determined to run two Conservatives ?—In 1856 when I refused to come forward they had got this Mr. Gregory in the field; then when I went down it was thought advisable to have a second Conservative; but it was understood that Mr. Gregory would have no chance to come in.

56,020. You were to pay his expenses ?—Yes.

56,021. Who was Mr. Gregory ?—They were a small firm of bankers and army agents, I really forgot the name of the firm. But my impression is that they failed afterwards, some four or five years ago.

56,022. (*Mr. Bere.*) You went to Totnes and began to canvass ?—Yes.

56,023. Did you find that the people promised you more readily in 1857 than in 1855 ?—This was the poll sent to me (*referring*).

56,024. Do you know by whom this was made out ?—Mr. Bryett. It appeared by the poll that they expected 124 would vote for me, 103 would vote for the Liberal party, and 83 were put down as doubtful.

56,025. That might be bought ?—I have no doubt the meaning of it was that the majority of the 83 were to be bought.

56,026. Did you have any hints that money would be wanted ?—In the most barefaced manner possible.

56,027. Not hints but actual intimations ?—Yes.

56,028. Do you remember the names of any of them ?—I cannot remember the names. It was very common.

56,029. Were they a class of persons at whom you were surprised ?—At the great majority I was surprised. It was not with the poor but among the better class, small tradesmen and farmers.

56,030. (*Mr. Longe.*) Do you know with whom you were canvassing when those things were thrown out ?—One of the committee.

56,031. Do you remember who it was?—I cannot tell.

56,032. Whom did you usually canvass with ?—I usually canvassed with some of those gentlemen,

whichever they thought most knew the parties to call upon.

56,033. (*Mr. Coleridge.*) Who was your legal adviser at this election?—Mr. Bryett was one.

56,034. Was Mr. Kellock one?—There is Mr. Kellock, retaining fee 31*l.* 10*s.*, and Mr. Bryett, retaining fee 31*l.* 10*s.*

56,035. (*Mr. Longe.*) Were they always with you when you canvassed, one of those two?—No.

56,036. (*Mr. Coleridge.*) Had you any stranger down at all?—No.

56,037. No mysterious stranger down at the "Seven Stars?"—Nothing of the sort.

56,038. When you went on with your canvass, how long was it before you began to see that you would have an uphill game to fight?—The third day. With regard to the independent voters, I was told that these voters were not all venal; they found that they were, that the majority put down as doubtful were to be bought.

56,039. When it was mentioned to you by some of those barefaced avowers of whom you speak, did you mention it to the committee?—I cannot tell.

56,040. Was any general idea given of what the price was that these people would require?—For instance, I was told by some of the people that for 1,500*l.* I could have 50 votes.

56,041. That is a calculation for what the borough could be bought?—Yes; my impression was, whichever chose to buy got in.

56,042. When did you first understand that Mr. Mills was buying votes?—I should say the second day after I went down.

56,043. Did you find at any time that the doubtful men whom you canvassed had made up their minds before you called again, showing that there had been something going on?—On two or three occasions; only to a small extent, because they remained doubtful till the last moment.

56,044. (*Mr. Longe.*) This is the note: "These "men for the most part have declared that they will "pledge themselves to you when you arrive." Those were the doubtfuls?—Yes.

56,045. (*Mr. Coleridge.*) Who said you might have those votes?—It was talked of in an indirect way, but it was well known.

56,046. Would that be from Mr. Bryett or Mr. Kellock?—For instance, the committee, such as Mr. Phillips, Dr. Thompson, and those, they kept quite aloof from talking about buying, but of course they quite understood as well as anybody else.

56,047. Whom did you go to for advice when you found the place was marketable? Did you go to your solicitor, Mr. Bryett, or Mr. Kellock?—I told the people I would not buy any.

56,048. What had become of the 200*l.* you had advanced to Mr. Bentall?—I concluded that would have gone in part to defray the legal expenses, but afterwards, when the election was over, I understood that this 200*l.*, in place of going towards that bill, had been expended in expenses for registration.

56,049. In paying up back expenses?—Yes.

56,050. Was that paying up back expenses (which appears to have been a system) explained to you before you went a second time?—No.

56,051. You had no notion of that?—No; that 200*l.* was expressly for expenses.

56,052. (*Mr. Bere.*) There are two payments, 10*l.* and 20*l.*, to Mr. Heath?—I have merely taken it out of the book; whether I gave him cheques for money at two places I do not know; but I have taken them out of the bank book as they are.

56,053. Afterwards, "George Farwell, per memo-"randum in his letter of 17th July 1857, viz., "expenses of Mr. Mackenzie, 220*l.*; expenses of Mr. "Gregory, 115*l.*;" making 335*l.*?—These were the legal expenses afterwards.

56,054. Then we come to, "Cheque to James Gill, 60*l.*;" what was that?—I sent it to the mayor, to the poor of Totnes, to be distributed.

56,055. Then there is the item, "Cheque to Baxter, "Rose, and Norton, expenses of petition, 80*l.* 7*s.* 8*d.*" Then there is Mr. Phillips, Mr. Farwell, and so on?—That is the committee.

56,056. The whole expenses to you were 615*l.*?—Yes.

56,057. (*Mr. Coleridge.*) Is that all you paid?—Yes, directly or indirectly.

56,058. Were you told afterwards that there was something outstanding that you ought to pay, and which you refused to pay?—I am not sure whether Mr. Bryett wrote up saying there was some small things outstanding, but I did not pay anything further.

56,059. Were you asked?—I had some letter from Mr. Bryett.

56,060. What sum was it?—Something trifling, but I did not pay it.

56,061. Our experience is that nobody is ever done paying for Totnes?—I referred to the conditions on which I went down, and I would pay nothing.

56,062. In addition to your solicitors and agents, did you know any of your sub-agents?—No.

56,063. Did you know a man named Frederick Evens?—I think there was an Evens there. The Totnes people were desirous that I should go down, and the consequence was that they formed themselves into a committee, and I had not a single paid agent.

56,064. Did you ever see any account of how the 200*l.* was expended?—No.

56,065. You do not know whether that may have been expended upon some of the paid sub-agents?—No; I understood that Mr. Gregory had gone down and had been there in 1856, and had several meetings, and to keep up the registration he had advanced so much money; and what Mr. Bentall told me afterwards was that this money had really gone for Mr. Farwell's expenses, and gone to pay those others.

56,066. Had you understood that the 200*l.* had gone to recoup Mr. Gregory, or for your share?—To recoup Mr. Gregory.

56,067. Mr. Gregory was to be held entirely harmless?—Yes.

56,068. You went to the poll, and were beaten by what?—32.

56,069. And Mr. Gregory a great deal more?—Yes; for Totnes I had a majority, but Bridgetown swamped me.

56,070. After the election did you make a speech on the hustings?—Yes; the town was in great disorder, and they would have attacked Mr. Mills and Lord Gifford's party, and for the purpose of talking them away I addressed the people to keep the electors quiet.

56,071. Did you make any pledge on the hustings to prosecute the petition?—No; but they gave me a dinner, and I am not sure whether it was at the hustings or the dinner afterwards that I gave the pledge. They gave me a dinner after the election took place.

56,072. The next day but one?—No, some fortnight or a month afterwards; and I remember telling the electors that if we were beaten fairly we had no reason to complain; but as I was given to understand, and if it could be proved, that it had been done by indirect means, and they could afford me proof of that, I would bring forward a petition.

56,073. When did they first bring you evidence to make you think of petitioning?—Immediately after the election.

56,074. Can you recollect the cases?—I sent them to the solicitors, Messrs. Baxter, Rose, and Norton.

56,075. You never even saw them?—No.

56,076. How many cases were reported to you of bribery?—I have no idea. There was rather a singular incident that occurred which made me more confident about petitioning. After the election Mr. Mills and I came up by the same train, and it was rather strange that at the first station after Totnes a man came into the carriage, and, evidently excited, shook hands with me, and said, "We have beaten them, and "it only cost 400*l.* more than last time." Mr. Mills looked astonished, and said, "I do not know what the "man means." I wrote down, giving a description of

this person, but they were unable to find out who the excited gentleman was.

56,077. (*Mr. Bere.*) Who is H. L. Harris who writes to you?—I do not know.

56,078. (*Mr. Coleridge.*) Did you know Robert Harris, who was attending to the registration?—I do not know him.

56,079. You did present a petition?—Yes.

56,080. Claiming the seat?—Claiming it against Lord Gifford and Mr. Mills.

56,081. Did you have any doubt that there was bribery against Lord Gifford, as well as Mr. Mills?—No; Lord Gifford's party used their influence, and Mr. Mills found the money.

56,082. Lord Gifford was not there?—Yes.

56,083. I thought he was abroad?—No, he was there and addressed the people.

56,084. Do you recollect the day of the petition?—No.

56,085. It went in in due course?—Yes.

56,086. After it was gone in, what communication had you with anybody to induce you not to go on with it?—I never had any communication to withdraw it. Mr. Rose told me they could not find this man who addressed us in the train, and they were not able to get many cases where there had been direct bribery, but they found sufficient undue influence, and it was upon that there was a petition. But then there were some cases decided contrary to us, and upon that counsel told me that the petition should not be gone on with.

56,087. You having been beaten by 32 it was necessary to knock off 32 votes to get you the seat?—Yes.

56,088. Then I suppose the cases were not sufficiently numerous to unseat the sitting member, and to put you at the head of the poll; you claimed the seat?—I am not sure.

56,089. Did you petition that they might be unseated and you might be seated, or that the election might be declared void?—I do not know.

56,090. Did you communicate with Mr. Spofforth?—No, with Mr. Rose.

56,091. (*Mr. Coleridge.*) Here is a letter to Messrs. Thomas and Hollams, from Messrs. Baxter, Rose, and Norton: "3, Park Street Westr., S.W., 15th July "1857. Dear sirs,--We have received Mr. Mackenzie's "instructions to withdraw the petition presented by "him against the return of Mr. Mills and Lord Gif- "ford, and we have accordingly sent an intimation to "the Speaker to that effect. We feel bound to add "that, in consequence of the recent decisions in the "Wareham and other cases, in which a construction "has been held contrary to that which has hitherto "governed such cases, we have felt it our duty to "advise Mr. Mackenzie to take this course, although "there were ample grounds for the presentation of "the petition, which, according to all previous deci- "sions of committees, would, as Mr. Mackenzie has "been advised, have been sufficient to avoid the "election. We are, dear sir, yours truly, BAXTER, "ROSE, AND NORTON."

56,091*a*. (*Mr. Longe.*) Do you remember when you wrote to Mr. Heath, and sent a copy of the Act to show what was legal expenditure, did he write a letter back?—I do not remember. I wrote a letter to Mr. Heath two days before I went down, and I sent a copy of the Act to Mr. Bentall.

56,092. Did anyone say you could get in without spending money?—No.

56,093. (*Mr. Coleridge.*) Here is Mr. Bryett's note:—

"My dear sir, Totnes, December 29th, 1856.

"I now send you the list of voters marked "off as I and Mr. Adams believe they will vote, "but I have taken credit for all those that I know will "vote for you, and that I believe can be obtained, "besides those with the pencil marks, although marked "against you I have doubts whether some of them may "not be induced to vote for you; I will not now further "press you to come forward, and will only say with the "feeling in the town in your favour. I think it a pity "if you do not.

"Yours very truly, in haste,

"R. T. Mackenzie, Esq. T. BRYETT."

56,094. Was it in consequence of Mr. Bryett's representation, that you made up your mind to come forward?—And the other members.

56,095. During the time this was going on had you much personal communication with Mr. John Heath?—Not much.

56,096. Had you any communication with Mr. Heath, as one of the purity committee, as to how you were to put down bribery?—It was not to put bribery down, it was simply to represent me in the election; and I left the expenses to the committee, and said that I should pay whatever legal expenses they thought proper.

56,097. You had intimated that you would not pay illegal expenses?—Yes.

56,098. When was any communication made to you by your committee or anybody else that 1,500*l.* would return you?—I should think the second day.

56,099. Can you recollect who that was to whom you gave the distinct refusal that you would not advance the money? Was it to Mr. Bastard?—No.

56,100. Dr. Thompson or Mr. Farwell?—No. I told the committee themselves that such things had been intimated to me, and I decidedly refused to do it, and Dr. Thompson and Mr. Phillips and those people said, "You are perfectly right."

56,101. Those talked to you about the refusal, but I want to know who those were who said, if you spent a sum of money you would get in. Was it Mr. Bryett, Mr. Kellock or Mr. John Heath?—There was a Mr. Adams, not on the committee. It was not done by one person, but in that indirect way. It was not like one person coming and saying, "If you will give 1,500*l.* you will get in."

56,102. The persons who were acting for you, Dr. Thompson, Mr. Bastard, Mr. Farwell, Mr. Heath, Mr. Bentall, Mr. Phillips, or Mr. Kellock, did any of those press you to go in and win at all hazards and pay the money?—Certainly not.

56,103. Who was it did that?—Nobody came directly; but it was intimated, if you wish to go in you can have 50 votes and go in with 30 or 49 majority.

56,104. Was it intimated by Mr. Kellock or Mr. Bryett?—No.

56,105. Did you trust it to them?—Yes.

56,106. What was their advice?—My impression is that they would have been well pleased if I had done it, the other members of the committee, I think, would have been disappointed.

56,107. (*Mr. Bere.*) Have you any suspicion of any other money coming into Totnes except what you found yourself?—No.

56,108. Nobody else found any?—No.

56,109. No money came from London?—Not a sixpence.

56,110. Did you call upon those voters put down as doubtful?—I called upon all.

56,111. Upon those marked with a "D"?—I called upon all, no doubt.

56,112. Did you make a point of calling upon those in particular?—I called upon all.

56,113. They would stand in a different relation. Some had promised 103, and there are 83 marked "doubtful," do you remember calling upon those, calling upon men of that class?—Yes, upon all.

56,114. Were they men of that class who expressed to you or intimated to you that they wanted money?—They intimated; and the first impression was, they would like to see me returned, but they never made any promises. And a good many afterwards would say, "Now I want to speak to you," and they would say, "I am independent of the duke, and so and "so; but I have had something gone wrong—a hay- "stack or something. I want 150*l.* if you like to give "it to me." Some were moderate and some wanted 200*l.*

56,115. Can you recollect a Thomas Blank?—I

FORTY-FIFTH DAY.

Mr. J. T. Mackenzie.

30 Nov. 1866.

remember there was a farmer, the name I forget, one of Mr. Durant's farmers, he said, "I have got my "vote and I will do as I like, and if you will give me "200*l.* I will give you my vote." I found out that he was to leave that year, and that was the reason of his being independent.

56,116. Was it William Hannaford?—I cannot recollect.

56,117. Was it Shinner?—I cannot recollect. I had no idea I should have been called till the other day, or I should have looked it up.

56,118. (*Mr. Longe.*) You can surely remember some of the gentlemen you were most in the habit of canvassing with?—At Totnes I canvassed a great deal alone, because they thought it would be much much better going up independent, not to have always some of those actual Conservatives with me, and I canvassed a great many of the voters alone.

56,119. Was it ever thrown in your teeth that you refused to resort to the practice of buying any of the voters?—No. In 1855 when I withdrew they said they wished to get up a petition that I should come forward, and that they would vote without anything and give me a clear majority of written promises, but they did not get a sufficient number.

56,120. (*Mr. Bere.*) Did you pay Mr. Gregory's hotel expenses?—Yes, everything.

56,121. Is there anything more you can tell us?—No.

56,122. What was the reason you did not stand in 1859. Were you applied to then?—I told them that between the corrupt voters and the Somerset family, no independent party had any chance.

56,123. Did you hear what the other party spent in 1857?—My impression is that they had these 50 voters for about 1,400*l.* or 1,500*l.*

56,124. (*Mr. Longe.*) Did you know of acts of undue influence?—I merely brought forward this petition, because I promised it. If I could have proved it I would have done so; but I left everything for the solicitors.

56,125. Was it a mere general charge that these voters said they were the duke's men?—No, my impression is that they were all treated. There was a hotel at Bridgetown, and there was a great deal of treating and a great deal of undue influence and direct treating, and some man swore that he had seen so much money paid, but I understood afterwards that the fellow was to be tried for taking some of the spoons, or something at the hotel, and I thought his evidence would be doubtful.

56,126. (*Mr. Coleridge.*) Do you recollect who it was?—I think it was the waiter at the hotel.

56,127. (*Mr. Longe.*) Do you remember any cases in which men were threatened to be evicted for voting?—No doubt. All the people in Totnes, the duke's people when you went to canvass them, they told you quietly they would be glad to see you returned, but if they voted they would be turned out.

56,128. Do you recollect any particular case in which that was done through the agent of the duke?—I cannot remember the individual ones; but I think there was Heath who had been turned out.

56,129. Was John Heath the landlord of the "Stars" when you were there in 1855?—No, there was an old gentleman, an enormously stout man, a gentleman the name of Webb.

56,130. (*Mr. Bere.*) Was the name of the farmer you mentioned, Hewett?—I cannot tell. It was a man paying 300*l.* or 400*l.* a year, and I was astonished.

56,131. Do you know the names of those people scratched out, and why?—No.

56,132. Thomas Creaser Kellock is struck out?—I thought this was an old paper and they had gone through it.

56,133. Do you think you can find the letter of Mr. Bentall's to which your observations contained here were an answer?—I do not think so. I told them to look out all the letters on Totnes, and this is all I have got, but if I can find it I will send it to you.

56,134. (*Mr. Longe.*) Will you answer the general question whether any money was spent?—I am certain no money was spent on my side.

56,135. The votes entered for you were all pure votes?—Yes, and in Totnes there was a majority.

Mr. J. Ferris.

Mr. Joseph Ferris sworn and examined.

56,136. (*Mr. Bere.*) What are you?—I am now agent for a brewery in London.

56,137. How long have you been in that position?—17 months.

56,138. How long have you left Totnes?—11 years.

56,139. Have you been concerned in any election within the last 11 years?—No, none whatever.

56,140. You have been there since?—No, I have not. I left in January 1856, and have never been there since, and I never wish to go again.

56,141. You did take a great deal of interest in the elections?—Yes, in Mr. Mills' in 1852.

56,142. Was not there a sum of money advanced to Mr. Mills at that election?—Mr. Samuel Huxham, who is dead, I think on the morning of the election, in conjunction with Mr. Charles Webber and myself, became jointly security for I think 350*l.* It is so long ago that I cannot charge my memory with exactness, but I think Mr. Huxham found the money, but I do not know. I know I felt myself personally answerable with Mr. Huxham and Mr. Webber for that amount jointly.

56,143. Did you sign anything?—Yes, I did sign a paper.

56,144. What became of it?—It was held by Mr. Huxham, he advanced the money, and the paper was binding Mr. Webber and me to share the loss, if any.

56,145. Was that money repaid to Mr. Huxham?—The understanding between us three was, that in case Mr. Mills should be unseated we should never ask for that money; but if seated we expected to be paid.

56,146. How was that 350*l.* spent?—I have not the least doubt that it was spent in an illegal way.

56,147. What became of it?—I do not know. None passed through my hands.

56,148. You had nothing to do with guaranteeing money?—Nothing beyond that transaction; but I advanced 95*l.* out of my own cash box.

56,149. When?—A few days before the election.

56,150. To Mr. Mills?—Not personally.

56,151. To whom?—Some few days before the election, it was said that money was wanted, and the question was whether I would advance it. Mr. Cuming said he did not like to ask Mr. Mills, and asked if I would advance it. I said I would; I really cannot tell how 75*l.* was spent; but I know how 20*l.* went. An assistant of mine (I was a draper) had it given to him, for a person named Lane.

56,152. What was the name of the assistant?—Samuel Randall. It was to be given to Lane not to vote at all. His principles were Liberal, but from necessity he voted for the Tories.

56,153. And got paid?—I cannot tell.

56,154. You used the word necessity?—I should say that the 20*l.* never reached his hands. Randall pocketed it, and the consequence was that I discharged Randall immediately.

56,155. How were you paid those different sums of money?—After the election petition came off and Mr. Mills was seated we had some meetings, Mr. Webber, Mr. Huxham, and myself.

56,156. What was the petition?—It was a petition against Mr. Mills in 1852, but it only lasted two days.

56,157. And he was seated?—Yes, and after that Mr. Cuming, Mr. Huxham, Mr. Webber, and myself thought the time had arrived when I should try to get

my 95*l.*, and I think the 375*l.* Mr. Huxham had advanced. Mr. Cuming made it his business to communicate with a friend and to say that it was done for Mr. Mills, he knew that it was illegal, but he hoped he would repay it; and the money was sent to Mr. Charles Webber. Mr. Webber sent me 95*l.* and paid Mr. Huxham, and Mr. Huxham sent me the signature from the paper.

56,158. Do you know whether Mr. Allin sent the money to Mr. Webber?—I do not know.

56,159. Do you know how it got there?—No. It was paid by some party.

56,160. Do you know whether at that time Mr. Allin, who was Mr. Webber's nephew, was in business in London?—I do not know.

56,161. He was a solicitor?—I do not know. His father was a draper in Cheapside I think.

56,162. It was paid into Allin's house perhaps?—I think it was done that way. But Mr. Webber sent me the 95*l.* in promiscuous money, notes and cheques and things, and the thing was ended.

56,163. Have you ever sent money down since?—No; I have had reasons to be disgusted with the town, and I do not want to have anything to do with it.

56,164. You do not know anything about it?—No. In 1855, when Lord Gifford came down, although we did not like Lord Seymour, I voted a plumper for Mills.

56,165. You were the independent party?—Yes.

56,166. Was any money spent in 1855 by either side in bribery?—Not a farthing in my belief. The independent party and the Liberal party were the tradespeople and the respectable people, and they met and repudiated any attempt at what was done in 1852; and we said we will vote for whom Lord Seymour sends down. Lord Gifford came down and there was a public meeting, when it was declared that he was a fit and proper person. Mr. Mackenzie was down, but he very soon left.

56,167. You wanted the ducal votes?—There were three parties equally divided, and each party wished to get the support of the ducal party.

56,168. (*Mr. Coleridge.*) Sometimes the Conservatives got it and sometimes the Liberals?—Lord Seymour was not faithful to the Liberal party at that time.

56,169. When the memorandum was signed at Mr. Tracey's?—Yes.

56,170. Do you know anything about that memorandum?—No, that was done by the Tory party.

56,171. (*Mr. Bere.*) It was signed by both parties?—By the duke's and the Tories; not by the independent party. The borough in my opinion was essentially Liberal. The first time I voted was for Perrott, who could not spend a penny and was returned by a majority of 38.

56,172. Did you hear of Sir George Adams' men being locked up in a barn and not being let out till after the election?—No, there is not an atom of truth in it.

FORTY-FIFTH DA

Mr. J. Fer

30 Nov. 18

(Adjourned to Whitecross Street Prison.)

Mr. George Wells Snell sworn and examined.

Mr. G. W. Snell.

56,173. (*Mr. Bere.*) What is your calling or profession?—I am a solicitor.

56,174. And an electioneering agent?—Yes.

56,175. How long have you been an electioneering agent?—About 25 years.

56,176. Was your father an electioneering agent?—Yes.

56,177. I suppose in most elections you have been employed on one side or the other?—Yes.

56,178. Always the same side?—No; sometimes the Liberal and sometimes the Conservative side.

56,179. Were you down with your father at Totnes in 1852?—I was not.

56,180. Not in 1852?—Really I do not recollect.

56,181. On Mills' side?—I think not.

56,182. Do you know whether your father was ever down there?—I think he was there upon one occasion, but I really cannot recollect the date now.

56,183. Do you think before 1852 or after?—I think; if I recollect rightly, he was at Weymouth in 1852.

56,184. Would it be 1857 that he was at Totnes?—I do not know. I have not the paper here to refresh my memory.

56,185. When did you first go to Totnes?—In 1859.

56,186. In Dunn's election?—Yes.

56,187. Were you retained by anyone to go down?—Someone spoke to me, but I cannot recollect. I afterwards saw Mr. Dunn in Threadneedle Street.

56,188. Had you known him before?—I had heard of him by name.

56,189. You heard he was going to Totnes?—Yes.

56,190. Did you speak to him?—I was introduced to him.

56,191. Did you go and speak to him?—Yes; he asked me if I was going into the neighbourhood, and I said I was.

56,192. Were you going to Helston?—Yes.

56,193. Did you go to Helston before you went to Totnes?—Yes.

56,194. Did you see Mr. Cameron when you came back?—Yes.

56,195. What money did you get from Mr. Cameron at that election?—I got what I sued for afterwards.

56,196. You got some money to be distributed?—Only a small sum.

56,197. Over 100*l.*?—I cannot tell. I have not a paper or anything else.

56,198. (*Mr. Coleridge.*) How long before the election did you go in 1859?—I think two days before the election.

56,199. Had you ever been at Totnes before?—Yes, many times. I used to be often at Totnes.

56,200. (*Mr. Bere.*) You knew John Heath very well?—Yes. I stopped at the "Seven Stars."

56,201. This was the first time you had been there professionally?—Yes.

56,202. Had you lived at Totnes?—I have been to the races.

56,203. Are you a native of London?—No, Cornwall.

56,204. You put up at the "Seven Stars" when you were at Totnes?—Yes.

56,205. Do you recollect what room you slept in?—I have not the slightest idea.

56,206. Was it the room looking on the Plains?—I do not know. You have the bill there. The bills are made out according to the room I think.

56,207. Can you remember whether you had 120*l.* given you by Mr. Cameron?—I do not know whether it was by Mr. Heath or Mr. Cameron.

56,208. You were given the names of four people?—Yes, that I was to see. I saw one, and I left 30*l.*; I left the money in a cup on the table. It was Satchwell or Bearne, I do not know which.

56,209. Pearce was one of the voters that you were to give 40*l.* to?—There was only one in the shape of bribery that I had anything to do with.

56,210. Do you remember whether it was at Bridgetown?—I think they used to keep cows in Bridgetown.

56,211. You went to Mrs. Pearce, and she wanted 45*l.*, and the sum you were to offer her was 40*l.*?—Yes.

56,212. Do you remember going to speak with Mr. Cameron, and saying she wanted more money?—Yes, I think so.

56,213. Did not Mr. Cameron or Mr. Heath give you another 5*l.*?—I think so.

56,214. Did not you go back to Mrs. Pearce and leave the 40*l.* in the sitting room?—That is the only

FORTY-FIFTH DAY.

Mr. G. W. Snell.

30 Nov. 1866.

money I had to do with; all the other money was returned.

56,215. Did you bring any money from London with you?—No, I came from Helston.

56,216. Did you bring any money from Helston?—Yes.

56,217. How much?—Only the retaining fee.

56,218. Did you carry money for distribution?—No.

56,219. Is that the only money you had to do with?—Yes.

56,220. Who else was with you?—Mr. Cameron.

56,221. Did you know a man named Higgins?—I have heard of him, but I never spoke to him.

56,222. Did you see a person afterwards called Mr. Higgins?—I suppose it was Mr. Higgins. There was a stranger, I knew nothing of him; they said it was Mr. Higgins.

56,223. Had you ever met him before?—No.

56,224. Have you seen him since?—No.

56,225. Did you go in 1862?—No; in 1862 I went to Bodmin.

56,226. Have you been at Totnes at all since 1859?—I have been in the town since, but not on this business.

56,227. Have you been at the time of the election?—No.

56,228. Were you down in 1865?—No.

56,229. You did not go for a day and call at the "Stars"?—No, I passed in the train.

56,230. Have you any notion who went in 1865 to distribute the money?—Not a bit.

56,231. Did you apply to be allowed to go down?—No, certainly not. I was engaged nine months previous to that for Lord Ranelagh and Mr. Heritage, at Bodmin.

56,232. Against whom you brought actions?—Yes, and they are not settled yet.

56,233. What were your supposed duties at the election?—To assist generally in the election; I canvassed a great many people.

56,234. Whom did you put yourself under?—Mr. Cameron was the only person I had any transaction with.

56,235. You had nothing to do with Mr. Bryett?—No.

56,236. Mr. John Heath?—I met him every two or three hours.

56,237. Did you go with Frederick Evens at all?—No, I do not recollect the name if I did; I might have gone with a score of different people, and I do not recollect the names.

56,238. You have been to other places to distribute money, I suppose?—Well, I do not know that I am bound to answer that question. I do not think you could manage very well without money; I never could.

56,239. You cannot form any idea who went down on the Conservative side the last time?—No.

56,240. Is not there some place where election agents usually meet in London?—The agents connected with certain clubs do meet.

56,241. Where, do you know?—I always refused to work under a club.

56,242. You prefer a private employer?—Yes.

56,243. Have you ever had any communication with Mr. Spofforth or Mr. Drake?—I saw Mr. Drake some time ago about a matter.

56,244. Have you ever been consulted by them about Totnes?—No, I never saw him about Totnes at all.

56,245. Did anybody come to you in the middle of June 1865 to ask you whether you would go to Totnes?—Not that I recollect.

56,246. Did you receive any communication from anybody that your services might be required at Totnes, either by letter or word of mouth?—Never by letter I think. I might have gone to a dozen different places, and Totnes might have been mentioned, but I do not recollect.

56,247. Do you recollect Mr. Smith?—Mr. Henry Smith I have met.

56,248. Do you know anything of Mr. Smith, of the firm of Smith and Guscotte, Essex Street, Strand, Mr. Frederick Smith?—No.

56,249. Do you know the firm?—I know it by repute.

56,250. Do you know Mr. Smith or Mr. Guscotte by sight?—I do not think I do.

56,251. Do you happen to know Mr. Lind or Mr. Daw, their clerks?—Not that I am at all aware of. I might have met them without knowing they were their clerks. I do not recollect them.

56,252. (*Mr. Coleridge.*) When did you last see Mr. John Heath?—I do not think I have seen him since the election; yes, I have once.

56,253. When was that?—While I was bringing this action against Mr. Dunn.

56,254. Do you remember when Mr. Dent stood against Mr. Pender at Totnes?—I recollect the occasion.

56,255. Did not you go down then?—I did not on electioneering matters.

56,256. Did not you happen to be at Totnes then, and did not you go to the "Stars," in December 1862 or January 1863?—I think not; if I had my other papers to refer to I should be able to tell you.

56,257. It was on the death of Lord Gifford in January 1863?—I am sure I was not there.

56,258. Were you there at the death of Mr. Mills in December 1862?—No.

56,259. (*Mr. Longe.*) How many times have you been at Totnes?—I was never there on electioneering matters, except this once on Mr. Dunn's account.

56,260. (*Mr. Bere.*) Do not you remember going to the "Stars" at the time of the election, seeing Mr. Heath, and intimating you would like to be employed, and Mr. Heath saying that he would not have anything to do with you, because you brought that action against Mr. Dunn?—I do not recollect it.

56,261. It would be a matter that you would be likely to recollect?—I do not.

56,262. Do you remember his saying anything about your bringing that action against Mr. Dunn?—Yes but that was in London; he was to be a witness against me, "for," he said, "you did not pay the moneys that "you charge." I said, "What moneys?" "The money "that you got," and I said, "You know that perfectly "well, for you had the money back or Mr. Cameron."

56,263. They did get paid?—The only one I paid was an old women, her and her husband. I do not wish to keep anything back.

56,264. Do you not recollect paying old Satchwell?—That is the only one I paid.

56,265. In the evidence you were prepared to say that two of the parties attended, Satchwell and Bearne, and you paid them the amounts set opposite their names on the paper produced, namely Satchwell 30*l.* and Bearne 30*l.* That each party gave you a promissory note or an I O U for the amount you paid them, which you gave to Mr. Cameron, who threw them into the fire and burned them. Is that incorrect or not? Just think.—I have never thought over the matter from the election until now.

56,266. Is that draft brief in your handwriting?—Partly. If that is the fact there, such must be the case. But I only recollect paying one, and I recollect leaving it in a cup. It says here I paid it back to Mr. Cameron. If I make a little error, you must understand I have not seen a paper since this action.

56,267. (*Mr. Coleridge.*) Who paid you your retaining fee?—No one, only what I recovered from Mr. Dunn.

56,268. You say you brought your retaining fee from Helston?—That is what I had at Helston.

56,269. Did you make any agreement?—No.

56,270. Do you not have an agreement when you go down to a place?—Sometimes we do not.

56,271. What memoranda were those you handed to Mr. Cameron after the action was over?—Some letters I think he wrote me.

56,272. Are you a brother of Mr. Frederick Snell?—No.

56,273. Any relation?—No.

56,274. Do you know Grant who is in the same sort of business as your own. He was a very dark fellow. I think he has been lately with Mannings and Walker?—No, I might know him by sight, but I do not know him to speak to.

56,275. You have no doubt that what you put down in the draft brief is correct?—No doubt.

56,276. And you would rather trust to your draft-brief than to your memory?—Yes. And now you bring it to my recollection about the notes of hand, I think there was something of that kind took place.

56,277. (*Mr. Longe.*) Did Mr. Dunn know of your being there?—Yes.

56,278. Have you never been at Totnes in any election since 1859?—I do not recollect being there.

56,279. Not engaged at any election at Totnes?—I do not recollect.

56,280. (*Mr. Longe.*) Did Mr. Dunn ever talk to you about the work you had come for, and the part you were to take?—I used to meet him and say there was no chance, the way he was going on, and speak as to the impropriety of paying the money away. I said 5*l.* would do as well as 50*l.* I could not shut my eyes to the way the money was going.

56,281. You knew that a great deal of money was going on the other side?—Yes, I could not shut my eyes to that.

56,282. Did you know whether anybody was on the other side in the same capacity as yourself?—I think some parties were there.

56,283. Do you know who they were?—I cannot recollect now.

56,284. Do not you recollect the names of those that were there for Mr. Mills?—Was not Mr. Tucker concerned?

56,285. I mean in the way of distributing money? No, I do not know.

56,286. When you were canvassing voters for Mr. Dunn did not you find there were offers made on the other side?—Yes, it came to this at last, who would give the most.

56,287. What was the largest sum asked by a voter?—I heard one open his mouth wide enough to say 200*l.*, and I went to Mr. Dunn, and I said, if you are returned in this way you won't retain your seat.

56,288. How many people were employed in this way in the place?—I do not recollect. I connected myself with Mr. Cameron.

56,289. Did you ever go out with Higgins?—No, never spoke to him.

56,290. Did you meet him canvassing?—No, I never met him but twice in the passage.

56,291. Was he a dark man?—It strikes me from his appearance he was a man about 5 feet 10, slight, if I recollect.

Adjourned till Monday the 10th December, at 1, Brick Court, Temple, at 12 o'clock.

FORTY-SIXTH DAY.

Saturday, 29th December 1866.

DUGALD CAMERON, Esq., recalled.

56,292. (*Mr. Bere.*) Have you read this letter from Mr. Watts of Teignmouth?

The following letter is then read.

DEAR SIR, Ford, Newton Abbot, Dec. 1, 1866.

"ON examining our Teignmouth bank books I find 500*l.* was paid into our agents, Messrs. Williams, Deacon, & Co., Birchin Lane, on the 26th of April, by the Union Bank for the credit of Mr. D. E. Cameron, and drawn out again by Mr. C. on the 27th. 200*l.* was paid to our agents on the 28th by the Union Bank of London for Mr. Cameron. On the 29th Mr. C. drew out 200*l.* and paid us a 500*l.* cheque of Messrs. Brown, Dun, Salmon, & Co., on the London and Westminster Bank, Lothbury. He drew out 100*l.* of this cheque the same day, the balance, 400*l.*, was paid on the 30th to Mr. James P. Heath. Except that Mr. Dun's name is mentioned in the 500*l.* cheque, we have no means of identifying him with these transactions.

Yours truly,
J. W. WATTS.

(*Mr. Cameron.*) Yes.

56,293. (*Mr. Bere.*) Do you believe the account contained in that letter of the monetary transactions connected with the election of 1859 to be a true one?

(*Mr. Cameron.*) Yes.

56,294. (*Mr. Bere.*) Do you wish it substituted for your former evidence?

(*Mr. Cameron.*) Yes.

APPENDIX.

MR. PENDER'S ACCOUNT OF PAYMENTS.

PAYMENTS in TOTNES incidental to Election of 1862.

1862.		£	s.	d.
Dec. 5.	Remittance to Mr. V. Webber on account of election expenses	1,200	0	0
1863.				
Mar. 31.	Paid Mr. Jeffery Michelmore per Mr. McDougall ("Seymour" hotel account, election 1862)	323	10	0
„	Paid Mr. R. Tucker per Mr. McDougall	372	6	1
May 27.	Ditto ditto	6	1	6
Aug. 5.	Ditto ditto	39	12	6
Sept. 2.	Paid Mr. Cuming per Mr. McDougall	315	0	0
		£2,256	10	1

PAYMENTS in TOTNES incidental to Election of 1865.

1865.		£	s.	d.
July 5.	Paid cash to election agent on account of expenses	2,000	0	0
Sept. 4.	Paid cash to R. C. Tucker, election auditor's account	172	11	7
Oct. 7.	Paid cash to F. Windeatt for assistance at election	52	10	0
„	Paid C. F. Michelmore for assistance at election	52	10	0
		£2,277	11	7

One-half payable by Mr. Seymour, less one-half of his payments.

GIFTS for PUBLIC PURPOSES and LOCAL CHARITIES.

1863.		£	s.	d.
Jan. 3.	Paid Stephen Francis Shairp, subscription to Totnes Volunteer Fund	20	0	0
April 24.	Paid for wedding favours, Prince of Wales	25	12	0
May 26.	Paid Col. Willoughby, Mr. Chaster, Mr. Thos. Michelmore for the town of Totnes	1,000	0	0
June 6.	Paid W. Bremner, Manchester, for books sent to Rev. W. M. Paull, Totnes, per letter of 28th May	3	12	11
July 31.	Paid Manchester Ordnance and Rifle Company (two rifles to Totnes)	63	15	0
Aug. 5.	Paid Webber and Co., scarfs, Totnes	0	6	3
Oct. 16.	Paid J. Hannaford, school prizes	5	18	0
1864.				
Jan. 15.	Paid Manchester Ordnance and Rifle Company, loading rod for R. Sowton, Totnes, who won the rifle	0	7	6
„ 23.	Paid Jeffery Michelmore, 14*l.* (4*l.* included in List of Charities, balance 10*l.* for Elford, towards loss of two cows, Mr. Seymour paying an equal sum; cheque, London Joint Stock Bank	10	0	0
Mar. 21.	Paid Rev. H. Hele, M.A., Rectory, Hampton, Totnes, in aid of restoration of his church; cheque, Consolidated Bank	5	5	0
April 20.	Paid J. W. Chaster, balance of cost recasting church bells	63	0	0
June 3.	Paid Windeatt testimonial, paid through London per voucher	10	0	0
Aug. 9.	Paid, rifle to Totnes (Narramore) invoice, Manchester Ordnance and Rifle Company	15	2	6
	Carried forward	1,222	19	2

1865.		£	s.	d.
	Brought forward	1,222	19	2
Jan. 16.	Paid Paull and Alyfe, Manchester, design for British School, Totnes	12	12	0
June 16.	Paid tea party to children, Totnes, per J. W. Chaster	130	0	0
July 26.	Paid Working Mens' Association, Totnes, W. F. Farmer	5	0	0
Aug. 29.	Paid life-boat, Teignmouth	2	2	0
„ 16.	Paid Everitt, Pomeroy Gardens subscription, Rev. J. Everitt	1	0	0
	Total amount paid for charities, &c., from 1864 to 1866 as per separate statement	428	7	0
		£1,802	0	2

PAYMENTS on account of MUNICIPAL and PARLIAMENTARY REGISTRATION.

1864.		£	s.	d.
Feb. 19.	Paid F. B. Cuming, registration, 1863	39	14	0
June 9.	Paid J. W. Chaster, parliamentary registration, 1863 and 1864	75	0	0
„	Paid J. W. Chaster, municipal registration, 1863 and 1864	25	0	0
July 20.	Paid J. W. Chaster, parliamentary registration, 1863 and 1864	30	0	0
Nov. 9.	Ditto ditto	175	0	0
Dec. 19.	Ditto ditto	43	7	0
1865.				
Sept. 22.	Paid W. Jenkins, expenses to London registration	22	0	0
Oct. 31.	Paid W. F. Windeatt, expenses to London on registration appeals	20	0	0
„	Paid Vizard and Austin, paid counsel and other fees before revising barristers, Totnes; cheque to account sent by N. Heald to Vizard and Austin per cheque, London Joint Stock Bank	50	0	0
		£480	1	0

TRAVELLING EXPENSES, PRINTING, and SUNDRIES from 1862 to 1866.

1862.		£	s.	d.
Oct. 28.	A. McDougall's expenses to Totnes	20	0	0
Nov. 11.	Ditto ditto	10	0	0
„ 15.	Ditto ditto	20	0	0
„ 15.	James Nichols' expenses to Totnes, Mr. Pender's servant, 5*l.* 5*s.*	10	0	0
„ 17.	Mr. Pender's expenses to Totnes, 200*l.*, proportion chargeable to Totnes	20	0	0
Dec. 8.	R. R. Moore, sundries, 4*l.* 4*s.*, 3*s.*, 1*l.* 18*s.*	6	5	0
„	Ditto ditto	50	0	0
„	A. McDougall's expenses	30	0	0
„	Sundries, S. Saunders for boots, 2*l.*, H. Harden, caps, 1*l.* 3*s.*, W. Webber, 12*s.* and 2*l.* 2*s.* 6*d.*	5	17	6
„	Telegrams	7	7	6
„	Paid Field, London detective, 32*l.* 19*s.* 2*d.* Gratuity to his man, 20*s.*	33	19	2
„	Postage stamps	5	0	0
„	Mr. MacHaffie's hotel bill	11	0	0
	Carried forward	229	9	2

		£	s.	d.
1862.	Brought forward -	229	9	2
Dec. 8.	James Nichols, Mr. Pender's servant, towards his expenses per account, 5*l.*, 2*l.*, and 1*l.* 13*s.* 4*d.*	8	13	4
,,	McClure and McDonald, lithographers - - -	11	15	0
1863.				
Jan. 30.	J. Hannaford, stationery - -	6	13	4
Feb. 27.	Mr. Jack's travelling expenses from Manchester to Totnes, and thence to London, &c. - -	18	0	5
,, 11.	G. J. Reid for wine sent to Totnes (presented to C. F. and J. Michelmore, Windeatt, and Cumming) - - - -	20	0	0
,, 27.	R. Morgan, 5*l.* 8*s.*, order 9*d.* -	5	8	9
Mar. 31.	A. McDougall's expenses - -	17	0	0
,,	Banking expenses, per Mr. McDougall - - -	1	17	6
,,	R. R. Moore's expenses - -	6	9	7
,,	Printing, advertising, and newspapers - - - -	80	14	2
June 3.	Hotel expenses, Mrs. Beer, "Seymour Arms" - - -	20	0	0
,, 9.	Concert tickets, Totnes, Michelmore; remitted per cheque on Union Bank of London -	1	4	0
Sept. 2.	Mr. Windeatt and Mr. Chaster's travelling expenses to Manchester, per Mr. McDougall -	20	0	0
,, 11.	Bankers' expenses, per Mr. McDougall - - -	1	1	4
Dec. 10.	Mr. Pender's expenses going to London and Totnes 50*l.*, part chargeable to Totnes, say -	10	0	0
1864.				
Jan. 23.	Hotel bill, "Seymour Arms" -	24	14	3
Dec. 3.	Mr. Pender's travelling expenses to Totnes, 100*l.*, chargeable to Totnes, say - - -	10	0	0
,, 10.	Mr. Salmon's travelling expenses Totnes, 100*l.*, chargeable to Totnes, say - - -	8	18	6
1865.				
Jan. 4.	Beazley's hotel bill, Totnes -	53	14	2
June 30.	Mr. Pender's travelling expenses, 100*l.*, chargeable to Totnes, say	30	0	0
July 12.	P. E. Salmon's travelling expenses, per London account -	10	0	0
,, 14.	N. Heald's travelling expenses, 5*l.* 5*s.*; telegrams, 4*l.* 5*s.* 6*d.*; cash, 30*l.* - - -	39	10	6
Dec. 26.	Beazley's "Seymour" hotel -	10	0	6
		£645	4	6

ABSTRACT of MR. PENDER'S PAYMENTS in TOTNES, 1862 to 1866.

	£	s.	d.
Payments in Totnes, incidental to election 1862 - - - - -	2,256	10	1
Ditto ditto 1865 -	*2,277	11	7
Gifts for public purposes and local charities, 1862 to 1865 - - - -	1,802	0	2
Payments on account of municipal and parliamentary registrations, 1862 to 1865 -	480	1	0
Travelling and hotel expenses, printing, and sundries, 1862 to 1866 - - -	645	4	6
	£7,461	7	4
* *Deduct*—			
One-half of this 2,577*l.* 11*s.* 7*d.* payable by Mr. Seymour, less one-half of expenses paid by him, nett - - - -	1,000	0	0
Total - -	£6,461	7	4

PARTICULARS of ACCOUNTS PAID and PAYMENTS MADE out of the 200*l.* part of 1,400*l.* received from J. F. WILKINSON on 8th December 1862.

1862.		£	s.	d.
Dec. 9.	Paid Mr. Moore 4*l.* 4*s.*, 3*s.*, and 1*l.* 18*s.* - - - -	6	5	0
,,	Paid Mr. Pender for Mr. Moore -	50	0	0
,,	Paid sundry small accounts for Mr. Pender; E. Saunders for boots, 2*l.*; H. Harden, caps, 1*l.* 3*s.*; W. Webber, silk handkerchiefs, 12*s.*, and 2*l.* 2*s.* 6*d.* -	5	17	6
,,	Paid Mr. McDougall towards his expenses - - -	30	0	0
,,	Telegrams - - -	7	7	6
,,	Postage stamps - - -	5	0	0
,,	Paid Mr. McHaffie's hotel bill -	11	0	0
,,	Paid Field, London detective, 32*l.* 19*s.* 2*d.*; gratuity, 20*s.*, to his man - - - -	33	19	2
,,	Paid James Nichols, Mr. Pender's servant, towards his expenses, per account, 5*l.*, 2*l.*, and 1*l.* 13*s.* 4*d.* - - -	8	13	4
,, 30	Paid McClure and McDonald, lithographers - - -	11	15	0
1863.				
Jan. 30.	Paid Theodore Hannaford for stationery - - - -	6	13	4
Feb. 27.	R. Morgan 5*l.* 8*s.*, and order 9*d.* -	5	8	9
,,	Mr. Jack's travelling and personal expenses from Manchester to Totnes, and thence to London, &c. - - -	18	0	5
		£200	0	0

MESSRS. PENDER AND SEYMOUR'S PAYMENTS.

TOTNES CHARITIES, &c.

1863.		£	s.	d.
May 5.	Rev. J. Burrough, Blue Coat School - - -	10	10	0
,, 11.	Rev. J. Burrough, Church Sunday School - - -	1	1	0
June 24.	F. Rossiter, Choral Club - -	5	5	0
,,	Alfred Lloyd Owen, Cricket Club	2	0	0
July 8.	J. Michelmore, Bridgetown and Berry, Clothing Club - -	1	0	0
,,	J. Michelmore, Fuel Club -	2	0	0
,,	Manchester, Devon, and Cornwall Bank, Mechanics' Institute -	21	0	0
,,	Col. Willoughby British School -	10	10	0
,,	James Gill, National School -	10	10	0
,,	Rev. James Shore, M.A., Bridgetown School - - -	10	10	0
,,	Rev. James Shore, M.A., Sunday School - - - -	1	1	0
,,	Fred. F. Mitchell (per Messrs. Bordman), Infants' School -	3	3	0
,,	Sam. Huxham, Independent Sunday School - - -	1	1	0
	Carried forward -	79	11	0

		£	s.	d.
1863.	Brought forward -	79	11	0
July 8.	J. Bowden, Wesleyan Sunday School - - - -	1	1	0
,,	Mrs. Rogers, Blanket Society -	3	3	0
,,	Ditto, Penny Bank -	3	3	0
,,	Lewis Oldreive, Agricultural Society - - - -	2	0	0
,, 10.	Messrs. Prideaux, Lying-in Charity - - - -	2	2	0
,, 22.	J. Michelmore, Bridgetown and Berry Clothing Club - -	1	0	0
,, 23.	Capt. Hall, Exeter, Devon County Volunteer Review - -	2	0	0
Sept. 1.	W. Hannaford, Totnes and Bridgetown Races - - -	10	0	0
Nov. 19.	Mrs. Rogers, Blanket Society -	3	3	0
1864.				
Jan. 23.	J. Michelmore, Bridgetown Clothing Club - - - -	2	0	0
,,	J. Michelmore, Bridgetown Fuel Club - - - -	2	0	0
,,	J. F. Mitchell, Infants' School -	3	3	0
	Carried forward -	116	6	0

		£	s.	d.
1864.	Brought forward -	116	6	0
Jan. 23.	Lewis Oldreive, Agricultural Society - - - -	2	0	0
,,	Messrs. Prideaux, Lying-in Charity - - -	3	3	0
,, 25.	Manchester, Devon, and Cornwall Bank, Mechanics' Institute -	21	0	0
,,	James Gill, National School -	10	10	0
,,	Rev. J. Burrough, Blue Coat School - - - -	10	10	0
,,	Rev. J. Burrough, Church Sunday School - - - -	1	1	0
,, 26.	Mrs. Rogers, Penny Bank -	3	3	0
Feb. 2.	Rev. James Shore, Bridgetown Schools - - - -	10	10	0
,, 2	Rev. James Shore, Bridgetown Sunday School - - -	1	1	0
,, 5.	James Huxham, Independent Sunday Schools - - -	1	1	0
,, 5.	J. Bowden, Wesleyan Sunday Schools - - - -	1	1	0
Mar. 30.	Col. Willoughby, British School -	10	10	0
April 6.	F. Rossiter, Choral Club - -	5	0	0
June 1.	W. Hannaford, Totnes and Bridgetown Races - -	10	10	0
July 27.	Alfred Lloyd Owen, Cricket Club	2	0	0
Nov. 22.	Mrs. Rogers, Totnes Blanket Society - - - - -	3	3	0
1865.				
Jan. 3.	Robert Lorimer, Books for Institute - - - - -	1	0	0
,, 12.	Rev. A. J. Everitt, Berry Pomeroy Clothing Club - -	1	0	0
,,	Rev. A. J. Everitt, Berry Pomeroy School - - -	2	0	0
,, 18.	J. Michelmore, Bridgetown Clothing Club - - - -	2	0	0
,,	J. Michelmore, Bridgetown Fuel Club - - - - -	2	0	0
,,	Admiral J. F. Mitchell, Totnes and Bridgetown Infant School -	3	3	0
,,	Col. Willoughby, British School -	10	10	0
,,	Manchester, Devon, and Cornwall Bank, Mechanics' Institute -	21	0	0
,,	Rev. J. Shore, Bridgetown Schools	10	10	0
,,	Rev. J. Shore, Bridgetown Sunday Schools - - - - -	1	1	0
,,	James Gill, National School -	10	10	0
,,	Sam. Huxham, Independent Sunday School - - - -	1	1	0
,,	Mrs. Rogers, Blanket Society -	3	3	0
,,	Mrs. Rogers, Penny Bank -	3	3	0
,,	Lewis Oldreive, South Devon Agricultural Society - - - -	2	0	0
,,	J. Bowden, Wesleyan Sunday School - - - - -	1	1	0
,,	Captain Hall, Devon Volunteer Review - - - - -	2	0	0
,,	Alfred L. Owen, Cricket Club -	2	0	0
,, 19.	Wm. Hannaford, Totnes and Bridgetown Races - -	10	0	0
,, 18	Rev. J. Burrough, Blue Coat School - - - - -	10	10	0
	Carried forward -	£332	1	0

		£	s.	d.
1865.	Brought forward -	332	1	0
Jan. 18.	Rev. J. Burrough, Church Sunday School - - -	1	1	0
,,	F. Rossiter, Choral Society -	5	0	0
,,	Messrs. Prideaux, Lying-in Charity - - -	3	3	0
,, 21.	F. Bryett, two years' subscription to Devon Royal Volunteers -	2	2	0
1866.				
Jan. 22.	J. Michelmore, Bridgetown Clothing Club - - -	2	0	0
,,	J. Michelmore, Bridgetown Fuel Club - - - - -	2	0	0
,,	Admiral J. H. Mitchell, Totnes and Bridgetown Schools - -	3	3	0
,,	Col. Willoughby, British School	10	10	0
,,	Manchester, Devon, and Cornwall Bank, Mechanics' Institute -	21	0	0
,,	Rev. James Shore, Bridgetown Schools - - -	10	10	0
,,	Rev. James Shore, Bridgetown Sunday Schools - -	1	1	0
,,	Mrs. Rogers, Blanket Society -	3	3	0
,,	Mrs. Rogers, Penny Bank -	3	3	0
,,	James Gill, National School -	10	10	
,,	Sam. Huxham, Independent Sunday School - - - -	1	1	0
,,	Lewis Oldreive, South Devon Agricultural Society - - -	2	0	0
,,	J. Bowden, Wesleyan Sunday School - - - - -	1	1	0
,,	Capt. Hall, Devon Volunteer Review - - - - -	2	0	0
,,	Alfred L. Owen, Cricket Club -	2	0	0
,,	Rev. J. Burrough, Blue Coat School - - -	10	10	0
,,	Rev. J. Burrough, Church Sunday School - - -	1	1	0
,,	F. Rossiter, Choral Society -	5	5	0
,,	Mrs. Prideaux, Lying-in Charity -	2	2	0
,,	* W. Hannaford, Totnes and Bridgetown Races - -	10	10	0
,,	Per cheque to Mr. Chaster, Devon and Cornwall Bank - -	103	15	0
Jan. 25.	Rev. A. J. Everitt, Cottage Garden	1	0	0
,,	Rev. A. J. Everitt, Berry Pomeroy Clothing Club - - -	2	0	0
,,	Rev. A. J. Everitt, Berry Pomeroy School - - -	1	0	0
	Per cheque to Mr. Everitt, Devon and Cornwall Bank - -	4	0	0

ABSTRACT.

1863 - - - -	106	18	0
1864 - - - -	102	16	0
1865 - - - -	110	18	0
1866 - - - -	107	15	0
	£428	7	0

* We believe this subscription has not been paid by Mr. Chaster.

WOOLMER'S PAPER OF 23RD MAY 1863.

BOROUGH OF TOTNES.

ABSTRACT of the ACCOUNT of all the ELECTION EXPENSES incurred by each Candidate, and Sums claimed but not paid upon the Election of a Member to serve in Parliament for the above Borough, on the 9th day of December 1862.

JOHN PENDER, ESQ.

Dr.	£	s.	d.	£	s.	d.
Advertisements - - -				133	13	1
Agents.						
Mr. Henry Michelmore - -	15	15	0			
Mr. W. Smith - - - -	12	12	0			
Mr. R. C. Tucker - - -	17	5	0			
				45	12	0
Clerks, Messengers, &c.						
Two poll clerks - - -	4	4	0			
Five tally clerks - - -	10	10	0			
Messengers - - - -	24	2	0			
Ringers - - - - -	10	10	0			
Watchers - - - - -	44	2	6			
				93	8	6

JOHN DENT, ESQ.

Dr.	£	s.	d.	£	s.	d.
Advertisements - - -				82	14	4
Agents.						
Mr. T. H. Edmonds - - -	31	10	0			
Mr. T. C. Kellock - - -	31	10	0			
Mr. F. Kellock - - -	31	10	0			
Mr. H. Tozer - - - -	6	6	0			
Mr. W. Hannaford - - -	5	5	0			
				106	1	0
Clerks, Messengers, &c.						
Four poll clerks - - -	8	8	0			
Six other clerks - - -	12	4	0			
Messengers - - - -	3	13	6			
				24	5	6

Dr.	£	s.	d.	£	s.	d.
Postages, Printers, Sundries, &c.						
Mr. John Diggins	0	5	10			
Mr. S. Matthews	0	12	6			
Mr. H. Toms	8	6	6			
Mr. T. Dennis	0	5	0			
Mr. W. Hannaford	8	8	0			
Mr. N. J. Hill	5	1	9			
Mr. T. Hannaford	22	8	8			
				45	8	3
Proportion of returning officer's expenses claimed against Mr. Pender				57	7	7
Election auditor for advertising account and transcribing same, and necessary expenses	4	4	0			
Ditto first fee	10	0	0			
Ditto 2*l.* per cent. on 152*l.* 6*s.* 1*d.*	3	0	6			
				17	4	6
				392	13	11
Cr.						
Amounts paid by and with the authority of the election auditor	335	6	4			
Part of returning officer's expenses, admitted and offered to be paid by Mr. Pender, but not yet accepted	34	4	3			
Part of returning officer's expenses objected to by Mr. Pender	23	3	4			
				392	13	11

Dr.	£	s.	d.	£	s.	d.
Postages, Printers, Sundries, &c.						
Mr. John Denner	8	2	0			
Mr. H. Toms	9	2	1			
Mr. John Bishop	1	8	6			
Mr. S. Matthews	0	16	0			
				19	8	7
Conveyances.						
Mr. John Heath				32	15	0
Hotel Bill.						
Mr. John Heath				50	13	0
Proportion of returning officer's expenses charged against Mr. Dent				39	7	5
Election auditor for advertising account and transcribing same, and incidental expenses	4	4	0			
Ditto first fee	10	0	0			
Ditto 2*l.* per cent. on 164*l.* 14*s.* 10*d.*	3	5	0			
				17	9	0
				372	13	10
Cr.						
By amounts paid by and with the authority of the election auditor				372	13	10

May 16th, 1863.

ROBERT FRANCIS, of Newton Bushel, Devon,
Election Auditor for the Borough of Totnes.

BOROUGH OF TOTNES.

ABSTRACT of the ACCOUNT of all the ELECTION EXPENSES incurred by each Candidate, and Sums claimed but not paid upon the Election of a Member to serve in Parliament for the above Borough, on the 20th day of January 1863.

ALFRED SEYMOUR, ESQ.

Dr.	£	s.	d.	£	s.	d.
Advertisements				97	1	3
Agents.						
Mr. R. C. Tucker	6	6	0			
Mr. H. Michelmore	11	11	0			
				17	17	0
Clerks, Messengers, &c.						
Three poll clerks	6	6	0			
Five other clerks	12	12	0			
Messengers	15	0	0			
				33	18	0
Postages, Printers, and Sundries.						
Mr. J. B. Prout	10	14	8			
Mr. W. Hannaford	7	0	0			
Mr. S. Matthews	0	12	6			
Mr. T. Hannaford	11	6	1			
Mr. H. Toms	5	14	10			
Mr. John Denner	1	0	0			
Ringers	11	10	0			
				47	18	1
Conveyances				59	0	5
Hotel bill				43	1	6
Proportion of returning officer's expenses claimed against Mr. Seymour				54	12	0
Election auditor for advertising account and transcribing same, and necessary expenses	4	4	0			
Ditto first fee	10	0	0			
Ditto 2*l.* per cent. on 131*l.* 17*s.* 10*d.*	2	12	8			
				16	16	8
				370	4	11
Cr.						
Amounts paid by and with the authority of the election auditor	315	12	11			
Part of returning officer's expenses admitted and offered to be paid by Mr. Seymour, but not yet accepted	33	1	7			
Part of returning officer's expenses objected to by Mr. Seymour	21	10	5			
				370	4	11

JOHN DENT, ESQ.

Dr.	£	s.	d.	£	s.	d.
Advertisements				93	8	2
Agents.						
Mr. W. Hannaford	5	5	0			
Mr. T. H. Edmonds	31	10	0			
Mr. T. C. Kellock	31	10	0			
Mr. F. Kellock	31	10	0			
Mr. H. Tozer	10	10	0			
				110	5	0
Clerks, Messengers, &c.						
Two poll clerks	4	4	0			
Nine other clerks	18	10	0			
Messengers	4	14	6			
				27	8	6
Postages, Printers, and Sundries.						
Mr. E. B. Smith	6	6	0			
Mr. H. Toms	17	4	7			
Mr. John Denner	14	2	0			
Mr. S. Matthews	1	0	0			
				38	12	7
Conveyances				51	10	0
Hotel Bill				64	17	6
Returning officer				38	3	0
Election auditor for advertising account and transcribing same, and necessary expenses	4	4	0			
Ditto first fee	10	0	0			
Ditto 2*l.* per cent. on 224*l.*	4	9	6			
				18	13	6
				442	18	3
Cr.						
Amounts paid by and with the authority of the election auditor				442	18	3

May 16th, 1863.

ROBERT FRANCIS, of Newton Bushel, Devon,
Election Auditor for the Borough of Totnes.

Conservative Registration Association Account.

H. Smith in account with George Macleay, Esq.

1864.		£	s.	d.
Aug. 5.	By cash	200	0	0
Nov. 3.	By „	90	1	6
1865.				
Mar. 20.	By „	42	0	0
	Balance due to H. Smith	7	10	11
		£339	12	5

1864.		£	s.	d.
Aug. 10.	To Bryett for registration expenses	50	0	0
„ 29.	Expenses to and at Totnes	12	10	0
Sept. 6.	To Bryett for further registration expenses	30	0	0
Oct. 4.	To ditto	20	0	0
Nov. 18.	To Daw for attendance at revision court	50	0	0
„ 26.	To Hockin ditto	40	0	0
Dec. 2.	To Heath on account of valuations and attendance at court	9	0	0
„ 13.	To Rennie, disbursements by him	20	0	0
„ 30.	To Matcham	13	10	0
„ „	To Heath, further account	3	3	0
„ 31.	To ditto, balance	6	17	6
1865.				
Jan. 2.	To Toms	8	2	11
„ „	To Vile	9	9	0
„ 10.	To Harris, services	25	0	0
Mar. 27.	To Edmonds, requisition, &c.	42	0	0
		£339	12	5

All Payments in regard to Totnes made personally* by Alfred Seymour, Esq., M.P.

		£	s.	d.
1863, Jan. 15	Michelmore	1,000	0	0
„ April 20	Ditto	43	6	0
„ May 13	Ditto	15	0	0
„ Dec. 24	Ditto	307	9	10
1864, Jan. 7	Ditto	25	0	0
„ Oct. 21	Ditto	250	0	0
1865, Jan. 14	Ditto	93	7	0
„ Feb. 14	Ditto	70	14	0
„ July 10	Ditto	500	0	0
„ Nov.	Vizard & Ansty, London	50	0	0
1866, Feb.	Michelmore	69	15	0
„ July 26	Derry, Plymouth	3	3	0
Petition	(468*l.* 4*s.*) paid	350	0	0
		£2,747	15	10

Statement of Account between Alfred Seymour, Esq., M.P., and Messrs. Michelmore and Son for the Election in January 1863 at Totnes.

1866.	£	s.	d.
To amount received at Bank	1,000	0	0
To balance due to Michelmore and Son	215	17	7
	£1,215	17	7

1863.	£	s.	d.	£	s.	d.
To amount paid Election Auditor	331	17	10			
„ ditto his own fees	16	16	8			
				348	14	6
„ Seymour Hotel account during visit	230	15	7			
„ ditto for keep of horses	9	13	5			
				240	9	0
„ G. Mitchell for assistance during election				10	0	0
„ N. J. Hill ditto ditto				6	13	0
„ J. B. Pront ditto ditto				8	19	6
„ John Shute for watchers during election				45	6	6
„ T. Latimer for newspapers omitted in account sent to auditor				2	18	4
„ W. Hodge for men during election days				3	17	6
„ Rev. James Shore, travelling expenses				3	0	0
„ W. Sawyer for luncheon during canvass				1	18	6
„ Ringing a knell at Totnes and Bridgetown on Earl of Gifford's funeral				3	2	0
„ Expenses of T. Windeatt to Torquay and Kingsbridge				0	18	9
„ Amount of retainers:—						
F. B. Cuming	50	0	0			
C. F. Michelmore	50	0	0			
W. F. Windeatt	50	0	0			
				150	0	0
„ H. Michelmore, Election Agent				5	0	0
„ Selves, agency charge				100	0	0
„ Amount paid sundry parties				285	0	0
				£1,215	17	7

* This account does not include 500*l.* furnished in 1863 by Mr. Danby Seymour.

		£	s.	d.
21st December 1863.				
By amount of balance due brought over		215	17	7
Ditto of surveyor's charge for hustings		3	9	3
Ditto of Mayor's deputies at election		2	2	0
Ditto of committee room ditto		5	0	0
Ditto of money spent by W. P.		3	10	3
Ditto of travelling expenses to Teignmouth		0	15	0
Ditto of loss cow, per Elford		10	0	0
Ditto paid ringers		2	2	0
Ditto balance due for subscriptions		57	18	0
Ditto to Rev. F. H. Hill towards church		5	0	0
Ditto to Wm. Bentall for cyder		1	16	0
	£	307	9	10

A. SEYMOUR, Esq., M.P., in Account with Messrs. MICHELMORE and SON.

Dr.

1864.		£	s.	d.
Dec. 6.	Balance due to Accountants	14	12	0
		£14	12	0

Cr.

1864.		£	s.	d.
Sept. 5.	A. Owen, subscription to Totnes Cricket Club	1	1	0
Oct. 6.	L. J. Oldreive, ditto to S. D. Agricultural Society	2	0	0
„ 26.	W. Hannaford, ditto to Totnes Races	10	10	0
Nov. 16.	Mrs. Rogers, ditto to Bridgetown Blanket Society	1	1	0
		£14	12	0
	Balance due to Accountants	14	12	0

Feb. 13. Settled by Cheque for £70 14 0

JEFFERY MICHELMORE.

SUBSCRIPTIONS usually paid at CHRISTMAS.

		£	s.	d.
Rev. J. W. Burrough, subscription to National School		5	0	0
Adml. Michell, ditto to Totnes Charity School		5	0	0
Miss Burrough, ditto to Sunday School		1	1	0
Mrs. Lloyd, ditto to Lying-in Society		2	2	0
H. D. Pearce, ditto to British School		5	0	0
S. Tope, ditto to Infant do.		2	0	0
Rev. Paull, ditto to Independent do.		1	1	0
W. Satchwell, ditto to Wesleyan do.		1	1	0
Rev. A. J. Everett, ditto to Berry do.		1	0	0
Ditto ditto to Clothing Society		2	0	0
Rev. H. Bower, ditto to Bridgetown School		5	0	0
Ditto ditto to Sunday do.		1	1	0
Ditto ditto to Coal Fund		2	0	0
H. D. Pearce, ditto to Totnes Mechanics' Institute		10	0	0
17th Rifle Volunteers		10	0	0
Bentall, cyder		1	16	0
Plymouth Poultry Show		1	0	0
	£	70	14	0

A. SEYMOUR, Esq., M.P., in Account with Messrs. MICHELMORE and SON, for SUBSCRIPTIONS.

1863.		£	s.	d.
April 15.	Of A. Seymour, Esq., M.P., by Cheque	43	6	0
May 11.	Ditto ditto	15	0	0
	By Balance due	57	18	0
	£	116	4	0

1862.		£	s.	d.
	By amount of subscriptions due at the end of the year, as per List sent	58	6	0
1863.				
June 16.	To A. Owen, subscription to Cricket Club	1	1	0
Sept. 1.	„ Mr. Hannaford, ditto to Totnes Races	10	10	0
Oct. 23.	„ L. J. Oldreive, ditto to S. D. Agricultural Society	2	0	0

DUE at CHRISTMAS 1863.

To Adml. Mitchell, subscription to Totnes Charity School	5	0	0
„ Miss Burrough, ditto to Totnes Sunday School	1	1	0
„ Rev. J. W. Burrough, ditto to Totnes National School	5	0	0
„ Mrs. Lloyd, ditto to Lying-in Society	2	2	0
„ C. Clarke, ditto to British School	5	0	0
„ S. Toope, ditto to Infants' do.	2	0	0
„ N. J. Hill, ditto to Independent School	1	1	0
„ Wm. Satchwell, ditto to Wesleyan School	1	1	0
„ Rev. A. J. Everett, ditto to Berry do.	1	0	0
„ Ditto ditto to Berry Clothing Club	2	0	0
„ Mrs. Rogers, ditto to Blanket Club	1	1	0
„ C. Clarke, ditto to Mechanics' Institute	10	0	0
„ Rev. Jas. Shore, ditto to Bridgetown School	5	0	0
„ Ditto ditto Sunday do.	1	1	0
„ Ditto ditto Coal Fund	2	0	0
£	116	4	0

SUBSCRIPTIONS paid by A. SEYMOUR, Esq., M.P., for the Year 1866.

		No. of Voucher.	£	s.	d.
Wm. Hannaford, Subscription to Races		1	10	10	0
H. D. Pearce	„ to Mechanics' Institute	2	10	0	0
Theodore Bryett	„ to 17th Devon V.R. Corps	3	10	0	0
Jas. Yabbicom	„ to Charity School	4	5	0	0
Jas. Gill	„ to National School	5	5	0	0
H. D. Pearce	„ to British School	6	5	0	0
Miss Handley	„ to Bridgetown School	7	5	0	0
L. J. Oldreive	„ to South Devon Agricultural Society	8	2	0	0
Mrs. Lloyd	„ to Lying-in Society	9	2	0	0
Adml. Mitchell	„ to Infant School	10	2	0	0
Rev. A. J. Everett	„ to Berry Clothing Club	11	2	0	0
Miss Handley	„ to Bridgetown Coal Fund	12	2	0	0
Miss Burrough	„ to Church Sunday School	13	1	0	0
Wm. Tucker	„ to Independent „	14	1	1	0
Geo. Bennett	„ to Wesleyan „	15	1	1	0
Miss Handley	„ to Bridgetown „	16	1	1	0
Mrs. Rogers	„ to „ Blanket Society	17	1	1	0
J. Michelmore, Donation to Berry Cattle Show		18	5	0	0
Rev. A. J. Everett, Subscription to Berry School		19	1	0	0
			71	15	0
1866. Feb. 3rd. By Cheque on Account			69	15	0
Balance due to J. Michelmore			2	0	0

LETTERS RECEIVED BY THE COMMISSION.

To CHARLES BOWEN, ESQ., Secretary of the TOTNES COMMISSION.

SIR, 10, Serjeants' Inn, November 30, 1866.

I AM much obliged by your letter. I had observed with astonishment that my name was mentioned in the course of the Totnes inquiry. There is no shadow of foundation for the charge made by the late Mr. Moore. I never took any part or had any interest in a Totnes election, and never gave or was the means of transmitting money to Mr. Alfred Seymour or any other candidate.

After this explicit denial I think I am entitled to a copy of Mr. Moore's letter, that I may see upon what evidence he, a perfect stranger, presumed to make such a charge against me.

I am, &c.

Charles Bowen, Esq. (Signed) JOHN I. DELANE.

SIR, Piccadilly, December 3, 1866.

I BEG to acknowledge the receipt of your note, in which you inform me that in a letter of the late Mr. Moore it is suggested that I and Mr. Delane assisted with money at Mr. Alfred Seymour's election at Totnes in 1863. I request you will be so good as to inform the Commissioners that there is no truth in this suggestion, and not the slightest foundation for it. I never in a direct nor in an indirect manner supplied or procured money for Mr. A. Seymour's election at Totnes in 1863.

I am, &c.

Charles Bowen, Esq.,
Secretary to the Commission. (Signed) LIONEL DE ROTHSCHILD.

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